

Card games: daily resistance in Route (Córdoba) in the second half of the 18th century

Emanuel Murillo

Universidad Estácio de Sá

Email: murillo23@gmail.com

Abstract

In the Provincial Historical Archive of Cordoba has recently registered the transfer of a documentary section of civil justice from Rute. The value of the information referring to quotidian life in this village is extraordinary and among the multiple practices described as crime we have selected the card games for the interest of the interrelation norm-practice-representations, the participation of all social groups, the exhibition in public and private spaces, etc. The result is a polyhedral mosaic in which fun, transgressions and quotidian resistances are intertwined in a town in movement, and in which the illustrated reformist dispositions become blurred by the pulse between leisure and legislation.

Keywords: Rute, card, resistance, law, quotidian.

A. INTRODUCTION

This article is the result of the research carried out on the documentation of the Rute Local Justice fund (Court of First Instance and Instruction) kept in the Provincial Historical Archive of Córdoba (AHPCO). In addition to Rute, this fund includes the towns of Benamejí, Iznájar, Palenciana and other ascribed municipalities such as Cuevas de San Marcos and Cuevas Bajas in Malaga. It is unpublished documentation, nothing studied, with some conservation problems as it was abandoned for so long in the Rute County Archive until 1972 when it was decided to transfer it to the AHPCO. It is a fund of great wealth for the historian and incredibly voluminous. In fact, it is still in cataloging and classification and is only described and available for consultation until 1835.

What we could highlight from this work is its innovative nature because it analyzes one of the many forms of resistance to the norm, card games, from novel perspectives such as: first, from judicial documentation, because in addition to this being scarce For the Spanish case, never before had a study of this topic been carried out based on this type of documentation; second, in a rural setting and in the second half of the century XVIII, since the studies on card games always have focused on the urban world and especially on the XVII century; and third and perhaps most importantly, from a historical perspective, since the scarce research on this subject at the European level has been mainly raised from the philological point of view. In summary, in this article the society of the Old Regime has been studied paying attention to the role that each individual plays in the social body, their relationships and dynamics, as well as the actions of local justice. The fact that one of the many practices of a society in a municipality and in such a specific time frame is analyzed

has its reason for being in that it serves as a magnificent example for the greater purpose of reconstructing history from an inductive method.

The use of judicial documentation to study card games makes it possible to clearly know the legislation of the time, the actors who intervene divided into two sides, the justice and the offenders, the actions of said justice (ways of proceeding), everyday life in a specific place and time, the social extraction, place of origin, age, sex, etc., of the active and passive agents, among many other elements that allow the historian to reconstruct the social and cultural reality (and even policy) of a given context. On the other hand, this type of documentation is not without a series of problems:

1. The writing corresponds to the perspective of justice embodied by the notary. Although the statements of witnesses and prisoners are collected, they always depend on what is asked by the judge.
2. Real knowledge of the event is impossible: it always depends on three views, that of justice, that of the criminals and that of the witnesses, who may either have ties with the latter or quite the opposite, providing us with any case subjective information.
3. On many occasions, the car is closed abruptly, without giving the option to know the future of the subjects involved and even the causes of that cessation.

Regarding the methodology followed, it must be stated that first a superficial analysis was made of all the documentation kept in the AHPCO, examining the job possibilities it could offer. After having classified this documentation and having divided it into four fields, "family", "land", "conflicts" and "leisure", the latter was chosen. Regarding leisure, two objects of study were presented: card games and parties, a subject of which only two files appeared. Finally, the theme of card games was chosen, as it provided a complete and more than enough information for our purpose, with nine files in which a case was opened for the crime of playing cards. Afterwards, each of the files was read in depth and in detail, collecting all the information and organizing it in a data table containing the signature, the date, the summary put into the document by the AHPCO and the key ideas. . At the same time, an entire bibliography was emptied that dealt with the subject in question, the spatial and temporal context, justice in the Old Regime, etc.

