

## Three Meanings of Liberty on the Independence of Spanish America\*

In a brilliant reflection about the history of Mexico contained at the beginning of *Sor Juana, Or, The Traps of Faith* (1982), Octavio Paz stated that the Spanish American revolutionaries who embarked on the movements for independence in 1810 were inspired by enlightened ideas, because apparently »there was no political thought that could provide intellectual and moral justification for their rebellion.« Certainly, throughout the liberation movements, the enlightened modernity, highly regarded among the members of Spanish American elites, covered up the importance of a Hispanic constitutional tradition, whose languages and political uses rooted in baroque tradition were as much disdained by the said elites as comprehended by *mestizos* [half-breed], *mulatos* [mulattos], indigenous people and slaves. Being connected to medieval prerogatives and to the rights of *vecinos* [neighbours] and descendants of the »worthy conquistadors«, who had founded the kingdoms of the Indies in the 16th century, this political thought included theories of Jesuit origin about a critique of tyrannical governments and the justification of assassinating a head of state as a way of bringing despotic governments to an end. Or strong criticism by *criollos* [persons of European descent born in Spanish America] of the excesses by ignorant and troublesome ministers, who arrived periodically from Spain to govern the Americas with disastrous results both for the king and his subjects.

The Spanish imperial crisis that took place between 1808 and 1825 and which gave way to a European peninsular Spain and to multiple Latin American republics may be regarded as

part of a process of constitutional adaptation in the Atlantic world, with some elements common to other cases and some elements that are specific. The former refer to the integration of the revolutionary independence movements in Spanish America in the transforming cycle that began in 1776 with the independence of the United States, continued with the French Revolution in 1789, returned to the Atlantic coast of the Americas with the independence of Haiti in 1804, and culminated in the independence of the Ibero-American nations, including that of Brazil, between 1810 and 1825.

But the specific elements of independence movements in Spanish America are also decisive, to such an extent that they explain their duration – fifteen years of conflict under three different types of war: first civic, then civil and finally patriotic – as well as their internal dynamics. At different times this seems to have led to civilian and old *patrias bobas* [»foolish nations«] resulting in total failure (from 1810 to 1814); over absolute governments (from 1815 to 1817); to military states and camps both in the royalist and in the patriotic factions (from 1818 to 1820); to attempts at liberal federations under the influence of the Cadiz Constitution (1821–1822); and to political fragmentation, which drove Simón Bolívar to declare in his last days, »Liberty is the only asset we have gained at the expense of all others.« Bolívar's bitterness evidences not only his disappointment, but also his inability to understand Latin American reality, whose integral elements are not homogeneous social and ethnical segments of population, but baroque republics with particular and diverse

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corporations, prerogatives, ethnic groups and regulations. Compared with the legal abstraction and the liberal notion of citizenship expressed as a set of rights and duties that national heroes such as Bolívar tried to establish, the constituent elements of the Spanish monarchy were those of a superior monarchical body composed of a »compact« union of kingdoms. The enlightened machinery challenged the baroque entity, and an insurmountable clash between different meanings of liberty ensued. The confusion that American Spaniards were thrown into as from 1808 was the result of this clash, foreshadowing an uncertain future under those circumstances.

After the French invasion of the metropolis, European Spaniards took up arms while American Spaniards, disconcerted and worried, underwent a substantial change of political culture. At least three different meanings of the term liberty lay before them – the term »liberal« itself was about to be coined in the debates of the Cadiz Constitution – »to express everything that, on account of its spirit and inclination, conspired against the establishment and consolidation of liberty.« Firstly, there was the liberty of ancient times, defined as the right to elect one's own governments and magistrates. In Spanish America, this liberty was often defended by resorting to the origins of the *criollo* political community in the conquest of Spanish America, as, for instance, compared to, the Visigothic monarchy and the *Reconquista* [Reconquest] of the Iberian Peninsula from the Muslims who allegedly founded »European Spain«. Secondly, there was the liberty of the estates connected to the specific prerogatives of recognised corporations – guilds or consulates were very important in this stage since, from 1793 to 1795, merchant guilds were set up in Caracas, Guatemala, Buenos Aires, Havana, Cartagena, Veracruz, Gua-

dalajara and Santiago de Chile. Finally, the »modern« liberties had just taken shape and were connected to new sovereign entities: representative government, the separation of powers, division between public and private matters, elections, constitutions, the citizen, the rule of law and equality under the law. All the political agents that acted in both Spain and Spanish America as from 1808 and 1810, respectively, not only learned about and exercised these three meanings of liberty but, in order to be understood, also had to interrelate and apply them according to a segment of opportunity. Or, to put it another way, they had to transform a baroque reality that required their application according to concrete circumstances or individualities.

