THE IMPORTANCE
OF
POLITICAL TRADITIONS

by
Leonard P Liggio

with an introduction by
M C O'Dowd

FMF Paper
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INTRODUCTION:

THE CONFLICT OF

POLITICAL TRADITIONS IN

SOUTH AFRICA

by M C O'Dowd

IN "The Importance of Political Traditions", Leonard Liggio presents an explanation of the difference between the histories of North and South America. It is the difference between the ancient political traditions these two continents inherited from Britain and Spain, he says.

Liggio describes the wide range of institutions that co-existed with feudalism in mediaeval Europe, Spain and
England and were often at odds with it. These institutions limited the powers of the state and the great magnates and protected the rights of individuals; they included municipal corporations and guilds, a wide range of voluntary associations and guilds, a wide range of voluntary associations and guilds, and a wide range of voluntary associations and guilds, which were independent of the state and generally had a friendly influence. Most of these institutions were limited in their activities and did not include taxation and the individual free tribesman was secured of extensive rights.

But at the end of the Middle Ages an alternative tradition asserted itself. It claimed to be "modern" and "rational," but, in fact, it was the reassertion of a very old tradition derived in Europe from the Roman Empire, with still more ancient roots in Persia, Babylonia and Egypt. This was the tradition of autocratic government, bureaucracy, unlimited taxation and mercantilism institutions that have always gone together, whether in ancient Babylon, the late Roman Empire, Ming China, or modern East Germany.

All through Europe there was a move toward such autocratic government. In Spain it flourished to an extreme degree, but hardly at all in England. The difference between the Spanish and English colonies was even greater. The Spanish monarchy imposed a system of centralized bureaucracy on its colonies centuries before it could do so in Spain, aided by the fact that the Inca and Aztec regimes it replaced were based on all-encompassing bureaucratic autocracies.

In the English colonies, on the other hand, many of the early colonists were refugees from James I's attempts to establish a centralized autocracy in England, moderate and unsuccessful though his attempts were. The traditions of freedom rooted in the Germanic tribes of the Middle Ages was true that some of the colonists, like the Puritan Pilgrim
Fathers, sought freedom for themselves, but had no desire to allow it to anybody else. But others, like the Quakers who founded Pennsylvania, were committed in principle to general liberty and tolerance, indeed to a greater extent than any state had ever been before. In important respects the Quakers' conception of liberty was broader than the traditional tribes'.

So the one European tradition, that of freedom and individual rights, was established in an advanced form in North America, and the other, the tradition of empire, autocracy and mercantilism, in an extreme form in South America. Liggio suggests that the whole divergent history of the two continents follows from this fact; that the economic success of North America is the direct consequence of its free institutions, as well as its unsatisfactory political history, and the economic failure of South America is a consequence of its inherited tradition of autocracy.

Liggio's thesis is eminently plausible and can be generalised for the world as a whole. Throughout history, we have known only two basic ways of organising human society. One is the essentially free society, where individuals are restrained by law or customs but not by arbitrary authority; and where the economy relies on markets. The other is autocracy, which regards the individual as "belonging" to the king, the state, or the collective society, and where, to a greater or lesser extent, the economy is controlled by the ruler.

Notice the connection between the political and economic freedom. It is not accidental. Free markets give ordinary people much more power than autocrats dare to tolerate. Furthermore, free markets require secure property rights, which are a great obstruction to the exercise of arbitrary political power. The extent to which autocrats try to dispense with markets has varied very much. Very few have gone to the disastrous length of trying to do so altogether, but they always try to control them to a significant extent.
The rights-protecting Germanic tribes that survived into the present time have known nothing about the tribal societies which must have existed in Southern Europe and the Middle East at a much earlier time, but what we do know suggests that all tribes, however much they practiced the craft of war for profit, had had a more significant form of social organization. In particular, they recognized the individual rights of each man and took the liberty to establish and pursue the property in life and individual rights, in a way that lay as ordinary people were. The main property rights that were not contaminated by law, but by arbitrary authority, was in the nature of the property and not in the pastoral tribe, whereas in an agricultural tribe would have had property in land. In the Old Testament, we have not only the description of an ancient tribal society, but also the history of how it was transformed into an autocracy. The book of Samuel describes how the Israelites lived before they were transformed into a kingdom. It was decided to appoint a king, not because they were satisfied with the internal administration, but in order to make them more powerful. The book of Samuel tells how King David was an efficient ruler. He took the best of the fields and the vineyards and the servants' yards, even the best of them. Samuel had the idea of having a permanent war leader, in order to run the affairs of the country, the king would do it. He was the king's representative. The king was the representative. He would conscript the king's army and the soldiers to do the war.
neighbours for the time being and created the Empire of Solomon. In the same way, the Persians, Romans, Turks and Russians prevailed over their neighbours, and spread their autocratic systems far and wide.

