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Oeconomic Expertise and Local Politics

The Spanish Translations of Justi's Works

The ascension of Charles III (1716–1788) to the Spanish throne in the 1760s marked a significant turning point in the field of economic and Cameral thought. European texts were in circulation during this period and stimulated local production. Charles III had facilitated the return of exiles from the War of Spanish Succession to the Iberian Peninsula and integrated them into his government. This incorporation resulted in a very fragile equilibrium between former and newly-appointed ministers within the Court of Madrid – a balance that his successor, Charles IV, could not sustain. The arrival of former members of the Crown of Aragon, primarily from Vienna and Prussia as well as Charles III's former ministers from Naples, sparked intense discussion, and agreement among ministers on planning and the implementation of reforms in government and education. While conflicts among this former ministerial group arising from differing perspectives began during Philip V's reign, an influx of new members during the 1760s altered the group's dynamics as they became involved in planning reforms, including economic and educational reforms within universities. These efforts immediately resulted in the Esquilache Riots of 1766, a response to economic changes, and linked to the further 1767 expulsion of the Jesuits from territories under Spanish rule.

These exiles from the Crown of Aragon sought to mobilise texts in political oeconomy, including some on the science of police,[1] in transforming a feudal society into a more modern one. The transformation of a patriarchal society into one in which individuals owned their labour as rights-bearing subjects, as had been envisioned during Cadiz's constitutional moment, had gradually developed in the course of the challenges and the crises of the seventeenth century. While mainstream research has primarily examined influential groups of ministers, this study focuses on the individuals from the Crown of Aragon who played a pivotal role in promoting oeconomic texts in the Iberian Peninsula starting in the 1760s.

While there is evidence of some private dissemination and discussion of Cameralistic ideas among diplomats and ministers of the Castilian-Asturian group during

1 The literature on the science of police is extensive; for the German context see Pierangelo Schiera: Dall'arte di governo alle scienze dello Stato. Il cameralismo e l'assolutismo tedesco. Milan 1968; Keith Tribe: Strategies of Economic Order: German Economic Discourse, 1750–1950. Cambridge 1995 and Keith Tribe, Cameralism and the Staatswissenschaften. In: Cambridge History of Eighteenth-Century Political Thought. Ed. by Mark Goldie and Robert Wokler. Cambridge 2006, pp. 524–546.

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Philip V's reign, this circulation remained covert[2] and did not contribute to the development of the public sphere, unlike the impact of economic ideas in the latter part of the eighteenth century. There was a marked shift during the 1760s with the translation and dissemination of cameralistic ideas, especially in the kingdoms and principalities formerly constituting the Crown of Aragon. A corpus of economic literature, including cameralist works, was assembled that could further reform and the education of public servants in academies and the Economic Societies of Friends of the Country.[3] This economic knowledge played a vital role in certifying and legitimising the expertise of individuals with access to the government.

Much like the rule of his father Philip V (1683–1746), that of Charles III has been studied by compiling information and statistics about his realms, involving the improvement of tax collection and financial administration. A drive for centralisation followed the War of the Spanish Succession (1701–1715), Philip V abolishing the *Decretos de Nueva Planta* that abolished the *fueros* and privileges in the Crown of Aragon (Kingdom of Aragon, Principality of Catalonia, Kingdom of Valencia and the Kingdom of Majorca), enabling him to achieve a higher degree of centralisation and administrative unification within the monarchy. These Decrees were a response to the support these realms had given to Charles VI of Austria, the Holy Roman Emperor (1685–1740).[4] Consequently the former kingdoms of the Aragonese Crown came under the administration of Madrid, prompting many prominent Aragonese families to seek exile, primarily in Vienna and Prussia.[5] The Bourbon dynasty initiated a process of centralisation and administrative unification within the monarchy through these measures, that historical writing has deemed essential for the modernisation of the monarchy and commonly referred to as the Bourbon reforms.[6]

2 On the diplomatic circulation of Cameralistic ideas see Edward Jones Corredera: How Undiplomatic Memoirs Shaped Enlightenment Reform. In: Political Reason and the Language of Change and Improvement in Early Modern Europe. Ed. by Adriana Luna-Fabritius, Ere Nokkala, Marten Seppel and Keith Tribe. London 2022, pp. 198–217.

3 Ernest Lluch Martín: El Cameralismo más allá del mundo germánico. In: Revista de Economía Aplicada.10. IV (1996), p. 166.

4 Janine Fayard: La Guerra de Sucesión (1700–1714). In: La frustración de un imperio, vol. V de la Historia de España. Ed. by Jean-Paul Le Flem, Joseph Pérez, Jean-Marc Perlorso, José Ma López Piñero a. J. Fayard. Barcelona 1980, pp. 428ff.; John Elliott: Spain, Europe and the Wider World 1500–1800. New Haven 2009, pp. 34–49.

5 Ernest Lluch Martín: Ch. 6: La España vencida del siglo XVIII. El Cameralismo, la Corona de Aragón y el ›Partido Aragonés‹ o ›militar‹ in his Las Españas Vencidas del siglo XVIII. Barcelona 1999, p. 131, 137.

6 Henry Kamen: Philip V of Spain: The King Who Reigned Twice. New Haven 2001; David Brading: Bourbon Spain and Its American Empire. In: The Cambridge History of Latin America. Ed. by Leslie Bethell. Cambridge 1984. Vol. 1, pp. 389–439; Peggy K. Liss: Atlantic Empires: The Network of Trade and Revolution, 1713–1826. Baltimore 1983.

Newer historical literature has distinguished between the Bourbon reforms initiated by Philip V and those pursued by Charles III, revealing key differences. However, it has not been sufficiently emphasised that the approach taken by Charles III derived from his experiences in the Kingdom of Naples, where he benefited from the expertise of Bernardo Tanucci (1698–1783), and the innovative ideas of the Neapolitan school of political economy. Notably, Antonio Genovesi had established the first chair of civil economy in Italy in 1754, where he engaged with a wide range of European ideas, including cameralistic ones.[7] Charles III's period in Naples coincided with the jurisdictional distinctions initiated by Neapolitan lawyers during their defences of the privileges and local liberties of the kingdom's cities in the late seventeenth century. Aligned with the trajectory set by the *ceto civile*, this governmental approach brought about substantial change, notably in distinguishing between church and state, and the delimitation of feudal struggles in the Kingdom of Naples and Sicily.[8] Furthermore, it curtailed the jurisdiction of the bishops and medieval privileges in matters of justice, resulting in a reduction in the taxes paid by the Neapolitan kingdom to the Papacy, alongside several additional reforms.[9]

This chapter is in three sections. The first provides an overview of the dissemination within Spain of Justi's works, *Elements of Police* and *The Foundations of Power and Happiness of States*. It highlights their circulation in periodicals and translations. The second section examines the curriculum of a course designed for a political oeconomy chair and discussions within debating societies at the University of Salamanca under the guidance of Pedro de Salas. The third section considers the motivations of those who disseminated this writing. Here I provide context for the political disagreements in the courts of Charles III (ruling 1759–1788) and Charles IV

7 Adriana Luna-Fabritius: Reform and Utopia in Early Modern Italian Political Economy: Historicising a Tension. In: Political Reason and the Language (see note 2), pp. 113–136.

8 On the defence of the privileges and local liberties of City of Naples see Adriana Luna-Fabritius: Providence and Uses of Grotian Strategies in Neapolitan Political Thought. In: Sacred Polities, Natural Law and the Law of Nations in the 16th–17th Centuries. Ed. by Hans Blom. Leiden 2022, pp. 314–342, and Adriana Luna-Fabritius: The Secularisation of Happiness in Early Eighteenth-century Italian Political Thought: Revisiting the Foundations of Civil Society. In: Trust and Happiness in the History of European Political Thought. Ed. by L. Kontler and M. Somos. Leiden 2018, pp. 169–195.

9 Raffaele Ajello: La vita politica napoletana sotto Carlo di Borbone: La fondazione e il tempo eorico della dinastia. Naples 1972, pp. 461 and ss.; Franco Venturi: Settecento riformatore. Vol. 2: La Chiesa e la repubblica dentro i loro limiti, 1758–1774. Turin 1976, pp. 23–56; Mario D'Addio: Impero, feudalesimo e Storia nel pensiero civile di Tanucci. In: Tanucci statista letterato giurista. Atti del Convegno Internazionale di studi per il secondo centenario 1783–1983. Ed. by M. D'Addio, R. Ajello. Naples 1986, vol. 2, pp. 59–81; Elvira Chiosi: Il regno di Napoli dal 1734 al 1799. In: Storia del Mezzogiorno. Ed. by Giuseppe Galasso, R. Romeo. Naples 1986, vol. 4, t. 2, pp. 371–467; Dario Luongo: Consensus Gentium. Criteri di legittimazione dell'ordine giuridico moderno. Vol. 2.: Verso il fondamento sociale del diritto. Naples 2007, pp. 991–1014; Pablo Vázquez Gestal: Verso la riforma della Spagna. Il carteggio tra Maria Amalia di Sassonia e Bernardo Tanucci (1759–1760). Naples 2016.

