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DECLARATIONS OF INDEPENDENCE OF THE UNITED STATES AND THE SPANISH AMERICAN NATIONS: TOWARDS A COMPARATIVE ANALYSIS

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DECLARATIONS OF INDEPENDENCE OF THE UNITED STATES AND THE SPANISH AMERICAN NATIONS: TOWARDS A COMPARATIVE ANALYSIS[2]

This research is an attempt of an outline of the relevant lines of comparison between the declarations of independence of the United States and Spanish American nations. For the first time in historiography the exhaustive list of Spanish American declarations of independence is compiled. The questions risen by this attempted comparison lead to a reconsideration of the main problems of the New World independence movements and in the final account, to the discussion of a nature of the British and the Spanish colonial societies in Americas, and thus do not have clear and final answers.

Keywords: declarations of independence, U.S. Declaration of Independence, Spanish American War of Independence, Atlantic revolutions, inter-American relations, popular sovereignty

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A British-American historian David Armitage rightly observed that the U.S. Declaration of Independence of July 4, 1776, marked the beginning of a new 'genre' in the international law.[3] In fact the U.S. Declaration has only two real predecessors: the Act of Abjuration (*Plakkaat van Verlatinge*), signed on 26 July, 1581, in which the States General of the Netherlands formally declared their independence from the Spanish Habsburgs, and the Corsican *Règlement* of January 30, 1735, which proclaimed independence from Genoa.[4] Declarations of Independence became possible when the concept of the state sovereignty gradually developing in the sixteenth and seventeenth centuries was finally established as the ultimate foundation of international law, – as we can see, e.g., in the well-known influential treatise *The Law of Nations or the Principles of Natural Law Applied to the Conduct and to the Affairs of Nations and of Sovereigns* published by the Swiss scholar Emer(ich) de Vattel (1714–1767) in 1758.

Most declarations of independence follow roughly the same basic structure; they begin first by proclaiming the principle of natural law (later, the right of self-determination according to the positivist conception of international law); they then proceed to declare the principle of popular sovereignty; finally, most declarations end with an explanation of the reasons why the independence has been declared not only to one's own compatriots but to the world at large. This is how what used to be called a riot or an uprising now becomes a legitimate war of independence – war between two separate countries.

The first real 'successor' of the U.S. Declaration of Independence was the Flemish Manifesto of Independence from the Austrian Habsburgs, declared by the States of Flanders during the Brabantine Revolution on January 4, 1790, which was, however, suppressed the very same year; Flanders together with Wallonia would gain their independence only in 1830 forming the new Kingdom of Belgium. Besides the Flemish Manifesto, there are two other important documents which may be classified as declarations of independence only with a certain caution: the Haitian

[3] David Armitage, *The Declaration of Independence: A Global History* (Cambridge, Ma., 2007).
On the creation of the U.S. Declaration of Independence, see, Pauline Maier, *American Scripture: Making the Declaration of Independence* (N.Y., 1997). For an in-depth analysis of its content, see, Gary Wills, *Inventing America: Jefferson's Declaration of Independence* (N.Y., 1978).

[4] *Plakkaat van Verlatinge* acknowledges the monarchical sovereignty emanating from God; monarchs lose it when they violate the natural rights of the people. These notions go back to the Old Testament: Deut. 17: 14–20 (God limits the kings' power by the Mosaic Law); 1 Kings 8: 11–18 (prophet Samuel on the demand of the people asks God to give a king to Israel, and God is describing the abuses of autocracy).
Ideas of the *Plakkaat van Verlatinge* may be inscribed in the 'monarchomachy' of the intense struggle between Catholics and Protestants at the last tier of the sixteenth century. Among theoreticians of the 'monarchomachy' Calvinists and Jesuits were most prominent. See, Leopold von Ranke, "Die Idee der Volkssouveränität in den Schriften der Jesuiten", *Historisch-Politische Zeitschrift*. Bd. II (1833), ss. 606–616; Rudolf Treumann, *Die Monarchomachen. Eine Darstellung der revolutionären Staatslehren des XVI. Jahrhunderts* (Leipzig, 1895); Otto von Gierke, *Johannes Althusius und die Entwicklung der naturrechtlichen Staatstheorie. Zugleich ein Beitrag Zur Geschichte der Rechtssystematik* (Breslau, 1880); Quentin Skinner, *The Foundations of Modern Political Thought, vol. II, Reformation* (Cambridge, 1978), pp. 189–348; Robert von Friedeburg, *Widerstandsrecht und Konfessionskonflikt: Notwehr und Gemeiner Mann im deutsch-britischen Vergleich, 1530–1669* (Berlin, 1999). On the Huguenot 'monarhcomachs', see, *"Et de sa bouche sortait un glaive": Les Monarchomaques au XVIe siècle*, Paul-Alexis Mellet éd. (Genève, 2006); И. Я. Эльфонд, *Тираноборцы. Из истории французской политической мысли XVI в.* (Саратов, 1991).

Declaration, which has no official title, of Jan 1, 1804, and the Serbian Proclamation of Karađorđe (February 21 / March 5, 1809).

