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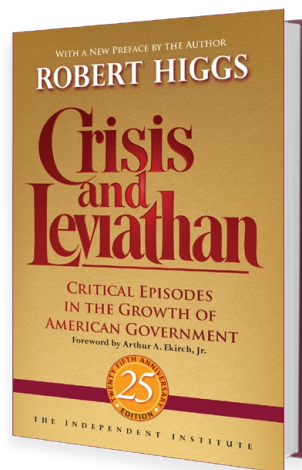
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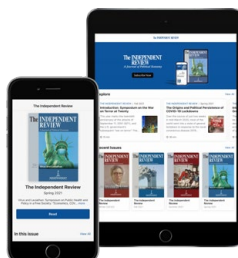
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Álvaro Flórez Estrada
*Compromised Liberalism in
Nineteenth-Century Spain*



CARLOS RODRÍGUEZ BRAUN

The Asturian economist Álvaro Flórez Estrada (1766–1853) has earned the title of “the most relevant theorist of liberalism” in nineteenth-century Spain by espousing liberal—even “extremely liberal”—ideas “that nobody questions” (Munárriz Peralta 1967, 11; Anes 1992, 17; Smith 2000, 323; see also Pérez-Prendes 1991, 29; all translations are mine).¹ His views on land property are treated as if they were a mere exception with no impact on his classical-liberal framework. In this essay, I explore the limitations in Flórez’s liberal analyses, especially those contained in his most important work, *Curso de economía política*, first published in London in 1828.

Flórez relied on Locke and the Spanish liberal tradition and made liberal statements on a number of topics, from trade, production, public debt, and paper money to press and religious freedom, but he did not support all private property, recommending emphyteusis in land and stating that land is not legitimate property (*emphyteusis* is a prolonged or even perpetual right to a landed estate that belongs to another). He justified land expropriations by concerns for the general welfare and the development of a backward country. Almenar calls Flórez a “revolutionary pioneer,” arguing that he was not a socialist but an antirentist (1980, XXX; see also Flórez

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1. Sampedro also called Flórez “liberal and individualist” (1950, 206).

Estrada 1958, 113:312–16, and 1967, 36, 51, 73, 88ff., 103–5, 130–32, 150, 158; Rodríguez Braun 1989, 89–90; Fuentes 2004, 191–93). I present an alternative conjecture based on the idea that fragmenting the legitimacy of property unleashes the antiliberal genie from the bottle. Once it is out, there is no getting it back in: if one exception was defended previously, another can be defended later.

Flórez's Contradictory Liberalism

Flórez's support for industrial and commercial liberties is so clear that it would seem reasonable to conclude, as Martínez Cachero does, that Flórez was advocating for "full state abstention, except in fiscal matters." Proof of just how dubious this drastic assertion is, however, comes from Martínez Cachero himself, for whom Flórez's liberalism does not contradict his proposal to "undertake an agrarian reform whose result would be a fairer distribution of land." Nor does this author notice a contradiction between Flórez's "socializing tendency" and his welcome of "the total triumph of liberty" (1961, 111, 115, 166, and 1976, 107).

Moreover, we should note Varela Suanzes-Carpegna's recent attempt to hang the adjective *leftist liberal* on the Asturian economist, something he praises as opposed to the odious "right-wing liberalism." He does not include support for private property among the characteristics of a good liberal, though, nor does he detect any contradiction when he states that Flórez distanced himself from liberalism in matters of land property "to be clearly collectivist," that he ceaselessly defended "the right to property and that the state should not meddle in the economy," and that he was a liberal with a "marked social character." Varela insists, as does Almenar, that Flórez was not a socialist, but that his liberalism was more leftist regarding property and that he was influenced by French socialists (2004, 15–17, 63; see also Capellán de Miguel 2004).

This confusion is perhaps due to a temptation in the history of ideas: adjusting the explicit ideas of the authors under examination to fit nonanalytic conveniences. Liberalism has been a tool in such tactics, and socialists have worked with it. In Flórez's case, their recent aim is to claim him as the source of a liberalism opposed to the "Spanish right." Therefore, they argue that the right cannot appropriate liberalism for itself because the Asturian's liberalism was "very advanced," not "conservative," but "bent on joining the defense of liberty to democracy and social justice" (Varela 2004, 63, 70).²

It seems that Flórez, despite having occupied the same seat as none other than Claude-Frédéric Bastiat in the Academy of Social and Political Sciences in Paris, did

2. People such as Costa are not confused: they claim Flórez is a collectivist and naturally progress from there to defending coercive redistribution of income (see Costa 1983, 1:91, 131; Rodríguez Braun 2004; Varela 2004, 28, 58, 69).

not have a coherent body of thought and so was vindicated by opposite doctrines.³ Whatever consistency there is belongs to the antiliberal side: Flórez does not fit Prados Arrarte's claim that he "was not, generally speaking, an enemy of property rights" (1981, 59, 65, 179–83); in fact, he favored the state's being the sole direct owner of land. As early as 1887, Pedregal Cañedo had already stated: "Flórez Estrada was always an enemy of territorial property." During the 1930s, Suárez highlighted and shared Flórez's "categorical opposition to private property of land." At the same time, he said Flórez was not an enemy of private property: "His doctrine is only against private property of land . . . which belongs to everyone in common, like the air" (1992, 140, 150–52). Flórez's scholarship seems to have undergone a radicalization. The latest example is Varela's attempt to place Flórez within Jeremy Bentham and John Stuart Mill's utilitarianism and thereby to shape an "authentic liberal left" (2004, 64; see also Pérez-Prendes 1991, 34–45). If caveats apply to Flórez's authenticity and leftism, they do so even more clearly in the case of his liberalism.