(ruling 1788–1808). Lastly, I explore the significance and role of the science of police in the Spanish context during the era of the Bourbon reforms.

1 The Circulation of Justi's Writings in the Spanish Peninsula

Cameralist texts circulated alongside many other economic texts, with Antonio Genovesi's *Lezioni* occupying a prominent position.[10] Leading authors here included Jakob Friedrich Bielfeld (1717–1770), Friedrich II (1712–1786), Johan Heinrich Gottlob von Justi (1717–1771) and Joseph Sonnenfels (1732–1817). The texts that found their way into Spanish discourse were not limited to translations, they also encompassed commentary on the life and achievements of Friedrich II.[11] Notes on Justi's ideas featured in newspapers and were written by the journalist Francisco Mariano Nipho (1719–1803) of Aragon, promoting political oeconomy and disseminating cameralistic knowledge in Spain from 1760s onwards. Nipho's pioneering efforts included the introduction of Justi's ideas in 1771.[12]

10 Jesús Astigarraga, J. Usoz: The Enlightenment in Translation: Antonio Genovesi's Political Economy in Spain, 1778–1800. In: Mediterranean Historical Review 28 (2013), pp. 24–45.

11 Federico II (Rey de Prusia): Instrucción militar del rey de Prusia para sus generales: traducida del alemán al francés por M. Taesch, Teniente Coronel de las Tropas Saxonas, y del francés traducida al Castellano por Benito Bails. Madrid 1762; Ignacio López de Ayala: Historia de Federico el Grande, actual Rey de Prusia. Sacada de diferentes memorias, enriquecida con el retrato de S. M. Prusiana con los planos de las principales batallas y con sus más útiles Ordenanzas de Gobierno civil, militar y político. Madrid 1768; Federico II (Rey de Prusia): Pensamientos escogidos de las máximas filosóficas de Federico II, translated by Jayme Villa-López. Madrid 1785; Joseph Maria de Merás y Alfonso: El Héroe del Norte. Endecasílabos, que con motivo de la muerte de Federico Segundo, Rey de Prusia. Madrid 1786; J. M. Heras Alfonso, Epicedio a Federico el Grande, Rey de Prusia que falleció el 17 de agosto. Madrid 1786; Damián Lázaro de Cerdabar [Bernardo María de Calzada]: Pasages escogidos de la vida privada de Federico II Rey de Prusia, con algunas observaciones sobre el Estado Militar de su Reyno. Madrid 1787; Bernardo María de Calzada: Vida de Federico II, Rey de Prusia. Bernardo María de Calzada, Capitán del Regimiento de Caballería de la Reyna, y Sócio de Mérito de las Reales Sociedades Vascongada y Aragonesa. Madrid 1788–1789, 4 vols.; Jacques Antoine Hippolyte Comte de Guibert: Elogio del Rey de Prusia, escrito en francés por el conde de Guibert, y traducido en castellano por Francisco Antonio de Escartía. Madrid 1788; Luis Muller: Colección de las guerras de Federico II el Grande. En veinte y seis planos, que comprehenden las batallas campales y grandes acciones de cada una. Dada a la luz en alemán y francés por Luis Muller, Teniente de Ingenieros al servicio de Prusia, translated by Francisco Paterno. Malaga 1789.

12 Luis Miguel Enciso Recio: Nipho y el periodismo español del siglo XVIII. Valladolid 1959; and Luis Miguel Enciso Recio: Nipho y los comienzos de la prensa diaria en el continente europeo. In: Estudios de historia social 52–53 (1990), pp. 151–169.

It was previously thought that Justi's Elements of Police (*Grundsätze der Polizeywissenschaft* 1756) was translated twice into Spanish. The initial translation, titled *Elementos generales de Policía. Escritos por el señor Juan Henrique Gottlobs de Justi, Consejero del Rey de Inglaterra, &c* was translated by Antonio Francisco de Puig i Gelabert and published in Barcelona by the widow Eulalia Piferrer in 1784. The second translation was published in Madrid in 1791,[13] but this turns out in fact to be a fragment from *The Foundations of Power and Happiness of States* (*Die Grundfeste zu der Macht und Glückseeligkeit der Staaten*, published in two volumes in 1760 and 1761). This work was included in volume 12 of Miguel Geronimo Suárez's memoir on the improvement of agriculture, entitled *Memorias instructivas y curiosas sobre Agricultura, Comercio, Industria, Economía, Chymica, Botánica, Historia Natural, etc.*, published by Pedro Marin.[14] Both translations were part of a more extensive initiative aimed at disseminating European economic ideas, seeking to influence ongoing Bourbon reforms across all intercontinental territories of the Spanish monarchy.

Puig i Gelabert was a Doctor of Laws at the University of Huesca, one of the Crown of Aragon's leading universities. He held many offices in Catalonia, including that of a lawyer of the Royal Audience of Catalonia, and as a director of theoretical jurisprudence he made significant contributions to the study of Public and Criminal Law. His work in translating Justi was in line with the Royal Court's directive that all lawyers be proficient not just in forensic jurisprudence but also in the science of government and its three distinct branches: police, politics, and economics. His translation was intended to provide a general guide to the science of the police contained in Justi's *Elements* or *Compendium of Police*, supplementing it with maxims and principles supplied by Spanish scholars.

The prologue presented Justi as a figure eminent in various European intellectual circles: as advisor to the King of England, as Commissar General of Police for the Duchies of Brunswick and Lüneburg, and as a member of the Royal Society of Göttingen.[15] Puig i Gelabert emphasised the need for lawyers to extend their exper-

13 Juan Henrique Gottlobs Justi: Elementos generales de Policía. Escritos por Juan Henrique Gottlobs Justi, Consejero del Rey de Inglaterra. Barcelona 1784; and Miguel Geronimo Suárez: Memorias instructivas y curiosas sobre Agricultura, Comercio, Industria, Economía, Chymica, Botánica, Historia Natural, etc. Madrid 1791. vol. 12, pp. 377–496.

14 Geronimo Suárez: Memorias instructivas (see note 13) vol. 12, pp. 377–496. For a commentary on the misattribution of the Swiss edition see Alexandre Mendes Cunha: A Previously Unnoticed Swiss Connection in the Dissemination of Cameralist Ideas during the Second Half of the Eighteenth Century. In: History of Political Economy 49.3 (2017), pp. 497–529 and on the content of the abridged publication in Spanish of *The Foundations of Power and Happiness*, Adriana Luna-Fabritius: Cameralism in Spain. *Polizeywissenschaft* and the Bourbon Reforms. In: Cameralism and the Enlightenment. Happiness, Governance and Reform in Transnational Perspective. Ed. by Ere Nokkala, Nicholas B. Miller. London 2020, pp. 245–266, here p. 253.

15 He refers to the Royal Academy of Sciences of Göttingen.

tise beyond a knowledge of civil and criminal law, arguing for a comprehensive understanding of a science of economic-political governance that included principles of agriculture, commerce, and other aspects of public management. Such knowledge was said to form an indispensable part of the legislative framework, serving as the foundation for public happiness as well as for scientific and artistic pursuits. His choice of Justi's *Elements* for translation followed from a desire to clarify prevalent misunderstandings regarding distinctions between police, politics, and economics. While acknowledging existing treatises from Germany and Spain on these matters, he maintained that none of them had treated the subject systematically. He believed that if the full import of Justi's maxims could be realised a more religious, refined and effective police system would result, an inexhaustible source for the happiness of nations.[16] Puig i Gelabert's choice of Justi's *Elements of Police* in 1784 and then again of *Foundations of Power and Happiness of States* in 1791 suggests that the former members of the Crown of Aragon were aware of the ongoing advances and discussions surrounding the science of police in general.

Ernest Lluch's pioneering work on cameralist studies in Spain emphasised the significance of cameralist ideas during the second half of the eighteenth century, something which he believed had been understated in historical writing.[17] Indeed the science of police had been cultivated especially in the Crown of Aragon since the 1760s and, as evidence shows, it practically developed in the Atlantic territories of the Spanish monarchy. This had been promoted by two key factors: the dissemination of political oeconomy texts through the active involvement of individuals in the Economic Societies of Friends of the Country during the 1770s and 1780s, and the establishment of two chairs of Political Economy in Spain. The first chair of Civil Economy and Commerce was founded by the Economic Society of Friends in Zaragoza from 1784 to 1808 and led by Lorenzo Normante y Carcavilla (1759–1801).[18] The second chair of political economy was instituted by Ramón de Salas in 1787 at the Institute for Spanish Law at the University of Salamanca. It replaced a chair of Scholastic Jurisprudence and Theology, focusing on »useful disciplines«.

16 Puig i Gelabert: Preludio del Traductor. In: Henrique Gottlobs Justi: Elementos generales (see note 11). pp. XVIII and XIX.