The Latin American Wars of Independence have produced a real host of declarations of independence (under this exact title). Unfortunately there is still no complete scholarly edition of all the American declarations from 1810–1826. In this paper, I would like to outline the relevant lines of comparison between the declarations of independence of the United States and of the Spanish American nations. Later I hope to develop my research and undertake a more detailed comparative analysis of declarations.

In spite of the seeming obviousness of the comparison between the U.S. and the Spanish American declarations of independence, this subject has been almost completely overlooked by scholars. E.g., the published proceedings of the *Journal of American History* roundtable on the translations and reception of the Declaration of Independence include articles by Joaquim Oltra about Spain and Josefina Zoraida Vázquez about Mexico.[5] Oltra focuses solely on Spain in its present borders, and, obviously ignoring the important research of Mario Rodríguez,[6] comes to the conclusion that before the revolution of 1868 and the adoption of what he calls the "first democratic constitution in Spanish history" in 1869 the Spanish had very little interest in political experience and political culture of the United States.

Vázquez begins her article by stating that a comparison between the US and the Mexican Declaration of Independence is "difficult", and that the Mexican revolutionaries have not read the U.S. Declaration.[7] If "the movement toward independence was preceded in English America by a present-mindedness that re-imagined the future, in Spanish America it was preceded by an innovative reconsideration of the past", that is, the interest towards the pre-Habsburg political and legal heritage of mediaeval Spain ("liberties" stolen later by the absolutism) and the Neo-Thomism in the spirit of the Second Scholastics of the Dominicans of the Salamanca school Francisco de Vitoria (1483–1546), Domingo de Soto (1494–1560), Francisco Suarez (1548–1617), – to this list one should perhaps add two other names: Juan de Mariana (1536–1624), a Jesuit, and Fernando Vázquez de Menchaca, a lay legal scholar (1512–1569).

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[5] Josefina Zoraida Vásquez, "The Mexican Declaration of Independence", *Journal of American History*, vol. 85. № 4 (March 1999), pp 1362–1369; Joaquim Oltra. "Jefferson's Declaration of Independence in the Spanish Political Tradition", *ibid.*, pp. 1370–1379. As an example of the early translation of the U.S. Declaration of Independence in Spanish, the online version of this roundtable (http://chnm.gmu.edu/declaration/) gives a text by José Maria Luis Mora in the Mexican liberal newspaper *Semanario Político, Económico y Literario* (December 12, 1821). In fact, the first *preserved* translations of this document in Spanish were the Philadelphia and Bogotá publications of the Venezuelan Manuel García de Sena and the Columbian Miguel de Pombo of 1811, which I will discuss below.

[6] Mario Rodríguez, *La revolución americana de 1776 y el mundo hispánico: ensayos y documentos* (Madrid, 1976).

[7] This blunt statement requires argumentation. E.g., Richard Cleveland and William Shaler distributed in Mexico the text of the U.S. Declaration of Independence in Spanish back in early 1803 (see below).

Vázquez is referring to the so-called 'Creole interpretation' of the principle of popular sovereignty and social contract (*pactum translationis*) of the monarch with his people; i.e. the Viceroyalties of Latin America have signed a contract and thus have legal obligations not with Spain as a state but with the King of Spain. However if there is no legitimate monarch (as it indeed happened in May 1808 during the Abdications of Bayonne when King Charles IV and his son Ferdinand were forced to abdicate the throne to Napoleon) the contract is dissolved and the people takes back its sovereignty.

To sum up, Vázquez seems to focus mostly on the "concrete goals of social reform and form of government" of the Mexican independence movement as opposed to the "abstract rights" and the "language of abstract principles" of the U.S. Declaration of Independence.

It seems that she has a rather narrow understanding of the ideology behind the North American Revolutionary War as a concrete embodiment of John Locke's political philosophy, although, as Bernard Bailyn has conclusively shown, the British North American colonies were hugely influenced by Whig ideas about the usurpation by the British monarchy of the original rights and liberties of the English.[8] Vázquez seems to overlook that such important figures of the Spanish Enlightenment as Melchior Gaspar de Jovellanos (1744–1811) and Francisco Martínez Marina (1754–1833), who are both mentioned in her articles, have in fact expressed very similar views.

By contrast, Jaime Rodríguez O., a well-known North American historian of the Spanish American Wars of Independence, strongly emphasizes the role of the Spanish philosophical and legal tradition in the Spanish American revolutionary ideology. He takes into consideration that the Creole revolutionaries were familiar with the documents of the North American independence, but he also believes that the influence of these documents was merely superficial and that the Spanish American Revolution had its roots almost solely in the Spanish intellectual and political tradition. Generally speaking, Rodríguez O. interprets the Spanish American wars not as an anti-colonial uprising, but rather as a part of the global process of disintegration of the Spanish Empire and the consequent emergence of several new states, including Spain itself.[9]

Surprisingly, in a more recent collection of essays on the American Declarations of independence none of the contributors, including Armitage himself,[10] has attempted what seems to

