

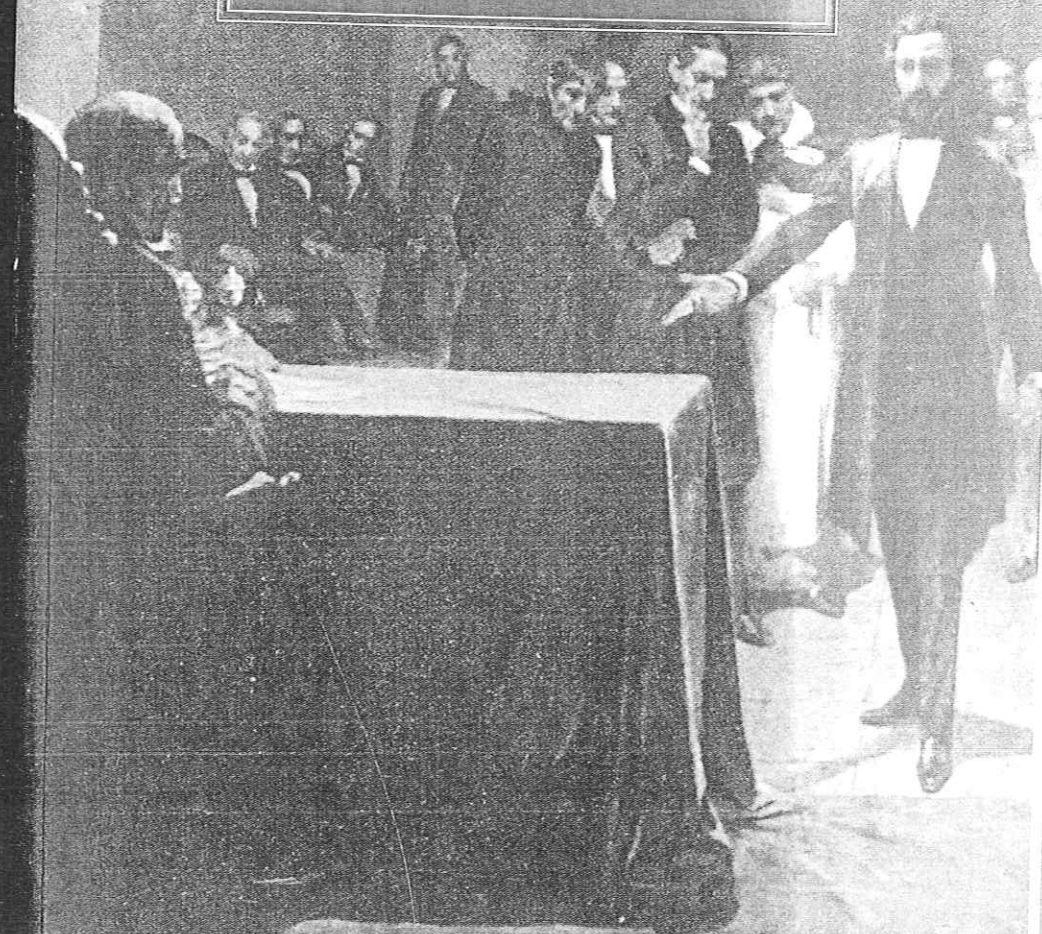


PROGRAMA
INTERUNIVERSITARIO
de
HISTORIA POLÍTICA

LIBERAL THOUGHT IN ARGENTINA 1837-1940

EDITED AND WITH AN INTRODUCTION BY
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TRANSLATED BY IAN BARNETT



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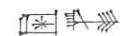
Introduction by

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Translated from the Spanish

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LIBERTY FUND

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Introduction

Tulio Halperín Donghi wrote in "Liberalism in a Country Born Liberal" that liberal ideas have had undeniable importance in Argentina since its independence.¹ The origin of the liberal tradition is thus an integral part of the origin of the country, a trait common to the Spanish American nations that came into being during the turbulent period after the fall of the Spanish Empire in America.

By 1810, the writings of such figures representative of liberal thought in the River Plate as Manuel Belgrano, Juan Hipólito Vieytes, and Mariano Moreno already provided precedents. Once the independentist movement was under way, these writers were joined by the likes of Gregorio Funes, Bernardo de Monteagudo, Bernardino Rivadavia, and Valentín Gómez.

Two main features stand out in this set of ideas: first, the combination of classical liberalism in connection with agriculture, trade, and industry, on the one hand, and republicanism after the principle of monarchic legitimacy, on the other, waned in the space of a few years; second, repeated efforts between 1810 and 1830 to translate these ideas into a stable institutional framework and a constitution respected by the armed factions failed. The result was a political system of quasi-independent provinces that formed a primitive confederation without a representative congress that was dominated by the dictatorial regime of Juan Manuel de Rosas. In the province of Buenos Aires, Rosas reserved for himself the management of foreign affairs and tax control of Argentina's only overseas port.

Over this twenty-year period, the liberal opposition to Rosas—most

1. T. Halperín Donghi, "Argentina: Liberalism in a Country Born Liberal," in J. Love and N. Jacobsen, eds., *Guiding the Invisible Hand: Economic Liberalism and the State in Latin American History* (New York: Praeger, 1988). The Chronology at the end of this volume gives important dates.

of its proponents in exile—developed a political philosophy that culminated, between 1853 and 1860, in the approval of a constitution. That constitution, with a succession of reforms, has remained in effect to the present day. Liberal principles from U.S. and European traditions have played a key part in it.

The Constitution marks an important political and intellectual divide in Argentina, and for that reason we have decided to open this anthology of texts at that precise moment. This compilation presents texts, organized chronologically, in five chapters that reflect the stages of the rise, heyday, and decline of liberalism in Argentina.

I. LIBERALISM DURING THE DICTATORSHIP OF ROSAS (1837-1850)

In 1847, Juan Bautista Alberdi published *La República Argentina, 37 años después de su Revolución de Mayo* (The Argentine Republic 37 years after the May Revolution) in Chile.² In it, Alberdi developed a strategy for the institutional development of liberal thought in Argentina. This strategy may perhaps be summarized in James Madison's judgment in Federalist No. 51 (1788): "In framing a government which is to be administered by men over men, the great difficulty lies in this: you must first enable the government to control the governed; and in the next place oblige it to control itself."