17 Ernest Lluch Martín: El cameralismo ante la Hacienda de Carlos III: influencia y contraste. In: Hacienda Pública Española/Review of Public Economics 2 (1990) pp. 73–86; Ernest Lluch Martín: El Cameralismo más allá del Mundo Germánico (see note 3) pp. 163–175; Ernest Lluch Martín: El Cameralismo en España. In: Economía y economistas españoles. Ed. by Enrique Fuentes Quintana. Barcelona 1999, vol. 3; and his chapter 6 in La España vencidas del siglo XVIII (see note 5).

18 Clemente Herranz, Félix Correa, J. Francisco Forniés Casals a. Jorge Infante: La Cátedra de Economía Civil y Comercio de Zaragoza fundada y sostenida por la Real Sociedad Económica Aragonesa de Amigos del País (1784–1846). Zaragoza 1984 and José Luis Peset, Mariano Peset: La Universidad española (siglos XVIII y XIX). Madrid 1974.

My recent studies have identified the existence of at least two main groups engaged in the planning of Bourbon reforms during the second half of the eighteenth century, rather than there being a unified group of reformers as hitherto thought. One group was made up of the powerful group of ministers representing Castilian interests, led by prominent figures such as the Asturian Pedro Rodríguez de Campomanes (1723–1802), Gaspar Melchor de Jovellanos (1744–1811) and the Murcian José Moñino y Redondo Count of Floridablanca (1728–1808).The second group was formed of the exiles and individuals from the Crown of Aragon, led by Pedro Pablo Abarca de Bolea, 10th Count of Aranda (1718–1798), who introduced and developed new economic ideas.

The main distinction between the two groups of reformers was that while the former Castilian diplomats and ministers of the first group were acquainted with European economic texts, this knowledge was not implemented or widely publicised. By contrast, the Aragonese thinkers, through their Societies of Friends of the Country and by establishing new chairs of political oeconomy, facilitated the dissemination of these new ideas, fostering discussions on state administration and systematising them. This led to a confrontation with traditional and conservative groups supported by the Spanish Inquisition following Charles III's death and changes in alliances and power structures within the court. Despite confrontations and setbacks, discussion of various economic projects contributed to the formation of a public sphere.

These Aragonese initiatives fostered discussion of the promotion of people's happiness, of the prospect of free of trade across the Spanish dominions, freeing Atlantic territories from Spanish rule, adopting new techniques to improve life, raising the problem of idleness, and advancing agriculture, industry and mining. Following some ideas of Friedrich II, these individuals proposed the establishment of military settlements in uninhabited areas of the Spanish monarchy, »colonies« as they called them, beginning with Sierra Morena in Andalusia. These »colonies« were to have a military form of administration. They also advocated incremental improvements that could transform the feudal structure of society. Evident in documents related to this is a piecemeal approach, attributable to their desire to limit confrontation with the main Castilian ministers and conservative groups of the society, while simultaneously fostering an overarching plan to overhaul Spanish imperialism.

Like the Neapolitans with their oeconomic treatises, these thinkers argued that economic affairs from should be separated from religion, with a clear distinction between political issues and the elements of police. This sought a clear separation between politics and state administration, organised in accordance with the principle of the happiness of subjects. They brought these discussions to economic societies and their lectures on political oeconomy at the universities, thereby fostering a higher level of specialisation in developing the field. Ultimately, their promotion of economic ideas justified their involvement in monarchical decision-making as ex-

perts in various fields, all with the common goal of improving the Spanish monarchy.[19]

2 The Second Spanish Chair of Political Economy

From 1785 to 1787 Ramón de Salas y Cortés (1753–1837) established the Academy of Spanish Law and Forensic Practice at the University of Salamanca. As part of this initiative, from 1788 to 1789 he created a new chair to disseminate political oeconomy, with the idea of promoting Antonio Genovesi's *Lezioni di economia civile*. Salas was born in Belchite, Zaragoza, he spent his early years in America, accompanying his uncle Pedro Cortés Larraz, who served as Archbishop of Guatemala since 1766. Upon returning to Spain, Salas enrolled at the University of Salamanca, where he obtained his bachelor's degree in 1775 and his licentiate and doctorate in 1776.[20]

Salas was part of a notable intellectual circle at the University of Salamanca, which included Miguel Martel, Toribio Núñez Sessé, Juan Justo García, José Luis Munárriz, Juan Meléndez Valdés and Juan Nicasio Gallego among others key figures of the Spanish Enlightenment.[21] This intellectual milieu intersected with José Cadalso's (1741–1782) tertulia during his stay in Salamanca from 1773 to 1774, and several members, including Meléndez Valdés, participated in both gatherings.[22] This period in Salamanca was crucial as Cadalso completed his influential work *Moroc-*

19 For the way that formal education of the members of the secretaries to serve the state was promoted in Germany by Frederick I of Prussia see Keith Tribe: Governing Economy: The Reformation of German Economic Discourse 1750–1840. Cambridge 1988, p. 43.

20 See Rodríquez Domínguez: Renacimiento universitario salamantino. Ideología liberal del Dr. Ramón de Salas y Cortés. Salamanca 1979; Richard Herr: España y la revolución del siglo XVIII. Madrid 1973, pp. 272–275, 302, 343; Mateo del Peral: Sobre Ramón de Salas y la incorporación de la ›Economía Civil‹ a la enseñanza universitaria. In: Investigaciones Económicas 6 (1978), pp. 167–190; Ricardo Robledo: Tradición e ilustración en la Universidad de Salamanca: sobre los orígenes intelectuales de los primeros liberales españoles. In: Orígenes del liberalismo. Ed. by Ricardo Robledo, Irene Castells, María Cruz Romeo. Salamanca 2003, pp. 49–80; Ricardo Robledo: Liberales y afrancesados: el caso de Ramón Salas (1754–1827). In: Salamanca en el primer tercio del siglo XIX. Ed. by Ricardo Robledo. Salamanca 2013, pp. 67–68; Claude Morange: Vindicación de Salas. In: Trienio 56 (2010), pp. 5–47; Jesús Astigarraga: Luces y republicanismo. Economía y política en las ›Apuntaciones al Genovesi‹ de Ramón de Salas. Madrid, 2011.

21 George M. Addy: The Enlightenment in the University of Salamanca. Durham 1966; Georges Demerson: Don Juan Meléndez Valdés y su tiempo (1754–1817). Madrid 1971. 2 vols.; Ralph Merritt Cox: Juan Meléndez Valdés. New York 1974; Ralph Merritt Cox: Juan Meléndez Valdés: A Visionary Rebel. In: Romance Notes 16.2 (1975), pp. 491–499; José Luis Peset, Mariano Peset: Calos IV y la Universidad de Salamanca. Madrid 1983.

22 José de Cadalso: Escritos autobiográficos y epistolario. Edition and notes by N. Glendinning and N. Harrison. London 1979.

can Letters, which provided a powerful critique of Spain's perceived backwardness. Salas's leadership[23] played a role in this context, and Spanish authors actively engaged in broader European debates. For instance, Cadalso's text, *Defence of the Spanish Nation Against the Persian Letter LXXVIII of Montesquieu,* served as a response to Montesquieu's criticism.[24]

During this time, Salas's primary text for his academy was Antonio Genovesi's *Lezioni di commercio o sia di economia civile,* which were originally delivered as lectures from the first chair of political oeconomy in Italy founded at the University of Naples in 1754, entitled »Mechanics and commerce«.[25] Salas developed his syllabus *Notes and excerpts from Genovesi's Lessons of Commerce and Civil Economy* (*Apuntaciones al Genovesi y extracto de las Lecciones de Comercio y Economía Civil*) for his academy.[26] Notable students of this course included Manuel José Quintana, Diego Muñoz Torrero, José Marchena, Mariano Luis Urquijo (1769–1817), Francisco Sánchez Barbero, and other influential figures for future Spanish constitutionalism in Cadiz.[27]

Salas's companions noted his willingness to break down barriers and share modern knowledge. He provided manuscript copies and even translated texts to facilitate reading and discussion, leading to his movement being termed by Ricardo Robledo a »Street Enlightenment« distinct from the official Enlightenment.[28] In addition to promoting Genovesi and Gaetano Filangieri's ideas, Salas gained recognition as a disseminator of Jeremy Bentham's ideas and engaged with works by various authors including Hobbes, Rousseau, Voltaire, Holbach, Montesquieu, Pufendorf, Heinecken (1707–1791), and Vattel (1714–1767), along with Cameralistic authors. According to Jesús Astigarraga, Salas discussed republican virtues and

23 Cadalso's *Cartas marruecas* were only published separately and posthumously during 1789 by his friend Manuel Aguirre in the journal *Correo de Madrid*. José de Cadalso: Cartas marruecas. Noches lúgubres. Ed. by Joaquín Arce. Madrid 1997; see also J. Luis Peset: Melancolía e Ilustración. Madrid 2015 and J. Luis Peset: Ciencia y ejército en un mundo ilustrado y galante: en torno a los eruditos de José Cadalso. In: Cuadernos de Historia Moderna 41.2 (2016), pp. 443–366.

