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The Ruin of a State is Freedom of Conscience: Religion, (In)Tolerance, and Independence in the Spanish Monarchy

Scott Eastman

During the reign of Charles III (1759-1788), the Bourbon Monarchy, unlike the more reactionary Bourbon regime north of the Pyrenees, allied with partisans of reform, including prominent Jansenists.¹ Spaniards read the works of Montesquieu and Adam Smith, and their texts circulated despite censorship and the prying eyes of inquisitors.² Ministers pushed through educational changes, economic societies were founded to advance agriculture and industry, and prominent women such as Josefa Amar began to have a greater voice in the public sphere, exemplifying an age of experimentation and change that would culminate in a cycle of revolution and reaction. Gabriel Paquette and Gregorio Alonso, among others, have called attention to the cosmopolitan tendencies of this program of “regalist governance.”³ Yet Javier Fernández Sebastián refers to fundamental differences between the Spanish Monarchy and “the world of Protestant Europe and North America,” bisecting Europe into a progressive, Protestant north bordered by a recalcitrant, backward south.⁴ A wealth of evidence demonstrates that there were common ideologies and an emergent public sphere that connected together eighteenth-century European societies in profound ways.⁵ This article, beginning with a Prussian writer and ending with a Genoese legal theorist who influenced Spanish thinkers, will draw on archival evidence from Spain and New Spain to show how a heterodox form of Hispanic liberalism remained imbricated within larger transnational movements and ideological

¹ Dale Van Kley, “Religion and the Age of ‘Patriot’ Reform,” *Journal of Modern History* 80, no. 2 (June 2008): 277; *The Jansenists and the Expulsion of the Jesuits from France 1757-1765* (New Haven: Yale University Press, 1975).

² By the early 1820s, the educated elite even began to explore Jeremy Bentham’s work. See Gregorio Alonso, “‘A Great People Struggling for Their Liberties’: Spain and the Mediterranean in the Eyes of the Benthamites,” *History of European Ideas* 41, no. 2 (2015): 5.

³ Gabriel B. Paquette, *Enlightenment, Governance, and Reform in Spain and its Empire, 1759-1808* (New York: Palgrave Macmillan, 2008), 6; Gregorio Alonso, *La nación en capilla: ciudadanía católica y cuestión religiosa en España, 1793-1874* (Granada: Comares, 2014), 41.

⁴ Javier Fernández Sebastián, “Toleration and Freedom of Expression in the Hispanic World Between Enlightenment and Liberalism,” *Past and Present*, no. 211 (May 2011): 161.

⁵ See especially Jorge Cañizares-Esguerra, *Puritan Conquistadors: Iberianizing the Atlantic, 1550-1700* (Stanford: Stanford University Press, 2006). Although he does not mention Spain, Jeffrey Burson demonstrates the applicability of entangled history to the study of the process of the Enlightenment. See “Entangled History and the Scholarly Concept of Enlightenment,” *Contributions to the History of Concepts* 8, no. 2 (2013): 1-24.

currents.⁶ While the Bourbon state promoted quintessentially Enlightenment projects, from overhauling imperial bureaucratic structures to attempting to repopulate parts of southern Spain, most Hispanic *lucos* did not entertain notions of religious tolerance, especially after the outbreak of the French Revolution, which allowed them to carve out a unique niche in the early 1800s. Seventeenth- and eighteenth-century Spanish priests and officials expediently had decried religious liberty and constitutionalism, associated by definition with German states and England, although ideals of tolerance continued to challenge the early modern consensus on a confessional, absolutist state.⁷ By the first decades of the nineteenth century, a de facto freedom of speech allowed Hispanic *letrados* to engage their peers in Europe and the Atlantic World in wide-ranging conversations over the place of religion within increasingly centralized and complex states, thus putting a spotlight on law, liberty, and conscience.⁸

According to the Prussian Baron of Bielfeld (1717-1770), whose influential multi-volume work was translated into Spanish as *Instituciones políticas* (1767), “The liberty of a nation...consists in each Citizen knowing precisely what is legal to do, and what each is allowed to practice.”⁹ Georg

⁶ As Manuel Suárez Cortina aptly notes, earlier histories of Spanish liberalism failed to take Mexico and Spanish America into account. See *El águila y el toro. España y México en el siglo XIX. Ensayos de historia comparada* (Castelló de la Plana: Publicaciones de la Universitat Jaume I, 2010), 22. Pol Dalmau and Jorge Luengo likewise lament the absence of the Spanish Monarchy from global histories of the early and mid-nineteenth century in “Writing Spanish History in the Global Age: Connections and Entanglements in the Nineteenth Century,” *Journal of Global History* 13, no. 3 (2018): 426. Roberto Breña cogently argues that Spanish liberalism represents a distinct variant on continental tradition in “Liberalism in the Spanish American World, 1808-1825,” in *State and Nation Making in Latin America and Spain*, ed. Miguel A. Centeno and Agustín E. Ferraro (Cambridge: Cambridge University Press, 2013), 271.

⁷ Ironically, tolerance of the Jesuit order had been all but condemned under Charles III. See Andrea J. Smidt, “*Luces por la Fe: The Cause of Catholic Enlightenment in 18th-Century Spain*,” in *A Companion to the Catholic Enlightenment in Europe*, Vol. 20, ed. Ulrich L. Lehner and Michael O’Neill Printy (Leiden: Brill, 2010), 432-34.

⁸ In *La ideología liberal en la Ilustración Española* (Madrid: Editorial Tecnos, 1970), Antonio Elorza defines liberalism, as differentiated from enlightened absolutism, in terms of the promotion of industry and the dismantling of state regulation in contradistinction to absolutist policies. Politically, liberals advocated individual and natural rights in addition to national sovereignty. Elorza maintains that the beginnings of liberal thought, as evidenced by the work of Pedro Mariano Ruiz in 1788, continued to display internal contradictions and tensions between economic and political reform on the one hand and social reform on the other. Rafael Rojas, among recent scholars, has emphasized republicanism as it emerged in parts of Spanish America to challenge colonial hegemony. However, Jeremy Adelman notes that “the difference between republicanism and liberalism is easily exaggerated in historical analysis—and it has been exaggerated” in “What’s in a Revolution?” *Latin American Research Review* 47, no. 1 (2012): 194.