B. METHOD

Research was conducted using qualitative methods. With this qualitative method, researchers attempt to reveal the universal essence of phenomena personally experienced by a group of individuals in depth (Esterberg, 2002; Moleong, 2017). Data was collected through several techniques, including observation techniques, focus group discussions, and documentation studies. Data analysis was carried out through three analysis processes, namely coding, merging codes that emerged into themes, verification of themes through theory and follow-up interviews, and drawing conclusions.

C. RESULT AND DISCUSSION

1. The Crime Of Playing Naipes: Legislation And Speeches

Games represent human nature in all its fullness: they offer fun, entertainment, escape, socialization, but also competitiveness, greed, tension, conflict. This dilemma is one of the great dilemmas that societies have had when it comes to organizing themselves in relation to recreational activities: although the game is invented as recreation and relief from bodily and spiritual work, subjects also used to use them for very away from mere entertainment; to indulge in vices and "leisure" understood as laziness. Thus, an attempt would be made to regulate, regulate, organize and control all playful manifestations.

The criminal regulations on games start in Roman law, but it is in medieval legislation where we find that what was prohibited were specifically games of chance such as dice, the first of its kind that was widespread in the Middle Ages. The element of money and gambling, together with the fights and hauls that occurred as a consequence, were only aggravating factors that motivated gambling to appear in the laws, as in the Games of Alfonso X and the one known as Ordinance of the tafurerías of Maestro Roldán (Abad, 2011). King John II would be the one who for the first time included the word "playing card" in a law, because due to the prominence of dice games, card games broke out at the end of the Middle Ages (Palacio, 2005).

Already in the Modern Age, the legislation on card games will expand and evolve at the same time that said game was gaining full prominence among the recreational activities of the population. In these laws of the Habsburgs little was innovated, but the provisions of the previous laws were maintained by introducing slight changes: it was punished to play with high stakes or those that exceeded the fixed limit (of 2 reales according to Carlos I) and were already in money or in kind, using their own home or establishment as gambling dens (more severe penalties would be imposed on the owners, such as double the fine for a player) and the right to claim the amount lost in gambling and the imprisonment of the player in case of not being able to pay the fine (Abad, 2011)

It is in the XVIII with the Bourbons in power when the legal panorama in general and, specifically on leisure, changes radically. Although Felipe V and Fernando VI had already introduced certain novelties in the laws such as naming some games directly (bank, sacanete, stop , pharaoh, set, chance, baceta), they were only laying the foundations for the great legislative work of the king more important in the regulation of leisure in our country:

“He is the one who dedicates more attention and detail to his laws for leisure and, specifically, card games, trying at the same time to unify in a single law everything that was established and what he himself has on this subject”.

The real pragmatic sanction of October 6, 1771 is the most extensive and detailed of the laws promulgated in Spain against gambling, and the one that in fact we are referred to in the studied documentation of the Provincial Historical Archive of Córdoba up to four times : in the files of August 1786, September 1787, June 1789

and September 1791. Entitled "Prohibition of gambling, luck and chance games, in accordance with the provisions of the preceding laws; with a declaration of the allowed way of playing", this pragmatic begins by pointing out the ineffectiveness of all those previous regulations, whose prerogatives have led to this law. It also highlights the facts that gambling causes the ruin of many families, the distraction of subjects and the conflicts and events that arise as a result of an environment in which gambling is mixed with alcohol. In the first provisions of this pragmatic, the prohibition of playing or allowing to play certain games at home is established "or any other kind of naypes that are of luck and chance, or that are played by stake, even if they are of another kind and do not go specified here". This leads us to deduce that there would be card games in which chance did not predominate for the most part, but logically all depend to a greater or lesser extent on luck. Other games of chance are also included, such as birbis, goose or auca, dice. The most innovative thing about these Bourbon legal norms is that the center of attention is placed on the lazy or ill-tempered, those "without trade, roots or occupation, habitually devoted to gambling or gamblers, gambling dens or crooks, who commit or are used to committing fraud or fraud" (Palacio, 2005).

