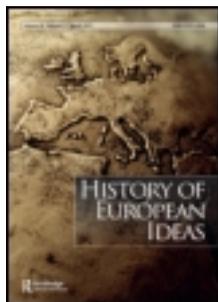


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Mouzinho da Silveira and the Political Culture of Portuguese Liberalism, 1820–1832

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Summary

Liberalism as an identity and as a political ideology was non-existent in Portugal, as in most of the countries of Ibero-America, before the beginning of the nineteenth century. But the semantic development of the term ‘liberal’ in Portuguese underwent a clear and rapid mutation in the following decades. It became associated with specific meanings in relation to constitutional issues and civil law matters. While the former prevailed between 1820 and 1823, the latter were dominant in the writings of Mouzinho da Silveira and his Civil War legislation of 1832 to 1834.

Keywords: Liberalism; Ibero-America; political economy; Portugal; constitution; reform

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1. Introduction

Liberalism as an identity and as a political actor was non-existent in Portugal, as in most of the countries of Ibero-America, before the second decade of the nineteenth century, as was demonstrated in the wide-ranging research carried out by Javier Fernández Sebastián.¹ Moreover, the term only acquired its political connotation during the 1820s. Despite Britain’s diplomatic importance and French political and cultural influence, specific Ibero-American interaction was extremely significant in the period between 1808 and 1834; that is, between the Iberian anti-Napoleonic revolts and the liberal victories in the civil wars in Portugal and Spain. This view runs counter to what is often inferred from various global history approaches, presented as an alternative to the earlier prevailing idea of the ‘Age of Revolutions’, which leaps from France and England to Africa and Asia but

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¹ See Javier Fernández Sebastián, ‘Liberalismos nacientes en el Atlántico iberoamericano: “liberal” como concepto y como identidad política, 1750–1850’, in *Diccionario político y social del mundo Iberoamericano. La era de las revoluciones, 1750–1850*, edited by Javier Fernández Sebastián (Madrid, 2009), 695–743.

in fact reproduces to a great extent the intellectual questioning of the Anglophone linguistic and cultural universe.²

The semantic development of the term ‘liberal’ in Portuguese underwent a clear and rapid mutation which set it apart from the way it developed in Spain. The classic meaning of the term, restated in the ample literature on the virtue of liberality, was still alive in 1789. The most reputable dictionary of the Portuguese language published that year had the following entry for the adjective ‘liberal’: ‘That which is generous in giving, and spending, without avarice or meanness; generous, § *Liberal art*, that which is not mechanical’.³ In the 1813 edition, however, a new meaning was added for ‘Liberal’: ‘free, frank, § “so much so that we prevented [the Moors from pursuing] this *liberal navigation*”’.⁴ ‘Liberal’ thus gained a commercial dimension before it acquired political features. The 1844 Lisbon edition of Moraes’ dictionary stated that the term ‘is also used to denote representative governments’.⁵

This change of meaning is closely linked to the political fortunes of the Portuguese pluricontinental monarchy. The French invasion of 1807 led the royal family to migrate to Brazil. After their arrival in 1808, Brazil’s ports were opened to the trade of allied nations, and Britain in particular, effectively putting an end to the metropolitan trade monopoly. In March 1810, the Prince-Regent Dom João sent from Rio de Janeiro to Portugal, where the Anglo-Portuguese forces were fighting the armies of France, a *Carta Regia* in which he justified in the following terms the measures which had been adopted: ‘I was inclined to adopt the most clearly demonstrated principles of good Political Economy, which are free and open trade [...] so that [...] the growers of Brazil could find the best markets for their products’, adding that ‘those same principles of a Grand and Liberal system of Trade are very much applicable to the kingdom’. The aim was thus to create the conditions ‘under which your capital can find useful employment in Agriculture’, and he ordered the Governors of the Kingdom (*Governadores do Reino*) to find ways of fixing the tithes and reducing, reforming or abolishing seigneurial rights.⁶ This declaration, which had undoubtedly been dictated by D. Rodrigo de Sousa Coutinho, a former minister who had gone with the royal family to Brazil in 1808 and thereafter regained their trust, ended up being applied to plans for reform which never came to fruition, because virtually the only measure actually implemented was the opening of the ports. Yet, beyond a moment of significant impact on political economy, especially in Brazil, it set clear boundaries for future ideas.⁷ The suggestions for reform of the seigneurial order would be taken up at a later date.