Alberdi's analysis in this essay takes account of the fact that the revolution for independence in Argentina immediately turned into a civil war between two irreconcilable camps. Alberdi believed that neither freedom nor the civilization deriving from it could emerge from war. Consequently if the historical process gave rise to a de facto power—the dictatorship of Rosas—that could later be limited by a constitution.

In Alberdi's view, Rosas' power in those years was imposed in response to external aggression and domestic conflict. This perhaps utopian idea referred to the ancient philosopher's dream of the tyrant's passion being restrained by reason. Rosas the dictator emerges from this text as a figure representative of colonial tradition and a symbol of power obtained exclusively by force, while Alberdi presented himself as emblematic of the constitution and of individual liberties. Power with-

2. For a brief account of Alberdi's career and those of other thinkers and politicians featured in this volume, see Short Biographies at the end of this volume.

out a constitution was tyranny, while a constitution without power, as revealed by Alberdi's review of thirty-seven years of Argentine history, was synonymous with anarchy.

This approach reveals a connection between the intentions of the actors and their unforeseeable consequences that resembles many of the theoretical assumptions of the Scottish Enlightenment: for example, the fact that the idea of unity advocated by the centralist faction was imposed by Rosas' federal faction, which defended the opposing project of decentralization. Both parties had contributed to the outcome that power, without which political society and civil freedom are impossible, was to emerge from the war fully formed.

With these reflections Alberdi began to lay the foundation for an analysis both philosophical and historical which, according to the lessons provided by Montesquieu in *De l'esprit des lois* (1748), had to take into account the particular features of nations, their habits, and their customs.

Such a theoretical view had precedents in the writings of several of Alberdi's contemporaries, including his teacher, Esteban Echeverría, and Domingo Faustino Sarmiento. Echeverría was a romantic poet and political writer who assimilated the ideas that originated in France and Italy (not yet consolidated as a nation) in the 1830s and were presented, with the force of a creed, mainly through four authors: Giuseppe Mazzini, Alexis de Tocqueville, Félicité de Lamennais, and François Guizot.

In 1837, as Rosas began to tighten his iron grip on freedom of opinion, a literary salon was organized in Buenos Aires under the influence of the Mazzini-inspired organization Young Europe:³ the Asociación de la Joven Generación Argentina (Association of the Young Argentine Generation). Echeverría authored its *Palabras simbólicas* (Symbolic words).

This text uses Tocqueville's idea expounded in the first part of *De la démocratie en Amérique* (1835) as a preamble to a disquisition on the concepts of association, progress, fraternity, equality, liberty, Christianity, and democracy. Echeverría adopted Tocqueville's principle that equality in the modern world is both providential and unavoidable. The function of liberty consists in limiting this force, which is in many respects blind

3. A political association founded by Giuseppe Mazzini (1805-1872) and other European exiles in Berne, Switzerland, with the object of unifying the republican movements (Young Germany, Young Italy, Young Poland). It operated only from 1834 to 1836.

and given to establishing new forms of despotism. In this sense, Echeverría saw the Rosist system, built as it was on state-controlled universal male suffrage, as a Creole version of the Bonapartism in which the process begun by the French Revolution culminated.

Given this point of departure, the effort of "the new generation," as Echeverría called it, should be oriented toward the formation of a democratic regime based on an interpretation of the role of Christianity that flowed from Lamennais' thinking in *De la religion considérée dans ses rapports avec l'ordre politique et social* (1826). This way of conceiving liberal Catholicism in France distinguished the religious from the political sphere and guaranteed freedom of worship. Christianity was for Echeverría a force capable of imbuing civil society with the values of fraternity without the clericalism typical of the Hispanic world.

Acting together, liberty, equality, and fraternity should culminate in the establishment of a political regime founded on a limited concept of sovereignty, or "sovereignty of reason," according to the theory put forward by Guizot in several of his books, especially *Du gouvernement représentatif et de l'état actuel de la France* (1816). In accordance with the sovereignty of reason, democracy entailed the broadest individual and civil freedom, but political freedom was to be exercised only by the sensible, rational part of society. Democracy for Echeverría was not therefore synonymous with the absolute despotism of the masses and the majority. The most ignorant and indigent group of the population had to be prevented from exercising their right to vote. This principle of universal application of civil liberties with a restricted application of political liberties would endure in Argentina long after Echeverría.

Shortly after Echeverría published his *Palabras simbólicas*, Domingo Faustino Sarmiento began his work as a journalist and educator from his exile in Chile. In 1845, after publishing several texts on grammar and pedagogy, Sarmiento serialized the work that would make him famous in the pages of a newspaper. He entitled the work *Civilización y barbarie: Vida de Juan Facundo Quiroga* (Civilization and barbarism: The life of Juan Facundo Quiroga) and presented himself as an emulator of Tocqueville. Rather than being the biography of one of Argentina's more representative caudillos, however, *Civilización y barbarie* is a powerful and convincing sociological, cultural, and political re-creation of Argentina at the time.

The title of the work posits a dualist interpretation of society that,

according to French eclectic philosophy as expounded among others by Victor Cousin (*Cours de l'histoire de la philosophie moderne*, 1829) and François Guizot (*Histoire générale de la civilisation en Europe*, 1828), must find its resolution in a transcendent synthesis. Civilization and barbarism are two opposite worlds—the Argentine cities and the hostile countryside surrounding them—that intertwine and, following the rhythm of revolution and war, create new realities. The appeal of this point of view lay not so much in Sarmiento's ability to transfer the romantic myth of barbarism to the Argentine plains, but in his revelation of the presence of caudillos contesting the established society of urban patricians. Revolution thus awakened a previously unknown history.

Sarmiento's account of the revolution breaks down into two stages. The first arises in the cities that inherit the colonial order; the second buries these attempts at civilization and sets rural society in motion. The men of the independence and the first legislators belong to the pioneering phase, and caudillos such as Quiroga to the second phase. Both will be destroyed by the urban tyranny that Rosas establishes in Buenos Aires.

Civilización y barbarie, having taken readers on a tour of Argentina's geography, customs, peoples, and social and political processes at its formative period, ends with a paradox: Rosas is indeed merely repeating the old story of despotism motivated by reciprocal terror. But this despotism, while practicing vice, unwittingly creates the opportunity to restore some virtue.