⁹ Baron de Bielfeld, *Instituciones políticas*, trans. Domingo de la Torre y Mollinedo, vol. 1 (Madrid: Imprenta de D. Gabriel Ramírez, 1767), 155. On his influence elsewhere, see Niccolò Guasti, “Antonio Genovesi (1713-1769): Reform Through Commerce and Renewed Natural

Wilhelm Friedrich Hegel later would echo such sentiments in writing that “Law, Morality, Government, and they alone, [are] the positive reality and completion of Freedom.”¹⁰ For Bielfeld, as for many enlightened Catholics, freedom as could be found under the law coexisted with the political maxim: “a State cannot subsist without Religion.”¹¹ To admit multiple faith traditions within one state would be to grant far too much independence to a sovereign’s subjects. Within early modern Spanish political discourse, many thinkers placed a great deal of value on collective liberties, but nominal notions of independence tended to mark dangerous transgressions. While maverick Hispanic intellectuals began to embrace *conscientiae libertas* in theory, even the most ardent nineteenth-century liberals, passionate defenders of the revolutionary Constitution of 1812 in Spain, insisted that religious pluralism simply was not adaptable to the conditions of modern Spain.¹² Emblematic of this early Hispanic liberalism, then, the Cádiz Constitution and later charters like the 1824 Mexican Constitution defined citizenship in terms of religious exclusivity, and Spain would not officially adopt a state policy of tolerance until 1869. Even as eighteenth-century fears of tolerance providing greater independence to the individual subject faded and nation-states consecrated political independence in the nineteenth century, liberal Hispanic constitutions continued to maintain legalized religious intolerance.¹³

A Brief History of Religion and Intolerance in Habsburg Spain

During the wars of religion across early modern Europe, Spain had upheld a high degree of religious uniformity, even expelling the remnants of its Morisco population during the reign of Philip III between 1609 and 1614. Of course, the Inquisition, in effect by 1480 in peninsular Spain and 1571 in Mexico City and Lima, had been charged with extirpating currents of dissent. The Spanish Monarchy, however, ruled over a predominately homogenous population, as seen in religious terms. As one scholar has written: “tolerance always presupposes a conscience of plurality,” which often draws on “the real experience of a situation

Law,” in *Enlightenment and Catholicism in Europe: A Transnational History*, ed. Jeffrey D. Burson and Ulrich L. Lehner (Notre Dame: Notre Dame University Press, 2014), 271.

¹⁰ G.W.F. Hegel, *The Philosophy of History*, trans. J. Sibree (Mineola, N.Y.: Dover Publications, 1956), 38. Conversely, the eighteenth-century Spaniard José Cadalso satirically noted that the extent of religious, civil, and customary laws had created “the most pitiful slavery” in letter 31, *Cartas marruecas* (Barcelona: Imprenta de Piferrer, 1796), 84.

¹¹ Bielfeld, *Instituciones políticas*, vol. 1, 136.

¹² The *Diccionario de la lengua castellana*, vol. 4 (Madrid: Imprenta de la Real Academia Española, 1734) defines “libertad de conciencia” as “Permisión para poder vivir cada uno en la Religión que professa: como sucede en muchas Ciudades de Alemania.”

¹³ Postcolonial Peru also remained a bastion of Catholic intolerance. See Alonso, *La nación en capilla*, 45.

of pluralism.”¹⁴ Obviously, the so-called Catholic Kings had attempted to bring an end to ethnic and religious pluralism in the peninsula since the unification of the monarchy between 1479 and 1492. In this context, political dissent couched in terms of non-domination emphasized local rights and privileges, especially in confrontation with the centralizing Habsburg state by the sixteenth century.

Some scholars have found parallels between the unforgiving Spanish bureaucracy, with the Inquisition as its hallmark achievement, and the foundations of twentieth-century fascist regimes.¹⁵ Yet Henry Kamen cautions that the tribunals of the Spanish Monarchy must be compared to the zealous witch hunts of the age and to the general state of religious strife during the period. He notes the irony of Ferdinand and Isabel expelling the Jews in 1492 when Isabel had been among their foremost protectors in the 1470s. Kamen calculates that fewer than two thousand were executed at the height of its activity in the early sixteenth century, a figure much lower than that for condemned witches and heretics in other parts of the continent.¹⁶ With religious persecution the norm in many different European states, the Jesuit Pedro de Ribadeneyra seemed in line with his contemporaries in bluntly stating: “it is impossible for Catholicism and heresy to operate in tandem within one and the same commonwealth, for this mix not to result in considerable agitation and upheaval, which brings about the ruin and destruction of kingdoms and states.”¹⁷ He played up a Manichean form of Christian schism in preaching: “in no kingdom of heathens, Moors, and barbarians has the Catholic church suffered greater persecution” than in England.¹⁸ Likewise, in 1640, the Spanish diplomat Saavedra Fajardo insisted:

¹⁴ José Antonio Maravall, *La oposición política bajo los Austrias* (Barcelona: Ediciones Ariel, 1972), 104.

¹⁵ Irene Silverblatt, *Modern Inquisitions: Peru and the Colonial Origins of the Civilized World* (Durham, N.C.: Duke University Press, 2004).

¹⁶ Henry Kamen, *The Spanish Inquisition: A Historical Revision* (New Haven: Yale University Press, 1998), 16, 60, 203, 310. For a translation of the expulsion decree, see *Early Modern Spain: A Documentary History*, ed. Jon Cowans (Philadelphia: University of Pennsylvania Press, 2003), 20-23. On witchcraft, see Irene Silverblatt, *Moon, Sun, and Witches* (Princeton: Princeton University Press, 1987); Robin Briggs, *Witches and Neighbors: The Social and Cultural Context of European Witchcraft* (New York: Viking, 1996), 26-27; *Witchcraft and Magic in Europe*, ed. Bengt Ankarloo and Stuart Clark (Philadelphia: University of Pennsylvania Press, 2002); Gary K. Waite, *Heresy, Magic, and Witchcraft in Early Modern Europe* (New York: Palgrave Macmillan, 2003). For recent literature on the subject, see H.C. Erik Midelfort, review of Alison Rowlands, *Witchcraft Narratives in Germany*, in *Journal of Modern History* 78, no. 2 (June 2006): 515-16.

¹⁷ Ribadeneyra (1595), cited in Fernández Sebastián, “Toleration and Freedom of Expression in the Hispanic World between Enlightenment and Liberalism,” 163. On persecution in Europe, see R.I. Moore, *The Formation of a Persecuting Society* (Malden, MA: Blackwell, 1987); Jeffrey Richards, *Sex, Dissidence and Damnation: Minority Groups in the Middle Ages* (London: Routledge, 1991).

¹⁸ *Exhortation for the Soldiers* (1588), cited in *Early Modern Spain*, ed. Cowans, 127.

“The ruin of a State is freedom of conscience.”¹⁹ Fajardo correlated peace and concord with religious uniformity; one could not exist without the other.²⁰ Akin to Bishop Jacques Bénigne Bossuet, who preached notions of sovereignty grounded in untrammelled princely right and presided over the revocation of the Edict of Nantes (“the miracle of our time,” he boasted), seventeenth-century Spanish *arbitristas* maintained that pluralism had no place in Catholic society.²¹

However, recent research by Stuart Schwartz has challenged the conventional narrative of an intransigent Counter-Reformation Spain as the bulwark of Catholic Europe, finding that Philip II “considered the possibility of making concessions to religious dissent.” Furthermore, he argues that “the idea of salvation outside the Church and relativist thinking about religions were...not limited to any one social group.”²² Complementing Kamen’s re-evaluation of the notorious Spanish Inquisition, Schwartz shows that a culture of tolerance stood in stark contrast to official post-Tridentine discourse on religious matters.