² See David Armitage and Sanjay Subrahmanyam, ‘Introduction: The Age of Revolutions, c. 1760–1840 – Global Causation, Connection, and Comparison’, in *The Age of Revolutions in Global Context c. 1760–1840*, edited by David Armitage and Sanjay Subrahmanyam (New York, NY, 2010), XII–XXXII.

³ António de Moraes e Silva, *Dicionário da língua portuguesa* (Lisbon, 1789). All translations are my own.

⁴ António de Moraes e Silva, *Dicionário da língua portuguesa*, second edition (Lisbon, 1813).

⁵ António de Moraes e Silva, *Dicionário da língua portuguesa*, fourth edition (Lisbon, 1844). See also Raphael Bluteau, *Vocabulário Portuguez & Latino*, 10 vols (Coimbra, 1712–1728).

⁶ Alberto Carlos de Menezes, *Plano de reforma dos foraes [...]* (Lisbon, 1825), 332–35.

⁷ See Valentim Alexandre, *Os Sentidos do Império. Questão Nacional e Questão Colonial na Crise do Antigo Regime Português* (Porto, 1993); *A economia política e os dilemas do império luso-brasileiro (1790–1822)*, edited by José Luís Cardoso (Lisbon, 2001); André Mansuy-Diniz Silva, *Portrait d’un homme d’État: D. Rodrigo de Sousa Coutinho*, 2 vols (Lisbon, 2002–2006); Tereza Cristina Kirschner, *José da Silva Lisboa: Itinerários de um ilustrado luso-brasileiro* (São Paulo, 2009); Gabriel Paquette, ‘José da Silva Lisboa and the Vicissitudes of Enlightened Reform in Brazil, 1798–1824’, in *Enlightened Reform in Southern Europe and its Atlantic Colonies, c. 1750–1830*, edited by Gabriel Paquette (Farnham, 2009).

The first liberals, in the political sense of the term, inherited the various cycles of legislative reforms undertaken by the monarchy, which had produced a variety of outcomes and drew on various sources of inspiration from the middle of the eighteenth century, including, in particular, late mercantilism and the new political economy. In fact, they had several agendas for economic and institutional, but not political, reform. The Portuguese pluricontinental monarchy, on the other hand, retained the means of political communication with its immense colonial territories (from which it received thousands of petitions every year), on which its financial resources depended, and prior to the nineteenth century demonstrated great capacity to integrate them politically.

The military and political implications of the French Revolution and the Napoleonic Empire, which initially differed in the two peninsular monarchies, were in the end similar, culminating in direct rule by the occupying French forces over the territories concerned. The Iberian revolts against the French occupiers in 1808 led to the formation of several juntas in all the territories of the Peninsula (both Spanish and Portuguese). But unlike in Spain, the centre of legitimacy for the Portuguese monarchy persisted on the other side of the Atlantic. The Spanish *Cortes* of Cádiz, meeting in 1810, and the various new parliaments in Hispanic America, would not be immediately replicated in Portugal, but their impact was felt in subsequent years. In both Brazil and Portugal there were various conspiracies and uprisings. But it was only in 1820, closely in line with what was happening in neighbouring Spain, that a military and civil *pronunciamento* in Oporto would bring about the first experience of a constitution in the modern era, one in which the summoning of the *Cortes* was associated with the demand for the king's return from Brazil.