This pragmatics also established the betting limit that would supposedly turn a legal game into an illegal one: a fleece real. This rule is curious and controversial even in this work when trying to find the specific border that separated legal from illegal gambling. Pino Abad affirms that "if you bet more than what is authorized, gambling, which was initially allowed, becomes illegal and, therefore, liable to punishment" (Abad, 2011).

Likewise, jail time is maintained in the absence of being able to pay the fine for the crime of playing cards, the right to restitution of what was lost in the game is remembered and playing is prohibited on working days and hours: from six in the morning until twelve and from two in the afternoon until eight at night. Gambling was also banned in "taverns, pubs, inns, inns, liquor stores and cafes, and in any other public house", except for checkers, chess, royal tables and backgammon "in the houses of tricks or billiards" (Abad, 2011).

He also dedicates a section to the role of justice: it regulates that fines are distributed between the royal chamber, judge and complainant. But as we'll see later it is common that the charges were officially by any individual justice (Abad, 2011).

Next, a somewhat ambiguous rule is established that could be further broken by the local courts: it is stated that, when proceeding to apprehend criminals for gambling, in the case of being public places (taverns, cafes, tables of tricks and billiards, etc.), it would be enough to have news or well-founded misgivings of the contravention, but in the case of private homes, "it must first contain summary information that in them contravenes the provisions of this law." On the other hand, "the apprehension or formal complaint should not be necessary when proceeding against the gamblers and vagrants habitually devoted to this kind of vices" (Palacio, 2005). If the concept of vague already presented a certain difficulty in defining its definition, we can imagine the relativity of justices when the law is applied on this

occasion, that is, it would be given to subjective interpretation and, possibly, either to abuses or well to laxity.

What we find later is that it seems that justice did not seem to fulfill its mission correctly so that on July 13, 1782 it was promulgated an order stating that the factions should be published six to six months. Despite the almost constant publication of sides and remembering everything that was legislated, instead of reducing the commission of crimes derived from gambling, it seems that it was growing notably (Abad, 2012). This is perfectly verified in the documentation of the Rute judicial fund kept in the Provincial Historical Archive of Córdoba. If we take a quick look at the years of the nine records studied, we find that between the pragmatics of 1771 and the royal order of April 6, 1786, we only have two of them in which allusion is made to card games, one of December 1775 related to an attack with justice and other abuses committed by two brothers, and another in 1776 with the use that the guest made of the rented house as a gambling house. From that royal order of 1786 and that of April 30, 1787, the number of files multiplied exponentially in just over a decade, up to seven: August 1786, September 1787, August 1789, June 1789, September 1791, February 1794 and November 1799. We can see very clearly how from the fact that in 1782 it was ordered that admissions be published every six months and that since 1786 a series of very in a row, in a very short time the files grow in number due to playing cards.

Parallel to the legal effort of the monarchs and the State to try to minimize the multiple disorders that card games produced in the social corpus, the work of the moralists who with their treatises tried to discipline society from the ethical point of view was equally important and moral. They proliferated in the Modern Age at the same time that the cards took center stage, finding us with the names of Diego del Castillo, Pedro de Medina, Francisco de Alcocer, Luis Vives, Francisco Luque Fajardo and Pedro de Calatayud, among many others. The ideas that put them in common were those of laziness and inattention to the tasks that the game produced, ruin due to greed and vice that ended up harming the player's family, etc (Ruiz-Ortiz, 2012)

Although the condemnation of card games by the power and the moralists was implacable, a different reality showed us some writers who reflected in their writings various concepts in the form of metaphors and similes of the cardiac cosmos, which gives us an account of the strong roots of the card game in society and possibly the mastery of it by these writers such as Miguel de Cervantes, as defended by Jean-Pierre Étienvre (Étienvre, 1990).

2. Women's Empowerment Through the Digital Economy

Due to both the incredible fame and practice of card games from the 16th century and the unique features that the Spanish deck presents, a vast vocabulary was invented and proliferated that would be reflected in a multitude of literary works, although it was essentially used in popular culture, and especially in the card game underworld. This made it difficult for justice, which had to know this enigmatic vocabulary, and it also hampered the study of historians and philologists themselves.