[8] Bernard Bailyn, *The Ideological Origins of the American Revolution* (Cambridge (Ma.), 1967, 1992).
[9] Jaime E. Rodríguez O., "La influencia de la emancipación de Estados Unidos en la independencia de Hispanoamérica", *Procesos. Revista Ecuatoriana de Historia*, № 31 (I semestre de 2010), pp. 25–43; idem, "Sobre la supuesta influencia de la indepedencia de los Estados Unidos en las independencias hispanoamericanas", *Revista de Indias*, vol. LXX, № 250 (2010), pp. 691–714.
[10] David Armitage, "Declaraciones de independencia, 1776–2011. Del derecho natural al derecho internacional", *Las declaraciones de Independencia: Los textos fundamentales de las independencias americanas*, Alfredo Ávila, Jordana Dym, Erika Pani, coord. (México, 2013), pp. 19–40. The English version: http://scholar.harvard.edu/armitage/publications/declaraci%C3%B3nes-de-independencia-1776-2011-del-derecho-natural-al-derecho-intern

be an obvious scholarly task, namely a thorough comparison between the U.S. Declarations of independence and the entire corpus of the Latin American Declarations.

The U.S. Declaration may be roughly divided into five parts.

– The first paragraph, which briefly explains the reasons why one people may dissolve its political ties with another people.

– In the second paragraph the principles of natural law, which constitute the foundations of legitimate rule, are declared. However, should the legitimate powers violate this principle, they loose their legitimacy and may thus be deposed.

– Next comes a list of 28 accusations made by the colonists against King George III whose "injuries and usurpations" justify their rebellion against him.

– In the fourth paragraph the response given by the British government to the Colonists' request, made in 'most humble terms', is deemed unsatisfactory.

– Finally, in the fifth and last part, the conclusion is reached that "these United Colonies are, and of Right ought to be Free and Independent States" .[11]

For the goals of our comparison I would like to pay attention to one fragment from the U.S. Declaration of Independence: after listing accusations against George III it states: "Our repeated Petitions have been answered only by repeated injury. A Prince whose character is thus marked by every act which may define a Tyrant ["tyrant" is an avowed note to the illegitimacy of his rule], is unfit to be the ruler of a free people".

But in the next paragraph the text enhances the field of criticism:

> Nor have We been wanting in attentions to our Brittish brethren. We have warned them from time to time of attempts by their legislature to extend an unwarrantable jurisdiction over us. We have reminded them of the circumstances of our emigration and settlement here. We have appealed to their native justice and magnanimity, and we have conjured them by the ties of our common kindred to disavow these usurpations, which would inevitably interrupt our connections and correspondence. They too have been deaf to the voice of justice and of consanguinuity. We must, therefore, acquiesce in the necessity, which denounces our Separation, and hold them, as we hold the rest of mankind, Enemies in War, in Peace friends.

[11] David Armitage, "The Declaration of Independence and International Law", *William and Mary Quarterly*, 3rd ser., vol. 59, № 1 (Jan. 2002), pp. 43–44; idem, *The Declaration of Independence: A Global History*, pp. 26–30.

So at first the blame is laid upon the ruling British king but then the text recalls the actions of the Parliament and the indifferent silence of the consanguineous *Brittish brethren* in general. Just as the Declaration eclectically unites arguments from both the natural and the positivist law calling "Laws of Nature, and of Nature's God" to endow the United States with a right "to do all other acts and things which independent states may of right do", it includes – along with blames of George III – reproaches against the whole British people.[12] This line of accusations finishes essentially with the proclamation on the creation of a new nation.[13] Nevertheless, George III and his abuses occupy much more space than the "British brethren" who did not live up to the promises.

How the U.S. Declaration of Independence was perceived in Spanish and, wider, Latin America? Is the Vasquez and Rodríguez O. statement that Southern neighbours had a little concern on the U.S. experience which in its turn did not largely influence them, that the independence movement was nourished by the ideas of the Second Scholastics and not British and North American tradition in the spirit of John Locke.[14]

Was the U.S. Declaration of Independence known in the region? Back in 1786 the revolutionary-inclined medical student José Joaquim da Maia e Barbalho (Vendec, 1751–1787) secretly met Jefferson and received from him a copy of the Declaration of Independence.[15] Nevertheless, its text was translated into Portuguese only in 1821.[16]

Certainly, the text of the Declaration of Independence was known to many educated people not only in Spain but also in Spanish America.[17] At least, we know that the Bostonian merchant