2. The liberalism of the 20s

From where did the Portuguese liberals of 1820 draw their inspiration? We may make a somewhat artificial distinction between two clearly inter-related sources: constitutional issues (those associated with the political order in the strict sense of the term) and civil law. For a number of reasons, the former prevailed over the latter in terms of the strength of the argument. In this connection, the main point of reference was the Cadiz Constitution of 1812, and the Portuguese *Cortes* were ordered from the beginning to draw up a constitution which would be 'more liberal' than the Spanish one. But they did not ignore the other type, which is sometimes called the Ancient Constitution. The liberals could never afford to ignore history in order to legitimise their actions, and they never intended to settle the new political order in opposition to it.

The years following the French invasions (1814–1820) witnessed a genuine flurry of new periodicals in Portuguese, printed by Portuguese emigrants in London and Paris, which managed to evade all the prohibitions and circulate widely in Portugal and Brazil, now elevated to the status of a united kingdom. These publications regularly invoked the 'ancient constitution'. Though it might be said, as the journalist Freire de Carvalho observed later, that they did so 'because they did not want to frighten the government [...] and in the final analysis because they knew very well that the old *Cortes* carried the new *Cortes* within them', one of the legacies of those years was the fact that the *Cortes* had to meet, because such an event was consistent with the old monarchical constitution.⁸

⁸ José Liberato Freire de Carvalho, *Memórias da vida de José Liberato Freire de Carvalho* (Lisbon, 1855).

During the years 1820 to 1823, historical constitutionalism was constantly and insistently invoked.⁹ In the words of a moderate conservative like Francisco M. Trigozo de Aragão Morato, ‘whichever way you consider our ancient Constitution, [one perceives] the link to the one that followed’.¹⁰ But the message also came from more radical voices, like Manuel Borges Carneiro, who addressed those who opposed the intended new order in the following manner: ‘you are the innovators, you are the revolutionaries, you overthrew our old *Cortes* and the ancient principles of a tempered monarchy, to build up an absurd despotic power in whose shadow you maintain your egotism and your prevarications’.¹¹ Or, like Almeida Garrett, the man of letters who would later become a famous writer:

the [medieval] *Cortes* of Lamego, the existence of which can no longer be doubted, were the political constitution of the monarchy within the Portuguese monarchy itself [...] one of its principal declarations is that of our freedom; and the most sacred and inviolable rule established and preserved through so many years of glory is that of national representation by means of the *Cortes*.¹²

The almost universal invocation of the argument from ‘historic constitutionalism’, in other words, perceiving the origins of the new constitution in the historical tradition of the Portuguese monarchy, did not, however, in all the key questions on how powers were to be allocated, prevent the deputies of the 1820s, who remained extremely moderate in terms of the civil laws they drafted, from opting for a constitutional design which strongly limited the powers of the still-absent monarch in Brazil, exceeding the Cádiz model they had originally invoked. In effect, they adopted the principle of the ‘sovereignty of the nation’, granting the king only a suspensive veto over the decisions of the *Cortes*, making themselves the depositaries of legislative power and adopting a unicameral model which rejected census-based restrictions on voting rights.

Despite all of this, the liberals wanted to revive a medieval tradition which had existed until the end of the seventeenth century (1698), when the last *Cortes* had assembled with three Estates (Clergy, Nobility and People), even though their historical knowledge of the subject was limited. They did not know, for example, that Brazil had been sending representatives to the *Cortes* since 1653, or that the latter had met eight times between 1641 and 1698.¹³ In any event, a number of works had been published on the topic since 1812, some of them based on historical research. In fact, even though many maintained things had worsened since the fifteenth century, nearly everyone agreed with the statement made by the president of the parliament, Manuel Fernandes Thomaz, that ‘our grandparents were happy because they lived in the blissful centuries, when Portugal had a representative government in the nation’s *Cortes*’. To a certain extent, that invocation of history, which preceded the

⁹ See recent accounts: Gabriel Paquette, *Imperial Portugal in the Age of Atlantic Revolutions: The Luso-Brazilian World, c. 1770–1850* (Cambridge, 2013); *O colapso imperial e a revolução liberal 1808–1834*, edited by Jorge Pedreira and Nuno Gonçalo Monteiro (Lisbon, 2013).