24 Jose Cadalso: Defensa de la nación Española contra la carta persiana LXXVIII de Montesquieu. Ed. by G. Mercadier. Toulouse 1970.

25 Translated by Victorián de Villava, 1785–1786.

26 Ramón Salas: Apuntaciones al Genovesi y extracto de las Lecciones de Comercio y Economía Civil. Archivo Histórico Nacional. Consejos. 11.925.

27 Aleix Romero Peña: Un ilustrado vasco en la España de finales del Antiguo Régimen: Mariano Luis de Urquijo (1769–1817). In: Estatu-Nazionen Baitako Nazioak. Naziogintza Kulturala Eta Politikoa, Gaur Egungo Europan. Ed. by J. Agirreazkuenaga Zigorraga, E. José Alonso Olea. Bilbao 2014, pp. 163–171; Aleix Romero Peña: Reformar y gobernar. Una biografía política de Mariano Luis de Urquijo. Logroño 2013; Aleix Romero Peña: Mariano Luis Urquijo. Biografía de un Ilustrado. In: Revista de Cultura 34 (2011), pp. 55–78.

28 Ricardo Robledo: Política e Inquisición frente a »un espíritu libre«. La conjura contra Ramón Salas (1786–1797). In: Historia Social 75 (2013), pp. 3–21, esp. p. 5.

labour within the framework of the Abbé Gabriel Bonnot de Mably (1709–1785) [29] even if he did not quote him, while others argue that Salas's republican framework derived from Montesquieu.

In my interpretation, Salas explored Genovesi's economic and political ideas in his *Apuntaciones*, particularly focusing on identifying an optimal form of political organisation.[30] Salas engaged deeply with Genovesi's Neapolitan analyses of different forms of government, including classical and Aristotelian perspectives on monarchy, aristocracy, and democracy, as well as modern forms such as despotic, monarchical, and republican systems. Genovesi argued that these types of government could be classified as either legitimate or illegitimate. The republic and monarchy were considered legitimate, while despotism was seen as illegitimate. From this perspective, Genovesi favoured a moderate monarchy that upheld virtue and love of country as values to prevent corruption. He recommended a set of fundamental laws to combat corruption and prevent despotism, stating that virtue was essential to avoid despotism in civil societies.

Contrary to prevailing interpretations that link Salas's republicanism with French authors, it seems more plausible to situate Salas's discussion of republicanism within the Neapolitan tradition represented by Genovesi, which had been developing a sophisticated discourse on the subject throughout the first half of the eighteenth century.[31] Paolo Mattia Doria (1662–1746), known to Genovesi personally, was a prominent political philosopher who revived Machiavelli's teachings in his *Discourse of Livy*. Doria wove these threads together with his own analysis of human passions and the character of the people based on the natural conditions, as explored in his *Vita civile*, published in 1709.[32] According to Genovesi and Doria, the principles underpinning these forms of government were virtue in republics, honour in monarchies and fear in despotic regimes. Aligning with Doria's exploration of passions, honour, natural conditions, and the character of the people, Genovesi argued that the forms of government could be as numerous as the types of people that exist.[33] They asserted that where virtue was lacking, government was weak, and

29 Jesús Astigarraga: El debate sobre las formas de gobierno en las Apuntaciones al Genovesi de Ramón de Salas. In: Revista de Estudios Políticos 144 (2009), pp. 11–46, esp. pp. 22–27, for a different interpretation of the lineage of the discussion on republicanism and labour see Luna-Fabritius: Reform and Utopia (see note 7), pp. 113–136.

30 Astigarra: El debate sobre las formas (see note 29).

31 E. Pii: Republicanism and Commercial Society in Eighteenth-Century Italy. In: Republicanism. A Shared European Heritage. Ed. by Martin van Gelderen & Quentin Skinner Cambridge 2002, pp. 249–274.

32 Adriana Luna González: From Self-preservation to Self-liking in Paolo Mattia Doria: Civil Philosophy and Natural Jurisprudence in the Early Italian Enlightenment. Florence 2009, pp. 286–340.

33 Luna-Fabritius: Reform and Utopia (see note 7).

where virtue was absent, there was no government.[34] Genovesi extended this view by arguing that virtue formed the foundation of honour and the spirit of respect for others' rights.

Astigarraga noted that Genovesi, in his commentary on the *Spirito delle leggi* from 1748, criticised Montesquieu's approach for its reliance on a limited empiricism.[35] However, Astigarraga does not acknowledge that Genovesi's critique was in fact shared by other Neapolitan political thinkers, and that this underscores the strongest connection between him and the generation of Doria. Like Doria and Giovan Battista Vico, Genovesi aimed to develop a more robust empirical approach that would enable the systematic study of different legal systems based on concrete historical information and experiences. This approach sought to move beyond the derivation of historical truth (*la verità della Storia*) and general consequences from a few facts and the spirit of the people. Genovesi explicitly stated that Montesquieu's work fell short in this regard, emphasising that he was some way removed from developing detailed knowledge on this matter.[36] Moreover, Genovesi's critique of Montesquieu in 1748 aligned with Doria's earlier affirmation in his *Vita civile*, which stated that the types of government could be as varied as the different ways in which peoples should be governed according to their specific circumstances. Indeed, Genovesi was not inclined to limit forms of government to the three universal models proposed by the French philosopher.

In line with Doria and Genovesi, Salas defines despotic government as one where a single individual rules arbitrary outside the bounds of the law, relying on fear as the guiding principle. Under such a despotic government, people have no private property and face severe limitations to their most basic rights, including property ownership,[37] which Salas considered to be extreme servitude. Additionally, the rights of the *patres familias* are curtailed, and subjects receive minimal benefits from society, further worsening their circumstances.

Like Genovesi, Salas advocated a moderate monarchical regime in which the rule of law prevails, power is limited, and people enjoy the freedom established by law. He proposed a set of laws and intermediate bodies, such as the nobility and the church, acting as counterbalances to the power of the sovereign and protecting the political freedoms of the people. This viewpoint aligns with the Neapolitan discussion on the importance of having a society divided into different orders that counterbalance each other, and the design of a framework ultimately establishing a rule-of-law state. Although Salas leaves undetermined the nature of the church and no-

34 Montesquieu: Spirito delle leggi del Signore di Montesquieu con le note dell'Abate Antonio Genovesi. Naples 1777 [1748], pp. I–CXVIII.

35 Astigarraga: Luces y republicanismo (see note 20).

36 Montesquieu: Spirito delle leggi (see note 34) p. LXXXI.

37 Salas: Apuntaciones (see note 26) chap. VI.

bility he envisioned, it is evident he did not refer to the existing disorderly versions. Like the Neapolitan political philosophers, especially Doria and Vico, Salas outlines various mechanisms to prevent the decline of monarchy into despotism. Among the risks he identified are the loss of support of the nobility and the church, the concentration of people in the capital and court, and the misuse of reward systems to corrupt the spirit of the nobles. Distinctively, Salas placed greater emphasis on maintaining the privileges of associations, cities, and towns,[38] an inclination possibly shaped by his consideration on the effects of the Nueva Planta Decrees which dissolved the long-standing forms of defence of the privileges and local liberties of the Crown of Aragon. In this context, it appears plausible that Salas was cautious not to speak at length against highly valued forms of local self-governance, given the changing political landscape.

He considers the potential for reform within the nobility and the church. While Salas generally supports moderate monarchy constrained by intermediate bodies like the nobility and the church, he does not withdraw from criticising issues related to them. In addressing the corruption of the nobility, a theme emphasised by Doria and Genovesi, Salas underscores the role of vanity in weakening individuals' virtues and rendering them susceptible to servitude. This perspective resonates with the Machiavellian republican framework presented by Doria in his *Vita civile* for the evaluation of human actions. In a similar vein to Genovesi, Salas acknowledges luxury as a useful mechanism that invigorates the circulation and redistribution of wealth. Additionally, Salas highlights the detrimental impact of an excess of idle nobles or their abuse of privileges that corrupt a moderate monarchy. Specifically, he addresses the problems stemming from the entailed state resulting from primogeniture, *mayorazgos*, and uncultivated lands.

Salas's positive inclination towards the civil philosophy of the Neapolitans mostly informed his perspective on the utility of religion and the church within civil society. He considers religion to be humanity's most ingenious and beneficial invention, with educated nations embracing it as compatible with civil virtue and the system of rewards and punishments. Salas acknowledges the potential of religious principles in guiding individuals towards virtue, and commends wise legislators who successfully integrate religious laws with the interest of people. Like the Neapolitans, he advocates a civil religion that addresses the sociability of individuals, emphasising the binding force of laws and society, aiming to eliminate religious fanaticism.[39]

Employing the Neapolitan republican framework Salas treats the republic as a spectrum of state variations in which persons love freedom. These republics are freely or legally constituted, if the latter then through laws designed to prevent the

38 Ibid. chap. IV.

39 Ibid. chaps. VI and XIV.

corruption of power. As with Doria and Genovesi, Salas emphasises the principles of virtue and honour that play an essential role in maintaining moderation within monarchies. Virtue serves as the foundational pillar for all other virtues, prioritising the public good over private interests.[40] Salas emphasises the equal importance for republics of laws, education, and customs, stating that virtue is essential for happiness and adherence to the law.[41] His stance aligns closely with solutions proposed by Neapolitan civic philosophers, treating virtue as the foundation of sociability, as the binding element for law and happiness representing the means to improve oneself in civil society. In this Italo-Spanish context a Ciceronian urban discussion on civil virtue finds its rightful place. Salas argues for the participation of citizens in republican governments, with rotating appointments and access to office based on merit and transparency, challenging the prevailing venality of office. He emphasises the importance of virtuous magistrates and authorities in preventing the corruption of all forms of government. Like the Neapolitans, Salas emphasises the importance of including new magistrates as expert advisers in legitimising their position within secretariats of state.

