

# THE CONCEPT AND POLITICS OF TYRANNY AND DICTATORSHIP IN THE SPANISH AMERICAN REVOLUTIONS OF 1810

**Maria Victoria Crespo**

This conceptual history of 'tyranny' and 'dictatorship' in revolutionary Spanish America has a twofold purpose: First, it seeks to look at the historicity of these political concepts and address the different phases of their development during the Spanish American revolutionary period. It explores the questions: What are the mutations of the meaning of 'tyranny'? From what traditions of political thought did these meanings come from? Why in a certain period does 'tyranny' become central in the revolutionary political vocabulary? Why does the term gradually start to decline and to be replaced by 'dictatorship'? Second, it looks at the politics of the concepts of tyranny and dictatorship. Following Carl Schmitt's maxim that "*all political concepts, images, and terms have a polemical meaning,*" I intend to unfold the concrete, strategic and combative meaning of these terms during the revolutions of 1810.<sup>1</sup>

This is an account of both the meaning and uses of political concepts during the Spanish American wars of Independence, and of the warlike use of concepts. However, this article seeks to go beyond the Schmittian polemical intention: the concept of tyranny was not only a powerful conceptual weapon against the enemies of the revolutionaries, but anti-tyranny language constituted the political discursive horizon for the emergence of a new political legitimacy in Spanish America.

Following a conceptual history approach, this article traces the conceptual movements and displacements of 'tyranny' and 'dictatorship,' which were part of the political vocabulary of the revolutions of 1810.<sup>2</sup> Establishing the origins of this political language is a challenging task because of the multiplicity of sources and ideological and theoretical eclecticism of the Spanish American revolutions.<sup>3</sup> With this caveat in mind, I will focus on the neoclassical meaning of these political concepts. I argue that the conceptual arsenal of ancient political thought was central for the early nineteenth century generation of independence. In fact, as François-Xavier Guerra has pointed out, the influence of Ancient Greece and Rome among the revolutionaries was not only due to the classical dimension of their education, but also to genuine commonalities; since in Spanish America the city or town (*pueblo*) was also the setting of politics and public life.<sup>4</sup> However, one of the main contentions of this article is that the Spanish American reception of ancient political thought was to a large extent mediated by Thomist Spanish scholastic theology. Therefore, the first part of this article explores the conceptualizations of 'tyranny' made by sixteenth century Spanish theologians, concretely by Francisco de Vitoria (1488-1546), Francisco Suárez (1548-1617) and Juan de Mariana (1536-1624), themselves informed by Greek and Roman ancient political thought and history. The conceptual linkages and continuities between ancient political thought, Spanish scholastic theology and the political language of the revolution are established in the second part, where I analyze the concrete uses of these political terms as well as the main conceptual transformations that took place during the revolutionary period.<sup>5</sup>

### **The Spanish American Revolutions of 1810**

Since the beginning of the nineteenth century the Spanish monarchy was clearly in decline. In the spring of 1808, despite his alliance with Spain, Napoleon occupied Madrid and forced Charles IV and Ferdinand VII to abdicate power in favor of his brother, Joseph Bonaparte, who was proclaimed King of Spain and the Indies. Provincial juntas, and a national entity, the Junta Central del Reyno, were immediately established in Spain to organize resistance to the invader. In 1809, the Junta Central issued a decree declaring the dominions in America no longer colonies but an integral part of the Spanish Monarchy. However, this decree that so solemnly eliminated the colonial status of

America, was at the same time the confirmation of their political inferiority: the decree conferred Spanish Americans political representation, yet, this representation was unequal: while the peninsula had 26 deputies, Spanish Americans had only 9, despite that their population was much larger.<sup>6</sup> This triggered the first unsuccessful uprisings in Spanish America. The following year, in the election of extraordinary *Cortes* to create a provisional government and enact a constitution – eventually the Spanish Constitution of 1812 – the political status of Americans was even worse: they only had 30 representatives against the 250 representatives of peninsular Spain.<sup>7</sup> Such was the situation in 1810, when Spanish Americans rejected the Spanish provisional government and established the first independent Juntas of government in Caracas, Buenos Aires, Mexico and Santiago. Aware of the illegality of these events, the revolutionaries sought for different sources to legitimize the establishment of these Juntas. This is when historically and conceptually, the question of tyranny became crucial.

A school of Spanish American historiography has stressed that the fundamental argument used to justify the constitution of the first independent provisional governing bodies throughout Spanish America was based on the long Hispanic tradition of *pactismo* and the return of sovereignty to the *pueblos* (city) in the case of tyranny.<sup>8</sup> Commentators have generally agreed that *pactismo* – understood as a contract between the king and the commonwealth, as a relationship entailing reciprocal rights and duties – was the predominant anti-absolutism political doctrine in the Hispanic world in the first half of the eighteenth century. This doctrine was rooted in the writings of Vitoria, Las Casas, Suárez and Mariana: “These authors, whose theories targeted monarchical pretensions to absolutist power, were not only freely published but in fact were dominant in universities.”<sup>9</sup>

This intellectual horizon was disrupted by the expulsion of the Jesuits from the Spanish empire in 1767 and the resulting prohibition of Jesuitical texts. The works of Mariana and Suárez were forbidden in universities, where challenges to absolute royal power or justifications of resistance to it were harshly censored.<sup>10</sup> Nevertheless, Spanish American universities and religious seminars enjoyed a higher degree of autonomy than peninsular ones, and the influence of Jesuit theology survived. Manuel Giménez Fernández, the pioneer of this historiographical tradition, observes that after the Jesuits’ expulsion, in almost all colleges and universities those who replaced Jesuit professors were their old students. These scholars tended to be fervent followers of Jesuit political doctrines and were radicalized by the per-

secution suffered by their mentors. In this context, he argues, Jesuitical concepts of authority, of royal power and its limits, as well as the right to resist and tyrannicide had strong repercussions in Spanish America.<sup>11</sup> Carlos Stoetzer shares this view and claims that scholasticism was still strong prior to independence and was “responsible for the educational background of most of the leading men of the Spanish American Revolution.”<sup>12</sup>

The work of Guerra also supports this thesis. He points out that despite the strengthening of Hispanic absolutism, Spanish scholastic theology was far from being eliminated. In fact, it survived via the modern theology texts utilized to educate the clergy and canon law.<sup>13</sup> For example, they were part of the manuals used for the education of Miguel Hidalgo, the author of the first declaration of Mexican Independence, in Valladolid de Michoacán.<sup>14</sup> José María Morelos also studied at the seminary of Michoacán, an institution that played an important role in the diffusion of scholastic theology.<sup>15</sup>