Thus, for example, the same card game was known as the Vilhán game, a somewhat mystical figure who is pointed out as the introducer of playing cards in Spain. The Spanish deck, derived from the Italian tarot of the 15th century, with 48 numerical cards, but with the novelty of the pints (stripes or discontinuities that each card presents on the upper and lower edge according to the suit), was known as a real book or books from Vilhán . The pints gave rise to expressions such as knowing or getting by the pint and each suit or letter even had its own qualifier (the two of clubs was the gallows , the jack the soldier or the whore , etc. A very widespread term was that of flower or floreo to refer to cheating. And of course the names receiving the types of games were the most varied: rentoy , Thirty and a , flower, that of carteta , that of laps or returned each one dubious origins and rules and regulations that in some cases they have not reached us or they would be different from those of today (Fernandez, 2005)

3. Social Transformation Through Creativity and Technological Innovation

Next, we will present the results of the investigations based on the nine files of the Rute Local Justice fund kept at the AHPCO. Logically, card games would be one of the many playful manifestations that would take place in a subbetic town such as Rute, but that would be one of the most practiced.

First, we must bear in mind that the different laws were progressively prohibiting gambling in public places, especially illicit games (except in the case of tricks or billiards houses). The legal regulations were not concerned so much with the existence of gambling houses as such as that in any place they were gambling in breach of the law. However, Bourbon law would regulate a rigid persecution of any public gambling house and anyone who allowed to play in his own house, as we discovered for example in one of the Questions formulated by the justice to a neighbor of Rute: "Asked if the declarant knows that similar games of embitte are prohibited by order of his Majesty, nor that they are allowed in the houses that perform it" (AHPCO, n d) .

In fact, as a result of the relative closure of gambling dens, especially since the pragmatics of 1771, clandestine gambling houses(Ansón Calvo, 1977), would proliferate , that is, those owned by an individual who, in exchange for committing a crime, would charge a percentage to the players, the called cheap or bribe (the latter used more correctly to qualify the benefit received by the owner). These clandestine gambling dens are the ones that we find most in the documentation relating to the town of Rute: of the eight files in which the gaming spaces are collected, six are the cases of private houses. In one of them, in the statement of the witness Juan Lucas Galisteo on the case against the brothers Juan Antonio and Bartolomé de Campos, it refers to "[...] that when [Bartolomé] found out about the prison of his brother Juan Antonio, he left the house where he was playing cards with a pistol and went to look for the Round" (AHPCO, n d). It should be added that these gambling dens could be either fixed and known by the neighbors or improvised, turning any house into a gambling house, as is the case of Juan Bautista Cerdón's. The latter, who was with his

wife and family in the brandy factory that he had located in the district of La Hoz, sent his son Juan Bernabé Cordón home to get bread. Near the door were Isidro Molina and Diego Palomo who cajoled the waiter into playing a game of cané inside house (AHPCO, n d).

The other clandestine gambling dens attested correspond to the houses of Cristóbal de Arévalo, Pablo Valbuena and Domingo de la Luz (the latter functioned as a barber shop). Owning a gambling house or allowing to play in one's own was a crime that was punishable by a fine that was double the one imposed on players, depending on their social category. Perhaps this redoubling of the penalty, as Pedro Gómez de la Serna and Juan Manuel Montalbán assure in *Elements of Civil and Criminal Law in Spain*, was due to the fact that "it was based on the different presumption of criminality; because the mere gamer is frequently drawn to these houses of doom by means of deception and artifice, the other people who are punished are because of the evils that they are trying to prevent" (Abad, 2011). Well, to try to avoid punishment, in his case, Cristóbal de Arévalo alleged in his defense that Mr. Enrique Carrillo was leasing him those houses to which he had just moved and that "when the declarant entered to live in them, they were already going to play in said houses some people. In addition, he embraces compassion and continues: "and those who did so after the declarant moved to them gave him some rooms to buy bread, with the reason that the declarant was ill and had many small children." And to incriminate his landlord, "the declarant cannot decide whether Don Enrique gave permission for them to play or charge varatto" (Palacio, 2005). This is tremendously interesting, because we can intuit that perhaps one way to reduce the penalty was not to charge the cheap (although in this case it should be called bribery, as mentioned above).