Salas identifies the cultivation of virtuous customs and education as central for nurturing sociable and useful citizens. Drawing inspiration from the Neapolitan approach to civil education, he seeks to lends the laws, civil society and love of country a binding force by making Lycurgus's strategy the exemplary model for moral education and for the legislator.[42] Salas argued for public education over family instruction.[43] Like Doria, Genovesi and Filangieri, Salas believed that public education should be accessible to all, including women, to counteract the constraints imposed by guilds, religion and morals, aiming to instil a sense of civic duty, love of work and of country, and the advancement of arts and crafts.[44]

Echoing Vico's *Scienza nuova* on the need to update laws, Salas acknowledges the importance of adapting educational systems to the specific forms of government in each country[45] And shares Vico's and Genovesi's belief in updating all education,

40 Salas: Apuntaciones. (see note 26), chap. VI.

41 Ibid. chap. XIV.

42 On Lycurgus see Salas: Apuntaciones (see note 26) chap. VI; Gaetano Filangieri: La scienza della legislazione. Naples 1780–1791, 5 vols, lib IV. part I. chaps. I and II; there is a new edition by Vincenzo Ferrone. Venice, 2003 in 7 vols. On the discussion of Lycurgus as the model of legislator see Adriana Luna-Fabritius: The Lawgiver in Eighteenth-Century Neapolitan Political Thought: Charting Mediterranean Liberalism. In: Constitutional Moments. Founding Myths, Charters and Constitution through History. Ed. by Xavier Gil. Leiden 2024, pp. 268–288.

43 Filangieri: Scienza della Legislazione (see note 42), book IV. part I. chap. II; and Salas: Apuntaciones (see note 26), chap. VI.

44 Filangieri: Scienza della Legislazione (see note 42), book IV, part II, chap. II and Luna-Fabritius: The Lawgiver (see note 42) and Salas: Apuntaciones (see note 26) chap. XIV.

45 Antonio Genovesi: Delle Lezioni di Commercio. Ed. by Maria Luisa Perna. Naples [1765–1767] 2005, pp. 257–891. From now on quoted as Lezioni. In part. I, cap. VI; Filangieri: Scienza della

law, economy and society with respect to the stage of civilisation reached by each nation. Doria's civil philosophy, rooted in his notions of self-love and honour, envisaged a process in which civilisation, comfort and luxury would be progressively enhanced.[46] Doria and Salas placed greater importance on custom than law. Like the former, Salas in his *Apuntaciones* argues that the maintenance of an austere economic system and strict agrarian legislation maximises equality,[47] asserting like Genovesi that corrupt customs lead to the corruption of civil society and its laws.[48] Here the problem for the Neapolitans is not the accumulation of wealth through the commercialisation of goods, but the maintenance of virtuous customs.

A significant departure from Doria's stance is Salas's argument that preventing the accumulation of wealth will safeguard the homeland. He supports an agrarian economy and regulated trade with regulated profits so as to deter the concentration of wealth and ensure the security of property. Echoing Genovesi's ideas from the *Lezioni* on labour as property, Salas contends that individuals are born with no other inheritance than their capacity for work. He criticises the exploitation of the poor by the wealthy, which leads to poverty and dependence, reinforcing the existing form of dominion. Salas underscores the importance of the independence of labour and the freedom of public assembly in avoiding subjugation.[49] According to Salas, property is a fundamental right that should be safeguarded by legislation, prioritising it over civil status.[50] Here he was aligned with Filangieri, particularly regarding his criticism to property issues such as primogeniture *mayorazgos*, entailed estates, and uncultivated land.[51]

Much like Doria and other Neapolitans, Salas considers honour to be the cornerstone of one's love of country, supported by a love for glory. Some scholars have linked this discussion on virtue to the writing of Mably from 1763, and Helvétius from 1772, also including Filangieri in this intellectual lineage.[52] But Salas also highlights the importance of love of glory as a driving force behind social and political order, a perspective aligned with Doria's *Vita civile*. Hence Salas aligns himself with Neapolitan discussion, particularly in his conceptual choices and definition of the notion of love of country. It is noteworthy that Doria's model had not only passed down to Genovesi and Filangieri, but also attracted considerable attention in influential journals of his time, such as the *Bibliothèque Universelle* in 1716. For Doria,

legislazione (see note 41), book IV, part I, chap. III; Salas: Apuntaciones (see note 26), chap. VI and Luna-Fabritius: Reform and Utopia (see note 7).

46 Genovesi: Ibidem.

47 Salas: Apuntaciones (see note 26), chap. II.

48 Genovesi: Lezioni (see note 45), chap. XIV.

49 Salas: Apuntaciones (see note 26), chaps. X and XI.

50 Ibid., chap. XXI.

51 Ibid. and Filangieri: Scienza della legislazione (see note 42) books I, II and VI.

52 Astigarraga: El debate sobre las formas de gobierno (see note 29), pp. 24–26.

self-love, understood as a fervent love for glory and a desire for recognition in one's homeland, emerges as the motivating force for action, surpassing the love of wealth.[53]

These principles give rise to an idea of commerce aligned with the Neapolitan views that promotes the exchange of one's own goods and manufactures, emphasising a continual improvement of industry. According to Salas, in a monarchy taxation should strike a moderate balance stimulating the growth of wealth, neither as burdensome as in republican governments nor as minimal as in despotic regimes. He advocates a system of rewards and penalties rooted in individuals' adherence to appropriate customs as the most suitable approach for public utility. However, the greatest challenge facing the Spanish monarchy lay in its societal structure, anchored to family and patriarchal structures.

While presenting Salas's *Apuntaciones* for Genovesi's *Lezioni,* two unresolved matters arise. Firstly, what Salas's preferred form of political participation might be, what he sought to promote in Salamanca, remains an open question. While he does not explicitly discuss the need for a constitution nor reference French or American Revolutions, he does mention the convening of regular public assemblies for making political decisions. Secondly, the science of police, as discussed in these writings is a science of government that aims at providing happiness to the people, but requires further elucidation, considering its specific application within the context of the Spanish monarchy during the last decade of the eighteenth century.

3 New Elements of the Spanish Context for the Science of Police

The science of police in the Spanish monarchy has often been associated with the works of Louis Turquet de Mayerne (1573–1655) and his *Aristo-democratic Monarchy,* and with Nicolas De la Mare's (1639–1723) *Treatise on the Police*, where the stated objective was to lead human beings toward happiness.[54] This chapter by contrast proposes that the science of police initiated in the Hispanic monarchy prior to the seventeenth century in the ordinances for the state of affairs and the good govern-

53 P. Mattia Doria: La Vita Civile di Paolo Mattia Doria distinta in tre parti, aggiuntovi un trattato della Educazione del principe. Agusta [1709] 1710 and Luna González: From Self-love to Self-liking (see note 32).

54 As for example in Michel Foucault: ›Omnes et Singulatim‹: Toward a Critique of Political Reason. Power. New York 2000, pp. 318–319, and Michel Foucault: Sécurité, territoire, population. Paris 2004, pp. 434ff.

ment, and had already taken root in the American territories at that time.[55] Moreover, I argue that the concepts of happiness and police became linked by mid-seventeenth century to a pact between the monarch and the cities, a pact that was modified during the mid-eighteenth century in the Iberian Peninsula with the introduction and circulation of oeconomic texts.[56] I suggest that the science of the police played a pivotal role for both Genovesi and Salas in effecting a significant transition, articulated by the Cameral sciences, from a patriarchal structure to a society of individuals pursuing independence and equality under the rule of law. This progressive shift was instrumental in the shaping of new conceptions of rights and property, setting the stage for the Cadiz constitutional moment.