With the Rosas regime overthrown, Argentina will be ripe for a transforming liberal policy. Barbarous society can be transmuted into civil society through education, immigration, the distribution of agricultural property, and foreign capital investment: this was Sarmiento's program in *Civilización y barbarie*.

It was a program left incomplete, perhaps due to a lack of appropriate models. Also in 1845, Sarmiento embarked on a trip through Europe, Africa, and America commissioned by the Chilean government to study those countries' education systems and immigration policies. Sarmiento collected his observations, written in letter form, in two volumes that were published between 1849 and 1851 under the title *Viajes por Europa, África y América, 1845-1847* (Travels in Europe, Africa, and America, 1845-1847). The letters assemble his critical judgments on the politics and society of France, Spain, Italy, Switzerland, and Prussia. Sarmiento

could not abide the battered legitimacy of regimes unable to find a positive solution to the conflict between tradition and modernity that opened up toward the end of the eighteenth century.

Although it was in many ways exemplary, Sarmiento criticized European culture for its inequality. He was unhappy with this spectacle until he arrived in the United States. Like Tocqueville before him (in the two volumes of *De la démocratie en Amérique*, published in 1835 and 1840), and alongside James Fenimore Cooper (*The American Democrat*, 1838) and George Bancroft (*History of the United States, from the Discovery of the American Continent*, 1838), the American experience opened Sarmiento's eyes to a possible future capable of combining liberty and equality with science and education.

In the United States he saw a society on the move, a representative republic whose popular base was getting broader, that reproduced, in spite of the blemish of slavery, the founding covenant of the New England Pilgrim fathers. These contractual forms were anchored in politics and society. They re-created a civic and private associationism; cleared virgin territories; built towns with churches, newspapers, and schools; and organized businesses that fueled a consumer society. Steamships, railroads, and a market network traversed the nation; advertisements transmitted images of products to the furthest territories in which the Native American populations had been brought to bay or annihilated; and this whole process was crowned by public schools that provided popular instruction.

In the United States, Sarmiento discovered a culture of pioneers and educators such as Horace Mann⁴ in which the theoretical principles of knowledge were destroying the rigidity of an aristocratic society and distributing practical rationality, inventions, and technology. Above all, that "disparate" (folly), as he termed it, was propounding a convergence of the republic as a form of government and democracy as a form of society. Sarmiento introduced the liberal outlook of the United States to Argentina in opposition to the European liberal tradition, which—

4. Horace Mann (1796–1859), American education reformer, representative, and later senator for Massachusetts; on the creation of the Massachusetts Board of Education he was appointed secretary. He became a friend of Sarmiento on the latter's visit to the United States. His wife, Mary Peabody Mann, published a partial translation of Sarmiento's *Facundo*.

with certain exceptions—had predominated since the beginnings of Independence.

II. THE FRAMEWORK OF THE NATIONAL CONSTITUTION (1852–1860)

When Alberdi wrote *La República Argentina 37 años después de su Revolución de Mayo*, he did not foresee that five years later an uprising starting in Entre Ríos Province with the backing of the Brazilian Empire would topple Rosas once and for all. The insurrection, led by Justo José de Urquiza, was waged in the name of the constitution that the country needed after four decades of war and dictatorship.

Alberdi published two works between 1852 and 1855 that display a tension between two liberal visions of society: *Bases y puntos de partida para la organización política de la República Argentina* (Bases and starting points for the political organization of the Argentine Republic) and *Sistema económico y rentístico de la Confederación Argentina según su Constitución de 1853* (The economic and revenue system of the Argentine Confederation according to its Constitution of 1853). Against the backdrop of conflicts surrounding the Constituent Congress summoned by Urquiza, Alberdi formulated a theory in which the idea of a society based on immigration, railroads, and industry coexisted with the order born of the spontaneous exercise of individual freedom.

In these two works Alberdi struck up a dialogue between the liberal schools of thought arising out of the tradition of Saint-Simon in France (for example, Michel Chevalier in his *Lettres sur l'Amérique du Nord avec une carte des États-Unis d'Amérique*, 1836) and the classical liberalism of Adam Smith (*An Inquiry into the Nature and Causes of the Wealth of Nations*, 1776) followed up by Jean-Baptiste Say (*Cours complet d'économie politique*, 1828–1829). If, on the one hand, the protagonist of Alberdian society is the individual without obstacles or impediments, the exclusive subject of freedom, the other side of this abstract definition is the European immigrant who brings to Argentina in his knapsack the living matter of industrial civilization, the working practices, and the practical education grounded in his experience.

It is no simple task to accurately gauge the primacy of one view or the other. But reducing the nuances to a pattern, the *Bases* can be seen as a eulogy to mores as creators of liberty, and the *Sistema* as a eulogy to liberty as creator of mores. Along the lines of Montesquieu, Alberdi

wanted to renew, in the far south of America, a special relationship between individual freedom and the customs that offer this human faculty firm ground on which to settle.

But the *Bases* and the *Sistema* were also written to enable Argentina to procure a republican constitution and an economic regime suited to its purposes. This principle of legitimacy was effectively the only way to achieve the ends of European civilization in America. The constitution brought together all that was permanent and necessary (the rule of law, rights and guarantees, the form of government) with an explicit program of civilization. The constitution thus stood for both authority and progress. Although it was addressed to the Republic's inhabitants, for whom the constitution guaranteed the exercise of freedom, *Bases* based these principles on the fertility of the new civilization of immigrants.

Thus conceived, the program aimed not just to transplant populations, but to establish the free action of labor, capital, and property in Argentina. In his *Sistema*, Alberdi adduced that the true reformer had nothing to do with a ruler determined on enacting particular laws, creating monopolies, or satisfying the interests of some inhabitants at the expense of others. He conceived of the constitution as a supreme law that, in order to promote liberty, repealed the mass of laws and regulations constituting past servitude. The reforms he proposed translated an ideal that found repugnant both the privileges of colonial mercantilism and the will of a government that becomes a banker or entrepreneur of industry and communication.

All this called for an overhaul of the federal treasury. Nationalizing the custom house, eliminating the provincial customs offices, became necessary conditions for the development of the state's revenue system. Given such an assumption, the main fiscal resource came from indirect taxation in the form of customs duties on imports, provided these taxes were legislated by a spartan government motivated by the prudent use of public credit.