¹⁰ Francisco M. Trigozo de Aragão Morato, Minutes of the Meeting of the Parliament on 20 February 1821, <http://debates.parlamento.pt> (accessed 12 April 2014).

¹¹ Quoted in Zília Osório de Castro, *Cultura e Política. Manuel Borges Carneiro e o Vintismo* (Lisbon, 1990), I, 481.

¹² Reproduced in Joel Serrão, *Liberalismo, socialismo, republicanismo: antologia de pensamento político português* (Lisbon, 1979), 57.

¹³ Pedro Cardim, ‘The Representatives of Asian and American Cities at the Cortes of Portugal’, in *Polycentric Monarchies: How did Early Modern Spain and Portugal Achieve and Maintain a Global Hegemony?*, edited by Tamar Herzog, José Javier Ruíz Ibáñez, and Pedro Cardim e Gaetano Sabatini (Eastbourne, 2012), 43–53.

so-called period of ‘absolutism’, was based on a somewhat idealised view of the Portuguese Middle Ages.

The other side of the problem was tied to reforms of the civil order, topics with which the *Cortes* were only moderately involved, but which they could not avoid. Liberals’ discourse adopted a historically-based point of view in relation to agriculture, trade, public finance, and manufacturing. As shall be explained later in this article, their sources of inspiration were multiple and heterogenous. But they nearly always involved a condemnation of the ‘feudal law system’ (in Borges Carneiro’s phrase), whatever they may call it, and the reclaiming of some of the reforms of the eighteenth century, that same century which had been condemned for its ‘absolutism’.

Special attention was given to agriculture, because most deputies always believed that it was through increased agricultural output that the monarchy would solve its financial problems. The prevailing answer lay, according to them, in the reform of seigneurial rights. This attitude was implicitly critical of the *forais* (seigneurial rights contained in the medieval town charters), but was also the adoption of what later came to be called the theory of Portugal’s decline, which was taken up by some critical thinkers in the first half of the eighteenth century. As Fernandes Thomaz stated, ‘up to the time of our glorious conquests in Africa and the Far East, agriculture was the strong bulwark supporting the structure of our society’.¹⁴ The empire, and everything associated with it in the sixteenth century, was the reason for agriculture’s decline and for the need to import grain, in particular to supply bread to Lisbon. The reforms were the path to ‘regeneration’, which was the new goal.

As far as foreign trade was concerned, in a context in which the loss of the Brazilian trade monopoly was being felt in dramatic fashion, the *Cortes*’ policies fluctuated. But if only because this issue was closely tied in with the crisis in manufacturing, they were a long way from adopting unrestricted free trade. In actual fact, the independence of Brazil in 1822 would hasten the end of Portugal’s first experience with liberalism. The collapse of the liberal triennium in Spain in 1823, with the arrival of the French *One Hundred Thousand Sons of Saint Louis*, would produce the same outcome in Portugal.

3. Mouzinho da Silveira

The second cycle of Portuguese liberalism began in 1826, when D. Pedro, self-proclaimed Emperor of Brazil and successor to the Portuguese crown, sent to Europe the constitutional charter directly inspired by the Brazilian Constitution of 1824. From then until the final triumph of 1834, it can be said that constitutional issues almost disappeared from discussion among liberals—on the one hand because the *Carta* now represented the norm, and on the other because the strength of the counter-revolution did not leave any room for manoeuvre. Between 1826 and 1828 there was to be an intermittent civil war, leading to the ultra-realist government of D. Miguel (1828–1834), during which more than 20,000 liberals were sentenced to prison or escaped to political exile abroad.

In this context, the debate on the civil order and its legislative process would occupy pride of place, before constitutional law. There was a debate among the Liberals from 1830 onwards on how to win the war. They agreed almost unanimously on the need to end privileges, but they did not know how this could be brought about, whether in a more gradual, or a more drastic, way. With thousands of liberals imprisoned or exiled, Terceira

¹⁴ *Relatorio feito às Cortes Geraes [...] pelo deputado Manoel Fernandes Thomaz* (Lisbon, 1821), 6.