That the practices of police is in fact very much older is lent support by the articulation of new cities in the Hispanic monarchy. In the Spanish territories cities, towns, and villages held legal status,[57] with *patres familias* (neighbours) being entrusted with responsibility for the maintenance of good order and coexistence within the urban space.[58] According to Heikki Pihlajamäki, legislation in American cities was remarkably similar to modern European legislation, albeit with a higher degree of advancement and innovation. Referred to as police or good government, these terms were used interchangeably in *ius politiae*.[59] The *patres familias* sometimes functioned as judges and as *agentes de policías*. While judges wielded jurisdictional power, the police oversaw public order with domestic and economic authority.[60] In

55 Víctor Tau Anzoátegui: Casuismo y sistema: Indagación histórica sobre el espíritu del Derecho Indiano. Buenos Aires 1992, pp. 108–110; Ricardo Zorraquín Becú: Hacia una definición del derecho indiano. In: Revista de Historia del derecho 22 (1994), p. 407; and Heikki Pihlajamäki: Lo europeo en derecho: *ius politiae* y derecho indiano. In: Derecho y Administración pública en las Indias Hispánicas. Ed. by Feliciano Barrios Pintado. Castilla-La Mancha 2002. vol. 2, pp. 1363–1376.

56 Luna-Fabritius: The Secularisation (see note 8) and Adriana Luna-Fabritius: ›Signs of Happiness‹: A Proposal for a New Spanish Empire. In: History of Political Economy 53.3 (2021), pp. 515–532; and Luna-Fabritius: Cameralism in Spain (see note 14), pp. 245–266.

57 Óscar Mazín Gómez a. José Javier Ruiz Ibáñez: Las Indias Occidentales. Procesos de Incorporación Territorial a las Monarquías Ibéricas. Mexico 2012.

58 For the domestic focus of *Policey* in the German case see Tribe: Governing Economy (see note 19), pp. 33–34 and for the discussion on *Policey* and internal order in Justi see Tribe: Strategies of Economic Order (see note 1), p. 20.

59 Pihlajamäki: Lo europeo en derecho (see note 55) p. 1364. On the faster development of the derecho indiano see Tau Anzoátegui: Casuismo y Sistema, (see note 55), p. 108.

60 The *oidores* were judges of the Royal Audiences that were the former courts of the Kingdom of Castile. The Royal Audiences and Chancelleries were the highest organs of justice within Spanish Empire. Otto Brunner: Neue Wege der Verfassungs- und Sozialgeschichte. Göttingen 1980, pp. 87–123; Eduardo Gacto: El marco jurídico de la familia castellana: Edad Moderna. In: Historia, instituciones, documentos 11 (1984) pp. 37–66; Daniela Frigo: Il padre di familia. Governo della casa e governo civile nella tradizione dell'›economica‹ tra cinque e seicento. Rome 1985; Diana Balmori, Stuart F. Voss, Miles L. Wortman: Las alianzas de familias y la formación del país en América Latina. Mexico 1990; Jorge Gelman: La lucha por el control del Estado: administración y élites colonia-

these overseas urban spaces their responsibilities included price control, the promotion of production, the regulation of profits, and the treatment of poverty, and especially ensuring a stable food supply.

The history of the science of the police, also referred to as ›good police‹ or ›Christian police‹ in the Hispanic monarchy, is explored through an analysis of the laws governing the Indies (*derecho indiano*) and the ordinances and decrees issued by hearers (*oidores*) of the Royal Audiences, dating back to the sixteenth century.[61] However, these juridical practices and the legal documentation produced was significantly transformed in the second half of the seventeenth century and then again in mid eighteenth century when advances in the science of politics originating in France, Germany and Italy, together with new oeconomic texts, reached Spain with Charles III in the 1760s.[62] It is not argued here that this new science of police was merely passively adopted. Rather, that these new strategies modified existing asymmetrical juridical practices to reconfigure and improve a science of police in progress. This involves the transformation of existing legal practices within the Spanish monarchy, facilitated by its communicating networks. The emphasis is more on the encounter in America and Europe of different practices of police that foster a more theoretical science that evolves together with the conceptualisation of the rule of law and political rights.

The concepts of police and good government in the Spanish monarchy have been examined through ordinances addressing various administrative issues, such as organising cleaning, lighting, urban mapping, road maintenance, currency counterfeiting prevention, livestock control, grain cultivation, and other aspects related to settlers' customs. Over time, the definition of good order expanded to encompass

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les. In: Historia general de América Latina. 4 (1999) pp. 251–264; Jorge Hidalgo Lehuedé, Enrique Tandeter (eds.): Special issue Procesos Americanos hacia la Redefinición Colonial. In: Historia General de América Latina. 4 (1999), pp. 251–264; Marta Lorente (ed.): Special issue: De justicia de jueces a justicia de Leyes: hacia la España de 1870. In: Cuadernos de Derecho Judicial (2006); Romina Zamora: El Vecindario y los Oficios de Gobierno en San Miguel de Tucumán en la Segunda Mitad del siglo XVIII. In: Revista de Historia del Derecho 35 (2007) pp. 457–477; M. Elena Casaús Arzú: La pervivencia de las élites de poder en América Central: Siglos XVI–XX. In: Familia y organización social en Europa y América. Ed. by F. Chacón Jiménez, J. Hernández Franco, F. García González. Murcia 2009, pp. 197–216; Víctor Tau Anzoátegui, Alejandro Agüero (eds.): El derecho local en la periferia de la monarquía hispana. Siglos XVI–XVIII. Buenos Aires 2013.

61 Pihlajamäki: Lo europeo en derecho (see note 55); Bartolomé Clavero, Antonio Manuel Hespanha and Jesús Vallejo: Institución Histórica del derecho. Madrid 1992; Tamar Herzog: Sobre la cultura jurídica en la América colonial (siglos XVI–XVIII). In: Anuario de Historia del derecho español 65 (1995); A. Manuel Hespanha: European Legal Culture: Synthesis of a Millennium. Madrid 2000; Carlos Garriga: Orden jurídico y poder político en el Antiguo Régimen. In: Istor. Revista de Historia Internacional 16 (2004), pp. 1–21.

62 Lluch: El cameralismo ante la Hacienda de Carlos III (see note 17) and Luna-Fabritius: Cameralism in Spain (see note 14).

public security.[63] Thus, the science of police became synonymous with good order, and was integral to eighteenth-century administration. Good order was also understood as compliance with laws and ordinances, as well as the demonstration of courtesy, good manners, and civility in behaviour and customs, with the goal of guiding individuals towards happiness.[64]

Debates on happiness during the eighteenth-century lend us insight into the different traditions of natural law and political oeconomy, and into the transition from the language of natural law to that of political oeconomy in Naples. The different Neapolitan definitions of happiness represent different schools of political oeconomy rooted in distinct Catholic confessional foundations that emerged throughout the century.[65] One noteworthy school in the European landscape is associated with Antonio Genovesi, who developed an economic science from his chair of civil economy and his *Lezioni* which he intended as complementary to Bielfeld's theory of the state.[66] Two fundamental characteristics of Genovesi's *Lezioni* have been highlighted, offering insights into developments that occurred decades later in Ramón de Salas's Salamanca.

Genovesi's school of political oeconomy emerged as a product of the transformation of legal practices, culminating in the creation of what distinguished members of the Neapolitan *ceto civile* called civil economy. This civil philosophy was characterised by the separation of religious and secular matters.[67] It was rooted in scientific advancements and maintained a commitment to a continuous restructuring and updating arising from an evolving understanding of nature, including human nature and the environment. This commitment to innovation earned them the name *novatori*. Eighteenth-century Neapolitan political philosophies sought to advance oeconomic science while at the practical level seeking to dismantle a feudal order entrenched in patriarchal family structures that represented the main obstacle to societal improvement. This moment in the transformation of feudal society implied a critical step in the evolution of modern societies. [68]

63 Diego Pulido Esteva: Policía: del buen gobierno a la seguridad, 1750–1850. In: Historia Mexicana 60.3 (2011), pp. 1595–1642.

64 For a general study on political oeconomy as domestic oeconomia see Brunner: Neue Wege der Sozialgeschichte (see note 60) pp. 87–123; Germán Rodrigo Aguirre: The Politics of the Domestic and the Historical Boundaries of Statehood. Otto Brunner and his Historical-Conceptual Contribution. In: Anacronismo e Irrupción: Revista de Teoría y Filosofía Clásica y Moderna 10.19 (2020) pp. 12–41.

65 In Naples in addition to the ongoing institutionalising approach to economics of Genovesi's school, there was the emerging pro-French school represented by Ferdinando Galiani.

66 Luna-Fabritius: Reform and Utopia (see note 7).

67 Luna-Fabritius: Providence and Uses of Grotian Strategies (see note 8).

68 See Brunner: Neue Wege der Sozialgeschichte (see note 60), pp. 87–123; and G. Rodrigo Aguirre: Politics of the Domestic (note 64).