The concept of cheap has appeared to us many times. According to the DRAE, on this occasion it means "amount of money that the owner of the gambling den charged the players for using it". Later we will be presented with another meaning of the concept.

The case of Pablo Valbuena is difficult to analyze, since the document is missing a part of the upper area, perhaps because we do not get to know why he is not convicted or called to testify (although it seems that he was absent in the moment), in addition to the fact that the document has little length and details. However, this file serves to illustrate an aspect reflected in the great pragmatics of Carlos III: the way of proceeding of justice when playing in private homes. The file only states that the magistrate, accompanied by a fiscal promoter, three field guards and two ordinary bailiffs arrive "at Pablo Balbuena's doors, and on the occasion of having a man come out of their doors at the same time, and some indications of playing cards in the aforementioned houses, entered them" (Palacio 2011). That at no time is it clarified what those indications were, highlights the idea that we presented of the imprecision or ambiguity of this norm, which is effectively given to relativity in the interpretations of justice, so we can suppose that the king left to opinion of "the Judges" (in this case the magistrate of rute) in which cases to intervene and with how much vehemence. In

Cristóbal de Arévalo's file, every luxury of detail is given to prove and legitimize having entered his house, in accordance with the provisions of pragmatic (AHPCO, n d).

Without a doubt the most interesting and illustrative case is that of Domingo de la Luz. Everything points to the fact that this Rute barber obtained a small profit as a garitero, as the witness Gabriel Sánchez affirms: "in fact he entered that house that is gambling and those who gamble pay their interest" . From the descriptions that witnesses and inmates give us, the "store" (the work area) connected with the kitchen, adjacent to or close to a room where the games were played. At no time is it mentioned where this Domingo was, perhaps working from what is deduced from two statements. It is indicated that his wife and son were in said "game room" with the gamblers and other individuals.

In general, what is most strange is that both Domingo de la Luz and Pablo Valbuena are barely mentioned, no statement is taken or punished despite having statements and indications of committing a crime, just the opposite of the case of Cristóbal de Arévalo . A separate case is that of Antonio Caballero, alias Guindas, whose landlord, Juan García Algar, initiated a request to the attorney to kick him out because on the day of San Miguel in 1775 "they were playing" in the rented house, in addition to that the players and Knight himself were imprisoned (AHPCO, n d).

Among the public spaces in which cards were played, we find in the chosen documentation a town square and a tavern. Regarding the first, the crime scene is named "the public square and doors of the chapter houses", something that at first glance may seem somewhat surprising if we take into account the rigid prohibition of playing in public places, and more being in the open air, in full view of all. In fact, it was several surrounding residents who, faced with "[the] much scandal, [...] They had complained [to the corregidor] about the disorders that were being experienced during nap time [...]" . This is a very clear example of total violation of the norm. There were about ten individuals (among eight and thirteen), some of whom alleged that they were in their daily chores.

The tavern could be considered as the public space of sociability par excellence in Spanish society. In these places an environment was distilled where the mixture of alcohol, vice and money could light a wick that the Order feared; Most of the altercations in taverns were motivated by playing cards, as Mantecón explains . Francisco de Paula Pulido's "public tavern houses" were located on Rutian street del Pilar, which was known as "a public place where he sells wine and brandy", where on June 3, 1789 six men began to play, " two of the strangers" (Thomson, 1999). In his statement, the innkeeper was reminded by asking if:

"It is certain that, due to the published factions or good government auttos, it is forbidden that, in taverns or any public stall of wine and other liquors, there are gatherings, seats, and unless anything is played under certain penalties, and if so it is because the declarant allowed that in the morning that day those that consist of these cars sat down to play".

To which he replied that it was "true the context of the question and that because the declarant was not at home, the aforementioned men began to play." In addition, he had added that he had not collected the jar of spent wine that were being sent". However, two of the six prisoners accused the innkeeper, stating that they had his consent to play.