In the Río de la Plata, at least until 1767, the writings of Francisco Suárez were at the heart of the curricula in the Universidad de Córdoba. Founded by Jesuits in 1613, this university was a center for the education of political elites of this viceroyalty. Gregorio Funes, a student in this institution before the Jesuits’ expulsion and its rector since 1809 turned out to be one of the main intellectual referents of the revolution.<sup>16</sup> The Colegio de Montserrat was another Jesuit educational center established in Córdoba. José Gaspar de Francia, the “supreme dictator” of Paraguay for three decades, and Juan José Castelli, a leading figure of the May revolution, received their education in that institution. The patriots that enacted the declaration of independence of Venezuela as well as the members of the first provisional Junta in New Granada were also influenced by scholastic ideas.<sup>17</sup> In this region, Simón Bolívar, versed in the writings of Montesquieu and Rousseau, reacted against scholasticism. In fact, Bolívar’s political language is characterized by a direct ascendancy of classic republicanism. Still, Stoetzer claims that some imprints of scholasticism can be identified in his writings.<sup>18</sup>

This historiographical tradition has been subjected to significant criticisms and revisions from different fronts, fundamentally by liberal historiography which has emphasized the influence of the Enlightenment and of the French Revolution.<sup>19</sup> More reconciliatory views, such as Guerra’s, acknowledge that “the ‘spirit of the epoch’ in the eve of the Hispanic Revolution was clearly based on *pactismo*.”<sup>20</sup> However, besides scholastic theology, Guerra identifies other sources

of this *pactismo*, such as the diffusion of authors of modern law of nature such as Grocio and Pufendorf, who were studied in natural law cathedras. José Carlos Chiaramonte has developed this thesis and has vigorously questioned the identification of the *pactum subjectionis* as exclusive of Spanish scholastic theology and has stressed the influence of the law of nature and nations in colonial society and in the independence movements.<sup>21</sup>

Without neglecting the phenomenal intellectual hybridization that nourished Spanish American revolutionary movements, I intend to revive the thesis that Spanish scholastic theology, especially sixteenth century Jesuit theology, was a central ideological foundation of the revolutionary movement, particularly in its early stages. The influence of this tradition is linked to one of the most enigmatic concepts in the history of political thought: tyranny. Therefore, the theories of tyranny and resistance to it of Spanish scholastic theology constitute an alternative entry point to trace the ascendancy of this tradition of political thought in the Spanish American revolutionary movement.<sup>22</sup>

### From Tyrannicide to Revolution

The Hispanic scholastic theological tradition explained the origins of power as a sovereign faculty that emanated from God to the commonwealth, which was then delegated to the King through the subjection pact. According to Francisco de Vitoria, all civil power is vested in the commonwealth (*res publica*). However, "it is (...) quite im-[possible] for this power to be administered by the commonwealth itself, that is to say by the multitude. Therefore it is necessary that the government and administration of affairs be entrusted to certain men who take upon themselves responsibilities of the common wealth and look after the common good."<sup>23</sup>

Following the traditional Aristotelian division, Vitoria identifies three virtuous forms of political rule: monarchy, aristocracy and polity, and expresses his preference for monarchical rule.<sup>24</sup> For Vitoria, royal power as a "capability" comes from God, but kings must also receive their authority or executive power from the community: Civil Power as authority "is from the People."<sup>25</sup> Once the community has chosen a King, there can be no appeal against him. The subjection pact is an irrevocable, perpetual, transfer of power.<sup>26</sup>

However, he goes on to say that "it remains true that if a king proves to be a tyrant in government the community can depose him, because even if the community has given away its authority it keeps its *natural right* to defend itself."<sup>27</sup> Yet, as Anthony Pagden and Jeremy Lawrence rightly point out, unlike his Jesuit successors, Vitoria was still reluctant to ascribe any powers to any authority other than the established monarch. Thus, there is a fundamental ambivalence in his writings. On the one hand it is legitimate for a subject to resist a tyrannical King. On the other hand, since royal power derives from God, it is sacrilege for subjects to question any constituted authority.<sup>28</sup>

It was the Jesuits Juan de Mariana and Francisco Suárez who overcame the ambivalence of Vitoria's writings. Juan de Mariana provided Spanish American revolutionaries with a systematic theory of tyranny and tyrannicide.<sup>29</sup> Drawing from several traditions of ancient political thought, Mariana examines the differences between monarchy and tyranny. Following Aristotle almost literally, he defines tyranny as "the last and worst form of government, and the antithesis of monarchy [the best form of rule], frequently originates by seizing power by force; and deriving from good or bad origin, it is always a cruel burden on its subjects."<sup>30</sup> Mariana observes that tyranny often is an illegal and illegitimate appropriation of power. Tyranny is an act of usurpation. But he also recognizes that a legitimate monarch might rule tyrannically. He observes that the power of the tyrant is never based on the consent of the people or on his merits. Like in the case of Gyges, he owes his power to obscure intrigues or to an act of violence. Even having received the power legitimately from the people, if the King exercises it violently or for his self-interests, pleasures and vices, then the King degenerates into a tyrant. At this point, Mariana moves from the question of the origins to understanding tyranny as an illegal form of rule, based on violence, secrecy and intrigue.

However, like Xenophon's Hiero, the tyrant depicted by Mariana is afraid of those who are afraid of him "because he sees his own destruction in those that he enslaves."<sup>31</sup> Since fear and distrust of his subjects is his existential condition, the tyrant looks for bodyguards and mercenaries from other cities. In an analysis that echoes the Aristotelian description of the tyrannical strategies of government, Mariana observes that the tyrant impoverishes the subjects by imposing on them heavy taxations to finance his mercenaries and bodyguards. The tyrant also creates divisions and fights among the subjects and builds horrific monuments.<sup>32</sup>

In preparation for his theory of tyrannicide, Mariana follows Plato and Cicero's strategy of dehumanization of the tyrant, depicting him as "a ferocious and cruel beast, that wherever it goes, it destroys, burns, sacks everything with its claws and teeth."<sup>33</sup> The tyrant is a "horrendous" and "cruel" monster. It is outside the human community and therefore it is not only legitimate to kill the monster, but it *must* be killed. Moreover, Mariana says, "Like Aristogeiton and Harmodius, or like the two Brutus (...) those who have attacked tyrants have always had the biggest glory."<sup>34</sup>

Mariana prescribes two cases when it is "legal to kill the tyrant." Each of these cases refers to a different definition of tyranny. In the first case, tyranny is understood as usurpation. In the second one tyranny is defined as an illegal form of rule. Considering the first scenario, Mariana says:

Theologians and philosophers agree that if a prince seizes the commonwealth by force, without any reason, without any right, and without the people's consent, (...) becoming a *public enemy*, provoking all sorts of evils to the commonwealth and deserving the title of tyrant, he may not only be dethroned, but that may be done with the same violence by which he has seized the power that belongs to the society that he oppresses and enslaves.<sup>35</sup>

There are three fundamental issues here. First, the tyrant seizes power illegitimately through force. Second, the tyrant rules without the people's consent. As I will discuss later, this was a central principle in the anti-tyrannical discourse of Spanish American revolutions. Third, the tyrant is declared a public enemy. This was a fundamental radical move in anti-tyrannical democratic legislation in Athens, and it plays the same role here.<sup>36</sup> Declaring the tyrant a public enemy is a declaration of war. The tyrant is conducting a war against the community, the tyrant is the enemy, and in those circumstances, the tyrant must be killed. Mariana's appropriation of the ancient conception of tyrannicide is here evident. However, Mariana also resorts to the natural right to resist tyranny, and this is a fundamental conceptual innovation in relation to Athenian anti-tyrannical democratic legislation.