Island, in the Azores, was the only part of the monarchy which did not recognise D. Miguel's regime, and it was here that D. Pedro, after abdicating as emperor of Brazil, would land in 1832. It was also in these remote islands, and later in the city of Oporto after the liberals had disembarked there, that the legislative foundations of the liberal civil and political order would be laid down, with exuberant haste and in great quantity. The most prominent author of those laws was a jurist, former minister, and deputy in the liberal parliament in 1826–1828 who had been profoundly marked by his long experience as a magistrate but was also influenced by the political economy of Adam Smith and, secondarily, by the liberalism of the French 'Doctrinaires': José Xavier Mouzinho da Silveira (1780–1849). His works and his laws (mainly written between 1828 and 1838) contain the most systematically conceived formulation of the Liberal State in the Portuguese context up to that time. It was a conception which inspired much of the legislation produced during the Civil War of 1832 to 1834, which would end with the complete victory of the liberals and the abolition of those aspects which were considered essential to the legal order of the Old Regime.

As had happened before, Mouzinho's thought, which in part reclaimed the legacy of the liberal triennium (1820–1823), had a strong emphasis on financial matters. But this time there was a new and irreversible factor, which had emerged in outline during the first triennium: 'it is not possible for a State which lived off its colonies alone, and which loses them, to survive for long without radical reforms'.¹⁵ The definitive separation of Brazil had changed things irretrievably. As he wrote in the preamble to the decree of 30 July 1832 abolishing ecclesiastical tithes:

the Kingdom, having made great Conquests, lived for over three centuries off the work of slaves. When the slaves were lost, it became necessary to find a new way of existing, multiplying value by our own work [...] in the separation of Brazil I saw an event which would have even greater consequences than its discovery.¹⁶

In effect, as he had written earlier, 'secular clerics had tithes shared with aristocrats [...] and all that far surpasses all state revenues'.¹⁷ In the decree of 13 August 1832, which abolished *foraes* (town charters) and crown donations, the clear separation between public and private did not allow private persons to receive tribute, a category which incorporates tithes and seigniorial rights:

(Art. 4) Taxes and tribute paid by the People, being essentially destined for public expenditure, shall not be part of the Assets of any Guild or Individual of any hierarchy of any sort: taxes and tribute are of a general nature, and are to be shared among all the inhabitants of the Monarchy, according to the general laws.¹⁸

Mouzinho believed that there was no aristocracy in the world 'so productive of evils' as the Portuguese,¹⁹ and his legislation certainly sought to attack 'the privileged people who

¹⁵ 'Il n'est pas possible, qu'un Etat qui ne subsistait que des colonies, et qui les perd, puisse vivre longtemps sans des réformes très radicales'; see José Xavier Mouzinho da Silveira, *Obras de Mouzinho da Silveira*, edited by Miriam Halpern Pereira, Valentim Alexandre, and Magda Pinheiro (Lisbon, 1989), I, 509. The manuscript was written in 1829.

¹⁶ Reproduced in Miriam Halpern Pereira, *Revolução, finanças, dependência externa: (de 1820 à convenção de Gramido). Antologia* (Lisbon, 1979), 201.

¹⁷ 'Les séculiers possédaient les dîmes en partage avec les aristocrates [...] et tout cela surpasse de beaucoup tous les revenus de l'Etat'; see Mouzinho da Silveira, *Obras*, I, 518.

¹⁸ Reproduced in Miriam Halpern Pereira, *Revolução, finanças, dependência externa:* (Lisbon, 1979), 167.