Unfortunately for the autocrats, but fortunately for mankind, autocracies are short-lived. At all times in history, from the most ancient to the most modern, autocracy has undermined its own economic base -- something on which its power depends. The crumbling of the Soviet Union today was a rerun of the decline of the Roman Empire. So was the downfall of seventeenth century Spain and the ancien régime of France. But there is an important difference: today it happens much faster.

South Africa’s clashing traditions

What are South Africa’s prospects? Will South Africa fare better than South America? The answer is complicated, for South Africa has strong traditions of both freedom and autocracy. It has a stronger tradition of freedom than any part of South America, but there can be few places where the two traditions have met head on as thoroughly as they have done in South Africa.

On the positive side, we have both an indigenous tradition of freedom and an imported one. The rights-protecting African tribal tradition existed here in a very pure form uncomplicated by the slave trade as it was in northeast Africa and West Africa, and not influenced by Moslem autocrats as in parts of West Africa and the Sudan.

As for the imported tradition, the British and Dutch settlers both brought strong traditions of freedom from their countries of origin. Holland and England were two of the countries that most successfully resisted the autocratic tendencies of the sixteenth century and preserved the earlier tradition of freedom. Holland revolted successfully against the new Spanish autocracy and for a long time had the world’s free-est economy. According to Adam Smith, writing
The British settlers, too, were in a constant struggle with the American Indians. The British government was not entirely free from Indian troubles. The Indians were often hostile to the British, and the British were often hostile to the Indians. The Indian Wars continued for many years, and the British government was often criticized for its treatment of the Indians.

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England were full of various forms of discrimination and exclusion, but reforming them has been easier than trying to create democracy from scratch, as in South America.

The Autocratic Influences

Unfortunately, along with the favourable traditional influences, South Africa has been subjected to a number of influences from the autocratic side. These are the principles and practices of the British Empire (as distinct from the practices within Britain herself), Russian communism, and mid-twentieth century statism, especially as practised in Britain under both parties prior to Mrs Thatcher’s accession to power.

1) The British Empire

The British Empire had two faces. On the one face, it included the countries that were used to settle emigrants from Britain: initially, the North American colonies, which became the founding members of the United States; later, Canada, Australia and New Zealand. In these, in contrast with the policies of the Spanish government, the indigenous institutions were transplanted. While these institutions were not fully democratic, they had strong democratic implications, which flourished in the colonies sooner than they did at home. Before the American War of Independence, the northern colonies were already far freer and more democratic than Britain herself. The revolt of the colonies was a response to a very mild attempt by the British government to curtail their freedom and impose some degree of central government. The American Revolution was not a revolution at all in the usual sense. It was a conservative movement in defence of the free (or relatively free) institutions that were already in place.

The other face of the British Empire was seen in India and
what it is about the West’s legal and political institutions that provided unique dividends of liberty and wealth. We know from all these sources that the West’s unique legal development is due to the inheritance of mediaeval legal and political institutions.

It is understandable that the East Bloc countries, which share that tradition — Yugoslavia, Poland, Hungary, Czechoslovakia, East Germany, Lithuania, Latvia and Estonia — have taken the lead in recent months in re-establishing the route to a free society. Their example gives hope to Latin American countries that their roots in Spain’s mediaeval tradition can provide a road map to liberty and prosperity.

As empires go, Britain’s was "moderate", as indeed was the Roman Empire in its earlier years. Property rights were respected, and most civil rights appeared to be in place most of the time. But behind the appearance of order, the power of arbitrary detention, banishment and confiscation, combined with the fundamental fact that the government was not accountable to the people in any shape or form.