[12] David Armitage, "The Declaration of Independence and International Law", p. 62.
[13] Before the War of Independence the feeling of affinity with the mother country in the New World was even growing. See, Michael *Zuckerman*, "Identity in British America: Unease in Eden", *Colonial Identity in the Atlantic World, 1500–1800*, ed. by Nicholas Canny, Anthony Pagden (Princeton, N.J., 1987), pp. 115–157. On the formation of the North American national consciousness, see, e.g., a recent work in literary studies: Kariann A. Yokota, *Unbecoming British: How Revolutionary America Became a Postcolonial Nation* (N.Y., 2011). 2011. On the change in the perception of American colonists in Great Britain, see, Stephen Conway, "From Fellow-Nationals to Foreigners: British Perceptions of the Americans, circa 1739–1783", *William and Mary Quarterly*, 3rd ser., vol. 59, № 1 (Jan. 2002), pp. 65–100.
[14] In support of this view, see: Otto Carlos Stoetzer, S.J., *The Scholastic Roots of the Spanish American Revolution* (N.Y., 1979); José Carlos Chiaramonte, *Nación y estado en Iberoamérica: El lengaje político en tiempos de las independencias* (Buenos Aires, 2004); idem, "The Principle of Consent in Latin and Anglo-American Independence", *Journal of Latin American Studies*, vol. 36, № 3 (Aug. 2004), pp. 563–586; idem, *Fundamentos intelectuales y políticos de las independencias. Notas para una nueva historia intelectual de Iberoamérica* (Buenos Aires, 2010); Jaime E. Rodríguez O. *The Independence of Spanish America* (Cambridge, 1998); idem, *La revolución política durante la época de la independencia: El reino de Quito, 1808–1822* (Quito, 2006); idem, *"We Are Now the True Spaniards": Sovereignty, Revolution, Independence, and the Emergence of the Federal Republic of Mexico, 1808–1824* (Stanford, Ca., 2012); Roberto Breña, *El primer liberalismo español y los procesos de emancipación de América, 1808–1824. Una revisión historiográfica del liberalismo hispánico* (México, 2006); *Las revoluciones hispánicas: Independencias americanos y liberalismo español*, Coord. par François-Xavier Guerra (Madrid, 1995); *The Divine Charter: Constitutionalism and Liberalism in Nineteenth-Century Mexico*, ed. by Jaime E. Rodríguez O. (Lanham, Md., 2005); *Doceañismos, constituciones e independencias: La Constitución de 1812 y América,* coord. par Manuel Chust. (Madrid, 2006); Darío Dawyd, "Las independencias hispanoamericanas y la tesis de la influencia de las doctrinas populistas", *Temas de historia argentina y americana*, № 16 (2010), pp. 99–128.
[15] Thomas Jefferson to John Jay, May 4, 1787, ed. by Julian P. Boyd, et al., 40 vols. to date (Princeton, N.J., 1950–2014), vol. XI, pp. 339–341.
[16] Kenneth Maxwell, *Naked Tropics: Essays on Empire and Other Rogues* (L., 2003), pp. 109–110. Cited in, David Armitage, *The Declaration of Independence: A Global History*, p 117.
[17] One can get such impression from reading, Mario Rodríguez, *La revolución americana de 1776 y el mundo hispánico: ensayos y documentos*, pp. 17–43, esp. p. 35.

Richard Cleveland (1773–1860) with his companion, the future "special agent" of the United States in Cuba and Mexico in 1810–1811 and participant in the filibustering Gutierrez-Magee raid on Texas in 1812–1813 William Shaler (1773–1833) distributed translations of the U.S. Declaration of Independence and the Constitution among creoles of Valparaiso (Chile) and San-Blas (North-West of New Spain) – places they visited from February 24 to May 6, 1802, in July of 1802 and from January 26 to February 14, 1803.[18] In the August of 1810 the Secretary of the Provisional Junta of Buenos Aires Mariano Moreno (1778–1811) used the first phrase of the U.S. Declaration of Independence in the text of the Junta's declaration, but with a sense contrary to the original: it proclaims the wish of Buenos Aires to employ *todos los medios legítimos* for the close unity with Montevideo.[19]

The first preserved translations of the U.S. Declaration of Independence into Spanish fate back to 1811. In that year the Venezuelan Manuel García de Sena (1780–1816) published in Philadelphia (along with London it was a large publishing centre of the Latin American revoutions) a book entitled *La independencia de la Costa Firme Justificada por Thomas Paine – Trenta Años Há – Extracto de Sus Obras…* which along with the translation of Thomas Paine's *Common Sense* (1776), *Dissertation on First Principles of Government* (1795), *Dissertation of Government, Dissertations on Government; the Affairs of the Bank; and Paper Money* (1786) includes translations of the U.S. Declaration of Independence, Articles of Confederation (1777/1781), U.S. Constitution with Amendments, and also constitutions of Massachusetts (1780), New Jersey (1776), Pennsylvania (1790), Virginia (1776), and an overview of the Connecticut Constitution. In Buenos Aires this book was distributed by the privateer from New Haven David Curtis DeForest (1774–1825).[20]

In the same 1811 Miguel de Pombo (1779–1816) published in Bogotá his translations of the U.S. Declaration of Independence and both Constitutions adding to these documents his vast treatise on federalism.[21] 10 years later a native of Guayaquil and future President of Ecuador in

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[18] Richard J. Cleveland, *A Narrative of Voyages and Commercial Enterprises*, 3rd ed. (Boston, 1850, 1st ed. – 2 vols., Cambridge, Ma., 1842), pp. 174, 194. On Shaler, see: Roy F. Nichols, "William Shaler: New England Apostle of Rational Liberty", *New England Quarterly*, vol. 9. № 1 (Mar. 1936), pp. 71–96; idem, *Advance Agents of American Destiny* (Philadelphia, 1956), pp. 50–156; John C. A. Stagg "The Political Essays of William Shaler", *William and Mary Quarterly*, 3rd ser., vol. 59, № 2 (Apr. 2002), web supplement (http://oieahc.wm.edu/wmq/Apr02/Stagg.pdf).
The distribution of the Declaration of Independence by Cleveland and Shaler in 1802–1803 is the earliest evidence on the translation of this text in Spanish – a fact never mentioned by scholars.