The second case that justifies tyrannicide considered by Mariana is when the legitimate King rules illegally: "when they [legitimate monarchs] alter the commonwealth, appropriate the wealth that belongs to all, when they despise the laws and religion of the Kingdom... Then it is necessary to think of the means to dethrone them..."<sup>37</sup> Mariana

designs a procedure for these cases. He recommends that if public assemblies are still permitted, then it is convenient to deliberate and consult what the city thinks. The King should then be asked to correct his flaws. If the tyrant refuses to listen it is necessary to publicly declare that he is no longer recognized as a King and that his acts would be considered null. Mariana says that in these circumstances there will inevitably be a war. It will be necessary to create a defense plan, collect weapons, and impose contributions for war expenses. Finally, "If the circumstances demand it, the prince must be killed as a public enemy, and must be killed in the name of the right of defense, and in the name of the authority of the people, more legitimate and always superior than that of the tyrannical King."<sup>38</sup>

The main justification of tyrannicide offered by Juan de Mariana is that the power of the commonwealth is always superior to the power of the King. In Mariana's view, royal rights and power, though hereditary, always have to be confirmed by the consent of the city. Since even though "the commonwealth has transferred him [the king] their power... they have kept to themselves a superior one...: the condition that to establish fundamental laws their consent is always indispensable" and if the people want it, "new taxes and laws that change the old ones may be created."<sup>39</sup> These proto-revolutionary ideas and the principle of consent were later revived by Spanish American revolutionaries.

### **Liberation from Tyranny and the Spanish American Revolutions of 1810**

In Spanish America, at first, tyranny was construed as usurpation. This accusation was directed to "the tyrant of Europe," Napoleon Bonaparte. The occupation by force and the subsequent usurpation of the Spanish crown was used to justify the establishment of independent provisional governments to resist the invader. The argument raised by the revolutionaries was that the creation of provisional Juntas was necessary "to defend the rights of the Spanish king," the legitimate monarch, against Bonaparte, the usurper.<sup>40</sup> The Revolution was initially carried out under "Ferdinand's mask," to use the image coined by José María Morelos, one of the leading figures of the Mexican Independence movement.<sup>41</sup>

The second crucial argument formulated by Spanish Americans was that the usurper rules over the unwilling by force and without

consent. The notion of consent, which is central in the Aristotelian definition of tyranny, was invoked by all the sixteenth century theologians to explain the origins of a legitimate commonwealth.<sup>42</sup> This concept, as Skinner has observed, “was carried to a new peak of development by the sixteenth century Thomists, and in particular by Suárez,” for whom the act of consenting constitutes the *only* means to create a legitimate commonwealth.<sup>43</sup> Whether tacit or expressed, the free consent of the governed is for Suárez the foundation of the political *pactum* and of the mutual trust between rulers and ruled.<sup>44</sup>

In Spanish America, the principle of consent, or more precisely, the lack of consent, was fundamental for the justifications of the revolution. This argument was initially aimed against the usurper Bonaparte. Later, it was turned against the Spanish provisional authorities, concretely the Consejo de Regencia that was established after the dissolution of the first Spanish revolutionary body, the Junta Central. This regency was considered illegitimate in its origins because it was constituted without the explicit consent of the *pueblos* of America. This is the first indication of the decisive move from the foreign tyranny of the French to the tyrannical origins of the new Spanish authorities. For example, the first declaration of the provisional Junta of Caracas, establishes that:

...according to the latest news from Cádiz, it seems that they have substituted it [the Junta Central] with another government under the name of Regencia... [which] cannot exercise any command or jurisdiction over these countries, because it has not been constituted by the vote of these faithful inhabitants, once we have been declared no longer colonies but an integral part of the Spanish Crown, and as such we have been called to exercise interim sovereignty and to reform the national constitution... [Considering] the impotence of that government to attend the security and prosperity of these territories, ... due to war circumstances, and the conquest and usurpation of the French army... it is [our] natural right to procure the means for our conservation and defense, and to create a system of government in these countries to satisfy those needs by exercising our sovereignty, which due to the same circumstances has now returned to the pueblos.<sup>45</sup>

As shown in this passage, in Spanish American independence documents, illegitimate or tyrannical government is linked to the corollary principle of return of sovereignty to the *pueblos*.<sup>46</sup> According to Suárez, the *pueblo* is legitimately authorized by its natural rights

of self-defense and of legitimate resistance to overthrow tyrannical power and even to kill the tyrant.<sup>47</sup> Yet, what had fundamental implications for the revolutions of 1810 is that Suárez declares that in the case of absence of the prince or of tyrannical power of the prince, civil power would return to its original holder, the *pueblo*.<sup>48</sup> Spanish Americans took this a step further in their revolutionary, secularized appropriation of Suárez: once they have recovered their rights and powers, *the pueblos can create a new government*. The revolutionaries reinvented Suárez's political thought as a theory of the constituent power. This interpretation also had anti-colonial implications, since the claim raised by the revolutionaries in Spanish America was: if power has returned to the *pueblos*, why can the *pueblos* of peninsular Spain create new governments but prevent the *pueblos* of America from doing so?

It must be said that in the language of Spanish theologians the *pueblo* was still a rather abstract entity. However in 1810 it meant something very concrete. The *pueblos* were understood as cities or provinces politically organized under the municipal bodies of colonial rule: the Cabildos or Ayuntamientos, which were the institutional setting of the revolutionary movements.<sup>49</sup> The revolutionary understanding and definition of tyranny was intrinsically related to a specific conception of sovereignty, namely the "sovereignty of the *pueblos*," which was at the heart of the new, revolutionary political legitimacy. Liberation from tyranny was not only the factual condition for the establishment of new governments, but "tyranny and resistance to it" constituted the political and discursive horizon for the emergence of a discourse centered on sovereignty. This sovereignty of the *pueblos* corresponded to a conception of a single, indivisible and inalienable sovereignty. This absolutist understanding of sovereignty was in the background of the main debates on political representation and organization and had critical implications for constitution-making processes.<sup>50</sup>

The notion of sovereignty of the *pueblos* also indicates a shift to a more anti-colonial discourse and the beginning of the identification between tyranny, despotism and colonial rule.<sup>51</sup> The establishment of insurrectionary Juntas was opposed by colonial authorities and royalists forces and these uprisings quickly turned into civil wars. During this process there was a radicalization of the discourse of tyranny and the argument against the "despotism" or "tyranny of three centuries" begins to be used against the Spanish monarchy in general

and against the dynamics of the colonial regime in particular. This is accompanied by a fundamental conceptual move from emphasizing the illegitimate origins of tyranny to focusing on the tyrannical form of rule.