¹⁹ 'Aussi productrice de maux'; see Mouzinho da Silveira, *Obras*, I, 518.

lived off others' sweat, and thought kings had the right to dispose of the People's property, because in fact they disposed of those goods in their favour', knowing it was necessary 'to take advantage of the knowledge of civilised Europe, and seize from the hands of one's enemies the fruit of the Peoples' labours'.²⁰ Like many Iberian thinkers of his generation, Mouzinho made critical comparisons of the Peninsula with an idealised image of Europe. The responsibility could be laid at the feet of Catholic 'superstition' or, as in this case, the Arab inheritance: 'an excellent work to be done would be that which showed us all that is still Arab in the laws, the customs and the character of the Portuguese, and the Spanish'.²¹ As he stated repeatedly, 'it is not my intention to seize anyone's property', because 'without free land it is in vain that we invoke political liberty'.²² What he wanted was precisely to free property from the bonds which restricted it and, with a typically Smithian optimism, increase the general wealth and, with it, the taxable mass: 'my aim is not to do, but to let do; my Treasury is not in Arithmetical Accounting, it is in public wealth, in the increase in the taxable matter'.²³

It may be said, therefore, that in separating public and private, a notion which would lead him and others after him to abolish various privileges and monopolies and the mechanical trades' guilds, Mouzinho was guided by an idea of the state which both separates it from the private sphere and reduces its responsibilities, strengthening only the defence of its citizens and of property against the arbitration of the state. And he condemns, for example, the dominance of Lisbon: 'this absurd situation arises from the idea of enlarging the city where the King resides, it comes from this vice of calling the State to the capital, and the capital to the court'.²⁴ Or, yet more emphatically, he distanced himself from the legacy of Pombal (1755–1777):

the Marquis of Pombal was not a supporter of France, nor did he ever think of free trade ideas as the sole enemies of England [... whereas] following the ideas of his time he believed that it was for the government to do everything, and regulate everything [...] he followed the ideas of monopoly, founded the Court, and took away the Nation's appetite for industriousness by making laws unfit for industry, and above all when he placed all authority and government in the hands of the despot, which before him had resided in the moral entities, which he deprecated; and from which he tore the people's respect.²⁵

He also condemns deficit spending to meet current expenditure, since 'a State loses itself without recourse, when it takes on loans to pay the ordinary deficit'.²⁶

Nevertheless, Mouzinho had a clear notion that the monopoly of the exercise of legitimate authority, which is characteristic of the liberal State, required an unprecedented strengthening of its powers, at the same time as it withdrew from the domain of 'property'. Thus he wrote,

²⁰ Reproduced in Miriam Halpern Pereira, *Revolução, finanças, dependência externa*: (Lisbon, 1979), 163.

²¹ 'Un excellent ouvrage a faire serait celui qui nous montrerait tout de qui est encore arabe dans les lois, dans les usages, et dans le caractère des Portugais, et des Espagnoles'; see Mouzinho da Silveira, *Obras*, I, 521.

²² Reproduced in Miriam Halpern Pereira, *Revolução, finanças, dependência externa*: (Lisbon, 1979), 165.

²³ Reproduced in Miriam Halpern Pereira, *Revolução, finanças, dependência externa*: (Lisbon, 1979), 203.

²⁴ 'Cette absurdité vient de l'esprit d'agrandir la ville où est le Roi, vient de ce vice d'appeler l'Etat à la capitale, et la capitale à la cour'; see Mouzinho da Silveira, *Obras*, I, 531.

²⁵ Mouzinho da Silveira, *Obras*, I, 566.

²⁶ Mouzinho da Silveira, *Obras*, I, 626.