The Cape Colony was regarded as a colony in any shape or form, and it was not accountable to the people in any shape or form. The government was not accountable to the people in any shape or form.

During most of the nineteenth century, the Cape Colony remained a colony of settlement, and its British governors were not drawn from the autocratic Indian Indian Empire that became the established mode of government over the black population. This imperial style of government remained at odds with courts and the common law throughout the twentieth century. To this day, the courts and the common law resist the imperial style.

Another form of imperial tradition has invaded South Africa, not in the institutions of government but in the thinking of the opposition: Russian communism, also known as Marxism-Leninism. There is not much of Lenin and of Russia — the Russia of the Czars, which has been the second most complete
highest example of the New England mind. He deserves the
highest accolades for his ability, in the midst of the Age of
Reason, to transcend the spirit of the age and to pursue the
vast amount of reading he needed to understand the
mediaeval traditions of American legal and representative
institutions.

The mediaeval supremacy of the judiciary and
judicial review were reflected in the US Constitution and
The Federalist Papers.

"The political and social philosophies that sprang from the
Enlightenment were religious because they ascribed ultimate
meaning and sanctity to the individual mind and also, it must be
added immediately, to the nation. The age of individualism and
rationalism was also the age of nationalism: the individual was a
citizen, and public opinion turned out to be not the opinion of
mankind but the opinion of Frenchmen, the opinion of Germans,
the opinion of Americans, and so forth. Individualism, rationalism,
nationalism -- the Triune Deity of Democracy -- found legal
expression in the exaltation of the role of the legislature and the
consequent reduction (except in the United States) of the
law-creating role of the judiciary."

Were there any Latin American John Adamses? It is
necessary to identify them, then re-examine their analyses
of constitutions and institutions, and show North and South
America the value of their contributions. Classical liberals
have an important Latin American research agenda before
them.

We live in an exciting epoch. The concept of liberty
-- of capitalist revolution -- is once more to the fore. The
restoration of mercantilism, whether as socialism in the
Eastern Bloc countries or as welfare state in Western
Europe, North and South America, has once again failed.

The scholarly research in the last decade has more
clearly identified what Lord Acton and Alexis de Tocqueville
in the last century, and FA Hayek and Bruno Leoni in this
century, have been explaining to us. We must understand

autocracy (after the Ottoman Empire) to exist in the modern
world.

In spite of the claims of complete revolution, Russian
political life after the revolution was strikingly similar to
what it was before. The institutions of government under
Stalin and those that existed a century earlier, under Czar
Nicholas I, were much more similar than the contemporary
institutions of Britain or Japan and those that existed there
a hundred years before.

Indeed, during the Russian Revolution the clock
turned back a great deal. In the second half of the
nineteenth century Czar Alexander II attempted to
westernise and liberalise Russian institutions. He
introduced a trial by jury and a considerable range of civil
rights; he relaxed censorship, thus making possible the
famous flowering of Russian literature, including the
writings of Tolstoy, Dostoevsky, Chekhov and the rest; and
he abolished serfdom. Lenin and Stalin reversed all the
reforms. Serfdom, censorship and arbitrary imprisonment
were brought back. In the 1840s, Dostoevsky was sent to
Siberia for "conspiring to set up a printing press". A hundred
years later, Solzhenitsyn was sent to Siberia for criticising
Stalin in his private diary. The main difference was that in
Dostoevsky's time the prisoners had enough to eat while in
Solzhenitsyn's time they did not.

The Russian autocracy had its traditional roots. On
the one hand, it identified itself with the Roman empire.
Moscow was called the "third Rome" and "czar" is simply a
Russian version of "Caesar". But the identification was not
with the Rome of Augustus, so beloved of the British
imperialists. It was with the late Roman and Byzantine
Empires, which had become fully assimilated to the Persian
and Mesopotamian model.