Radical anti-tyrannical language reaches one of its highest points in the famous *Plan Revolucionario de Operaciones*. In this document, attributed to Mariano Moreno, the revolutionary leader of the Río de la Plata, the “despotic and tyrannical Spanish colonial regime and its sympathizers” are officially declared public enemies. Tyrannicide finds its way into this revolutionary plan in which Moreno calls to “cut the heads and shed the blood” of the tyrannical enemies of the revolution.<sup>52</sup> The same radicalization may be found in Bolívar’s military decree of *guerra a muerte* [my translation]:

We cannot see with indifference the afflictions that the Spanish barbarians have inflicted on us. They have greedily annihilated us, they have destroyed us...; they have violated the sacred rights of the people; they have infringed the most solemn (...) treaties; in short, they have committed all sorts of crimes, reducing the Republic of Venezuela to the most frightful desolation. Therefore justice demands *vindiciae* and necessity forces us to take it. These monsters that infest Colombian soil and have covered it with blood must disappear forever; their lesson should be as enormous as their perfidy, to wash away the stain of our ignominy, and to show the nations of the universe, that they cannot offend the people of America with impunity.<sup>53</sup>

Multiple definitions of tyranny are included in this dense passage, in which the ascendancy of ancient political thought is evident.<sup>54</sup> The depiction of the Spanish as barbarians places them outside the polity. Illegality, but also violence, greed and destruction are all fundamental aspects of ancient definitions of tyranny. Finally the Spanish, like in Plato and Cicero’s descriptions of the tyrant, are portrayed as bloodthirsty monsters.<sup>55</sup> Hence, they must be killed and vanished from American soil.

In Mexico, the predominant topics were the atrocities of the conquest, land occupation by force, illegal rule characterized by deprivation of rights, enslavement, illegal extraction and appropriation of the riches of the new world, and the ambition and greediness of colonial officials. An example of this type of discourse is the writings of Miguel Hidalgo. In the following excerpt, he expresses the ideological postulates of the Independence movement in New Spain:

The political liberty that I am talking about is that in which each individual is the owner of the product of his labor and of whatever he legally acquires to satisfy the needs of his home and family; the liberty that secures his possessions from the rapacious hands of the despots that until now have oppressed us. (...) The same liberty that establishes that it shall circulate in your hands the blood that animates and invigorates the veins of our American continent, namely those vast masses of gold and silver that they [the despots] have been extracting for three centuries to satisfy the avarice of our oppressors...<sup>56</sup>

This link between despotism and conquest reflects the interpretation of John Locke.<sup>57</sup> There is also a clear relation to the Lockean definition of tyranny as whenever the ruler's "commands and actions are not directed to the preservation of the properties of his people, but the satisfaction of his own ambition".<sup>58</sup> This identification of despotism, conquest, greed and appropriation of the gold and silver of America as the main elements of Spanish colonial rule, introduces a different conceptualization of tyranny, namely the depersonalized tyranny of empire. This type of argumentation in fact goes back to Thucydides, who narrated the tyrannical imperial dimension of democratic Athens.<sup>59</sup> Here, it is directed against the imperialism of the Spanish crown and the subsequent enslavement of the cities and towns of America by the total annihilation of their rights, specifically, property rights over their lands, their labor and their resources.

In relation to the conquest, another fundamental definition of tyranny, originally introduced by Morelos in Mexico, is the "tyranny against the Indians." Here for the first time in the history of political thought, there is a racial element in the understanding of tyranny:

They [the *gachupines* or Spanish] call their cause a religious one, but it is only based on the extended possession of this kingdom, which *they seized by force* almost three centuries ago; too long have been the *tyrannies* that they have exercised against the Indians, before and after their inappropriate conquest, depriving that inhabitants of this land from their rights, treating them as nonentities and exercising upon us the most punishable dominion.<sup>60</sup>

Tyranny construed in an Aristotelian fashion, as despotic rule, as the rule over the political community likewise the private rule of masters over slaves, was one of the main characterizations of colonial rule in the Independence political discourse.<sup>61</sup> For example, Bolívar worried all his life about the consequences of centuries of political en-

slavement of the Spanish American people. There is in his writings a tragic feeling that it might be too late for the revolution. Paraphrasing Montesquieu, he laments, "It is harder (...) to release a nation from servitude than to enslave a free nation."<sup>62</sup> This is also revealed in his notion of "passive tyranny." Colonialism, according to Bolívar, has put Spanish America in a paradoxical position: it has been deprived of its freedom but without even having a domestic tyranny. Spanish America has been denied any form of self-determined government, even a domestic tyrannical government, and thus has never acquired any political experience in conducting public affairs or in resisting oppressive government. For centuries, Spanish America had been outside the boundaries of the political:

As our role has always been strictly passive and our political existence nil, we find that our quest for liberty is now even more difficult of accomplishment; for we, having been placed in a state lower than slavery, had been robbed not only our freedom but also of the right to exercise a domestic tyranny. (...) ...Spain, who in effect deprived her [America] of the experience that she would have gained from the exercise of an active tyranny by not allowing her to take part in her own domestic affairs and administration. This exclusion made it impossible for us to acquaint ourselves with the management of public affairs...<sup>63</sup>

The opposite of enslavement, of the absolute subjection to the ruler, is of course freedom. The exaltation of the liberty and happiness of the *pueblos* is a fundamental aspect of the Independence discourse. These are the first signs of an epochal transition from neoclassicism to Romanticism. The next generation will abandon the classical imaginary and will follow Lord Byron, François-René de Chateaubriand, and Friedrich Schiller for their conceptualizations and images of tyranny, which emphasized the personality of the tyrant.

### **From Tyranny to Dictatorship**

The first reference to dictatorship in revolutionary Spanish America may be identified during the regime of Dr. Francia in Paraguay. It is worth keeping in mind that in the early phases of the revolutionary process, dictatorship still referred to the prestigious Roman republican institution and did not have a negative meaning. In May of 1811, Paraguay, where the first Spanish American autonomist movement

took place, declared its Independence from Spain and above all from Buenos Aires. A year later, Paraguayans founded a republic based on the Roman model, with a two-consul executive. One of the consuls was the theologian, José Gaspar de Francia. In the face of increasing pressure from Buenos Aires, which opposed the formation of an independent republic in Paraguay, Francia expressed to the Congress the need to create an office of a one-man executive. In October 1814, the Paraguayan Congress announced the dissolution of the consulate and that the government would be united in Citizen José Gaspar de Francia, with the title of Supreme Dictator of the Republic. However, unlike the renowned Roman institution, the duration of the dictatorship would not be six months but five years. Then it was decided that the Congress would not assemble until May 1816. The “supreme dictator” also had full legislative powers, another significant difference with the Roman institution.

When the Congress came together in May 1816, due to the danger of multiple external enemies –Buenos Aires still considered Paraguay a subject province and there was the threat of Portuguese invasions from Brazil and of the Indians in the frontier— representatives appointed Francia “Perpetual Dictator of the Republic during his life.” The Congress then proceeded to establish that the Republic will have a Congress “whenever the Dictator deems it necessary,” and finally, the Congress resolved to dissolve itself.<sup>64</sup> Francia’s title was fashioned following the dictatorships of Sulla and Caesar and the move from temporary to permanent, absolute, unchecked powers placed him closer to tyrannical power. However, until his death in 1840, Francia managed to keep necessity and external threat as justifications for his regime. He also appeared as an enlightened tyrant building the Paraguayan state. Interpreted along the lines of an extreme Jacobinism, rather than as a tyrant, Francia emerges as a successful, tropical Robespierre.