With regard to time coordinates, we take into account the months, days and hours. Of the nine files, five are made up between June and October, in a summery climate, perhaps more conducive to recreation. However, the attack between the justice system and the brothers Juan Antonio and Bartolomé de Campos occurred on Christmas night in 1775 when "[...] the increased number of people of all kinds who walk through the streets and see parties in the houses to rejoice in this present time of the Holy Birth of Our Redeemer". In addition, some groups decreed "that no one walks through the streets from ten o'clock at night upwards or together in gangs but is alone and in public places". Juan Antonio de Campos was alone and in the dark of night, becoming quickly nervous when the patrol closed in on him. The interesting thing is to observe how the justices know of the irremediable fun, games and parties that take place on such an important date in all the houses of the town, so they give a lax margin of tolerance that could logically be overcome. And so it happened at the home of Bernabé Ximénez where the round, according to the ordinary minister Juan Lucas Galisteo, "had come in to disrupt a time of festivities that there were" , and according to Francisco Aguilar "had and gone [...] to disrupt a function that had" .

On the other hand, in the case of the barber-garitero Domingo de la Luz, it seems that all the men in the neighborhood or town came to shave because it was, possibly, November 1, All Saints' Day, as referred to several times in Document.

Another aspect to observe is the hours, because we must bear in mind that in the pragmatics of October 6, 1771, it is prohibited to gamble on working days and hours, from six in the morning to twelve and from two in the afternoon. until eight at night (Palacio 2011) . At 11 p.m. on September 15, 1787, he caught himself playing four men at Cristóbal de Arévalo's house, of which Francisco José Remigio Molero confessed that "because it was the following holiday day, he began to play with the said Arévalo, Ravasco and Fields"; and at 1 am on September 29, 1791 to seven subjects in Pablo Valbuena's house. And from 10 pm and throughout the night of February 20, 1794, the game was played in the houses of Juan Bautista Cordón. As we can see, it is mostly at night and in "private" gambling houses where gambling takes place, except in the cases of Francisco de Paula Pulido's tavern, which happened at 10 am on June 3, 1789; in which they began to play in the public square at 2.30 pm on August 6 of the same year (which, as we have already pointed out, caused a scandal at siesta time); and in that of the barber shop on Domingo de la Luz, where the game was played between 7 a.m. and 9 a.m. on All Saints' Day in 1799. Of these three cases, which fall within the illegal hours for the game, only in that of the tavern, said regulation becomes important when stating that "in attention to the published good government factions so that in any public position on working days no person is admitted to them for games or that [they] are given a seat , get prisoners to those referred to in the Royal

Prisons of this town [...] ". In fact, Bartolomé de Campos himself, in his trial of 1775, answered" that if he has played cards it has been the days that he has enjoyed a lot of entertainment " . So, was it allowed to play on the days that custom set as holidays? We cannot know.

From these files, we have also analyzed which games are illegal and their possible rules (number of players, ways of playing, etc.), which we have found mostly in the Dictionary of the Royal Spanish Academy and on websites specialized in card games . Following a chronological order, in the 1775 file on the Campos brothers, several witnesses report that they are given to "the games of naypes", without saying whether the legal ones or the illegal ones, while other witnesses such as Salvador de la Cruz Porrás They affirm that "that I have heard the card games that have been played [...] have been played and on the occasions that they have had time to do so" (AHPCO, n d).

In the following file, from 1776, in which it is requested that the Guindas be dispatched from his landlord's house, he only mentions that they were playing cards and that justice entered and imprisoned everyone present, from which we deduce that they were playing illegally (prohibited games, high stakes, or due to some scandal or conflict?).

José Roldán in 1786 was condemned not so much for playing specifically forbidden games (as mentioned) but for being "a man who was badly entertained in games of naypes, drunkenness and robbery". That is, his processing is more focused on not being applied to work and labeling himself as lazy and wasteful of his wages: «such a day that he works as a masonry pawn, the witness who took the pawn or half has played it in games prohibited as the witness has seen " (Builes Cesteros, 2017) .