There was, however, another tradition which was
even more extreme. This was the tradition of the so-called
Tartars, the Mongols of Genghis Khan. These people, like
the Ottoman Turks who were related to them, took the
Voltaire calls his readers in one vivid image:

Voltaire's conception of a positive vision of a civilization that assimilates progress. The result is a new order of citizens,

Voltaire's description of a positive vision of a civilization that assimilates progress. The result is a new order of citizens,
North America). Yet, so much of Latin America’s knowledge of North America’s views of Latin America come from the New England writers. Too many intellectuals are influenced by literature, and many see North America through the eyes of the Puritans who wrote literature. The New England Puritans were not part of the English mediaeval tradition with which we associate the liberty and prosperity of England and English America. The Puritans sought exile in New England to escape the mediaeval Catholicism of the Anglican Church and the mediaeval (freedom) of English society and economy. The Puritan Yankee provides the literary model, but the reality of English America was mediaeval in economy and society.

The American South was not only Anglican and Cavalier, but had strong Creole/Latin influence at its two commercial and cultural centres - Huguenot and British and French West Indian in Charleston; French and Spanish in New Orleans. Charleston and New Orleans were more important ports than Boston, until the War between the States. So were New York, Philadelphia and Baltimore. These Middle Colonies were truly characteristic of English America. They were centres of commerce, with broad cultural diversity of religions and dozens of languages (in New York). Diversity, toleration, and plurality were the foundations of their commercial wealth.

Enter the London stock exchange, that place more respectable than many a court. You will see the deputies of all nations gathered there for the service of mankind. There the Jew, the Mohammedan, and the Christian deal with each other as if they were of the same religion, and give the name infidel only to those who go bankrupt; there the Presbyterian trusts the Anabaptist, and the Anglican accepts the Quaker’s promise. On leaving these peaceful and free assemblies, some go to the synagogue, others go to drink; ... others go to their church to await the inspiration of God, their hats on their heads, and all are content.

Peter Gay, noting that Voltaire’s Lettres philosophiques (1734) were dedicated to England’s rule of law, calls traditions of African national movements, and they remain there as a dangerous and destructive force.

3) Twenty first century statism

The last of the evil influences on South Africa has by no means been the least destructive. This was the great mid-twentieth century fashion for social engineering and the aggrandisement of the state that came with it. Before World War II it was pioneered by fascist regimes, but after the demise of fascism it was taken up with great enthusiasm by western democracies, underpinned by Keynesianism (the belief that economy can be “managed” by the manipulation of the money supply) and the doctrine of Gunnar Myrdal (the belief that development is a function of the state). It justified high taxation, all kinds of controls, a bloated bureaucracy and a great deal of pushing around of individuals. In Britain it gave us the tower blocks. In South Africa it gave us grand apartheid, funded by a tax system closely copied from socialist Britain.

The tide of freedom

UNLIKE South America, South Africa partakes of both traditions -- of freedom and autocracy. For most of the twentieth century, the autocratic tradition has been dominant, but that has been so in most of the world. Yet the good traditions are still alive, not only as ideas, but embodied in many institutions, from the independent judiciary to the democratic organisation of the Methodist Church. Throughout the world the tide is running strongly in favour of the traditions of freedom. South Africa is better placed than many countries to ride this tide.
In North America, the Indian tribes valuable
fully awash would North America
had a similar opportunity, they would have embraced it
North America's English crown and the English colonies' political institutions of taxation, than the native population of
more advanced in agriculture and cattle skills, as an
The native population of South America were much

Most important of all, England retained de-

were meaningful.
12(9) -- and the representative institutions in Parliament
the doctrine of Parliament (1215) and the provisions
on the Magna Carta (1215) and the provisions
of the House of Commons. The English Church was a medieval church,
Church, and the political institutions of Britain.

Shakespeare, England's foremost writer, was
influenced by the Glorious Revolution of 1688.

The Magna Carta, the

traditions, including the Anglo-Saxon
truggest. In the medievel era, the

Committee of the House of Commons, 1226

In this year, the 200th anniversary of Christopher


By Leonard P. Liggio

POLITICAL TRADITIONS

OF THE IMPORANCE
Salamanca was more than off-set in Latin America by the rise of Absolutism and Mercantilism in place of the mediaeval institutions of liberty.

Shakespeare

FOR two hundred years -- from Adam Smith and the Scottish Enlightenment through Macaulay, Acton and Dicey, to Harold Berman, Eric Jones, Nathan Rosenberg and Roland Vaubel -- classical liberals have explained why the Anglo-American world escaped the disasters which befell Latin America.