It has been said, it is true, that liberalism is ancient, and absolutism modern, but this truth must be properly understood if Europe is not to appear retrograde. Ancient liberalism existed not because of the strength of the people, nor by their superior knowledge, but by the weakness of governments, and by the existence of many different opposing forces. Governments ridded themselves of those forces little by little, and in modern societies no guild is more powerful than the government which, having undone or forced all into submission, seems more powerful, and more influential, than ever.²⁷

Thus, for Mouzinho,

the liberalism of the ancients was not derived from the strength of public opinion, nor their knowledge; rather it consisted of the spirit of privilege, and of the indomitable character of the great classes [... but meanwhile] governments little by little demolished all opposition, and before the French Revolution nearly all governments on the continent of Europe had acquired the force they needed to do as much evil as they wished, and to compress all the differences.²⁸

Finally he states that

modern liberalism is something very different; it does not consist of the privileges of the cities, nor of the spirit of the guilds, but is the result of analysis applied to the government's deliberations, and of the natural desire to improve one's condition [...]. It is essential that within a short space of time all Europe be governed by opinion; or that the peoples who make it worth what it is, be reduced to despotic government.²⁹

Even more important than examining the way Mouzinho conceived of how a government of 'opinion' should express itself, we should stress that he always highlighted, in accordance with a well-known formula, that

man's unique advantage is that he is free, and has none above him, other than the law, and [...] for each man to be able to place the law in opposition to the exercise of one man's judgement it is necessary that public force be part of that resistance of the law.³⁰

The primacy of law and the protection of individuals' rights did not therefore preclude the intervention of 'public force'. In fact, in line with the strengthening of the executive power brought about by the 'moderating power' granted to the king by the *Carta*, Mouzinho was an upholder of strong government, albeit limited by citizens' individual rights and indeed guided by the strength of public opinion. He justified some of his actions on the grounds that he was 'a strong believer in the unity of government, had learned Portugal's history, and that the country had never been well governed except when that unity existed'.³¹ In May 1832, the preamble to decrees on the administration of the Portuguese state affirmed that 'the most beautiful and useful moral discovery of the

²⁷ Mouzinho da Silveira, *Obras*, I, 682.

²⁸ Mouzinho da Silveira, *Obras*, I, 682.

²⁹ Mouzinho da Silveira, *Obras*, I, 682–83.

³⁰ Mouzinho da Silveira, *Obras*, I, 710.

³¹ Mouzinho da Silveira, *Obras*, I, 624.

past century was undoubtedly the difference between administering and judging'.³² Thus not only were the country's public finances reorganised, but a total separation was achieved between administrative and judicial power at all levels of government. In terms of administration, elected local government (councils) would be under a government-appointed ombudsman, who was part of a hierarchy which included the prefect and sub-prefect (at the provincial level), and finally the minister of the kingdom. This aspect of the reform, which was strongly resisted from the outset, being of a clearly Napoleonic inspiration and generally regarded as having a strong centralising effect, left a long-lasting mark on Portuguese government.

4. Conclusion

The judgements of Mouzinho's contemporaries on his reforms were not unanimous. Some, like the first count and duke of Palmela, thought that

it was during the Duke of Bragança's sojourn in Angra [Azores] that decrees on administrative, judicial and economic reforms were published, undoubtedly emanating with imprudence and haste from the head of José Xavier Mouzinho da Silveira, who thought those reforms would be more effective in promoting the liberal reaction in Portugal than the expedition which was then being readied, and it was boasted that the pain they caused would make it unnecessary to resort to arms.³³

While others, like Almeida Garrett, who was among those who drafted the legislation, would offer him up as an unpolluted hero and would see 'the laws [...] of 1832 as a great monument; they are the point where the old Portugal ends and the new Portugal begins'.³⁴ Mouzinho da Silveira's was liberalism 'by decree', as it was established in nineteenth-century Portugal. According to this view, the only way to counteract the collapse of the empire would be the introduction of radical reform in the internal civil order. This was one of the meanings of liberalism in Portugal.

Acknowledgments

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³² Reproduced in Miriam Halpern Pereira, *Revolução, finanças, dependência externa*: (Lisbon, 1979), 217.

³³ Duque de Palmela, *Memórias do Duque de Palmela*, edited by M. Fátima Bonifácio (Lisbon, 2011), 236.

³⁴ João Baptista da Silva Leitão de Almeida Garrett, *Memoria Historica de J. Xavier Mousinho da Silveira por J. B. de Almeida-Garrett* (Lisbon, 1845), 15.