In order to prosper and gain legitimacy, this ambitious plan had to be based on religious tolerance and a historic pact that, thanks to a mixed formula of government, would reconcile the warring centralist and federal factions. Alberdi was a steadfast defender of the Catholic religion in the liberal manner of Montesquieu and Tocqueville. He believed the dilemma was inevitable: either Argentina practiced intolerant Catholicism and remained a backward, sparsely populated territory, or it became a

prosperous, religiously tolerant nation. Hence, religion was a springboard for the social order as an indirect means to political organization.

Alberdi believed that religious beliefs ought to curb the passions, coinciding, in this case, with the work ethic of the industrial order and with the education given by the example of a life more civilized than that prevailing in Argentina. This kind of spontaneous education, produced by transplanting the most advanced foreign populations, should not be confused with the kind of public instruction that the likes of Sarmiento advocated with an enthusiasm from which he never wavered during his long life. Alberdi accordingly adopted an idea of education through customs and good habits that had to fend off a misunderstood concept of popular instruction based on military hero worship.

Liberators such as José de San Martín and Simón Bolívar, rural caudillos, and warmongering presidents belonged, in Alberdi's mind, to a colonial legacy that spawned violence, charlatanism, and idleness. Tired of orators and rhetoricians, lawyers and theologians, Alberdi dreamed of a society regenerated by engineers, geologists, and naturalists trained in the applied sciences.

The keystone of Alberdi's new policy was the national Constitution, conceived, in his words, as the legal and historical expression of a "possible republic." This proposal was original because it took into account the historical background of the civil war between the centralist and federal factions, and at the same time recognized and valued the dominance of the executive power in Spanish American political culture.

On the first point, Alberdi advanced a theory of federalism different from the one that prevailed in the United States. In the latter experience, the states preceded the organization of the federal union at the Philadelphia Convention in 1787. In Argentina, on the other hand, colonial unity, which survived in the early years of independence, preceded disintegration in several provinces as an effect of the civil wars. For Alberdi, federalism was therefore a concession the legislator had to make when faced with the historical impossibility of establishing a centralist constitution, as several failed attempts demonstrated.

Faced with this reality, Alberdi proposed a transaction between the opposing forces of unity and federation that would extract the best from each and combine them in a mixed formula. Hence, it was necessary to take stock of the two forces' funds of power. The centralist tradition had its source in the colonial political order and had later gained pres-

tige thanks to the collective sacrifice in the Wars of Independence, to the Argentine flag, to shared glories. The word *Argentina* derived from this tradition, seen as a symbol of a common sovereignty, as yet implicit but attractive nevertheless.

Diametrically opposed to what *federalism* meant in the United States, the federal tradition in Argentina was a result of the breakup of the old united territory; the interregnum of isolation; the diversity of the soil, climate, and production; the legacy of municipal governments that dated back to the *cabildos*; the exercise of power in the provinces during three decades of autonomy; and the enormous and costly distances in a space that lacked roads, canals, and transport. These traditions had engendered political and social habits that had to be merged in order to satisfy both provincial liberties and the prerogatives of the entire nation.

All things considered, this interpretation of federalism was favorable to the national government and to a centralization that—besides historical analyses of the country—had three main sources: the one responding to the federalist side of the U.S. Constitution, as illustrated by Alexander Hamilton in *The Federalist Papers* and Joseph Story in *Commentaries on the Constitution of the United States* (1833); the one deriving from other centralist interpretations of federalism such as those of the constitutionalist Pellegrino Rossi in his classes of constitutional law at the University of Paris (1835–1837); and, finally, the precedent of the Chilean constitution Alberdi experienced while in exile during the 1840s and early 1850s.

The constitutional stability of Chile as against the unstable authoritarianism he saw in Argentina, the distinction between civil liberties common to all inhabitants and political liberties restricted to a small core of citizens, inspired in Alberdi a strong conception of a republican presidential system with monarchic overtones embodied in the predominant figure of the national executive power and of the president holding that office. As Alberdi used to say, the executive must be given all possible power, but only under the rule of a constitution. This tension between liberal ideals about limited power and the risk of presidential hegemony entailed by the centralist traditions pervades these works by Alberdi.

The first part of the Constitution of the Argentine nation, approved by the General Constituent Congress on May 1, 1853, and amended in 1860 and 1866, reveals these tensions. Although he was not directly involved in this congress, the draft constitution Alberdi appended to the edition of the *Bases* and the role of his colleague and friend Juan María

Gutiérrez in the editorial committee for the final text of the Constitution both suggest Alberdi's decisive influence, though it was by no means the only one, especially after the amendment of 1860, which by its additions brought the text closer to the model of the U.S. Constitution.

In any case, a review of the articles making up the first part of the Constitution at the time allows us to specify its main features in greater detail, both in terms of the goals of progress it stipulates and of the institutional means at its disposal. For one thing, the preamble differs from that of the U.S. Constitution in its invocation to God and its offer of the constitutional guarantees "to all men of the world who wish to dwell on Argentine soil." This universal incitement to immigration is specified in Article 25, by which the federal government must promote European immigration, and Article 20, which bestows full civil rights on foreigners without them having to adopt citizenship or pay any extraordinary compulsory contributions.

These aims are guaranteed by a classical liberal repertoire of individual rights and by a representative government, mentioned specifically in Articles 14, 15, 16, 17, 18, 19, 22, 29, and 32. Nevertheless, two instruments to consolidate national power are explicitly legislated in Article 6, through which the federal government intervenes in the territory of the provinces to defend republican government and repel external invasions or seditious acts, and in Article 23, which gives the federal government the power to declare a state of siege in any portion of the territory affected by internal unrest or external attack. With this precaution the Constitution structurally incorporated the adoption of extraordinary measures that both Alberdi and Sarmiento had observed with approval in Chilean constitutional practices.

With these favorable omens Argentina entered a long period that might be described as the heyday of liberalism.