[19] Merle E. Simmons , *La revolución norteamericana en la independencia de Hispanoamérica* (Madrid, 1992), pp. 191–192; Jaime E. Rodríguez O., "Sobre la supuesta influencia de la indepedencia de los Estados Unidos en las independencias hispanoamericanas", pp. 704–705.

[20] *Gaceta de Buenos Aires*, marzo 31, 1816. Cited by, Benjamin Keen, *David Curtis DeForest and the Revolution of Buenos Aires* (New Haven, Ct., 1947), pp. 101–102.

[21] *Constitución de los Estados Unidos de América, según se propuso por la Convención tenida en Filadelfia el 17 de septiembre de 1787 y ratificada después por los diferentes Estados con las últimas adiciones presididas de las Actas de independencia y federación, traducidas del inglés al español por el ciudadano Miguel de Pombo, e ilustradas por él mismo con notas y un discurso preliminar sobre el sistema federativo* (Santafé de Bogotá: Imprenta Patriótica de D. Nicholas Calvo, 1811).

1834–1839 Vicente Rocafuerte (1783–1847) reprinted the translation of the Declaration of Independence – the *verdadero decálogo político* – which destroys the *falsos y oscuros dogmas de la legitimidad*, with the Paine's *Common Sense* and *Dissertation on First Principles of Government*, and the Constitutions of the United States and various states (to 1795). He entitled this collection *Ideas necesarias a todo pueblo americano independiente, que quiera ser libre*. It is worth noting that Rocafuerte inserted the text of the Declaration of Independence in the famous anniversary speech of the State Secretary John Quincy Adams from July 4, 1821.[22] In this speech Adams, who never held a high opinion of the revolutions in Spanish America, hinted that the United States were ready to acknowledge the independence of Spanish colonies but would not entangle themselves by any obligations towards them: "Wherever the standard of freedom and Independence has been or shall be unfurled, there will her heart, her benedictions and her prayers be. But she goes not abroad, in search of monsters to destroy. She is the well-wisher to the freedom and independence of all. She is the champion and vindicator only of her own".[23]

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The abdication of the Bourbon dynasty of the Spanish throne on May 6, 1808 in Bayonne and the designation of Joseph Bonaparte as the King of Spain triggered the War of Independence and the revolutions in Latin America. The social contract (the way it was understood in the Neo-Thomist tradition of De Vittorio, De Soto, Suarez and De Mariana) was officially disbanded and the royal subjects now had the right to determine their own fate. Accordingly *juntas*, i.e. temporary governments formed by representative bodies – *cabildos* and *ayuntamentos*, are formed in the Spanish municipalities and provinces. On September 25, 1808, in Aranjuez those local juntas have established the unified Central Supreme Junta (*Junta Suprema Central*).[24] On January 22, 1809 the Junta confirmed that the Spanish territories of South American were in fact not colonies or factories (like territorial possessions of other nations) but an "integral part of the monarchy", and for the first time in history called for American representation in the Cortes of Cádiz. On Oct 15, 1811, the Cortes issued a decree which gave equal rights to the Latin American colonists and the citizens of the Mother Country. The Council of Regency formed by the Supreme Junta organized the elections in the Cádiz Cortes which in their turn developed the Constitution of 1812 which acknowledged popular sovereignty of free "Spaniards of both hemisphere".

[22] Vicente Rocafuerte, *Ideas necesarias a todo pueblo americano independiente, que quiera ser libre* (Philadelphia: D. Huntington, T. & W. Mercein, printers, 1821), pp. i, 85–127, 103–111.
[23] See, Arhur P. Whitaker, *The United States and the Independence of Latin America, 1800–1830* (Baltimore, Md., 1941), pp. 344–369; Samuel F. Bemis, *John Quincy Adams and the Foundations of American Foreign Policy* (N.Y., 1949), pp. 356–358; *А. А. Исэров, США и борьба Латинской Америки за независимость, 1815–1830* (М., 2011), стр. 186–188. These words of John Quincy Adams are often cited today by critics of U.S. active foreign policy.
[24] From December 16, 1808, to January 23, 1810, the junta resided in Sevilla, thus, it is often called the Sevilla Junta.

When in the summer of 1808 the news about the abdication of the Bourbons and the creation of the juntas has reached Latin America, the colonies, following the example of their Mother Country, began to form their own juntas which then went on to declare the interim rule *in loco* of the legitimate king Fernando VII.[25]

The first revolt occurs in May and July 1809 in Chuquisaca and La Paz.[26] And in May 1810 the entire Spanish America is shaken by a series of uprisings. A year later the juntas everywhere are declaring independence, and even the Cádiz Constitution was unable to reconcile the Creole revolutionaries with the Imperial government.

Thus if we take a closer look at the list of the Spanish American declarations of independence, we shall at once notice one crucial difference between the revolutionary movements in the United States and Spanish Americas: the North American colonies, such as e.g. Virginia, Massachusetts or Pennsylvania, not to mention their counties, never dared to declare their independence from the British Empire on their own; while in Latin America even such provinces (or rather their juntas), which were never autonomous in the first place, declared their independence and formed Viceroyalties and Captaincies General.