Although religious violence of the kind that ravaged central Europe during the 30 Years’ War was largely unknown, sociopolitical unrest was common across the regions of the monarchy, from the Comunero Revolt in Castile and the Germanía uprising in Valencia in 1520 to Muslim rebellion in the Alpujarras and the succession of Catalonia in 1640. Calls for localism dominated the landscape of the Habsburg emperors.²³ Religious unanimity did not equate to geopolitical unity under the monarchy. For example, with the succession of the Habsburg Charles V in 1519, rebellious cities from Valladolid to Toledo decried the burdens of taxation, the relegation of the Cortes, and the rise of prominent foreigners to positions of power in the state. This was accompanied by the formation of juntas that called for municipal liberties to be restored and for a consensual model of governance, with the Cortes to meet every three years. In Valladolid in 1521, leaders urged peasants to defend “liberty...and be treated like men not like slaves.”²⁴ This dichotomy rested above all on a conception of liberty that entailed freedom from arbitrary rule, an echo of a much longer republican tradition in

¹⁹ Cited in Fernández Sebastián, “Toleration and Freedom of Expression in the Hispanic World,” 163.

²⁰ Diego Saavedra Fajardo, *Idea de un príncipe político cristiano*, empresa 60 (Milan: n.p., 1642).

²¹ Cited in John Marshall, *John Locke, Toleration and Early Enlightenment Culture* (Cambridge: Cambridge University Press, 2006), 396, 690. As Marshall shows, many interpreted Locke’s *Letter Concerning Toleration*, written in the Netherlands in 1685 in the aftermath of Louis XIV’s decision to rescind the Edict, as having excluded Catholics from toleration.

²² Stuart B. Schwartz, *All Can Be Saved: Religious Tolerance and Salvation in the Iberian Atlantic World* (New Haven: Yale University Press, 2008), 249-50.

²³ See James Casey, *Early Modern Spain* (London: Routledge, 1999), 133.

²⁴ Cited in Henry Kamen, *Spain 1469-1714: A Society of Conflict* (London: Longman, 1983), 78.

European political thinking.²⁵ Laws based on “natural reason,” according to the Comunero rebels, obliged prince and vassal alike to work for the common, or public, good.²⁶ Thus the uprising was premised on a kind of collective, rather than individual, liberty. Although the nobility succeeded in quelling the revolts of 1520-21, a spirit of provincialism remained a strong impediment to governmental centralization.

Examples of the weakness of the Spanish crown also can be seen in the financial situation of Philip IV (1621-1665) and the relative power of the aristocracy in relation to the monarchy. Juan Linz has described how under Philip IV, the fiscal foundations of royal authority were exceptionally precarious. The income of the Crown from all secular sources was less than half of the income of the city of Barcelona alone, and Spain’s financial collapse included eight bankruptcies between 1557 and 1680. The failure of the Count-Duke of Olivares to bring about bureaucratic centralization in the 1620s and 1630s occurred at a crucial juncture in Spanish history, and a lack of political will impeded similar policies in later periods, especially in the wake of the Catalan Revolt that ended in 1652.²⁷ On the other hand, revisionist scholars like Regina Grafe have argued that the runaway inflation characteristic of much of the seventeenth century had been tamed by 1680, and the state limited spending and borrowing for the next one hundred years.²⁸ What is important to note, however, is that Spain long had been perceived as a state in decline, a decadent monarchy that had failed to capitalize on the riches of America—Montesquieu certainly portrayed Spain in this light.²⁹ The English traveler Joseph Townsend captured the dominant sentiment of the Enlightenment in disparaging the financial straits of the country. He did not mince his words:

²⁵ Philip Pettit, *Republicanism: A Theory of Freedom and Government* (Oxford: Clarendon Press, 1997), 32.

²⁶ Cited in Prudencio de Sandoval, *Historia del emperador Carlos V, rey de España*, vol. 2 (Madrid: Est. Literario-Tipográfico de P. Madoz y L. Sagasti, 1846), 283.

²⁷ Juan J. Linz, “Early State-Building and Late Peripheral Nationalisms against the State: The Case of Spain,” in *Building States and Nations*, ed. S. Eisenstadt and S. Rokkan (London: Sage, 1973), 355-369.

²⁸ See Regina Grafe, *Distant Tyranny: Markets, Power, and Backwardness in Spain, 1650-1800* (Princeton: Princeton University Press, 2012). While David Ringrose has persuasively argued that Spain’s economic progress during the eighteenth and nineteenth centuries can be interpreted in terms of the overall gains and successes of both private and state enterprise, John Lynch opines that “a century of Bourbon promise ended in the years 1790-1808 not in fulfillment but in failure.” See Ringrose. *Spain, Europe and the “Spanish Miracle” 1700-1900* (Cambridge: Cambridge University Press, 1996); Lynch, *Bourbon Spain 1700-1808* (Oxford: Blackwell, 1989), 10.

²⁹ On the Black Legend, see Richard L. Kagan, “Prescott’s Paradigm: American Historical Scholarship and the Decline of Spain,” *American Historical Review* 101, no. 2 (1996): 423-46.

We may venture to say that, if the gold and silver of America, instead of being buried in the churches, or, which is worse, instead of pampering the pride, the prodigality, and the unprofitable luxury of the great, or, which is worst of all, instead of being idly spandered in useless and almost endless wars, if all this gold and silver had been devoted to Ceres [the Roman goddess of agriculture], Spain would have been her most favourite residence.³⁰

Thus critics inextricably tied economic declension to a kind of spiritual indulgence and ineptitude.

Embracing Reform and the Hispanic Enlightenment

Recovering the voices of *ilustrados* and *liberales* as well as traditionalists of different stripes will undermine three significant historical myths concerning the nature of the Spanish Monarchy.³¹ First, the idea that the eighteenth- and early nineteenth-century Spanish church and state represented a bastion of conservatism must be revised, as a vocal group of intellectuals, among them clerics, embraced reform and Enlightenment thinking.³² Neo-Thomist philosophers in sixteenth-century Spain advanced a version of social contract theory constructed in explicit contrast to Lutheran theology.³³ This would provide a foundation for eighteenth-century legal theorists who began to undermine absolutist doctrines. Similar to political openings in other parts of Europe, a Catholic public sphere emerged across the diverse territories of the Spanish Monarchy that combined secular and religious spaces and opened up new forums for debate and dialogue.³⁴ Second, enlightened *letrados* in the eighteenth century and free-thinking liberals played an important role in deconstructing the Old Regime state, culminating in the War of Independence (1808-1814) and the promulgation of a modern, liberal constitution

³⁰ Joseph Townsend, *A Journey through Spain in the Years 1786 and 1787*, vol. 1 (London: C. Dilly, 1792), 310-11.

³¹ Christopher Storrs notably titles his book *The Resilience of the Spanish Monarchy 1665-1700* (Oxford: Oxford University Press, 2006) to counter the idea of an inexorable decline.

³² On Spain as a retrograde state, see Michael Burleigh, *Earthly Powers: The Clash of Religion and Politics in Europe, from the French Revolution to the Great War* (New York: HarperCollins, 2005), 113; Anthony W. Marx, *Faith in Nation: Exclusionary Origins of Nationalism* (Oxford: Oxford University Press, 2003), 193. The classic work on Enlightenment Spain remains Richard Herr, *The Eighteenth-Century Revolution in Spain* (Princeton: Princeton University Press, 1958).

³³ Quentin Skinner, *The Foundations of Modern Political Thought*, vol. 2 (Cambridge: Cambridge University Press, 1978), 155.