III. LIBERALISM IN A NEW NATION (1853–1880)

The 1853 Constitution opened a new phase in Argentina's institutional development. Some earlier problems persisted, however, the most serious being the confrontation between the Argentine Confederation and the state of Buenos Aires. This conflict came to an end in 1862, when the federal government began to establish its supremacy. Certain local conflicts continued in the following years, but the process of institutionalization now under way continued advancing with significant

landmarks such as the 1860 constitutional reform; the creation of the Supreme Court of Justice of the nation; and the enacting of the Civil, Commercial, and Criminal codes. This was a time when ideas of liberal origin were highly influential. The contribution of President Bartolomé Mitre (1862–1868) in the formulation and dissemination of these ideas was considerable and significant. Even before taking office, Mitre had outlined a doctrine as governor of Buenos Aires Province that persisted throughout subsequent decades. In 1857, indeed, he proposed continuing a tariff policy protecting wheat cultivation in Buenos Aires while noting its provisional nature in an initial statement of commitment to the principles of free trade. Strictly speaking, this position resurfaced at the national level in 1876, after which time the protection of wheat was shelved as a result of the massive influx of Argentine wheat in international markets.

Other authors later repeated the thesis Mitre defended in 1857, which was none other than that postulated by the German historical school of “infant industry,” whereby certain productive activities must be protected in their initial stages and only afterward allowed to compete freely. The protection’s temporary nature was always stressed, and it was accompanied, as in Mitre’s case, with a statement about the superiority of free trade. Carlos Pellegrini, one of the best-known defenders of the infant industry school, expressed this seemingly paradoxical situation in the Argentine Senate: “We want protection in order to arrive at free trade” (1899).

Mitre clearly stated his adherence to classical liberal principles in three later documents. In the first of these he gave an original analysis of Argentine development up to that time, pointing out that the country was the only one in Latin America that did not owe its wealth to either minerals or tropical produce. In his view, the Río de la Plata had made a meager living from the work of its inhabitants, hampered by the trade monopoly foisted on it by Spain. It was the abolition of this monopoly that encouraged the inhabitants’ labor and was therefore the very basis of the region’s material development. The work was thus a full-blown eulogy to the role of commercial exchange.

The second document, the “Discurso de Chivilcoy” (Chivilcoy speech), is as original as the first. In it, Mitre criticized politicians who set agriculture above livestock breeding and considered the latter a primi-

tive activity. It was stock breeding, Mitre claimed, that had been responsible for populating Argentine territory and had at the same time laid the foundation for the subsequent development of agriculture. Mitre accordingly stressed the complementary nature of the two activities. He also strongly emphasized the creativity of countrymen and farmhands, which “teaches practical lessons to the wise and the powerful.” On this point Mitre advanced an analysis on popular knowledge that has been in vogue in recent times (see, for example, Michael Polanyi, *Personal Knowledge: Toward a Post-Critical Philosophy*, 1958).

Mitre’s third document deals with a subject that pervaded Argentine literature in subsequent decades, namely, the importance of immigration in the settlement and development of Argentine territory. Mitre rejected projects that sought to promote what he called “artificial immigration” and came out clearly in favor of a spontaneous free flow. Interestingly, in an age of belief in the superiority of immigration from Northern Europe, Mitre emphasized the contributions made in various fields by inhabitants of Italian extraction.

Liberal positions were sometimes accompanied by notions bound up with the construction of the new national state. This situation introduced a degree of conceptual tension to which Bartolomé Mitre’s thinking was not immune. This was apparent in his article “Gobiernos Empresarios” (Governments as business managers) about the role of the state in certain activities. Basing his position on Chevalier’s above-mentioned studies on the United States, Mitre supported state participation in certain activities such as the development of communications. Mitre’s article was refuted in an article by José Hernández, author of the Argentine classic *Martín Fierro*. Hernández defended a rigid anti-state position, even in the development of communications, one of the exceptions (“roads”) accepted by Adam Smith.

An influential text at the time was Nicolás Avellaneda’s study of the 1865 public land laws. Avellaneda, later president of the Republic (1874–1880), was heavily influenced by what he interpreted as the experience of the United States in this area. For Avellaneda, any legislation had to clearly state the principle of private property in the distribution of public lands, and he therefore rejected the idea of leasing them. A reading of the text and the discussions of the day gives the impression that what Avellaneda rejected was the method of emphyteusis practiced since the

days of Rivadavia in the early 1820s.⁵ He viewed any system that did not directly grant private property as conspiring against attracting immigrants to populate the new lands.

Education, both primary and secondary, was a recurring concern throughout this period. Leandro N. Alem referred to this issue in his speech in the parliamentary discussion about the role of the state in the development of education. Alem expressed hostility to the central power's interference in education, which in his view should be in the hands "of the district, the township, the neighborhood, and even individual initiative." Alem cited the experience of the United States and stressed the success of the localized system there. It is interesting that in this and other cases of the period, the U.S. experience dominated political debates. Alem's address expresses a concern that would become a permanent feature of his thinking, namely, that interference by public authorities would negatively affect citizens' activity and creativity. He exhorted citizens to participate. "What will become of higher education if the central government is not responsible for it! . . . But, by God, I would and do say in turn, work a little, stir yourselves . . . rise up like important figures in order to exert the influence you are entitled to in the political movement of the country, without relying on external inspiration!"

Toward the end of this period, Domingo Faustino Sarmiento published an article in the bold and aggressive tones typical of his writings. In this work, Sarmiento rejected the idea of the social contract as developed by J. J. Rousseau (*Du contrat social ou principes du droit politique*, 1762) and Thomas Paine (*Rights of Man*, 1791). He illustrated the critique with a description of the disastrous effects this principle had had on the French Revolution: "The revolution, to render equality, fraternity, and freedom the universal law, led to the empire of a fortunate soldier, and the free people knew no other law than the military discipline of armies, nor any equality other than that of one man attaining the rank of marshal for every 100,000 who died in the battlefields." While Sarmiento did not quote Tocqueville (*L'Ancien Régime et la Révolution*, 1857) or Edmund Burke (*Reflections on the Revolution in France*, 1791), the influence of both thinkers, especially the latter, is clear.

5. Emphyteusis was a system through which the state granted private individuals who paid a levy the long-term exploitation of lands that had been the property of the Crown.

Sarmiento's analysis pointed to what he considered the right path to follow—the one taken in England, where a gradual evolutionary process that kept in mind earlier traditions had achieved far sounder institutional results than those achieved in France. Sarmiento's preferred model did not refer just to the British experience, but also took in and valued developments in the United States of America.

The concern reflected by Sarmiento's remarks on the social contract and the French and British experiences was of course meant for local ears: for those preparing for a war that threatened institutional stability in the name of the right to rebellion based on the existence of a "previous contract." In a way, the text can be read as a bid to consolidate Argentina's institutional development, which was in its infancy.