It is in the writings and figure of Bolívar, who is often cited as the most representative example of Spanish American republicanism, where dictatorship frequently appears as part of the revolutionary political vocabulary.<sup>65</sup> The meaning of Spanish American republicanism should be clarified. Recent works on political history have attempted to apply “the republican thesis” proposed for the United States to Spanish America.<sup>66</sup> This literature has identified a republican political language in revolutionary Spanish America and has introduced a variant to the debate often posed exclusively in “Liberals vs. Conservatives” terms.<sup>67</sup> However, as José Antonio Aguilar has

pointed out, it must be said that with only a few exceptions, the predominant concept of republic in Spanish America plainly meant the contrary to monarchy as opposed to a more “substantive” conception structured around civic virtue and the election of magistrates.<sup>68</sup> The Spanish American understanding of republicanism was broad enough to give room to different views of the design of the executive power and less institutionally rigorous forms of dictatorship than the Roman model.

Bolívar, himself a dictator in a few occasions, was aware of the dangerous potential of the dictatorial office, which he justified by military necessity to conduct the wars of Independence. This is revealed in the following passage from 1819, when he called for the constituent Congress of Angostura, in which he returned to the sovereign congress the dictatorial powers that were conferred to him by the combatants against the royalist reinvasion in 1816:

Only the force of necessity, coupled with the imperious will of the people, compelled me to assume the fearful and dangerous post of *Dictator and Supreme Chief of the Republic*. But now I can breathe more freely, for I am returning to you this authority which I have succeeded in maintaining at the price of so much danger, hardship, and suffering, amidst the worst tribulations suffered by any society.<sup>69</sup>

Venezuela’s federal constitution of 1811 did not have any emergency provision. Thus Bolívar’s appointment, which lasted roughly three years, was extra-legal. With the exception of Francia’s regime, when there was an authorization from a previously constituted body, since its first applications the concept of dictatorship was used to refer to extra-legal military regimes established to conduct wars, usually of internal nature. In fact, the model of the Roman dictatorship was never incorporated within the Latin American Constitutions of the time, which against common understanding, included emergency provisions rather late.<sup>70</sup> Dictatorship was reformulated as “emergency” or “extraordinary” powers, and later, as the French “state of siege.” The fact that it never made its way into the Spanish American Constitutions of this period indicates that “dictatorship” may already have assumed negative connotations.

After 1815, there was a tendency towards establishing emergency governments. The proliferation of dictatorial executives was fostered by the mobilization required to defeat the Spanish royalist forces on the battlefield. However, with the exception of Bolívar, none of

these governments resorted to the Roman title. For example, José de San Martín avoided the term dictatorship and instead was self-proclaimed "Protector of Peru" and took over the political and military command of the "free departments" of Peru:

Since I arrived in Pisco, I announced that because of the *prevailing circumstances* I was vested with *supreme authority* and that I was *responsible* before the motherland for the exercise of this authority. Those circumstances have not changed, since there are still in Peru external enemies to fight and therefore, it is necessary that I keep the political and military command.<sup>71</sup>

There are two powerful images in this document: Oliver Cromwell and the Roman Dictatorship. This was a self-appointed office and the time limit of San Martín's protectorate was indeterminate. Nevertheless, the authority created by this decree had a temporary character based on the necessity to fight "external enemies" and guarantee independence of Peru, but also to avoid internal revolutionary chaos and "anarchy."

Overthrowing the officers of the Spanish government was not enough to liberate Peru. It was indispensable to *protect* those towns from anarchy and to avoid the lack of control of passions when electing their supreme authority and adopting a new form of government. It is more difficult to conserve liberty than to acquire it; and anarchy is much more unfortunate and ominous for the people than the barbarian *peninsular despotism*.<sup>72</sup>

Even though the whole conception of this protectorate is similar to the Roman dictatorship and that San Martín is self-portrayed as a Spanish American Cincinnatus, the term dictatorship is not used. Instead, San Martín chose the same title that was given to Cromwell. An admirer of English history, he might have preferred this title for its revolutionary and militaristic connotations. The choice of "protector" over "dictator," in the context of the Río de la Plata, may also be explained by the fact that the title of dictator might had been associated to Francia's regime in Paraguay. In fact, José Artigas, the Uruguayan caudillo, also resorted to the Cromwellian title in 1815, when in the apex of his influence against Buenos Aires, he issued a decree proclaiming the territories of Uruguay, Entre Ríos, Corrientes and Santa Fe as the League of Free Peoples of the Littoral and proclaimed himself their Protector.

The preference for protector over dictator indicates the beginning of the decline of the term dictatorship and of a shift from the classical republican meaning of the term to a negative one that refers to absolute, unchecked, arbitrary rule.<sup>73</sup> Like in the case of the French revolution, Spanish American revolutions show a conceptual transformation in which dictatorship ceases to be the “virtuous” Roman institution and begins to be linked to tyranny.<sup>74</sup> Again, the writings of Bolívar provide a paradigmatic example of this transition in meaning. In 1828, after the failure of the National Convention of Ocaña to reform the Constitution of Gran Colombia, Bolívar wrote [my translation]:

I find myself in a position perhaps unique in history. I am the Superior Magistrate of a republic that has been governed by a Constitution that the people do not want, that the people have shattered and that the Convention has annulled when seeking its reform. Frankly, I do not know what to do. To govern with a discredited constitution means to expose it to its rejection by the people, and this would necessarily bring civil upheavals. Enacting a provisional code myself, would be an usurpation of a faculty that I do not have, and if I do so, then they will rightly call me an usurper and a tyrant. Governing without a constitution and according to my will, would give them grounds to accuse me, also justly, of establishing an absolute power. None of these satisfies me, because I cannot, and I do not want, and I should not declare myself a dictator.<sup>75</sup>

Popular assemblies and electoral juntas enacted petitions asking Bolívar to become dictator of Colombia. Despite the reservations that he expresses in this document where he fuses tyranny and dictatorship, Bolívar accepted and issued a decree organizing the dictatorial government. The dictatorship had a Council of Ministers and a Council of State, as well as a Court. However, according to the decree, the supreme chief or dictator had full legislative and executive faculties. He could enact decrees and rules of any nature and alter, reform, or derogate existing laws. He had powers to reestablish order and internal security; to protect the state against any external attack and to command the army and navy; to direct all diplomatic negotiations, declare peace and war and make all appointments. The dictator also had “to guard that all decrees and rules, as well as the laws that might continue in force are properly executed everywhere.”<sup>76</sup> This decree indicates the obvious abandonment of the classical Roman model and the expansion of the concept of dictatorship. The result of the extra-legal act of a single man, the decree established an entirely

new political and juridical regime based on the abrogation of separation of powers and created the first fully modern dictatorship in Latin America.