First, the disasters which befell Latin America were economic and political. Cultural life has flourished there. This permitted the famous contrast between Caliban (Anglo-America) and Ariel (Latin America): North America is the material, sub-human, non-intellectual culture; Latin America is the spiritual, supra-human, intellectual culture. It is interesting that the comparison is drawn from William Shakespeare's The Tempest, rather than classical continental writers, whether Racine, Corneille, Cervantes and Calderón. Shakespeare appeals to us because of his realism, his materialism, if you will, rather than for heroism, spiritualism and unrealism. Is Shakespeare the playwright of the James Buchanan School of Public Choice? Shakespeare places his emphasis on the reality of human nature rather than the hope that men will be inspired to transcend their human nature's self-interest. He does not propose that politicians or voters will abandon their own self-interest for the general good.

Shakespeare's work draws on mediaeval institutions and philosophical traditions, as did the School of Salamanca. The England which Shakespeare describes is an England which continued to flourish in the mediaeval political and legal structures which continental Europe was abandoning for Spanish absolutism.

In the later years of Shakespeare's career, England characteristics were well presented in the monumental reports of the Jesuit Relations. The Indian tribes were not engaged in settled agriculture. As European settlement displaced the animal resources, the tribes tended to move with them.

In South America, Castilian immigrants from Spain encountered two massive, centralised empires -- the Aztecs and the Incas -- which exploited the settled, agricultural populations. Much to the envy of the early English colonists, the Spanish crown substituted itself for Aztec and Inca rulers, while individual Spaniards took part of the agricultural production of the native peoples for themselves.

Mediaeval foundations of freedom

TO understand the difference between South and North America, we must study Europe's legal and political institutions during the five hundred years before 1492 -- before Columbus received the support of Isabella and Ferdinand.

Iberia's legal and political institutions were the same as the rest of mediaeval Europe's. On the eve of colonisation, Spain shared all the institutions of Europe and England. But it rejected them and initiated new, absolutist institutions. After taking over the Aztec and Inca empires, Spain embarked on the creation of an absolutist state in Spain and the colonies. England, on the other hand, languished in its mediaeval heritage, and the English colonists carried that heritage to North America. The American Revolution was a successful struggle to retain the English mediaeval heritage, when London itself seemed to move in the direction of absolutism.

That was just after 1760. At the same time, a leading Bourbon reformer and utilitarian advocate of enlightened despotism, Gaspar Melchor de Jovellanos, declared Iberia's great tragedy to be its mediaeval, or Gothic inheritance. Jovellanos and the enlightened philosophers attacked
The early liberals

The first two or three decades of the 19th century, especially in the United States and the Americas, were characterized by a growing belief in the importance of individual liberty and property rights. This period was marked by a shift away from the rigid institutions of the past and an emphasis on the rights of individuals and the protection of property. The American Revolution and the French Revolution had a significant influence on this shift, as they highlighted the importance of liberty and the rights of individuals.

The Spanish government imposed taxes on goods and services, and the Spanish authorities imposed numerous restrictions on the economy. The economy was characterized by a lack of competition and a reliance on a single trade, which was often dominated by the Spanish authorities.

The new governments of South America and the United States were founded on the principles of liberty and property rights. The new governments were characterized by a belief in the importance of individual rights and the protection of property. This was reflected in the constitution of the United States, which guaranteed the right to property and the freedom of speech.

The early liberals

The early liberals were characterized by a belief in the importance of individual liberty and property rights. They were opposed to the rigid institutions of the past and believed in the importance of individual freedom. The early liberals were also opposed to the Spanish authorities, who were often accused of imposing onerous taxes and restrictions on the economy.
made Spain the paymaster of European wars for a century and a half. Castilian infantry excelled throughout Europe, leaving Spain's monetary and human wealth in graves around the continent. To achieve imperial greatness, Spain had to abandon the mediaeval free market and constitutional institutions.