³⁴ Jürgen Habermas, *The Structural Transformation of the Public Sphere: An Inquiry into a Category of Bourgeois Society*, trans. Thomas Burger (Cambridge, MIT Press, 1989). Although Habermas does not include the church as a space of socio-political debate and dialogue, Van Kley has questioned those who would exclude religion from the conception of the public sphere in Catholic Europe in “Religion and the Age of ‘Patriot’ Reform,” 270.

in 1812 premised upon liberties such as freedom of speech.³⁵ The narrative of reactionary Spaniards waging a war on behalf of the trinity of God, King and Country needs updating. Finally, the notion that Spanish Americans who remained loyal to the Crown during the so-called “independence” wars of the 1810s simply looked to uphold despotism and tyranny has to be put to rest. Many loyalists were liberal revolutionaries who re-imagined autonomous American political systems and in no way advocated a return to absolutism and intolerance.

During the late eighteenth century, advocates of change faced a number of prominent figures, such as the cleric Joaquín Lorenzo Villanueva and the prosecutor from Seville’s royal court, Juan Pablo Forner, who railed against the prospect of reform. Villanueva, an outspoken absolutist from Valencia who would later champion the cause of Spanish liberalism, ridiculed natural rights, including liberty. In a format akin to the traditional catechism, his 1793 diatribe against radical revolution denied inalienable freedom to men. In fact, civil liberty, or what some called independence, he huffed, did not form part of the natural order as sanctioned by God.³⁶ Juan Pablo Forner, although generally considered among the Enlightenment generation of Hispanic intellectuals, took an equally reactionary posture in his 1795 *Defense against Atheism*.³⁷ As man’s happiness was predicated upon the idea of God and his divine attributes, he claimed, those *philosophes* who had broken down the unity and sanctity of the faith had unleashed all type of calamities. He wrote that the advent of reason, essentially composed of “doubts, errors, and nonsense,” had caused countless “disorders, wickedness, and horrors.” Reason “invented tyrannies, inflamed the spirits of oppression and pillage, disturbed the peace of the human lineage, took down empires, dethroned sovereigns, authorized usurpations.” The list goes on. Thus for Forner the preaching of “tolerance” and associated principles ushered in the revolutionary violence of the end of the century, leaving its victims “sacrificed in an execrable holocaust to Atheism and iniquity.”³⁸ Forner did not hearken to an imagined classical past either, as he quickly dismissed Athenian demagogues and claimed Roman plebiscites were tools of deceitful leaders. In doing so, he

³⁵ See Jaime E. Rodríguez O., *The Independence of Spanish America* (Cambridge: Cambridge University Press, 1998); *1812: El poder de la palabra*, ed. Manuel Chust (Barcelona: Lunwerg, 2012); *The Rise of Constitutional Government in the Iberian Atlantic World: The Impact of the Cádiz Constitution of 1812*, ed. Scott Eastman and Natalia Sobrevilla Perea (Tuscaloosa: University of Alabama Press, 2015).

³⁶ Joaquín Lorenzo Villanueva, *Catecismo del estado según los principios de la religión* (Madrid: Impr. Real, 1793), 13.

³⁷ José Antonio Maravall, “El sentimiento de nación en el siglo XVIII: La obra de Forner,” *La Torre*, [Puerto Rico], 15, no. 57 (1967), 27.

³⁸ Juan Pablo Forner, *Preservativo contra el ateísmo* (Seville: Félix de la Puerta, 1795), 150-52.

emphasized political factions and infighting that supposedly characterized ancient republics.³⁹

On the other hand, historians have suggested there were many manifestations of solidarity with the French cause during the early stages of the revolution from Madrid and Barcelona to Valencia and Zaragoza.⁴⁰ Manuel de Aguirre as early as 1788 had published a tract titled *On Tolerationism*, although the work was denounced by the Inquisition.⁴¹ Radical figures like Juan Bautista Picornell went as far as to republish *The Declaration of the Rights of Man and Citizen* in Spanish and organize an abortive republican conspiracy in 1795, echoes of which would affect turn-of-the-century New Granada in particular.⁴² Clerics such as Miguel de Santander privately pondered reviving Spain's tradition of political representation in the Cortes and its "original, own, essential, and imprescriptible liberty."⁴³ While most public figures disparaged the specter of tolerance, there certainly were some who advocated it (Article 10 of the French *Declaration* opened the door to religious freedom).

Prior to the crisis of the monarchy precipitated by Napoleon's invasion and the French occupation of the Iberian Peninsula, few in Spain publicly had raised the issues of freedom, equality, and religious tolerance, and censorship generally would not permit a vigorous exchange of ideas. This changed completely in 1808, as the experiences of mobilization for war and the undoing of the Old Regime state allowed for unprecedented freedom and for the emergence

³⁹ Juan Pablo Forner, *Amor de la Patria: Discurso que en la Junta General pública que celebró La Real Sociedad Económica de Sevilla el día 23 de Noviembre de 1794 leyó D. Juan Pablo Forner, Fiscal del Crimen de la Real Audiencia y Director de la Sociedad*, in Colección Documental del Fraile (C.D.F.), Servicio Histórico Militar, vol. 641, sig. 2364, 25-26.

⁴⁰ Antonio Elorza, "Cristianismo ilustrado y reforma política en Fray Miguel de Santander," *Cuadernos hispanoamericanos*, no. 214 (October 1967): 90.

⁴¹ Fernández Sebastián, "Toleration and Freedom of Expression in the Hispanic World," 169.

⁴² Juan Bautista Picornell, the principal architect of the 1795 Conspiracy of San Blas, was a republican from Mallorca. His *Manifiesto al pueblo de Madrid* decried the misery and poverty of the nation under the government of Charles IV. In proclaiming that "the people [*pueblo*], clearly convinced that all the miseries and calamities that afflict the Nation, are effects of bad government," Picornell undermined the legitimacy of the monarchy with his virulent criticism. In León de Arroyal's 1793 *Pan y toros*, the people are portrayed as purveyors of vulgarity and vice. The decaying social institutions of an aristocratic society, with a base of commoners whose only cares were bread and the spectacle of the bullfight, caused traditional values to collapse. Arroyal found the only hope of regeneration to be the middle classes, the merchants and "citizens" who could serve as agents of social change. See Juan Francisco Fuentes, "Concepto de *pueblo* en el primer liberalismo español," *Trienio, Ilustración y Liberalismo*, no. 12 (November 1988): 176-209. On Picornell in the Spanish empire, see Marixa Lasso, *Myths of Harmony: Race and Republicanism during the Age of Revolution, Colombia 1795-1831* (Pittsburgh: University of Pittsburgh Press, 2007), 49-50.