## Conclusion

Gradually, 'dictatorship' overcame 'tyranny' as a signifier of illegitimate, unconstitutional and authoritarian rule in Spanish America. In the nineteenth century, the concept of tyranny will still be central for the political vocabulary of the Romantic generation of the 1830s and 1840s, who were obsessed with aspects of the personality of the tyrant.<sup>77</sup> However, in the last decades of the nineteenth century, the concept of tyranny fell practically into disuse in reference to actual political regimes. In the twentieth century, the polemical use of the concept of tyranny was exceptional, and not even the most atrocious military regimes of the 1970s were defined as tyrannical. Instead, the term applied to them was unanimously dictatorship.

There are two interrelated explanations of the triumph of the concept of dictatorship over tyranny: **1)** an ideological and theoretical shift from a Spanish scholastic discourse to a modern liberal-republican language provoked by the dynamics of the revolutionary process and **2)** the links of these concepts to the territorial form and organization of the political unit and state formation processes. While tyranny remained attached to the city-state or empire, the concept of dictatorship was redefined to be applied to the modern nation-state.

In this article I have identified an anti-tyranny language in the early stage of Hispanic revolutions embedded in a scholastic discourse and in the doctrine of *pactismo*. However, the political legitimacy founded on resistance to tyranny was short-lived. Commentators, most famously Guerra, have interpreted this period precisely as a transitional moment from the ancient regime to modernity, in which the language and political imagery was being transformed.<sup>78</sup> Even though this narrative reproduces the dichotomy between traditional and modern society in a period in which the points of interpenetration between them are very significant, it is true that the revolutionary process itself disclosed the exhaustion of a discourse plainly inscribed in traditional scholastic foundations. The scholastic theory of tyranny did not meet the requirements and challenges posed by the secular founding of new governments and constitution making processes. This was the beginning of a long, multiform,

and violent political process of formation of new, independent nation-states, in which other intellectual sources that offered new and alternative forms of political legitimacy became dominant. With the collapse of the Hispanic monarchy, *pactismo* as the fundamental arrangement of the political community was abandoned for modern contractualist theories. The traditional conception of sovereignty of the *pueblos* conflicted with the emergent conception of sovereignty of the nation. The Lockean individual substituted corporatist views of society. The republican citizen replaced the traditional *vecino* (neighbor). Scholasticism was displaced by doctrines of constitutional government, separation of powers, individual rights and, in some cases, (con)federalism.<sup>79</sup> In this context, the republican concept of dictatorship proved to be more suitable to refer to republican political forms based on extraordinary powers, while tyranny remained tied to monarchy, either as its antithesis or its degeneration.

Andrew Arato has recently characterized tyranny as "a typical authoritarian form of small city-states where rulers could stay in power through violence."<sup>80</sup> This was no longer the case after the formation of modern European states when, according to Arato, despotism became the preferred term to refer to absolutist monarchies. Following his argument, with the culmination of absolutist formation, the decline of monarchical legitimacy, and the secularization of politics, the term despotism also became obsolete. It was the republican concept of dictatorship that was redefined as the modern, secular and republican form of authoritarian rule. The case of Spanish America supports this thesis. In Spanish America, the first stage of political organization of the American territories conquered by the Spanish Crown was based on cities organized as municipalities with a significant self-government capacity. Later, these bodies became the local *cabildos* or *ayuntamientos*, which in the nineteenth century were the setting of Spanish American revolutions. Since the seventeenth century, Spanish kingdoms became larger and stronger and there was a tendency to create more centralized offices such as viceroys, governors or *audiencias*. This trend was continued by the centralizing Bourbon reforms which paradoxically revived municipal functions. The new local institutions, the *intendencias*, created conflicts with the old *cabildos* which continued to exist, and thus relocated political activity and contention in the local level.<sup>81</sup> Until 1810, the political unit oscillated between the city and the Spanish empire. There was no nation-state. The concepts of tyranny and despotism were tied to one of these territorial political units: either the tyranny of local Spanish

colonial officers or the tyrannical or despotic dynamics of the imperial Spanish state.

With the gradual abandonment of the colonial monarchical imagery and the peculiar formation of modern independent Spanish American states, the concept of dictatorship replaced tyranny to refer to authoritarian and arbitrary rule. Moreover, there was a functional adequacy between dictatorship and state-building, which requires a significant degree of centralization of authority.<sup>82</sup> In the context of the recurrent constitutional failures of the post-independence period, dictatorship was frequently the means to consolidate authority before hyper-presidentialism, the other Spanish American republican response to the challenges of state formation, was invented by constitution makers.

In the context of modern politics, the institutional dimension of dictatorship prevailed over the more personalistic image of the tyrant. Hence the term dictatorship could later also be applied to plural, dictatorial bodies. The instrumental rationality of dictatorship, namely an exceptional regime that it is not an end in itself or for itself, but only a temporally limited means to achieve "order," "protection," "state-building," "security," or "modernization," is another element that favored the modern adaptation of the concept of dictatorship. Finally, there is the fundamental dimension of consent. Unlike tyranny, dictatorship in theory presupposes at least some kind of authorization, which in Latin American was frequently enhanced by plebiscitary legitimacy.

It is true that dictatorship colonized part of the conceptual territory of tyranny. Even though in most cases they relied on some degree of popular and party support, most nineteenth (and twentieth) century dictatorial regimes had illegal and illegitimate origins, usurping power violently through coups d'état. Dictatorships, which concentrated extraordinary powers and were based on force and coercion, frequently created spaces of unchecked arbitrary rule. The temporal limitation, central to the Roman dictatorship, was replaced by the tyrannical drive to permanence, and many nineteenth and twentieth century dictatorial regimes lasted for decades.

## NOTES

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1. Carl Schmitt, [1932], 1996, pp.30-31.
2. Conceptual history is relatively new to Latin American historiography. Yet, in the last decade, the historicization of political language has become increasingly central. Following the path-breaking work of François-Xavier Guerra, conceptual history has begun to take off. Recent works on citizenship, the public sphere and republicanism have incorporated this approach as one of their methodological foundations. See, Guerra, 1992, 1994, 1998; Guerra, Lempérière (eds.), 1998; Annino, Guerra, (eds.) 2003. For literature on the public sphere and republicanism, see, Sabato (ed.), 1999; Palti, 2001; Aguilar, Rojas, (eds.) 2002; Myers, 1995. Elías Palti has recently introduced the main methodological discussions on the “Cambridge School.” Palti, 2005; Palti, in Aguilar, Rojas, (eds.) 2002, pp.167-209. The latest work of José Carlos Chiaramonte is a pioneer in the conceptual history of terms such as ‘the state’ and ‘the nation’ in the language of the Independence movement in Spanish America. Equally important have been Chiaramonte’s insistent methodological warnings against the risks of historical anachronism and inaccuracy due to inadequate conceptual historicization. See, Chiaramonte, 2004a.
3. Spanish American political thought in the beginning of the nineteenth century was extremely creative and did not recognize any academic boundaries, combing sources from ancient Greece and Rome, to St. Tomas Aquinas, the Spanish scholastic theology founded by Francisco de Vitoria (1488-1546) and continued by Francisco Suárez (1548-1617), Juan de Mariana (1536-1617), Benito Jerónimo Feijoo (1676-1764) and Gaspar Melchor de Jovellanos (1744-1811); but also Hobbes, Locke, Rousseau and Montesquieu. Finally, there was the decisive influence of the ideas of the French and American Revolutions.
4. Guerra, 1994, p.12.
5. Besides authorial works, I have consulted a number of relevant historical documents such as declarations, revolutionary plans, constitutional projects, pamphlets, newspaper editorials and letters. These sources are all in Spanish. The political writings of Francisco de Vitoria and a substantial part of Simón Bolívar’s works are available in English. Unless otherwise indicated I have used these translations. The rest of the translations from primary sources are mine.
6. Guerra, “El Ocaso de la Monarquía Hispánica: Revolución y Desintegración” in Annino, Guerra (eds.), 2003, p.133. Guerra argues that the question of political representation was at the heart of the Spanish American independence movement.
7. *Ibid.*
8. For example, Giménez Fernández, 1947; Furlong, 1952, 1959; Stoetzer, 1966, 1979; Morse, 1982. According to this view the revolution and the establishment of juntas was an expression of the political theory of Spanish scholasticism, particularly the Suarezian *pactum translationis*.
9. Guerra, 1992, p.73.
10. *Idem.* p.77.
11. Giménez Fernández cited in Levene, 1960, p.10.