Along with the precious metals of the Indies, Spain sought to impose a "modern" system of taxation to pay for its imperial role. Navigation Acts were passed for state control of foreign trade for fiscal purposes. The Mesta was granted monopoly of sheep migration, preventing enclosures and agricultural development in Castile, for taxation purposes. But wool could not be exported. That guaranteed the Spanish manufacturers cheap raw materials to export to the monopolised South American markets. The Seville merchants had monopoly of trade to South America to collect customs, judge commercial cases and set trade policy. The Consejos de las Indias controlled political administration. In South America, the self-governing municipal institutions, modelled on mediaeval Spain's communas, were abolished. Instead, royal appointees ruled under the royal Audiencias and the Viceroyos.

The theory of rights

If one considers the constitutional institutions of the domains of Charles V, it is possible to see the contrast with the period of his successors. The Austrian-Bohemian lands had provincial estates; the Burgundian lands had the seventeen estates of the Netherlands provinces, as well as the Free County of Burgundy. The Iberian-Italian lands had eight parliaments and constitutions: Naples, Sicily, Sardinia, Aragon, Valencia, Catalonia, Castile and Navarre. Philip II clashed with the Netherlands' estates and lost seven of them. Charles V crushed the communas of Castile and gradually drained the power of the Cortes. The other parliamentary institutions were allowed to become

Thierry's work shows how rights emerged in the great religious movements of the Peace of God and the Gregorian Reformation, and were consolidated in the oath-bound associations creating town-charters and representative institutions. In the debris of the Carolingian Empire and its tradeless feudal system, there arose commerce and industry -- with watermills, windmills and private property in land. The feudal institutions were challenged by the oath-bound associations, usually led by abbots or bishops. Contract and consent became the centre of the struggle against the feudal institutions of autarkic economy. In the conflict against feudalism, the emerging market forces of commerce and agriculture created the edifice of mediaeval legal and constitutional institutions.

Today, the memory of this magnificent classical liberal history is practically lost. But its importance has been emphasized again by recent valuable contributions to legal and constitutional scholarship. The most significant has been that of Harvard law professor Harold Berman. The remnants of mediaev al legal and constitutional institutions in Cataluna and Castile in Spain, were attacked as early as the eighteenth century with the succession of the Bourbons. This process was intensified under Carlos III, who succeeded his half-brother, Ferdinando VI. In 1734, at the age of sixteen, Carlos had already ruled Parma for his mother, Queen Elizabeth Farnese, and in 1736 he became king of the Two Sicilies, where he reigned until he came to power in Spain in 1759. During Carlos' time in the Two Sicilies, he undertook legal and economic reforms inspired by the School of the Two Sicilies: the ideas of Antonio Genovesi, Giuseppe, Palmieri, Gaitano Filangieri, Domenico Cantalupo, Domenico Caraccioli and the Abbe Ferdinando Galiani. During Carlos' reign in Spain, many works of French and Italian writers on jurisprudence, constitutional thought and economics were translated into Spanish. An important source of economic ideas for Spain and Ibero-America was
The political control of religious institutions in the Mexican and Peruvian Monarchies was also a key factor in targeting the Spanish possessions in the Americas, especially in the context of the Napoleonic Wars. The Spanish possessions in the Americas, particularly in Mexico and Peru, were seen as crucial to the Spanish Empire's strategic interests. The French Revolution and the Napoleonic Wars brought about significant changes in the political landscape of Europe, and Spain was no exception. The Spanish monarchy, weakened by internal conflicts and external pressures, was unable to maintain its colonial empire effectively.

The French Revolutionary Wars and the subsequent Napoleonic Wars resulted in the expansion of French influence in Europe and the Americas. Napoleon Bonaparte's ambitions to create a Continental System aimed at isolating Britain from the rest of Europe led to interventions in Spanish territories. The French occupation of Spanish possessions in the Americas, such as Mexico and Peru, was a direct result of Napoleon's desire to establish a network of colonies under French influence. The French presence in these regions not only threatened the Spanish authorities but also disrupted the existing colonial administration.