⁴³ Cited in Elorza, "Cristianismo ilustrado y reforma política en Fray Miguel de Santander," 107.

of a Catholic public sphere.⁴⁴ There was a veritable flood of publications of all types, from plays to songs and broadsides, giving the lie to the idea that Spaniards and Spanish Americans remained profoundly conservative and monarchical. The periodical press flourished. From a traditionalist standpoint, however, many were struck by the threat that this opening represented. In the spirit of Villanueva before him, the absolutist cleric Simón López condemned so-called “Franc-Masones” for promoting “*libertad de conciencia*” in 1809.⁴⁵ In a newspaper in Cádiz, under a headline story on the “hypocrisy” of the Masons, one writer fretted that *masonismo* would “introduce tolerance” to Spain.⁴⁶

López and Spanish conservatives certainly had reason to view Francophiles with suspicion. Those who collaborated with the French imperial administration of King Joseph Bonaparte, including, somewhat ironically, the Inquisitor General Ramón José de Arce, were referred to derisively as *afrancesados*.⁴⁷ Other collaborating clerics, like Juan Antonio Llorente, wrote about the universal tolerance of the early Christian church, that, had it been followed, might have mitigated against the formation of the Inquisition.⁴⁸ And despite the fact that the Constitution of Bayonne, promulgated in July 1808 for occupied Spain, retained a confessional clause (Article 1), the regime frequently published pieces in its governmental mouthpiece, the *Gaceta de Madrid*, on religious tolerance. For example, in a pronouncement reproduced from Dalmatia, Napoleon claimed to respect and honor religious institutions:

Now they will not see the evil that has been caused by superstition and fanaticism across the land: these bloody scenes, of which history has presented us with so many examples, will not afflict humanity any more. Liberal, uniform, and general instruction, begun by Napoleon, has ended the source of so many calamities forever. Universal tolerance...finally will reign over the land.⁴⁹

⁴⁴ Scott Eastman, *Preaching Spanish Nationalism across the Hispanic Atlantic, 1759-1823* (Baton Rouge: Louisiana State University Press, 2012), especially Chapter 3.

⁴⁵ Simón López, *Despertador cristiano-político* (1809), in C.D.F., vol. 43, sig. 257, 39 (original emphasis).

⁴⁶ *El Sol de Cádiz* (November 10, 1812).

⁴⁷ Francisco Martí Gilabert, *La abolición de la Inquisición en España* (Pamplona: Ediciones Universidad de Navarra, 1975), 14. He plainly states that the Inquisition was effectively dead at the end of the eighteenth century.

⁴⁸ Juan Antonio Llorente, *The History of the Inquisition of Spain* (London: Geo. B. Whittaker, 1826), 2-3.

⁴⁹ *Gaceta de Madrid* (February 5, 1809), cited in Juan Pablo Domínguez, “Tolerancia religiosa en la España afrancesada (1808-1813),” *Historia y política*, no. 31 (January-June 2014): 203.

The French Empire enacted similar policies across its territories from Westphalia to Poland. Yet tolerance had its limits, according to Napoleon's definitively outlined position in 1810: "Wherever there are clamors of fanaticism and ignorance, there will be protection for all the Christian religions."⁵⁰ It was unclear how other faiths would fare under the law. Regardless, this form of tolerance explicitly differed from Catholic practices. The French used negative tropes of religious zealotry and excess that had been in currency since the sixteenth century to foster the so-called Black Legend (a term only coined in 1914), portraying stereotypical Spaniards as crusading and bloodthirsty.⁵¹ This, in turn, served the French well as they justified religious tolerance and Napoleon's respect for freedom of conscience as antidotes to the purported Spanish propensity for bigotry.

From the perspective of those fighting the French presence and beginning to articulate a form of modern Spanish nationalism, tolerance had no place in Spain. A letter from Ignacio de Michelena to Archbishop Luis de Borbón, who would preside over the abolition of the Inquisition in 1813, denounced both republicanism and Napoleonic pluralism in favor of Ferdinand VII, monarchy, and the "traditional" Spanish constitution. Citing the eighteenth-century text of Bielfeld, Michelena contrasted two constitutional monarchies, those of England and Poland, with the state of Spain: "This freedom to contradict, reputed to be one of the most important privileges of the Polish Nobility, always will cause the misfortunes of the Nation. There are people who claim that the happiness of the people consists in this independence, that in reality is true disorder." Spain, in this light, appears to be better for having resisted liberal pressures. Drawing on the enlightened Prussian aristocrat to support his views, Michelena implored his fellow Spaniards to combat freedom of expression. He then pointed out: "Now we have seen the terrible effect that this [English] Constitution has had in dividing the State into factions, and sapping all their strength." Arguing that although England was economically successful, it was not due to constitutional governance, he asserted, but to the promotion of industry and their sea power. Accordingly, Spain must improve its economy and could do so with their ancient constitution rather than with innovation and radicalism.⁵² This traditional reading

⁵⁰ *Gaceta de Madrid* (March 4, 1810), cited in Domínguez, "Tolerancia religiosa," 203.

⁵¹ For a reconsideration of the Black Legend and a comparative history of empires, see J.H. Elliott, *Spain, Europe and the Wider World 1500-1800* (New Haven: Yale University Press, 2009), especially Chapter 2.

⁵² *Reflexiones sobre la constitución de la Monarquía Española. Discurso político escrito por Don Ignacio de Michelena, maestrante de la Real de Ronda. Al eminentísimo Señor Don Luis de Borbón, Presbítero Cardenal de la Santa Romana Iglesia del Título de Santa María de Escala, Arzobispo de Toledo* (Cádiz, 1809), in C.D.F., vol. 35, sig. 202, 56-57. Michelena cites Bielfeld, *Instituciones políticas*, vol. 6, 289.

of Spanish history would serve as a justification for suppressing reform and political change for decades to come.

Municipal Liberties and Revolution, 1808-1823

Against this backdrop, and during the protracted struggle between allied British, Portuguese, and Spanish forces on one side and the French on the other, a structural transformation took shape led by the distinct municipalities of the monarchy. A revolution brought about far-reaching change, and fundamental liberties, such as freedom of speech, were established. In many parts of insurgent Spain, a de facto freedom of the press accompanied French occupation. In a satirical broadsheet from 1808, featuring a conversation between a priest and a muleteer, a curate laments the fact that the French had won countless victories armed only with pen and paper. The muleteer counters, stating: “Then if winning comes with paper, I think Valencia is the most victorious.”⁵³ In many ways, after the bloody uprising of May 2, 1808 in the streets of Madrid, Valencia spearheaded resistance to the French and were the first to organize a functional governing Junta, or committee, in the name of Ferdinand VII, declaring war against France on May 24. One pamphlet noted that “Valencia, without prior knowledge of events in Asturias, raised an indomitable coalition” fueled by “saintly patriotic furor.”⁵⁴ The Ayuntamiento of Madrid even extolled the protagonists of May 25, “viewing the unique sacrifices of the Kingdom of Valencia in defense of our Sacred Religion, Patria, and King Ferdinand VII, of which there is no example in History, with the greatest admiration.” Therefore, Madrid wanted to celebrate and officially recognize “the glory of their arms” as they repelled the French.⁵⁵ Other publications hailed the unity of the nation as provinces came together under the auspices of “disinterested patriotism” and “liberal ideas.” “Scarcely had Valencia liberated the capital from enemy troops” at the end of June 1808, an anonymous author wrote, when the public sphere, and political tracts in particular, presented a model of enlightened government on which to base the future Spanish state.⁵⁶ The freedom to publish with impunity helped to drive the municipal revolutions of 1808.

Voting, as an essential barometer of a participatory political culture, served an important function in the absence of the monarch, held captive in France. One observer, in a pamphlet from 1808, questioned how the Juntas had

⁵³ *Conversación entre el tío Antón, arriero, y el cura de su lugar*, in C.D.F., vol. 27, sig. 162.