In 1787 we already found the first illicit game: the "jiley". According to the DRAE , the gilé , giley or forty- one is a "card and stake game that aims to score the greatest number of points with cards of the same suit" . Marc Fontbona in History of gambling in Spain explains a little more its regulations. Regarding the number of players "it can vary, [but] the most indicated is that four participate", which coincides with what is reflected in document (Silvestri, 1999) . In the court order the following is explained: "four men were found half hidden, and the table where they were playing was found, and three separate decks of the white cards of the figures, which denoted that they were playing a prohibited game" (Fernandez, 1866). We do not know the reason for this reasoning, because according to what was consulted, it was played with 28 cards by removing the Sixes, Fives and Fours from the 40 (obviously of each suit). In fact, the same inmate Francisco José Remigio Molero affirms that there were "three separate decks of cards and provided to play jiley ". In the statements one of the questions asked is "if it is clear to him that the aforementioned game of jiley , like those of more than embitte, luck and chance, are prohibited by the Royal Pragmatic Sanction of His Majesty with certain penalties and fines for those who violate them", To which he answered something that is repeated in subsequent statements:" that because the declarant is not well versed in business (others will say "because he is not instructed in paperwork") and if only applied to his work as a

gardener, no He knows neither by ear nor by understanding that such jiley game is prohibited “ . All those arrested declared something similar: that they were playing it, but that they did not know it was forbidden, except Simón Leal and Cristóbal de Arévalo, possible gamblers and garitero, respectively. All of them also stated that as they had been playing the game for a short time, according to Remigio, "no amount of consideration had been crossed because it was fun" , although Juan Antonio de Campos, for his part, confessed that "more than about four or five reales "(Mera Costas, 2016), which exceeded the limit imposed in the pragmatics of 1771.

D. CONCLUSION

At this point, we can establish a series of conclusions drawn from this in-depth investigation. In the first place, the rule established that playing cards was allowed because it did not depend exclusively on chance, but also on the skill and knowledge of the players, and what was prohibited was to bet amounts above the legally allowed limit at any given time. . Thus, offenders, in their attempt to minimize punishments, claimed to have played little (money or consumer goods). But the reality was that you should never bet anything no matter how insignificant the amount was. In the judicial documentation studied there are games of Playing cards specifically prohibited for relying solely on chance, although any game was also penalized whether a considerable amount or half a jug of wine or brandy was wagered. An obvious conclusion is that, despite being regulated and condemned by the State and moralists, gambling, from which great evils and damage to order in the lower strata of society could derive, managed to survive solidly today. peoples day. Of course, constant transgression, dictated largely by custom, undoubtedly had the ever-dynamic tolerance of local power. In other words, the rules were applied at the discretion of the local justice and power, as we have seen in the documents examined. It is evident that they would act depending on the vicissitudes of the moment, on the relationships between members of the courts and the players, and a long list of factors that escape the historian. This could explain the absence of statements or apprehensions of certain individuals who they seemed to be quite involved in the crime in question, the uneven imposition of penalties or even the greater or lesser length of the document and amount of details. What is clear is that everyone played cards, from simple laborers to ordinary ministers, taking advantage of the margins left by the law and the practice of justice. All agents, active or passive, were subject to negotiation, tension or relaxation of their attitudes and behaviors according to parameters dictated either by custom or by law or by pure logic, such as when imposing heavy fines to needy laborers. Finally, the fact of the growth in the number of files based on the laws of Carlos III seems to indicate that it was due to the greater intensity of action of the local justice by the possible demand of the higher powers, and not to a tendency of the Ruteños to play more in that period.