The Spanish American Declarations usually imitated the structure of their U.S. counterpart, however they were commonly divided into two documents: a short Declaration and a sometimes very long Manifesto in which the provinces' reasons for demanding independence were laid out. This was the case in Venezuela (1811), in Mexico (1813) and in the United Provinces of Río de la Plata (1816).

Spanish American declarations seem to acknowledge the complex and multifaceted composition of colonial societies. I believe that this circumstance explains the mention of the Church in these documents which, as revolutionaries thought, was to face a challenge of preserving societal and political unity in the years of drastic revolutionary ordeals. The declarations of independence of Neiva (1814), United Provinces of Rio de la Plata (1816), Chile (1818), Guatemala (1821), and Uruguay (1825) mention communities/peoples (*pueblos*) of these countries. The Peruvian declaration (1821) does not include this formula but when José de San-Martín was proclaiming the independence on Saturday of July 28, 1821, he stated: "From this moment Peru is free and independent, by the general wish of the people, and by the justice of her cause, which God

[25] See, e.g., documents on the establishment of: *Actas de Independencia. Mérida. Trujillo y Táchira en 1810*, halladas y publicadas por Tulio Febres Cordero (Mérida, 1910, 2do ed. – 2007); *Actas de formación de juntas y declaraciones de independencia (1809–1822). Reales Audiencias de Quito, Caracas y Santa Fe*, ed. Armando Martínez Garnica, Inés Quintero Montiel, 2 vols (Bucaramanga, 2007). Tulio Febres Cordero incorrectly called these acts on the establishment of juntas the "acts of independence".
[26] See, А. А. Щелчков, "Восстания в Верхнем Перу в 1809 году. К 200-летию начала войны за независимость в Испанской Америке", *Новая и новейшая история*, 2009, № 4, стр. 42–58.

defend".[27] Initially three thousand copies of the Declaration of Independence of Rio de la Plata were printed: 1500 in Spanish and 1500 in a bilingual version – 1000 in Spanish/Quechua and 500 in Spanish/Aymara.[28] Vicente Pazos [Kanki] (1779 – ca. 1852) also published a translation to Aymara in his newspaper *La Crónica Argentina*.[29] The first translation of the U.S. Declaration of Independence in German was published back on 6 July, 1776, as a pamphlet and on 9 July in the Philadelphian newspaper *Henrich Millers Pennsylvanischer Staatsbote*; this translation was obviously prepared not by the decision of the Continental Congress but as a private initiative of publishers and printers Heinrich Miller, Melchior Steiner and Karl Zist.[30] As we see, the mental backgrounds of the future concept of the New World *raza cósmica* (1925) of the Mexican philosopher and politician José Vasconcelos (1882–1959) and the North American *melting pot* were laid in the very beginning of the political existence of the Spanish (and wider – Latin) American nations and the United States.

The U.S. Declaration of Independence, as well as its Spanish American 'descendants', were written in particular historical circumstances which ultimately influenced and even shaped their content. However, the Founding Fathers and Thomas Jefferson in particular endowed the Declaration with a universal meaning. It explains the place of the Declaration of Independence in the pantheon of the "civil religion" of the United States of America, and in fact of the whole world democratizing during past two centuries.

To sum up, the key points of comparison between the U.S. and the Spanish American Declarations are as follows: 1) in which way did the historical conditions under which these declarations were made influence their content and – consequently – 2) which parts of those Declarations are concrete and which – universal, and what is the relationship between them; 3) in which way were the Declarations influenced by the intellectual traditions of Spanish Scholasticism and Spanish Enlightenment, on the one hand, and, borrowed from the British (including North

[27] Basil Hall, *Extracts from a Journal written on the coasts of Chili, Peru and Mexico in the years 1820, 1821, 1822*, 2 vols, 3rd ed. (Edinburgh, 1824), pp. 258–259.
The multiple meanings of the term *pueblo/pueblos* goes back to the Spanish legal tradition in which *pueblo* is both the municipality possessing its sovereignty and the sovereign body united by origin, e.g., the native population (*pueblo de indios*), but also the people in the meaning of all dwellers of the kingdom. See, Isabela Restrepo Mejía, "La soberanía del 'pueblo' durante la época de la Independencia, 1810–1815", *Historia Crítica*, № 29 (Enero-Junio de 2005), pp. 101–123; Monica Quijada, "Sobre 'nación', 'pueblo', 'soberanía' y otros ejes de la modernidad en el mundo hispánico", *Las nuevas naciones: España y México 1800–1850*, coord. par Jaime E. Rodríguez O. (Madrid, 2008), pp. 19–52; Jordana Dym, *From Sovereign Villages to National States: City, State and Federation in Central America, 1759–1839* (Albuquerque (N.M.), "Pueblo/Pueblos", *Diccionario político y social del mundo iberoamericano [Iberconceptos-I]*, dir. Javier Fernández Sebastián (Madrid, 2009), pp. 1115–1250.
[28] David Armitage, "Declaraciones de independencia, 1776–2011. Del derecho natural al derecho internacional"; Marcela Ternavacio, "Los laberintos de la libertad. Revolución e independencias", *Las declaraciones de Independencia: Los textos fundamentales de las independencias americanas*, p. 17, 227.
[29] А. А. Щелчков, "Восстания в Верхнем Перу в 1809 году. К 200-летию начала войны за независимость в Испанской Америке", с. 344.
[30] Karl. J. R. Arndt, "The First Translation and Printing in German of the American Declaration of Independence", *Monatshefte*, vol. 77, № 2 (Summer 1985), pp. 138–142; idem, "The First German Broadside and Newspaper Printing of the American Declaration of Independence", *Pennsylvania Folklife*, vol. 35, № 3 (Spring 1986), pp. 98–107.