12. Stoetzer, 1979, p. 122 [123-139]. Stoetzer documents the presence of scholastic thinkers in colleges and universities in New Spain, Peru, New Granada and the Río de la Plata.
13. Guerra, 1992, p.78.
14. Herrejón Peredo, "Hidalgo: la justificación de la insurgencia", Cuadernos Americanos, México, año XLII, 1983, 1, p.162 cited in Guerra, 1992, pp.78, 170.
15. Stoetzer, 1979, p.194.
16. Crespo, 1999.
17. Stoetzer, 1979, pp. 229, 230.
18. Idem. pp. 228,229.
19. For example, Levene, 1956; Halperín Donghi, [1961]1985.
20. Guerra, 1992, p.171.
21. Chiamonte, 2004a, pp. 91-134; Chiamonte, 2004b, p. 569.
22. In an important revisionist work, Halperín Donghi acknowledges that the Scholastic theory of the tyrant was "rediscovered" by the revolutionaries and used as a polemical instrument against absolutism. Tulio Halperín Donghi, [1961]1985, pp.180-182.
23. I am quoting from: Francisco de Vitoria, 1991; de Vitoria, *On Civil Power*, §8, Question 1, Article 5, pp. 14-15.
24. Vitoria, *On Civil Power*, §111.8, p.19.
25. Vitoria, *On Dietary Laws or Self-Restraint*, 1.5, p. 218.  
As an attempt to solve the problem created by asserting that civil power comes both from God and from the People, Vitoria distinguishes between power (*potestas*) and authority (*auctoritas*). Vitoria says *potestas* can be used in two senses: it can either mean "capabilities" "the power of the senses, of the intellect, of the will," or it may be used in the sense of "authority" namely the powers of magistrates and priests. In this second sense, *potestas* refers only to the authorities or jurisdictions that are conferred upon the magistrates, priests and empires by the community. Vitoria, *On the Power of the Church*, §1, 1.1.p.50.
26. Vitoria, *On Civil Power*, §14, 2.1 p.31.
27. Vitoria, *On Law*, §137, Article 2, p.200. The introduction of natural rights is a fundamental conceptual innovation in relation to ancient political thought.
28. Anthony Pagden and Jeremy Lawrence, in their introduction to Francisco de Vitoria's *Political Writings*.
29. While the Protestant and Calvinist tradition of *Vindiciae contra tyrannos* is well known, the tyrannicide of Catholic Christianity has been either forgotten or remains practically unknown in American academic circles. Sixteenth century theology is commented by Quentin Skinner in his *Foundations of Modern Political Thought*; however, he only dedicates a few passages to the topic of tyranny. He briefly comments on Suárez's doctrine of legitimate resistance to a tyrannical King. Skinner, 1978, pp.163, 177-78. For the Protestant and Calvinist tradition see: Franklin, 1969.
30. Juan de Mariana, *Del Rey y de la Institución Real*, p.477; Aristotle, *Politics*, Book IV, chapter 2, §1289b.
31. Juan de Mariana, *Del Rey y de la Institución Real*, p. 479; Xenophon, *Hiero or Tyrannicus* translated by Strauss, 1963.
32. Juan de Mariana, *Del Rey y de la Institución Real*, p.478; Aristotle, *Politics*, Book V, chapter 11.
33. Juan de Mariana, *Del Rey y de la Institución Real*, p. 482. Plato calls the tyrant a wolf, and thus he animalizes the tyrant but he does not explicitly locate the tyrant outside humanity. Cicero does dehumanize the tyrant: "For there can be no fellowship between us and tyrants—on the contrary there is a complete estrangement— (...) Indeed the whole pestilent and irreverent class ought to be expelled from the community of

mankind." Plato, *The Republic*, Book VIII, 566; Cicero, *On Duties*, Book III, §32.

34. Juan de Mariana, "Del Rey y de la Institución Real," p. 482.

35. *Ibid.*

36. The categorization of the tyrant as public enemy was introduced in the Athenian anti-tyrannical legislation of 410: "If anyone shall suppress the democracy at Athens or hold any public office after its suppression, he shall become a public enemy and be slain with impunity;" For the full text, see, Andocides, *On the Mysteries*, Book I: 94-102.

37. Juan de Mariana, "Del Rey y de la Institución Real," p. 482.

38. *Ibid.*

39. Juan de Mariana, "Del Rey y de la Institución Real," p. 481.

40. The argument of the protection of the King's rights was raised in the first declarations of these provisional governments. For example, in the Río de la Plata the "Primera Proclama de la Junta de Gobierno a la capital y provincias," May 26, 1810 and in México, "Primera proclama formal de Hidalgo," October, 1810.

41. The role of the figure of the Spanish king during independence has generated a great amount of debate. Liberal historiography has interpreted this "loyalty" to Ferdinand VII as a strategy of the insurgents to gain support from local Creole elites. This school argues that the establishment of provisional Juntas "to defend the rights of the Spanish king" veiled the authentic revolutionary goals of the insurgents. Another perspective claims that the King and a "monarchical imagery" was so fundamental in political culture, that both, insurgents and royalists, legitimized their cause and sought for popular support by invoking the name of the King Ferdinand. Some of these interpretations also maintain that the authority of the king was used to restore some kind of political order in the context of increasing chaos and anarchy. Landavazo, 2001, pp. 21, 311.

42. Tyranny as "the rule over the unwilling people" is specifically the third subtype of the Aristotelian classification of tyranny: "tyranny in its highest degree." Aristotle, *Politics*, Book IV, chapter 10.

43. Skinner, 1978, p.163.

44. See, Stoetzer, 1979, p. 24.

45. Caracas, April 19, 1810. This argument is also presented by Mariano Moreno in his editorials in the *Gazeta de Buenos Ayres*, November 1, 6, 13, 15 and December 6, 1810.