IV. LIBERALISM IN GOVERNMENT AND IN OPPOSITION (1880-1910)

The 1880s opened with two works significantly influenced by Benjamin Constant's classic speech of 1819 about ancient and modern liberty (*La liberté des anciens comparée à celle des modernes*, 1819). In the first, by Leandro N. Alem, this influence operated through the writings of another Frenchman, Édouard Laboulaye (*Le Parti libéral: son programme et son avenir*, 1861). The second, by Juan Bautista Alberdi, showed the impact of Constant via the historian Fustel de Coulanges (*La cité antique*, 1864). Adam Smith ("the king of economists," according to Alberdi) and Herbert Spencer (*Essays Intellectual, Moral and Physical*, 1861) were also major influences.

Alem's speech was intended to voice opposition to the plan to federalize the city of Buenos Aires, a measure that in his view would seriously damage the federal system of the Constitution and leave "the fate of the Federal Argentine Republic . . . to the will and passions of the head of the national executive." The text is possibly one of the more influential in Alem's long opposition to the central power.

Alem felt that this increase in the power of central government authority threatened the initiative and vigor of the citizenry. The remedy he suggested was expressed in orthodox classical liberal terms: "Govern as little as possible, for the less external government man has, the more freedom advances, the more he governs himself, and the more his initiative strengthens and his activity develops."

Alberdi reached similar conclusions in his work, albeit with other

aims: "The omnipotence of the Fatherland inevitably becomes the omnipotence of the government in which it is embodied. This is not only the negation of liberty, but also of social progress, for it suppresses private initiative in the work of such progress." Alberdi also claimed that the "patriotic" enthusiasm typical of the "freedom of the ancients" necessarily leads to war and not "to freedom, which is fueled by peace."

Alberdi felt that this attitude lay at the root of some of the problems besetting South America. The great heroes of the continent (San Martín, Bolívar, Pueyrredón, etc.) had taken the notions of homeland and freedom from Spain, and were thus undoubtedly "champions of freedom," but in the sense of the homeland's independence from Spain, not its freedom from state interference. In the United States, in contrast, the notion of independence was tied to the idea of individual freedom inherited from Great Britain.

Shortly afterward, however, in 1881, Alberdi published *La República Argentina consolidada con Buenos Aires como capital*, in which he returned to positions that were at odds with the teachings of his earlier piece. In this later work he effectively celebrated the consolidation of the national executive, which he considered an essential factor in the construction of Argentine nationality. This tradition became established in the following decades, leading to liberalism of a conservative kind that was perhaps most emphatically expressed by Julio A. Roca, who ruled Argentina from 1880 to 1886. This period saw a series of centralizing measures that tended to transfer sovereignty from the provincial states to the national government. These measures affected the army, the currency, and the recently incorporated new territories, and promoted a moderate protectionism influenced by the German school that was dubbed "rational" by its exponents. The transfers of sovereignty also affected the Catholic Church: a law passed in 1884 placed primary education within the sphere of the national government, and shortly after that, in 1887, the Civil Registry Office was created.

The controversy over public elementary education produced positions rooted in a dubious liberalism. Pedro Goyena defended the continuation of religious education in elementary school, while Del-fin Gallo, a deputy for the ruling party, justified the official measure. Among other things Gallo cited the need to create a favorable environment for immigrants of different religious backgrounds, but also to establish the supremacy of the national Congress over and above the will

of the "popes." The ideology prevalent in the 1880s, however, abounded with liberal turns of phrase. Roca himself expressed his intention in 1883 to contribute to the creation of "a nation open to all currents of the spirit without castes, with no religious or social concerns, no tyrannies or Commune . . . consecrating every freedom and every right of man." In 1889, at a conference of the Pan-American Union, Foreign Affairs Minister Roque Sáenz Peña voiced this spirit in no uncertain terms. Sáenz Peña successfully opposed U.S. plans to create a continental customs union, which he saw as a threat to the Argentine government's liberal policy on immigration ("the immigrant is our friend"). He favored keeping the customhouses open and recommended a return to Gournay's old motto: "*Laissez faire, laissez passer*."

Opposition to the governments of the day lay mainly in the hands of two political forces: the Unión Cívica (Civic Union), founded in 1890, and the Unión Cívica Radical (Radical Civic Union), founded in 1891 and headed by Leandro N. Alem, who set about the task with ideas from both classical liberalism and civic republicanism. He voiced the liberal view in a speech in the Argentine Senate in which he pointed out that Macaulay's contention in his *Critical and Historical Essays* (1843-1844) about England's Glorious Revolution as compared to the French Revolution could also be applied to his party's position. For Alem, who had led a rebellion against the established government, the revolution had been in defense of the rights and freedoms established by the national Constitution. He argued that the movement he led was conservative in nature because it defended established institutions. He combined this attitude with John Locke's view that when an authority exceeds the legitimate limits of its power, it endorses the right to rebellion (*Two Treatises of Government*, 1699).

From this point on, Alem's position began to lean toward civic republicanism, an attitude expressed in the provincial uprisings he led in 1893. During this period, which ended tragically with his suicide in 1896, the Radical leader's attitudes continued to be heavily influenced by distinctly liberal ideas. In 1891, for example, as president of the Unión Cívica, he strongly criticized the existence of official banks ("the union of bank and rifle"), which he saw as another expression of the "damned centralizing tendency."

Under Alem's leadership, the party he founded was perhaps the fullest expression of classical liberalism in terms of the central place this

body of ideas conferred on the limitation of power. Francisco Barroetaveña, one of Alem's collaborators, expressed this view in his opposition in 1894 to a bill to make Spanish compulsory in primary education. Barroetaveña viewed this measure as a crime against the increasing numbers of immigrants of different nationalities who were settling in Argentine territory. Using the writings of Laboulaye (*L'état et ses limites*, 1863) and John Stuart Mill (*Considerations on Representative Government*, 1865) in his exposition, he warned of the dangers of setting the precedent of language unity, as the next thing would be to call for "religious unity, racial unity, other centralist unities, which in addition to conspiring against the Constitution and the freedoms it guarantees, would conspire against the prosperity and civilization of the Republic."

In 1894, the Radical Party newspaper, *El Argentino*, embarked on a long-drawn-out controversy with the pro-government *La Tribuna* about protection and free trade. *La Tribuna* stood for moderate "rational protection," while *El Argentino* took a line more favorable to free trade. Barroetaveña defended this position in the Chamber of Deputies when he requested a reduction in the customs tariffs in force, arguing that free trade had promoted "astonishing development" without any protection for cattle breeding and agriculture—development that should not be checked by a protectionist policy.