⁵⁴ *¿Qué se debe a Valencia?: O sean reflexiones sobre los esfuerzos que ha hecho esta providencia en la presente guerra* (Valencia, 1808), in C.D.F., vol. 27, sig. 167, 9–13.

⁵⁵ *Exmo. Señor* (Madrid, 1808), in Archivo Histórico Municipal (A.H.M.), Valencia, Libros Capitulares, signatura D-204 (1808).

⁵⁶ *¿Qué se debe a Valencia?: O sean reflexiones sobre los esfuerzos que ha hecho esta providencia*, 24.

been formed in May and June: “Many speak a great deal about the legitimacy of the Provincial Juntas, and of the power that has been deposited in them; no one doubts that their jurisdiction is recognized by the towns that obey them; but, where are the votes of these towns that have convened this system of government?”⁵⁷ By August 1808, debates examined the legal path toward a representative government. According to many, the Council of Castile had, by default, vacated its powers by conceding to French occupation, and convoking a Cortes was discussed openly. Some advocated an indirect and tiered process whereby *Cabildos abiertos* in all municipalities would elect members to form a government. This particular proposal, one of many, was not implemented, yet it illustrates the importance to many Spaniards of both legitimacy and legality. Ultimately, in the name of King Ferdinand VII, both a Supreme Junta and an appointed Cortes would consecrate the foundations of a new government. Even reactionary priests such as Juan Facundo Sidro Vilarroig initially praised the central governing authority of the Supreme Junta and mentioned donations proffered by Valencian convents in support of its efforts.⁵⁸ In the *Gazeta de Valencia*, a more radical proposition encouraged Spaniards to look to the example of the United States and “Whasinton.” The letter plainly stated that a Cortes must be established in a city where voting could proceed without fear and coercion. All wise and distinguished citizens, it mandated, must push for a constitutional republic.⁵⁹

By 1810, when the Cortes had been convoked and elections held from across the territories of the monarchy, issues of representation and sovereignty continued to be assessed. Some questioned whether or not the Provincial Juntas should be disbanded, and a commission was created to study the matter. The issue of sovereignty was at the heart of the debates. As the Catalan deputy José Espiga noted: “The attributes of a strong central power consist of the links that the towns have with sovereignty.”⁶⁰ The exercise of power at the national level could only be legitimated with the votes of the municipalities, and tensions continued to exist between partisans of federalism and those who pushed for a centralized state apparatus.

⁵⁷ *Dictamen que un amigo da á otro sobre el origen y facultades de las Juntas Supremas de las Provincias, y cómo y por quienes deben nombrarse los Vocales de la Suprema del Reyno, en satisfaccion al manifiesto de Sevilla de 3 de Agosto* (n.d.), in Biblioteca Nacional (B.N.), Madrid, 2.

⁵⁸ Juan Facundo Sidro Vilarroig, *A los RR. PP. Priors, Maestros, Definidores i demas Religiosos i Religiosas de nuestra Provincia, salud i gracia* (Madrid, 1808), in Archivo Diocesano de Valencia (A.D.V.), sig. 500/001, 9-10. There were complaints about “excesivos gastos de la presente y justa guerra” from other clerics, however. See A.D.V., sig. 500/002.

⁵⁹ *Suplemento a la Gazeta de Valencia* no. 2, June 7, 1808.

⁶⁰ *Diario de las sesiones de las Cortes Generales y Extraordinarias* (D.S.C.G.E.), December 18, 1810.

Nationalists began to use a new language to describe the shared bonds between citizens. The word *nacionalisme* had been coined only in 1798 to denigrate the radical Jacobins, and early nineteenth-century political rhetoric was in flux. For instance, an anonymous pamphlet from Málaga in 1808 argued that Juntas had formed “like an electric fire that spreads instantly...with inexplicable rapidity and national patriotism.”⁶¹ By 1810, with the Cortes beginning constitutional debates, one deputy asked for a commission to be formed with the express purpose of “inspiring national patriotism and hate for the oppressor of the country.”⁶² While the term national patriotism was not invoked with the frequency reserved for terms like *patria* and *nación*, its usage speaks to the rise of a new form of identification with the nation-state. Other commentators, such as an anonymous self-described member of the popular classes, or *populacho*, insisted that historic regional divisions had been overcome. In comparing the frustrated independence struggle of Poland with that of Spain, the author claimed that now “there is no difference between the Galician and the Valencian, the Cantabrian and the Andalusian. All are members of one great family.” Therefore, the war, that “glorious enterprise...powerfully calls the attention of Europe.”⁶³

Religion clearly played a central role in the struggle, as priests not only preached the new language of national sovereignty but led armed campaigns as well.⁶⁴ One bishop, who would vote to abolish the Inquisition in 1813, vowed that if “in this war we are all to be soldiers...the first among you will be your indignant pastor.”⁶⁵ A common refrain from the War of Independence declared: “*long live independent Spain; long live Ferdinand VII; long live the religion of Jesus Christ, better to die fighting than live carrying the infamous chains of a vile servitude.*”⁶⁶ Spaniards presented their Catholicism as antithetical to the faith of the French, and of Napoleon in particular. A usurper and a fanatic, according to Spanish nationalists, Napoleon also “was a Catholic for reasons of state, a Jew and a Muslim for political purposes with Jews and Arabs, and an unbeliever with

⁶¹ *Proclama Nacional* (Málaga, n.d.), in B.N., 3.

⁶² In reference to a proposition by the Catalan ecclesiastic Jaime Creus, D.S.C.G.E., October 11, 1810.

⁶³ *¿Qué es lo que mas importa a la España? Discurso de un miembro del populacho.* (n.d.), in B.N., 1-7.

⁶⁴ See, for example, Gregorio Alonso, “‘Del altar una barricada, del santuario una fortaleza:’ 1808 y la nación católica,” in Joaquín Álvarez Barrientos, ed., *La Guerra de la Independencia en la cultura española* (Madrid: Siglo XXI de España Editores, 2008), 75-104; José María Portillo Valdés, *Revolución de nación: orígenes de la cultura constitucional en España, 1780-1812* (Madrid: Boletín Oficial del Estado, 2000).

⁶⁵ *Agustín, por la gracia de Dios y de la Santa Sede Apostólica Obispo de Balbastro* (sic) (Valencia, 1808), in C.D.F., vol. 43, sig. 255, 3.

⁶⁶ *Proclama Nacional*, 3.

Atheists.”⁶⁷ In contrast to this kind of Machiavellian pragmatism, Spaniards reiterated their bona fide Catholic faith.

In Spanish America, a similar dynamic informed local politics, and municipal juntas spearheaded revolutionary coalitions.⁶⁸ Many loyalists called for a regenerated government that would maintain unbroken ties to the motherland and uphold Roman Catholicism.⁶⁹ Concomitantly, many peninsular Spaniards had presented the idea of a uniform national sentiment in the wake of a disintegrating monarchical state. According to one broadside published in Valencia, “our invincibility depends upon our union.” Just like the ancient Iberian towns of Numancia and Sagunto had come together to resist the Romans and the Carthaginians, the writer continued, a united front would be required for Spaniards to defeat Napoleon’s armies. If some actively collaborated with the French, a “solid government” had to be established that would “renew the trust of the People.”⁷⁰ Others plainly called for the integration of European and American territories under one coherent administration.⁷¹

Not all public figures in Spanish America ardently embraced independence between 1808 and 1810, although many scholars continue to take a teleological view of the period. To the contrary, historical actors put forward nuanced and complex ideas and ideologies in the wake of the French occupation.⁷² There was a palpable sense that, despite myriad grievances, a significant number of Spanish Americans sought autonomy under the umbrella of

⁶⁷ Ibid., 1. On the French occupation of Ottoman Egypt, see ‘Abd al-Rahmān al-Jabartī, *Napoleon in Egypt: Al-Jabartī’s Chronicle of the French Occupation, 1798*, trans. Shmuel Moreh (Princeton: Markus Wiener, 1993).