American) and French Enlightenment, on the other hand, and thus – 4) is it possible to talk about substantial influence of the U.S. Declaration of Independence on the Spanish American declarations of independence; 5) which is the combination in the Spanish American declarations of independence of the use of the Spanish political and legal heritage, on the one hand, and the "black legend" (*leyenda negra*) ideas, on the other; may it be compared with the experience of the United States and Great Britain. These questions lead us to the main problems of the independence movements in the New World (and in the last account – to the discussions on the nature of the British and Spanish colonial societies in America), and thus – do not have clear and final answers.

Appendix. Declarations and Acts of Independence of the Spanish American nations in the age of revolutions, 1809–1825[31]

Proclama de la Junta Tuitiva de los Derechos del Rey y del Pueblo de la Independencia "de La Paz y de todo el imperio del Perú" (July 27, 1809)[32]

Acta Solemne de Independencia de la Confederación Americana de Venezuela (July 5, 1811)

Acta de Independencia de Cartagena (November 11, 1811)

Declaración de Independencia de la provincia de Texas (April 6, 1813)[33]

Declaración de Independencia de Cundinamarca (July 16, 1813)

Declaración de Independencia del Estado de Antioquia (August 11, 1813)

Acta Solemne de la Declaración de Independencia de la América Septentrional (November 6, 1813)[34]

Declaración de Independencia de la provincia de Tunja (December 10, 1813)[35]

Acta de Independencia de la provincia de Neiva (February 8, 1814)

Acta de Declaración de Independencia de las Provincias-Unidas en Sud-América (July 9, 1816)[36]

Proclamación de Independencia de Chile (January 1, 1818)[37]

Acta de Independencia de Guayaquil (October 12, 1820)

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[31] The list includes only the acts which declare the full independence and not the home rule till the return to power of the legitimate ruler Fernando VII.
I will mark the inaccuracies in the overview table of the declarations of independence in the Armitage's monograph (David Armitage, *The Declaration of Independence: A Global History*, pp. 147–149). It states that the first Spanish American declaration of independence was the Columbian one (July 20, 1810) though this document (*Acta del Cabildo Extraordinario de Santa Fe*) declared home rule till the restoration of the legitimate rule of the *augusto y desgraciado Monarca don Fernando VII*. It may be compared with other documents on the establishment of juntas (see note 23), including the *Constitución de la Junta de Gobierno* of Paraguay (May 14–15, 1811) which are not included in the list of declarations. The list includes the act that incorporated Nicaragua in the United Provinces of Central America (July 1, 1823) which followed the dissolution of Agustín de Iturbide's Mexican Empire of which it had been a part, and also the Act of September 21, 1821, in which the ayuntamento of El Salvador declared its unity with the Declaration of Independence of Guatemala of September 15, 1821. The Decree of Independence of Central America (March 29, 1823) is not included, and the Decree of United Provinces of Central America is wrongly dated July 11, 1823. The Act of Independence of Cartagena is mistakenly ascribed to New Granada. The list does not include the declarations of independence of Quito, Cundinamarca, Antioquia, Neiva, Guayaquil, Zulia, just as the first official document which called to the independence of Spanish America, – Proclama de la Junta Tuitiva de los Derechos del Rey y del Pueblo (July 27, 1809).

[32] The first version of this document invokes "the best of the monarchs, the unfortunate Fernando VII" (*mejor de los monarcos, el desgraciado Fernando VII*), but the second one talks about the Spanish yoke and calls to "raise the standard of freedom in these unfortunate colonies" (*levantar el estandarte de la libertad en estas desgraciadas colonias*). See, María Soux, "El tema de la soberanía en el discurso de los movimientos juntistas de La Plata y La Paz en 1809", *Ciencia y cultura*, 2009, № 22–23, pp. 9–18.

[33] The aim of this declaration born by the filibustering raid of Gutiérrez-Magee consisted not in supporting the independence of this province from Spain, but in its further entry into the United States. This document may be compared with the declarations of independence of West Florida (September 26, 1810) and Republic of Freedonia (in Texas, December 21, 1826), and – if we recall recent events – with the irredentist Declaration of Independence of the Autonomous Republic of Crimea and City of Sebastopol (March 11, 2014) and possibly with the declarations of state sovereignty of the Donetzk People's Republic (April 7, 2014) and Lugansk People's Republic (May 12, 2014). See, John C. A. Stagg, "George Mathews and John McKee: Revolutionizing East Florida, Pensacola, and Mobile in 1812", *Florida Historical Quarterly*, vol. 85, № 3 (Winter 2007), pp. 269–296; idem, "The Madison Administration and Mexico: Reinterpreting the Gutiérrez-Magee Raid of 1812–1813", *William and Mary Quarterly*, 3rd ser., vol. 59, № 2 (Apr. 2002), pp. 449–480; Victoria Guedea, "Autonomía e independencia en la provincia de Texas", *La independencia de México y el proceso autonomista novohispano, 1808–1824*, coord. de Virginia Guedea (México, 2001), pp. 135–183. By the way, one of participants of the Gutiérez-Magee raid was Wiliam Shaler who distributed the U.S. Declaration of Independence in Chile and Mexico in 1802 and 1803.