The echoes of the position taken by Alem and his followers were still being heard after the Radical leader's death. In 1904 one of Alem's old disciples, Pedro Coronado, outlined related ideas in Parliament on the occasion of the debate on the Residence Act, an instrument empowering the president of the Republic to expel anarchist immigrants involved in acts of "sedition," without a judge's intervention. Coronado objected to the unconstitutional powers bestowed on the president and referred in his argument to what William Pitt the Younger had stated in what he called the Bible of the English Constitution: "I shall tell what is done with a child entering school for the first time. The teacher approaches him and says: 'Every man's home is his castle.' The child asks: 'Is it surrounded by a moat or ramparts?' 'No,' replies the teacher, 'The wind may blow through it, the rain may penetrate it, but not the King.' How different from what happens in our country!"

Liberal ideas also influenced some of the positions of the newly created Socialist Party (1896). Its founder, Juan B. Justo, steadfastly championed two principles cherished by liberal economists: free trade and

the gold standard. Regarding the latter, Justo criticized Eteocle Lorini's defense of the 1899 Currency Conversion Act (in Lorini's *La Repubblica Argentina e i suoi maggiore probleme de economia e di finanza*, 1902-4) and his emphasis on the positive advantages that inconvertibility had had for Argentine economic development. Justo viewed the Italian's position as unacceptable from both a scientific and a social point of view, in the latter case, because inconvertibility had always played a negative role in the Argentine worker's standard of living. Justo and the socialists of the day believed that only the gold standard was capable of ensuring wage stability.

The last contribution in this period was José Nicolás Matienzo's analysis of the federal representative government of the Argentine Republic. Matienzo, a member of Alem's Radical Party, had different views on some of Argentina's institutional troubles. Some of these woes, such as electoral fraud and corruption, he viewed as to a large extent being a consequence of the effect of the constitutional reform of 1860 in strengthening the power wielded by the provincial governors. Unlike Alem, Matienzo saw the solution to what he considered serious political problems in a decrease of the power of governors and a proportionally incremental presence of central government. He felt that the right path had been taken not by the United States but by Canada, where any power not delegated to the provinces was allocated to the federal government. This position allowed Matienzo to go on defending the continued existence of the federal system, which he saw as deeply rooted in Argentine national history. In his harsh critique of the political system of the day, Matienzo still managed to praise some achievements of the period beginning in 1880: "Institutional deficiencies have not prevented the Argentine Republic from progressing in terms of population, wealth, culture, and civil liberties, more so than any other Latin American country."

V. LIBERALISM ON THE DEFENSIVE (1912-1940)

The period between 1912 and 1940 saw a gradual decline of liberalism in Argentina that extended into later periods not dealt with here. Yet there was no shortage of voices promoting the defense of liberal ideals via different political schools ranging from reformist conservatism through radicalism to socialism. Several aspects merit highlighting: political liberalism, which sought, via a new electoral law and reforms to the na-

tional Constitution, to improve electoral practices; the fight against protectionist tendencies; the defense of contracts as voluntary agreements not subject to specific legislation; the evolutionist view of society as a creator of civilized values; and the condemnation of totalitarian dictatorship in its various guises.

The electoral reforms of 1912 rounded off the process that began after the events of 1890. At the beginning of the last century, Congress discussed the electoral law advocated by Joaquín V. González, President Julio A. Roca's interior minister. Once passed, the law lasted just two years. In line with the experience of Great Britain and the United States, Roca and González proposed a single member district regime to elect national deputies and electors for president. The climate of the times—the Centenary of Independence—favored reforms designed to purge the voting proceedings of fraud and venality.

The bill backed by *Président* Roque Sáenz Peña and Interior Minister Indalecio Gómez a decade later was more successful—so successful that the most popular opposition party, the *Unión Cívica Radical*, returned to the electoral fray and was victorious in the 1916 presidential elections. The central idea of these reforms was to complement the vigorous exercise of civil liberties, already visible nationwide, with the no less vigorous and transparent exercise of political freedom. In other words, social, demographic, and educational progress had to be matched by political progress based on honest, competitive elections.

These were not, of course, the only reasons for the conflicts arising in the political and social spheres. Faced by such difficulties, the therapy to rehabilitate politics in Argentina was to make the male vote compulsory. If, in 1902, Joaquín V. González defended the voluntary secret ballot, Roque Sáenz Peña persuaded Congress in 1912 to approve the compulsory secret ballot linked to a system of preference distribution called the "incomplete list." Compulsory male suffrage was thus a master stroke incorporated in a centralizing, volitionary plan with the general recruitment of native and naturalized eighteen-year-olds fit to vote.

The implementation of this electoral legislation coincided with the impact of the First World War on the international economies and markets. This upheaval, the origin of the subsequent totalitarian regimes, triggered a wave of protectionism worldwide. Paradoxically, one of the most vigorous and consistent of the antiprotectionist liberal positions was put forward in Argentina by Juan B. Justo, who founded the So-

cialist Party in 1896. Justo's antiprotectionist policy was added, in the Socialist Party program, to the protection of the currency's value against inflationary monetary emission and the preaching of free cooperation among voluntary associations.

This program was intended to increase workers' wages, or at least to shore up their buying power against the threat of "inept businessmen," as Justo called them, setting up monopolies sheltered by the high tariffs of customs protectionism. In light of these debates, it is possible to see a liberal moment in the Argentine socialism of the time similar to those seen in other schools of thought such as conservatism, republicanism, and radicalism.

The 1922 ruling by the Argentine Supreme Court of Justice that a law approved by the national Congress authorizing the regulation of urban leases was constitutional marked the beginning of the end of liberal ideas in Argentina. The ruling revealed a substantive change in the doctrine previously upheld by the Supreme Court in matters relating to economic and commercial activity. Although endorsed by most of the Supreme Court, however, the ruling received a dissenting vote from the Court's president, Antonio Bermejo, who based his position primarily on the ideas of Juan Bautista Alberdi and emphasized the fact that the decision was a significant departure from the liberal premises of the national Constitution. Bermejo warned that "if the faculty of public powers to fix rents is accepted . . . it would be necessary to accept also the power of fixing the price of labor and of all things that are the object of trade among men." The episode was short-lived, and the law was abandoned a year later when the causes that had prompted it disappeared. Its importance was not, however, negligible for the evolution of ideas.