46. For example, the Mexican Declaration of Independence of Chilpancingo states that: "Due to the present circumstances in Europe, America has recuperated the exercise of its sovereignty, which was usurped; thus dependency from the Spanish crown has been forever broken..."; The Declaration of Independence of Venezuela, July 5, 1811 establishes that: "We, the representatives of the United Provinces of Caracas, Cumaná...(..) assembled in Congress, and considering the absolute and full possession of our rights, which we justly and legitimately recovered since April 19th, 1810, in consequence of the [abdications] of Bayonne and the *occupation* of the throne by the *conquest* and succession of another dynasty constituted without our *consent*, we wish, before exercising the rights that we were deprived of by force for more than three centuries (...) to present the reasons that emanate from current political events and that authorize the free use of our sovereignty..."

47. Francisco Suárez, [1613], 1965. *Principatus Politicus*, chapters II, III.

48. *Idem.* pp.[14]-43.

49. Antonio Annino, "Soberanías en Lucha," in Annino, Guerra (eds.), 2003, p.164. For the meaning of the term '*pueblo*' in Spanish America, see, Chiaramonte, 2004. pp. 64-67; Guerra, 1994, p.10.

50. The new revolutionary Juntas almost immediately called for Congresses or Assemblies with representatives of the provinces to enact national constitutions. Yet, these processes also opened up a period of extraordinary constitutional instability. Here the comparison with France is inevitable, however, unlike France, the constituent power in Spanish America was not the nation, it was not the people who stepped into the shoes of the King, but a set of political communities – the provinces or *pueblos* – which had regained their sovereignty. This plurality of political units constituting the new body politic places Spanish America closer to the American experience, however, this plurality coupled with an absolutist conception of sovereignty became much less of a “blessing,” as Arendt (1986) would put it, and much more of a problem. The fact that Spanish Americans had a monist, indivisible, inalienable, conception of sovereignty prevented them from achieving founding federal pacts between these cities-provinces. Spanish American national centralized constitutional projects promoted by the capital cities were persistently contested by other cities and provinces. Conversely, the constituent power of the provinces was too weak to create lasting confederations. In this early moment, Spanish Americans did not contemplate the possibility of divided powers, and thus, they were trapped in a circle between the centralist pretensions of the main city of the territory and the aspirations of sovereign equality in the rest of the provinces.

51. ‘Tyranny’ and ‘despotism’ were often used interchangeably to refer to the Spanish Crown. Yet, a careful analysis of the use of these concepts suggests that despotism is usually utilized to refer to the long-term effects of arbitrary rule, and it is more related to conquest and corruption.

52. Mariano Moreno was the secretary of the first revolutionary Junta of Buenos Aires in 1810. Mariano Moreno, “Plan Revolucionario de Operaciones in Moreno”, 1915.

53. Decree issued by Simón Bolívar from Trujillo, June 15, 1813 known as “Decreto de Guerra a Muerte”.

54. For example, the influence of Aristotelian definitions of tyranny is clear. Aristotle, *Politics*, Book IV, chapter 10.

55. See, Cicero, *On Duties*, Book III, §32; Plato, *The Republic*, Book VIII, 566.

56. Miguel Hidalgo, “Primera proclama formal de Hidalgo en la que se vierten algunos de sus postulados ideológico-políticos formulado en el memorable Grito de Independencia,” October, 1810 in *Leyes y Documentos de la nación mexicana*, 1997.

57. Locke, *The Second Treatise*, chapter XVI.

58. Idem. chapter XVII.

59. Thucydides, *History of the Peloponnesian War*, Book I, 66-87, 55-65, Book III, 36-50.

60. Morelos’ Proclamation, Cuautla, February 18, 1812. *Leyes y Documentos de la Nación Mexicana*, 1997, p. 91.

61. Aristotle, *Politics*, Book III, chapter 8, §16-20.

62. Bolívar, “Reply of a South American to a Gentleman of this Island,” [Jamaica Letter], Kingston, Jamaica, September 6, 1815 in Bolívar, 1951, p.115.

63. Bolívar, Address Delivered at the Inauguration of the Second National Congress of Venezuela in Angostura, February 15, 1819, in Bolívar, 1951.

64. Acts of the 1816 Congress in Archivo Nacional, Asunción, Historia, 226-1-2 cited in Williams, 1979, pp. 41, 49.

65. Bolívar was familiar with the writings of Livy and Plutarch. See, Aguilar Rivera, “Bolívar y la dictadura” in Aguilar, 2000, pp.167-182.

66. For the United States see, Wood, 1969; Pocock, J.G.A., 1975. For Hispanic America, Aguilar, Rojas, (eds.), 2002.

67. See, Sabato, 1999, 2001.

68. José Antonio Aguilar, "Dos conceptos de República" in Aguilar, Rojas, (eds.), 2002, p.72.
69. Bolívar, "Address Delivered at the Inauguration of the Second National Congress of Venezuela in Angostura," in Bolívar, 1951, p.173.
70. With the exception of Argentina's Provisional statute of 1811, the first provisions were included in the second generation of constitutions of the early 1820s. The first constitution to incorporate the French "state of siege" was the hyper-presidential Chilean Constitution of 1833. The main source on this topic is Loveman, 1993. For a critique of Loveman see, Aguilar, Negretto, 2000.
71. Decree of General San José de San Martín by which he takes the political and military command of the "free departments" of Peru, with the title of Protector, Lima, August 3rd, 1821, in *Biblioteca de Mayo*, 1863, p.15357.
72. Idem. p.15361.
73. Arato, 2003.
74. The classic republican meaning of the Roman dictatorship is based on the historical narratives of Livy and Plutarch. From the Spanish American textual sources of the time, it is evident that Spanish Americans were familiar with this republican tradition. It is unlikely that they knew the less famous accounts of the Greek historians of the late Roman Republic and the Early Empire: Dionysius of Halicarnassus' and Appian's respectively. Dionysius is the first writer to equate tyranny and dictatorship, and to focus on the similarities between them. He defines dictatorship as "voluntary tyranny" since the difference between dictatorship and tyranny is that the dictator does not usurp power and rules with consent. For Dionysius, Sulla's dictatorship was not a deviation from the Roman institution, but it actually revealed its real face. Also on the basis of Sulla's case, Appian considers dictatorship, "unlimited" and "absolute" tyranny. See: Dionysius of Halicarnassus, *Roman Antiquities*, Book V, 70-77; Appian, *The Civil Wars*, Book 1, 99.
75. Bolívar in Acosta Saignes, 1983, p. 29.
76. Decreto Orgánico de la Dictadura de Bolívar.
77. The most paradigmatic example is Sarmiento's ([1845],1938) *Facundo*.
78. Guerra, 1993, pp. 322-23.
79. In the early stages of independence, *federalism* meant *confederalism*. Spanish Americans did not discover the American version of federalism until the Mexican Federal Constitution of 1824.
80. Andrew Arato, 2003, "Conceptual History of Dictatorship and its Rivals," unpublished manuscript.
81. For the dynamics of centralization and decentralization in Spanish America, see, Chiaramonte, 1997, pp. 89-92.
82. Dictatorship in Spanish America has always entailed centralist projects, even when they have raised federal claims. The most paradigmatic example of this is the dictatorship of Juan Manuel de Rosas in Argentina.

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