⁶⁸ See Jordana Dym, *From Sovereign Villages to National States: City, State, and Federation in Central America, 1759-1839* (Albuquerque: University of New Mexico Press, 2006).

⁶⁹ Brian Connaughton, “Los curas y la feligresía ciudadana en México, siglo XIX,” in Jaime E. Rodríguez O., ed., *Las nuevas naciones: España y México, 1808-1850* (Madrid: Fundación Mapfre, 2008).

⁷⁰ *Manifiesto histórico-político sobre las actuales circunstancias* (Valencia, 1808), in C.D.F., vol. 27, sig. 147, 2-5. Also, see *Discurso de la Ciudad de Murcia a sus hijos, haciéndoles ver sus antiguas glorias, y llamándolos a la común defensa, a la unión y a la victoria*, in C.D.F., vol. 27, sig. 148; *Discurso sobre las heroycidades de los Saguntinos, circunstancias del buen ciudadano, y del tirano Napoleón que la constituyen el Príncipe más malvado del mundo* (Valencia, 1808), in C.D.F., vol. 27, sig. 150.

⁷¹ See, for example, *Proclama a los Españoles Americanos. Los Españoles de Europa* (Valencia, 1808), in C.D.F., vol. 27, sig. 183; *Valencianos* (Valencia, 1810), in Biblioteca Valenciana (B.V.).

⁷² Silke Hensel has noted that “for a long time the movements for independence from Spain were interpreted, especially in the national historiographies, as the founding years of each nation-state.” See Silke Hensel, “Was There an Age of Revolution in Latin America? New Literature on Latin American Independence,” *Latin American Research Review* 38, no. 3 (2003), 237.

a Hispanic monarchy.⁷³ For instance, the Creole friar Diego Miguel Bringas lauded the “beloved Peninsula of Spain” as a “fertile Mother” of the American people.⁷⁴ In September 1808, the peninsular bishop Ramón Casaus y Torres similarly tied together the Old and the New Worlds but in biblical terms. He spoke of the struggle of the Israelites as it was reflected in the history of the chosen nation of Spaniards and Americans. He transcribed “the same circumstances, the same affliction, the same fears” onto the two Spanish worlds, one European and one American.⁷⁵ In a sermon delivered less than two weeks later, he marveled at the news of Juntas forming, with the weight of history balanced on their shoulders in prescribing “the sacred rights of the nation and of the throne, and of our constitution.”⁷⁶ These words resonated with those penned by liberal Valencians. One pamphlet, by Antonio Pasqual Pujalte, heralded the “sweet words *liberty* and *constitution*.” Originally composed as a eulogy, Pujalte’s homage paid tribute to those who had died in the fighting during the summer of 1808 as “martyrs to the independence and liberty of the patria.”⁷⁷ Grievances, demands, and public outcry against an unrepresentative system coalesced in the summoning of an elected body, the Cortes, within two years of French occupation. And as far away as Mexico City, even the clergy were publicly and solemnly swearing that “We will respect and obey the sovereign Congress of the Cortes, that has restored our Catholic King Ferdinand VII to the throne, the one desired and beloved by his people.”⁷⁸ Complementing traditional faith in altar and throne with a discourse of civic virtue, Hispanic liberals, including members of the clergy, opened the door to revolutionary political change.

⁷³ Alicia Tecuanhuey Sandoval, “Puebla 1812-1825. Organización y contención de ayuntamientos constitucionales,” in *Ayuntamientos y liberalismo gaditano en México*, ed. Juan Ortiz Escamilla and José Antonio Serrano Ortega (Zamora: El Colegio de Michoacán, 2009), 340, 351.

⁷⁴ Diego Miguel Bringas, *Sermón que en la Reconquista de Guanaxuato, predicó extemporáneamente en la Iglesia Parroquial de dicha ciudad, el Padre Fr. Diego Miguel Bringas* (1810), in C.D.F., vol. 604, sig. 2200, 1-2.

⁷⁵ Ramón Casaus Torres y Lasplazas, *Sermón en acción de gracias a Dios Nuestro Señor por las gloriosas hazañas de la invicta Nación Española para la restauración de la Monarquía, y restitución de nuestro amado soberano el Sr. D. Fernando VII. a su trono; para la libertad sagrada de ambos mundos, y conservación de la divina Religión en ellos* (Mexico City, 1808), in C.D.F., vol. 604, sig. 2195, 1-5.

⁷⁶ Ramón Casaus Torres y Lasplazas, *Oración fúnebre, que en las exequias generales, celebradas el día 12 de septiembre de 1808*, in C.D.F., vol. 604, sig. 2197, 14.

⁷⁷ Antonio Pasqual Pujalte, *Elogio fúnebre de los valencianos que murieron en defensa de su patria en la tarde del 28 de Junio de 1808* (Valencia, 1813), in B.V., iv.

⁷⁸ Bernardo Antonio González Díaz, *Sermón que en las públicas, solemnes y devotas rogativas hechas a María Santísima de los Remedios, por la muy noble y fidelísima Ciudad de México* (Mexico City, 1810), in Colección LaFragua, la Benemérita Universidad Autónoma de Puebla (B.U.A.P.), 26.

On October 19, 1810, that change came with the formal establishment of freedom of the press by a vote of 78-32. Two days later, an American deputy born in Quito, José Mejía, inquired as to whether or not the law extended to religious works, an idea he supported but one that was opposed vehemently by fellow liberals such as the cleric and deputy Diego Muñoz Torrero.⁷⁹ Ultimately, the Cortes decreed that religious works represented a difference in category from those in the arts and sciences and therefore had to be covered with special protections. On November 2, representatives inserted a clause concerning religion; they established a Junta Suprema de Censura “to insure freedom of the press [la libertad de la imprenta], and to contain at the same time its abuse.”⁸⁰ The following day, the Cortes noted that three of the nine members of the committee would be ecclesiastics, as well as two of five in the Provincial Juntas. This compromise position on matters of liberty regarding the Catholic faith epitomized what might be termed a mixed modernity, with vestiges of Spain’s past impacting the formation of a modern, liberal political system. Most clearly, this can be seen in the Constitution of 1812’s incorporation of a confessional clause in the so-called “divine” Article 12, prohibiting all other faiths from being practiced in Spain and incorporating only Catholic Spaniards as full citizens of the nation. These principles, differing from both the French and U.S. examples, represented an aspect of collectivist thinking concerning matters of faith despite the Constitution’s emphasis on individual rights and equality for all Spanish citizens on both sides of the Atlantic.