[34] "North America" here means Mexico.

[35] Following the 1913 commemorative slogan, the date is often mistakenly given as December 19, 1813.
See, https://upload.wikimedia.org/wikipedia/commons/5/5f/Declaraci%C3%B3n_de_independencia_de_la_Provincia_de_Tunja.jpg

[36] "The United Provinces of South America" mean Río de la Plata (contemporary Argentina).

[37] The Proclamation was approved by the Supreme Dictator of Chile Bernardo O'Higgins on February 2, and the solemn announcement of the Proclamation was held on February 12, 1818, on the first remembrance day of the Battle of Chacabuco (1817).

Acta de Independencia del Estado Zulia (January 28, 1821)

Acta de Proclamación de la Independencia de Perú (July 15, 1821)

Acta de Independencia de Guatemala (September 15, 1821)[38]

Acta de Independencia del Imperio Mexicano (September 28, 1821 г.)

Acta de Independencia de la provincia de Comayagua (September 28, 1821)

Acta de Independencia de Costa Rica (October 29, 1821)

Acta de Independencia de la Ciudad de Panamá (November 28, 1821)

Acta de Independencia de la Ciudad de Quito (May 29, 1822)[39]

Decreto del Gobierno Provisorio de las Provincias Unidas de Centroamérica (March 29, 1823)

Decreto de la Asamblea Nacional Constituyente de las Provincias Unidas de Centroamérica (October 1, 1823)[40]

Decreto de Independencia del Alto Perú (August 6, 1825)[41]

Declaratoria de Independencia de la Provincia Oriental (August 25, 1825)[42]

Sources: *Interesting Official Documents Relating to the United Provinces of Venezuela, viz. Preliminary Remarks, The Act of Independence, Proclamation, Manifesto to the World of the Causes which have impelled the said provinces to separate from the Mother Country; together with the Constitution framed for the Administration of their Government. In Spanish and English* (L.: Longman, 1812)[43]; *Las actas de independencia de América*, ed. y nota preliminar de Javier Malagón, estudio de Charles C. Griffin (Wash., D.C., 1955, 2nd ed. – 1973); *Proclama de la Junta Tuitiva de 1809: esclarecimiento para la historia*, supervisión y dirección de Carlos Urquizo Sossa (La Paz, 1976); German Arciniegas, *Colombia: itinerario y espíritu de la independencia, según los documentos principales de la revolución* (Bogotá, 1969); *Independence Documents of the World*, comp. by Albert P. Blaustein, Jan Sigler, Benjamin B. Beede (Dobbs Ferry, N.Y., 1977); *La Independencia de Hispanoamérica: Declaraciones y Acta*, investigación, selección y notas Haydeé Miranda Bastidas y Hasdrúbal Becerra, presentación David Ruiz Chataing (Caracas, 2005); *Actas*

[38] This "Guatemala" means Captaincy General Guatemala, which included also El Salvador, Honduras, Nicaragua, and Costa-Rica.
[39] In this document the city of Quito, talking on behalf of the whole *antiguo Reino de Quito*, declares its unification with Great Colombia. Ecuador will declare its independence on May 13, 1830.
[40] The Decree of the National Constituent Assembly of the United Provinces of Central America of October 1, 1823 declared the independence from July 1, 1823, thus one may encounter different dates in the reference books.
[41] Almost immediately this state acquired its present name, Bolivia.
[42] In this document Uruguay, declaring its independence from Brazil, announces that its incorporation in the United Provinces of Rio de la Plata.
[43] This bi-lingual edition was considered the only authority source for Venezuelan texts of the Declaration of Independence and the accompanying Manifesto before in 1907 Francisco González Guinand discovered two volumes of original manuscripts of the Declaration along with this book in the houses of two respected families in Valencia (Venezuela) where they were used also as chair pillows to make it easier for children to reach the piano keys. In 2012 the book was reprinted facsimile with comments: *Documentos constitucionales de la independencia / Constitutional documents of the independence*, introducción general y edición a cargo de Allan P. Brewer-Carías (Caracas, 2012). Cf., the recent discovery of the original of the Haitian Declaration of Independence by a doctoral student from the Duke University. See, Julia Gaffield, "Haiti's Declaration of Independence: Digging for Lost Documents in the Archives of the Atlantic World", *The Appendix*, vol. 2, № 1 (Jan. 2014) http://theappendix.net/issues/2014/1/haitis-declaration-of-independence-digging-for-lost-documents-in-the-archives-of-the-atlantic-world

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