Theoretical and conceptual changes paralleled the social and legal transformations in various cities within the monarchy. Firstly, the economy outgrew domestic production and the exclusive patrimonial administration of families. Agrarian, commercial, and social development transcended the realm of patriarchal authority and serfdom. Secondly, natural disasters challenged an order maintained by patriarchal structures. Thirdly, the legal domain underwent similar transformation, particularly in the defence of privileges and local liberties, identified as forms of self-government of the cities. Although these efforts aimed to gradually expand the public sphere, they were not always successful.[69] It is crucial to note that the defence of the privileges of the city of Naples should not be conflated with the privileges of the nobility. These evolving societal needs and legal practices led to the transformation of the legitimation of power and theories of state formation. New forms of patriotism and public economy began to emerge, transitioning subjects from the guardianship of family patriarchs to that of police and ministers. The economic crises of the seventeenth century, along with natural disasters and pandemics across different regions of the monarchy, accelerated these processes in both America and Europe. Overseeing these changes were the members of the *ceto civile*, a composite group of *togato* and *forense* jurists, from whom the monarchy selected their ministers. Both branches recognised the imperative of improving the administration of justice and optimising agricultural and industrial forms of production. In Naples, this process coincided with the emergence and consolidation of several key scientific academies that promoted scientific advancement and fostered cultural development, thereby becoming the driving force behind the Neapolitan enlightenment.

The *ceto civile*'s role expanded their involvement in matters that later became the focus of a more articulated political oeconomy, particularly promoting the happiness of city inhabitants, ensuring the pact between the monarch and the cities since the 1650s. Two key questions emerged with the improvement of production methods: land ownership, especially wastelands, and issues of labour and vagrancy. In Naples, these issues were particularly significant due to the city's size, already considered a megalopolis during this period, and the enormous size of the Church. The Viceroyalty of Naples was of great importance in the hierarchy of Spanish viceroys, requiring considerable experience to govern such a city, representing the zenith of the Spanish viceroys' *cursus honurum*. However, the problem of supply extended beyond the patriarchal sphere during the late seventeenth century, demanding specific attention.

The development of the bourgeoisie formed by the *ceto civile* in Naples was far from a straightforward, articulated process, and various interpretations have

69 Luna-Fabritius: Providence and Uses of Grotian Strategies (see note 8) and Adriana Luna-Fabritius: El *Ceto Civile* Napolitano y su Doble Rol en la Monarquía Española: Entre la Magistratura y la Defensa de Privilegios y Libertades Locales. Spain 2024.

emerged over the course of its history, of the *togato* and *forense* branches. Giuseppe Galasso viewed it as a flourishing and articulated process, while Rosario Villari considered it to be weak and undiversified. Villari argued that the emergence of the modern state in Naples was a slow and contradictory journey, especially regarding access and ideological autonomy, with public powers exerting limited influence in comparison with privileged bodies, resulting in adverse consequences for southern Italy.[70] On the other hand, Ivo Comparato emphasised that the Neapolitan *ceto civile,* primarily consisting of urban elites, had limited understanding of the social dynamics of the countryside. Therefore, it is not surprising that its role in managing supply became a pressing concern, and this issue rightly occupied a central place in Antonio Genovesi's *Lezioni*. Despite practical shortcomings, it is undeniable that the *ceto civile* accomplished significant theoretical success and played a crucial role in propelling the Neapolitan Enlightenment forward from the second half of the seventeenth century onward.

Salvo Mastellone's studies of the Neapolitan proto-bourgeoisie shed light on the fact that officers, often referred to as ›*officiali*‹, drawn from military hierarchy, had coercive power and were associated with various titles such as ›*magistrati*‹, ›*togate*‹, ›*ministry*‹ and ›*minister*‹ by the end of the seventeenth century.[71] The term ›*minister*‹ was also employed for the highest offices of the *Collaterale*. Ivo Comparato's research revealed that these offices were not considered functions, but dignities with or without *imperium*,[72] indicating authority. Consequently, studies of the *ceto civile*, of either *forense* or *togato*, primarily revolved around jurisdictional conflicts and the pressing need for reform in the judicial system, particularly in the context of the Legal Enlightenment, as developed in Raffaele Ajello's works.[73] Ajello went to great lengths to explain the rigid balance of power between the Spanish government, the nobility, and privileged bodies, highlighting the imperative for change. Masaniello's revolt of 1647 prompted a call for a new societal and political pact.[74] Despite the

70 R. Villari: La feudalità e lo Stato napoletano nel secolo XVI. In: Clio (1965) p. 575; Giuseppe Galasso: Considerazioni intorno alla storia del Mezzogiorno d'Italia. In: id., Mezzogiorno medievale e moderno. Torino 1965.

71 S. Mastellone: Note sulla cultura napoletana al tempo di Francesco D'Andrea e Giuseppe Valletta. In: Critica Storica 1.4 (1962) pp. 369–397; S. Mastellone: Francesco D'Andrea politico e giurista (1648–1698): L'ascesa del ceto civile, Florence 1969; V. I. Comparato: Giuseppe Valletta. Un intellettuale europeo della fine del Seicento. Naples 1970; S. Mastellone: Uffici e società a Napoli (1600–1647). Aspetti dell'ideologia nell'età moderna. Florence 1974.

72 Comparato: Giuseppe Valletta (see note 71).

73 R. Ajello: Il problema della riforma giudiziaria e Id. Il preilluminismo giuridico. Naples 1965.

74 A. Musi: Momenti del dibattito politico a Napoli nella prima metà del secolo XVIII. In: Archivio storico per le provincie napoletane 3.11 (1973) pp. 345–372; V. Conti: La rivoluzione repubblicana a Napoli e le strutture rappresentative, 1647–1648. Florence 1999; V. Conti: Il pensiero politico nell'età della crisi della coscienza europea. In: Il pensiero politico dell'età moderna. Da Machiavelli a Kant. Ed. by Alberto Andreatta, Artemio Enzo Baldini. Torino 1999, pp. 289–308; V. I. Comparato: From

crisis of the Spanish monarchy, exacerbated by the Thirty Years War, natural disasters, and the 1656–1658 pandemic – a topic that has somewhat been overlooked – it seems that the crisis of the Spanish monarchy reached its zenith during this period. It is within this historical context that we should evaluate the evolution of the *ceto civile* and its commitment to people's happiness and societal improvement.[75]

During the early foundation of American cities within the Spanish monarchy the magistracy was not entrusted to the members of an existing *ceto civile*, but to those who held jurisdictional power. These were the *patres familias*, deriving their authority from the protection of their households.[76] It is important to note that most eighteenth-century Spanish writers noted above were well aware of the American reality since most of them had personal experience of the different kingdoms. Governance of the city was regarded as an extension of household governance, and the *patres familias* exercised guardianship over economy and political administration. Within the domestic realm various normative orders converged to resolve conflicts, and judges' decisions carried significant weight.[77] Accordingly, it has been suggested that the Spanish monarchy relied more on the justice of judges than on codified laws in the new cities.[78]

While the roles of police and justice were theoretically distinct, they often intersected in practice, leading to confusion. Initially mayors (*alcaldes*) or neighbourhood judges handled both police and justice matters. However, police boards were later established within city councils (*ayuntamientos*). These police boards, alongside the mayor and the aldermen (*regidores*), focussed on implementing city edicts.[79]

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75 Luna-Fabritius: El *Ceto Civile* (see note 69).

76 Romina Zamora: El vecindario y los oficios (see note 60), p. 465.

77 Brunner: Neue Wege (see note 60) pp. 87–123; Eduardo Gacto: El marco jurídico de la familia castellana: Edad Moderna. Historia, instituciones, documentos 11 (1984), pp. 37–66; Daniela Frigo: Il padre di familia. Governo della casa e governo civile nella tradizione dell'›economica‹ tra cinque e seicento. Roma 1985; E. Voss, M. Wortman: Las alianzas de familias y la formación del país en América Latina. Mexico 1990; Jorge Gelman: La lucha por el control del Estado (see note 60), pp. 251–264; Marta Lorente (ed.): De justicia de jueces (see note 60); and Romina Zamora: Los ›pobres y libres‹ de la ciudad. Economía, población y nuevos sujetos sociales en San Miguel de Tucumán a fines de la colonia. In: Mundos Indígenas. Ed. by Rocío Delibes Mateos, Juan Marchena Fernández. Sevilla: Aconcagua, 2006, pp. 151–170; Zamora: El Vecindario y los Oficios (see note 60); Casaús Arzú: La pervivencia de las élites (see note 60); Víctor Tau Anzoátegui, Alejandro Agüero (eds.): El derecho local en la periferia (see note 60).

78 Lorente (ed.): De justicia de jueces (see note 60).

79 A regidor was a member of the council of municipalities in the Spanish monarchy and was the community representative (commissioner) before the municipal government. In New Spain for example, an *Ayuntamiento* (municipal council) was formed by an *alcalde* (mayor), one or two *síndi-*

It is important to emphasise that while the city constrained the king's authority, the authority of the police judge *agente de policía* was delimited within the household.[80] In the eighteenth century both the role of these agents of police and the domestic role of the father complemented each other and relied on coercive mechanisms that were not strictly jurisdictional, but rather patriarchal in nature.