REFERENCES

1. Abad, M. P. (2011). *El delito de juegos prohibidos: análisis histórico-jurídico*. Librería-Editorial Dykinson.
2. Alamillos Álvarez, R. (2015). Hechicería y brujería en Andalucía en la Edad Moderna. Discursos y prácticas en torno a la superstición en el siglo XVIII.
3. Ansón Calvo, M. D. C. (1977). Tarazona y su partido en la época de la ilustración.
4. Aranda Arribas, V. (2019). LOPE HUERTA, Arsenio (Madrid, 2015). El juego en tiempos del Quijote.
5. Archivo Histórico Provincial de Córdoba (en adelante AHPCO), Justicia Local de Rute, legajo 2326, expediente 24, folio 9.
6. Builes Cesteros, R. (2017). La Hispania romana, en la programación de geografía e historia de 1º de la ESO.
7. Clissa, K. (2007). Lenguaje e identidad social en la Córdoba colonial. *Anuario del Centro de Estudios Históricos Profesor Carlos SA Segreti*, (7), 391-410.
8. De Vega, L. (2018). *El acero de Madrid*. Ediciones Cátedra.
9. Dedieu, J. P. (2002). La vara quebrada de la justicia. Un estudio histórico sobre la delincuencia madrileña entre los siglos XVI y XVIII.
10. Di Gresia, L. A. (2007). Conflictos y armonías en el sur bonaerense. Conflictividad, penalidad y extrajudicialidad desde la Justicia de Paz (Tres Arroyos, 1865-1902). *Anuario del Centro de Estudios Históricos" Prof. Carlos SA Segreti"*, 7(7), 41-74.
11. Elorza, R. M. E. (2008). Una expresión restringida que indica grado sumo:" a carta cabal.(Un hombre de bien/honrado a carta cabal)". In *Nomen exempli et exemplum vitae: studia in honorem sapientissimi Iohannis Didaci Atauriensis* (pp. 91-100).
12. Española, R. A., & Madrid, E. (1970). *Diccionario de la lengua española* (Vol. 19). Espasa-Calpe.
13. Estepa, L. (1994). *Teatro breve y de carnaval en el Madrid de los siglos XVII y XVIII: estudios sobre los géneros dramáticos del baile y la folla* (Vol. 7). Comunidad de Madrid. Consejería de Educación y Cultura. Centro de Estudios y Actividades Culturales.
14. Esterberg, K. (2002). *Qualitative methods in social research*. Boston; McGraw Hill.
15. Étienvre, J. P. (1990). *Márgenes literarios del juego: una poética del naipe siglos XVI-XVIII* (Vol. 142). Tamesis.
16. Fernández, B. G. (1866). *Examen histórico del derecho penal*. Sanchez.
17. Fernández, M. I. C. (2005). *Léxico del naipe del Siglo de Oro*. Trea.
18. Mera Costas, P. (2016). *Monárquico, republicano, liberal: biografía política de Manuel Portela Valladares* (Doctoral dissertation, Universidad Complutense de Madrid).
19. Moleong, L. J. (2017). *Qualitative Research Methodology*. Bandung: Youth Rosdakarya.
20. Palacio, Y. A. (2005). Régimen patrimonial del matrimonio desde Roma hasta la Novísima Recopilación. *Revista de Derecho*, (24), 2-31.
21. Ramírez Ruiz, R. (2007). Violencia popular y autoridad pública en la Córdoba del primer tercio del siglo XX.
22. Ruiz Ortiz, M. (2012). Pecados, conflictos y otras transgresiones de la conciencia: prácticas discursivas y vida cotidiana en la Andalucía moderna.
23. Sánchez-Herrador, M. Á. (2017). Taller de historia "La mujer tutelada" del Archivo Histórico Provincial de Córdoba: la dimensión educativa y social del archivo. *Revista Tria*, 21, 139-173.

24. Santos, F. (2017). *Día y noche de Madrid*. Ediciones Cátedra.
25. Silvestri, L. (1999). Experiencia y enciclopedia: figuras de una contamination. *Jorge Luis Borges: Pensamiento v saber en el siglo XX*. Ed. Alfonso de Toro, Fernando de Toro. Madrid: Iberoamericana, 105-117.
26. Thomson, J. K. J. (1999). Conflictividad y Disciplinamiento Social en la Cantabria Rural del Antiguo Regimen. *The English Historical Review*, 114(455), 203-204.
27. Zabaleta, J. D. (1983). El día de fiesta por la mañana y por la tarde. Ed. Cristóbal Cuevas García. Madrid: Castalia.