Bartolomé Gallardo, the librarian of the Cortes of Cádiz, satirized what he saw as tepid support for broadly defined freedoms and true liberty. He took full advantage of the opening of the public sphere. In his 1811 *Satirical and Critical Dictionary: A Reasoned Manual of Intelligence for Certain Writers Who By Mistake Were Born in Spain*, Gallardo openly mocked his political adversaries who complained that “freedom of the press in the sense of the filósofos, is the ability to criticize and to severely or satirically censure the rites, practices, beliefs, establishments and ministers of the faith, and the conduct of the kings and their ministers that now do not exist.” In turn, his critics described his malice as being unparalleled in its opprobrium, derision, and blasphemies against Catholicism.⁸¹ He countered that their vision of free speech stood for a “sad and limited idea” of such an important “virtue.”⁸² Like Mejía, Gallardo did not subscribe to the theory

⁷⁹ On Mejía, see Manuel Chust, “José Mejía Lequerica, un revolucionario en las Cortes hispanas,” *Procesos*, no. 14 (July-December 1999): 53-68.

⁸⁰ D.S.C.G.E., November 2, 1810.

⁸¹ Friars in Cataluña had published the *Diccionario crítico-serio* to counter Gallardo. See E. Paradas Agüera, *Las comunidades religiosas en la Guerra de la Independencia* (Seville: Lib. e Imp. de Izquierdo y Compañía, 1908), 26-27.

⁸² Bartolomé Gallardo, *Diccionario crítico-burlesco: Diccionario razonado manual para inteligencia de ciertos escritores que por equivocación han nacido en España* (Madrid: Imprenta

that a religious exception should be mandated by the government, noting the irony of a free press that censored satire.

Between 1814 and 1823, the Spanish Monarchy oscillated between the values of the Old Regime under King Ferdinand VII, having returned from captivity in France to nullify all of the work of the Cortes, and the liberal Constitution of 1812, reinstated to popular acclaim in early 1820. During the *Trienio liberal* (1820-1823), Spaniards brandished their own history as an important weapon in the struggle for liberty. The sixteenth-century Comuneros, who had fought for the autonomous rights of the communities of Castile against the tyrannical Habsburgs, were appropriated by liberals as early modern scions of the fight of freedom against repression and absolute rule. Popular music venerated the fallen martyrs of the 1521 Battle of Villalar, in which the rebels had been defeated ignominiously. A song published in Valencia in 1822 celebrated the sacrifices of the leaders Juan de Padilla and Juan Bravo, beginning by imploring their modern-day followers to “Go to the tomb of the free,/ And upon it, Spaniards swear:/ War, death to tyrants and slaves,/ Enemies of liberty.”⁸³ The last verses bluntly state that despotism will never be established on Spanish soil, because a thousand Padillas would extinguish it before it was able to take root. Such examples speak to a larger trend within Spanish culture that militantly embraced the values of the new liberal system of government.

Conclusion: Liberalism and Religious Uniformity

Antonio Bernabéu, an outspoken liberal cleric and self-described citizen from Alicante, had expressed unmitigated admiration for the principles of Hispanic constitutionalism for years. In 1821, during Spain’s second period of constitutional governance, he had gone as far as to advocate treating bishops as fellow citizens under temporal law as an elected deputy in sessions of the Cortes.⁸⁴ Not only did Spanish Americans definitively separate from the *madre patria* at this time, but also a rise in what some perceived as dangerous and even anti-clerical legislation turned many moderates against the new governing regime. Bernabéu entered into these polemics by translating and commenting on a 1798 Italian text, publishing the results in 1821. The book, titled *Liberty and the Law*, constitutes a philosophical backing of tolerance for different Christian faiths, while prohibiting slander and calumny of the dominant creed. Dissenters would be given the restricted right to private worship. The author, the Genoese Vincenzo Palmieri, focused on the twin concepts of reason and “cristianismo,” defined in

de Repullés, 1812), 92.

⁸³ *A los ilustres Comuneros*, in *Colección de canciones patrióticas que dedica al ciudadano Rafael de Riego y a los valientes que han seguido sus huellas* (Valencia, 1822), in B.V.

⁸⁴ Emilio La Parra López, “Antonio Bernabéu: Un clérigo constitucional,” *Trienio, Ilustración y Liberalismo*, no. 3 (May 1984): 115-16.

opposition to false religions such as Islam. In Chapter 35 on civil tolerance, the author pondered the ramifications of offering religious tolerance in an ostensibly Catholic state. Significantly, this appears with a discursive footnote cautioning the reader that “this doctrine is not adaptable in Spain where the Roman Catholic religion is and perpetually will be the only true faith, the only one allowed and protected by the nation and its wise and just laws according to Article 12 of the Constitution.”⁸⁵ Bernabéu’s moderate sentiment, blending revolutionary politics with religious partiality, typifies early nineteenth-century Hispanic liberalism.

The one exception to a careful political stance came from Ramón de Salas, the most public critic of Article 12 during the *Trienio*.⁸⁶ Having commented on the work of Jeremy Bentham, and well aware that Bentham advocated that Spain adopt religious tolerance and a non-confessional state system, Salas understood that individual rights rested upon freedom of speech.⁸⁷ Furthermore, he wisely pointed out that even the Ottoman Empire offered freedom of conscience and allowed Christian churches in an officially Islamic state.⁸⁸ Salas satirized the idea of religious uniformity following an age characterized by conversion and upheaval, suggesting a Spanish monarch might one day preside over a minority of Catholics if enough people converted to a different faith. And he reminded his audience that, from an economic standpoint, migration and tolerance must be considered positive attributes for a modern state. Just like Bernabéu, he condemned the legacy of religious superstition, intolerance, and bloodshed symbolized by the Crusades and the Inquisition. Bernabéu likewise reminded his audience that religion “detests violence and the ravages of war,” and chastised men who would take up arms in defense of religion, a clear departure from well-known pamphlets printed during Spain’s War against the Convention with revolutionary France between 1793 and 1795.⁸⁹ Why then would Bernabéu republish a tome on religious tolerance when such practices were not, in his opinion, applicable to Spain? In order to show that freedom of the press worked, and even the religious could publish controversial material with impunity, Bernabéu highlighted the power of the printed word while at the same time demonstrating how and why an extension of religious liberty could not be implemented in the Spanish Monarchy. In this sense, collective rights and privileges still trumped individual rights and freedoms. Although religious tolerance was not among their guiding principles, this generation of liberals

⁸⁵ Antonio Bernabéu, *La libertad y la ley ó Fundamentos sólidos de la felicidad social* (Madrid: Imprenta que fue de García, 1821), 193.

⁸⁶ Emilio La Parra López, “Intransigencia y tolerancia religiosa en el primer liberalismo español,” *Mélanges de la Casa de Velázquez. Nouvelle série* 44, no. 1 (2014): 45-63.

⁸⁷ Alonso, “A Great People Struggling for Their Liberties,” 8.

⁸⁸ Ramón Salas, *Lecciones de derecho público constitucional. para las escuelas de España*, vol. 1 (Madrid: Imprenta del censor, 1821), 102, 27.

⁸⁹ Bernabéu, *La libertad y la ley*, 290.

crafted a heterodox ideology that guided the construction of modern Spanish institutions and represented a rallying cry for many on the left throughout the course of the nineteenth century in Spain, Spanish America, and beyond.