Within the Spanish monarchy activities such as food price speculation and monopolistic practices were deemed crimes against public utility, the common good, moral economy, and religious charity. These offences could result in a range of civil and corporal penalties. Good governance and municipal police prioritised the principles of the common good and public utility. Thus, the management of grain supply fell within the ambit of the domestic economics, as the police's mission was maintaining social order in the cities. This entailed the regulation of monopolies and overseeing the industry of settled residents. Additionally, the police managed the poor and free individuals without property resident beyond city jurisdictions, areas characterised by poverty, crime, and disobedience. These individuals, often referred as idlers or vagrants, faced either permanent banishment from the cities or incorporation into a household order.[81] During the late-seventeenth and eighteenth centuries, these free individuals became a central point of police activity, which explored various ways of integrating them into ordinary justice. More broadly, the police also reported to prosecutors and mayors public crimes that required legal judgement, and intervened in situations that threatened the established household-based social order. According to Carlos Garriga, this system represented a convergence of theological and moral values with laws, rules, and customs – to this list we could add practices – resulting in a set of norms applicable to a specific time and location.[82] This blending of different domains has also been termed ›territorial constitutionalism‹.

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cos (attorney generals) and several aldermen *regidores* who meet in the *cabildo* (council of the city). Pulido Esteva: Policía: del buen gobierno (see note 63), p. 1599 and Romina N. Zamora: Sobre la función de la policía y el orden económico en San Miguel de Tucumán a fines del siglo XVIII. De presuntos delincuentes, acaparadores y monopolitas. In: Historia y Memoria 8 (2014), pp. 185–186.

80 Romina Zamora: Casa poblada y buen gobierno. Oeconomia católica y servicio personal en San Miguel de Tucumán, siglo XVIII. Buenos Aires 2017, p. 24.

81 Juan Manuel Santana Pérez: Castigo y control de los marginales. In: Joseph Fontana: Història i projecte social. Barcelona 2004, vol. 1, pp. 315–325.

82 Garriga: Orden jurídico y poder político (see note 6), pp. 1–21.

4 To Conclude

The eighteenth-century juridical and social structure of the Spanish monarchy's cities explains the growing interest in the science of police. Fostered by the 1784 translation of Justi's *Elements of Police*, scholarly work on the subject expanded significantly. This expansion was not confined to the academic centres of primary dissemination in Huesca and Salamanca, but reached further, as evidenced by seminal works like Hipólito Villaroel's *Illnesses of New Spain and the Remedies that Should be Applied to Cure it,* published in New Spain between 1785 and 1786,[83]and Manuel Nicolás Marín's 1792 *Discourse on Police*.[84] Additional contributions, such as Valentín de Foronda's *Letters on Police* from 1801[85] and Tomás de Valeriola's *General Idea of Police* (1798–1805), which was actually a translation of Nicolas De la Mare's *Treatise on the Police* (1639–1723), further enriched the discourse.[86]

According to Valeriola's translation of *De la Mare*, the initial focus of police for the ancient Greeks was primarily natural life. For modern society, however, its scope widened to include the good life: through religion and mores,[87] public wellbeing, healthcare, and the subsistence of citizens. Valeriola's evolved definition of the police incorporated a broader array of social domains that reflected the reality of police in the Atlantic cities, from public safety and tranquillity, discipline of customs, essential provisions, roads, public squares and liberal arts, commerce, manufactures and mechanical arts, to domestic servants, day labourers and the poor.[88] Of particular note is the evolution of poverty within this framework. Initially this was treated merely as an aspect of societal comfort, but became a primary concern of the police, earning its own line of inquiry.

In his *Discourse on Police* published in Granada, Manuel Nicolás Marín conceptualised the science of police as comprising two main branches: justice, and the

83 Hipólito Villarroel: Enfermedades políticas que padece la capital de esta Nueva España en casi todos los cuerpos de que se compone y remedios que se la deben aplicar para su curación si se quiere que sea útil al Rey y al público. 1785–1786.

84 Manuel Nicolás Marín: Discurso sobre la policía, escrito por D. Manuel Nicolás Marín, Relator de lo Civil de la Real Chancillería de Granada. Granada 1792.

85 Valentín de Foronda: Cartas sobre la policía. Segunda edición por D. Valentín de Foronda, Individuo de varias Sociedades literarias, de dentro y fuera del Reyno, de la Orden de Carlos III y de la Maestranza de Ronda, e Intendente del ejército. Pamplona 1820.

86 Tomás Valeriola: Idea General de Policía, o Tratado de Policía. Madrid 1801. It is an abridged version of the books I y II from vol. I of Delamare. See also Luis Jordana de Pozas: Presentación. In: T. Valeriola: Idea General de la Policía, o Tratado de Policía. Madrid 2006, p. XVIII and Ernest Lluch: La Idea general de policía de Tomás Valeriola. In: Recerques. In: Història, economía i cultura 10 (1980). pp. 125–137.

87 Valeriola. Idea General. 1801. Ibid. p. 15.

88 Ibid., p. 16.

police serving the public good and people's happiness. He envisioned this science as instrumental in providing maximal comfort to citizens. In contrast, Valentín de Foronda's *Letters on the Police*, written between 1792 and 1801, focused on creating an administrative manual directed toward the practical work of local police officials such as *intendentes*, *corregidores* and mayors. This manual covered a broad spectrum of issues, including public health, security, poverty, industry, agriculture, and commerce. In his *Letters* Foronda expressed his regret regarding the scarcity of substantive literature on the science of police in Europe, despite its absolute necessity. While he lamented that only *De la Mare*'s voluminous and difficult-to-digest works had come to his attention, he found Vitri's treatise uninteresting. Instead, Foronda held Bielfeld's treatise in high regard and deemed the *Methodical Encyclopedia* a valuable resource, recommending that *procuradores* of justice should own a copy.[89] Foronda's comprehensive expertise becomes particularly evident in his commentary on Puig i Gelabert's translation of Justi's *Elements of Police*, dated 1784. As well as his translation of Justi's work, Puig i Gelabert translated Jean Domat's *The Civil Law in Its Natural Order,* which included Domat's conceptions of police and which was introduced in his great work of public law, along with the *Laws of Castile and Catalonia*.[90] Publication was not however authorised by the Royal and Supreme Council of Castile.[91]

Turning to the university context, in the two most important universities of the Spanish monarchy, the Universities of Huesca and of Salamanca, the public law curriculum underwent significant transformation. In Huesca, the Royal Audience initiated the teaching of the science of police to modernise and systematically prepare jurists for their work. In Salamanca, the approach was more clandestine, leading to what Robledo described as a »Street Enlightenment« movement. Despite sharing a common goal of the societal and political transformation of Spanish feudal society, each faced different challenges due to the resistance of their respective societies and the political balance within the court. Catalan society planned the transformation of its patriarchal structure. In contrast, Castilian society, which had

89 Enciclopedia metódica. He is referring to Bielfeld's Instituciones políticas: Obra, en que se trata de la Sociedad Civil, de las Leyes, de la Policía, de la Real Hacienda, del Comercio, y Fuerzas de un Estado; y en general de todo quanto peretence al Gobierno. Escrita en idioma francés por el Barón de Bielfeld, y traducida al castellano por D. Domingo de la Torre y Mollinedo. Tomo Primero, Madrid 1767; vol. II, 1768; vol. III, 1771; vol. IV, 1772; vol. V, 1781; vol. VI, 1801; see also E. Lluch: Cameralisme corona d'Aragó i ›partit aragonés‹ o ›militar‹. In: Recerques. Història, economía i cultura 26 (1992), pp. 135–166.

90 Puig i Gelabert refers to Jean Domat's *Loix civiles leur ordre natural* from 1689. Domat's *Droit public* was translated by Juan Antonio Trespalacios in Madrid in 1788. For Puig i Gelabert see Ferran Armengol Ferrer: El dret a Catalunya després del 1714, vist a partir de l'obra d'Antoni Francesc Puig i Gelabert. In: I Jornada de Dret Públic Catalá. Ed. by Víctor Ferro Pomà, Josep Serrano Daura. Barcelona 2020, pp. 73–94.

91 Ibid., p. X.

initially permitted the transformation under Charles III's rule, later opposed it fiercely, permitting the Spanish Inquisition to attack the initiative's leader, Salas, resulting in the removal of his doctorate and banishment from Salamanca.

The consequences of all this were not uniform. While there was systematic integration of the science of the police into Catalonian academic and social structures, especially while the Count of Aranda held some power, the Salamanca initiative remained circumscribed and less formalised, articulated small hand-copied books from Salas's to Cadalso's tertulia. Despite these differences, both endeavours had significant impact on their participants, who later played crucial roles as deputies in Cadiz's constitutional moment. The members of the Salamanca initiative in particular later became instrumental figures and have been since treated as a breeding ground for Spanish liberalism.

In sum, the late-eighteenth-century Spanish context reveals a feudal society in dire need of transformation; and the science of police seemed to offer the possibility of initiating this from below. The confluence in Spain of both American and European experiences in the science of police was no mere coincidence, but is evidence of the awareness of the achievements of the science of police in those territories. There were evident limitations in existing social and economic institutions, requiring a departure from the traditional domestic space of the household, of patriarchal and feudal structures, toward a more expert-led-model society of individuals. Within this complex Spanish feudal landscape, the science of police emerged as an indispensable instrument for peoples' happiness and societal betterment.