Another liberal moment worthy of consideration came during the presidency of *Unión Cívica Radical* leader Marcelo T. de Alvear on the occasion of the bill his interior minister, José N. Matienzo, introduced to the Congress to declare the need for partial reform of the Constitution. The Committee of Constitutional Affairs of the Senate, where the bill was sent, did not even consider it, revealing the scant attention merited by such liberal reformism in the 1920s.

The reforms proposed, which followed recent precedents in the United States, included the direct election of senators. The presence in this bill of an evolutionist criterion in constitutional matters also merits attention. Both Alvear and Matienzo shared the idea that the funda-

mental law should gradually be improved by amendments warranted by experience. These criteria did not thrive in Argentina in subsequent decades, and evolutionism and gradual limited reforms were the main victims.

Similar problems became evident on the fiscal front. The bill President Alvear introduced to Congress in 1924, this time jointly signed with his finance minister, Víctor M. Molina, exemplifies the fiscal anarchy that had emerged in Argentina as a result of the superimposition of national and provincial taxes. In the earlier view of Adam Smith, summarized by Alberdi in his *Sistema*, the liberal temper of tax legislation had to draw inspiration from the criteria of simplicity and taxpayers' perception of them.

The reality reflected by this bill is quite different. It rather refers to a crowded, mazelike fiscal regime in which consumer goods are taxed simultaneously by the federal government and the provinces. Leaving aside the rather involved remedies proposed by this legislation, it is important to stress the trend already prevailing in the 1920s, a trend that would become more pronounced in later years. This description of the tax system in Argentina also shows the difficulties inherent in the federal regime where tax collection was concerned, and the need, acknowledged in Article 4 of the bill, to compensate provinces levying internal taxes on general consumer goods in Argentina with proportional cuts in the relevant customs duty.

During the 1930s, liberal ideas were overshadowed by opposite schools of thought. This was the case with the totalitarian ideas that emerged in the Hispanic world (Spain and Portugal) and later, more forcefully and aggressively, in Mussolini's Italy and Hitler's Germany. Likewise, the Russian Revolution spawned a clearly more antiliberal left than the one that found expression in the social democratic parties of the Second International. In the democratic world, the economic crisis of 1929 contributed to the emergence of solutions that, like the New Deal, relied to a great extent on state intervention. Argentina's experience in those years was similar, and the liberal response to all these challenges was weak. One exception was Emilio Coni, a prestigious and influential economic historian and professor in the Faculty of Economics at the University of Buenos Aires, who published a letter explaining to the "Martians" what was happening on our planet. In this early contribution from

1933, Coni warned of the uncontrollable advance of interventionist ideas in the field of economics.

Possibly the most original contribution, however, is José Nicolás Matienzo's lecture titled "La civilización es obra del pueblo y no de los gobernantes" (Civilization is the work of the people, not of the rulers). In this work Matienzo adhered explicitly to the evolutionary ideas of Adam Smith and Herbert Spencer (*First Principles*, 1862, and *The Factors of Organic Evolution*, 1887), and made public his debt to the ideas of Alberdi. Matienzo's thesis was suggested to him "by unfair criticisms that, during the dictatorship that has just elapsed, have frequently been made regarding the ability of the people to manage their own life." Alluding to the de facto government of General Uriburu (1930-1932), Matienzo warned of the rise of right-wing totalitarian ideas at that time associated with the regimes of Primo de Rivera and Benito Mussolini. Matienzo rounded off his analysis in classic liberal style by asserting that "civilization is the work of private initiative among the members of the people, not of the official action of government agents."

The 1930s were thus not as generous in the production of liberal ideas as previous decades had been, with one notable exception at the end of the period. In July 1940, Marcelo T. de Alvear, a former president of the Republic and head of the main opposition party, the Unión Cívica Radical, delivered a lecture at the British Chamber of Commerce. German troops were at the time winning victory after victory in Europe, and the USA was still neutral. Under such difficult circumstances, Alvear expressed his explicit support for the countries threatened by the Nazi offensive. His speech drew on the example of Great Britain, which he held up as a model of political civilization based on democratic and liberal principles, a tradition the Argentine Republic ought to join.

CONCLUSIONS

This introduction has examined the extended period when liberal ideas had a significant bearing on Argentine political and social thinking. From the moment Hipólito Vieytes alluded to the "sublime Adam Smith" in Letter Twelve of his *Semanario de Agricultura, Industria y Comercio*, a weekly periodical, this trend garnered influences from the different schools that characterized the liberal tradition in the world.

In Argentina, liberalist ideas were embedded in a milieu marked by

the changing fortunes of the new nation's institutional development. It is important to review some of these specific features. First, the vast majority of those who expressed this kind of thinking were politicians rather than academics, and this sometimes affected the quality and consistency of their arguments. Second, the exposition of liberal ideas took place during the debates involved in building the key institutions of the Argentine nation. As we saw in connection with James Madison, this entailed one of the peculiar difficulties of liberal thought, namely, how to seek limits to power while at the same time generating and organizing it. This difficulty surfaced especially over the creation of a strong central power, which sometimes bore only a passing resemblance to the teachings of liberal thought. And last, these principles were imported from various European and U.S. schools and therefore had to be adapted to the realities and exigencies of the local environment.

For all these restrictions, liberal ideas made headway in Argentina, and—especially from the mid-nineteenth century onward—they played a vital role in the new country's growth and consolidation. This contribution was expressed in the different fields of national endeavor, producing works and contributions of unquestionable analytical value.

As in many other parts of the world, the influence of liberal ideas began to wane in the 1930s. This decline is apparent in the decreasing quantity and originality of the contributions from the dwindling group of institutional players who still subscribed to this school of thought.

Argentine liberalism, however, has been left with a rich heritage of principles that also became a reality at the social and institutional levels. Aside from the intellectual works collected in this volume, perhaps the most permanent contribution of this body of ideas has been the promotion of an open and plural society with high social mobility.

NOTE TO THE READER

Original footnotes in this edition are identified with "[A.N.]"; those of the current editors are identified with "[E.N.]."

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Liberalism during the Dictatorship of Rosas (1837-1850)