As noted above, the clash between these three ideas of liberty – understood as patriotism in ancient times, prerogatives and own regulations, or self-determination in modern times – favoured the emergence of different political languages, capable of arousing emotions and, eventually, of producing rather fortunate constitutional designs. This clash also makes it possible to explain the chronology of Spanish American independence movements. One of the mysteries of the period is the gap between the onset of the war of independence in the Iberian Peninsula in May 1808 and the Spanish American liberation movement beginning in Caracas on 19 April 1810. During these two years, many loyal white, *mulato* and indigenous Latin Americans contributed both men, money and a variety of goods, such as cocoa, coffee beans or leather, toward the peninsular resistance to Napoleon. Needless to say, very little research on this chapter of Spanish American loyalty to imperial Spain has been undertaken. For those who built a republican mythology with *criollo* elements and peninsular insult accounting for every development, it was

not convenient to recall that Argentina's liberator José de San Martín had been a prominent officer of the Spanish army at Bailén; or that the Chilean hero José Miguel Carrera began his military career fighting against Napoleon in the Iberian Peninsula, eventually rising to the rank of captain; or that the admirable *mulato* José Prudencio Padilla, executed by firing squad under Bolívar's government (1828) for alleged conspiracy, had fought with the Spanish Navy at Trafalgar, where he was taken and held prisoner by the British for three years.

On another note, a reconstruction of events shows that in the referred two-year period commencing in 1808 the old constitution took effect in the Spanish monarchy, based upon loyalty in its baroque meaning, that is to say, as the manifestation of an attitude that expected a just reward and benefits (freedom of trade, to be precise) in exchange for fidelity and service. This explains why questions were raised for autonomy and the establishment of juntas, but not for actual independence. If this first stage of loyalty lasted until April 1810, the second one elapsed in 1815. The explanation seems clear enough. Revolutions for independence were set in motion when social order was jeopardised, in the face of authorities suspicious of being Francophile or designated by Joseph I Bonaparte. Spanish America would never become part of Napoleon's empire. Thus, with a vacant throne (the king was held captive in France) and devoid of sovereignty, Spanish Americans staged several revolutions in Venezuela, the River Plate, New Granada, New Spain, Chile and Quito which opened the door to a phase aiming at the constitutional reconstruction of the Spanish monarchy in the Atlantic.

In 1815, after four years of conflict, it was obvious that the revolutionary movements set in

motion five years before had failed, except in Buenos Aires and in isolated Paraguay. General San Martín remained hidden in the interior of the River Plate, safe from friends and political opponents alike. Venezuelan pioneer Miranda, as well as the Mexican Morelos were reaching their final days – the former in prison in Cádiz, the latter before a firing squad –, Bolívar was a failed hero wandering aimlessly through the Caribbean region. The liberation cause was discredited, defeated mostly by entrenched royalists or loyal Latin American elements rather than by the interventions of the Regency, which had governed the metropolis from 1810 to 1814. But a great change was taking place. Ferdinand VII returned to the throne to quash liberals and restore absolutism, now under the form of ultramontanism, which originated as a reaction against the French Revolution. Royalists rebuilt their strength while republicans adopted a most defensive position and moderates took heart from the king's intimidations to defend the introduced reforms. It is precisely in the triumph of Ferdinand's absolutism that the true seed of Spanish American independence was contained. His intimidations and abuse of power paved the way for military victories by the members of the patriotic faction, who, unlike the royalists, did learn from their mistakes and made use of the law and the constitutions to tip the political scale in their favour, thus appealing to the vast majorities composed of *mestizos*, free negroes, *mulatos* and even indigenous peoples, a *sine qua non* for the victory of one of the factions at war. Ultimately, it was baroque law applied to concrete regulations and persons that enabled Spanish American independence and not the Eurocentric abstraction of enlightened law.

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