The impact of the Napoleonic Wars on Spanish possessions in the Americas was significant. The French invasion and occupation of Mexican and Peruvian territories not only weakened the Spanish Empire but also had lasting effects on the region's political and economic developments. The Napoleonic Wars exposed the weaknesses of the Spanish colonial system and paved the way for independence movements that would ultimately lead to the establishment of Mexico and Peru as independent nations. The Napoleonic Wars thus had profound implications for the political and economic landscape of the Americas, setting the stage for the region's modern History.
etc were absolved of their oaths. We find in the *Fueros* the traditional rights and independence from taxation of the mediaeval nobles, freemen, townsmen and clergy, with their roots in Germanic legal concepts -- the foundations of our modern individual rights. English legal and constitutional history, including the Magna Carta, was parallel to the constitutional history of Spain, such as the Great Charter of 1020 issued by the Cortes of Leon under Alphonso V.

Unfamiliarity with the history of the Hispanic Pyrenean kingdoms could lead one to think that Spanish Christians were isolated from the mainstream of European mediaeval civilisation. The oath-sworn associations, arising from the Peace of God and Truce of God movements in the tenth and eleventh centuries, were led and protected by the Cluny monasteries. The great Abbey of Cluny (north of Lyon) led a religious reform and then a political reform. Spain and Spanish monasteries were particularly linked to the Abbey of Cluny through the most important of its pilgrimage goals: the shrine in western Spain of Santiago de Compostela. Large numbers of pilgrims travelled to Compostela; often the people who had participated in the oath-sworn associations of the Peace of God movement or in the oath-sworn associations which brought self-governing charters and representative institutions to the towns and provinces of France. Massive numbers of the monks who had led these movements made this same pilgrimage. The Spanish: Pyrenean kingdoms were inundated with news of the representative institutions of towns and provinces in mediaeval Europe, which were similar to legal concepts of the Spanish *Fueros*.

**The transformation of religion**

THE conquest of the kingdom of Grenada in 1492 witnessed the establishment of absolutism, the core feature of which supporters of King Joseph Bonaparte and French modern statism, and supporters of the Cortes of Cadiz and the Constitution of 1812.

**The utilitarian opposition**

MANY supporters of Enlightenment French philosphy, economics and legal reform, such as Jovellanos, were associated with the French Napoleonic administration in Spain. Charles Dunoyer served in the French civil administration in Navarre and maintained long friendships with Spanish political and economic writers, who later were exiles in France. The works of the Spanish exiles were published in French. The Spanish exiles translated many of the French liberal writings into Spanish to challenge the anti-liberal direction of Spanish political life. Thus, Jean Baptiste Say, Destutt de Tracy, Charles Comte, Charles Dunoyer, Augustin Thierry and the French Doctrinaires, Francois Guizot, Royer Collard, de Barante, Laine and Maine de Biran, had an impact on Spain's political thought. But the greatest influence from this French direction was the English utilitarian, Jeremy Bentham. Bentham's writings often appeared in French translations by Dumont long before they appeared in English. Sometimes Bentham's ideas for law reform were codified in Latin America before Englishmen knew what he had written. The utilitarian influence was one of Latin America's major handicaps, in contrast with the lack of utilitarian influence on North American thinking.

In the era of independence in Spanish America in the early nineteenth century, Jeremy Bentham's writings flooded the Iberian world. Utilitarianism, rather than Whig liberalism, was seen correctly to be the heir of the Enlightenment, but seen wrongly to be the guide to liberty and wealth. English and American constitutionalism, as described by Montesquieu, was understood correctly to mean inefficient government institutions which cancelled
Ancient Rights and Freedom

Representative institutions are the cornerstone of the commoners’ ancient rights and freedom. These institutions are the bedrock of society, and their principles are enshrined in the constitution of the Commonwealth. The_Trumpet_of_the_Grig_largely诞uates a framework for the preservation and strengthening of these institutions. However, in the face of modern challenges, it is essential that these institutions be preserved and reinforced. The book aims to provide a comprehensive understanding of the constitution of the Commonwealth and its implications for modern society.

The Trumpet of the Griffin

But the understanding of the Constitution of 1879 is still not complete. The Commonwealth is still struggling to maintain its constitutional principles. In March 1879, Parliament VII was restored to power, and the Constitution was upheld. However, the new Parliament was determined to strengthen the Constitution, and the struggle between Parliament and the people continues. The Constitution, however, remains a cornerstone of the Commonwealth, and its principles are still upheld.

Spain after the Constitution of 1879

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