Almenar places Flórez among classical republicans, arguing that he can be classified as a liberal only because he defended free trade (2004, 408ff., 428ff.). Flórez's French sources recommended progressive taxation of territorial property, and even the Asturian deemed property to be instrumental, depending, in a utilitarian style, only on positive laws that may be altered in a society of conflicting interests. Interventionism sprang from this reflection and led to a questioning of private property, whether partially, as in the case of Ricardo, Mill, and the classical economists, or completely, as in Marx's case.⁴

Classical or civic republicanism is a source of socialism and generally influenced Enlightenment thinkers and, in particular, the classical economists. This link has opened the way to interesting reflections on inertias and parallels—from the universally accepted progressive taxation now on personal income and the suspicion generated by any increase in wealth beyond the modest level of small landholders (in the past) or average citizens (today) to the recent political and legislative inroads on individual conduct via virtuous arguments, which bring us back in time to the morally severe early days of socialism. Against this onslaught, what is sorely lacking is classical-liberal content aimed at restraining power.

It may be acceptable to subordinate landowners' interests to free-trade principles or to defend making access to property through the market easier; but it is not to expropriate, redistribute, and administer property as if it were neither a freedom nor a right. To restrain royal power, separate church and state, expand suffrage, or worry about the poor may be fine; to increase the state's political power and reduce liberties is not. The main difference lies between the various so-called liberal positions and a

3. As Varela himself admits.

4. For an attempt at republicanizing John Stuart Mill, see Justman 1991; Fernández Sebastián 2004, 389; Almenar 2006, 112.

doctrine that defends liberty by limiting political power and safeguarding private property. It is hardly consistent to cheer Flórez for being against “social inequality” when he advocated treating people unequally according to the idea that property is legitimate and must be safeguarded, but only in certain cases. Whether we label Flórez a “leftist technocrat” or praise him as a predecessor of “social-democratic liberalism,” his incoherencies do not disappear under the cover of the struggle for equality. Liberals such as Bastiat also attacked social inequality, but they understood inequality to be a consequence of violating property rights. (See Flórez Estrada 1958, 112:361; Almenar 2000; Frieria Álvarez 2004, 159; Fuentes 2004, 184, 207; Varela 2004, 74.)

Even those who criticize Flórez for not being left wing enough, such as Lancha, state that the Asturian advanced liberty, “democratic” property, and social justice. Lancha’s critique is that Flórez restricted his interpretation of the social question to agrarian matters and therefore was a bourgeois or petty bourgeois—as if his own reasoning cannot be logically extended to the growth of the social idea now encompassing everything into which political power can intervene. Lancha supports Marx and Lenin in their disdain for the views of people such as Henry George. They believed nationalizing land did not contradict capitalism. In their eyes, the emancipation of the oppressed proletariat required the expropriation of all property, particularly capital. Just as Marx accused Mill, Lancha accuses Flórez of trying to reconcile irreconcilable interests and of supporting a degree of redistribution just sufficient to contain the revolutionary dangers, a mantra that abetted state expansion in the twentieth century (Lancha 1984, 186–87, 209, 225–26, 247–51). Another author, Capellán de Miguel, also praises Flórez’s “social feeling” and remarks that the Asturian fortunately developed a “social theory superior to liberalism, one that left us at the gates of socialism” and held out the promise of coming social rights and justice (2004, 489, 498–505). In this new system, law would allow for expropriation, redistributing “with more or less respect for private property” (Suárez 1992, 149) and without violating it! In short, even Lancha describes Flórez as “socializing” and underlines that his thought “dépasse largement les frontières du libéralisme” (1984, 300–301).

The Curso de economía política

Almenar’s excellent edition of Flórez’s *Curso de economía política* (Flórez Estrada 1980) justifies his opinion: Flórez had no analytic rivals among his compatriots. The book, which Bernácer describes as “the first systematic treatise on economics written by a Spaniard” (1967, 285), is well written and argued; although the author leans heavily on the classics for support, he does so appropriately, given his aim of reaching a wider audience. Other experts agree with Almenar’s assessment. For example, Reeder defines Flórez Estrada as “the most knowledgeable Spanish economist of his time” and the *Curso* as “the most complete treatise in Spanish classical economics” (J[ohn] R[eeder], “Flórez Estrada, Álvaro María,” in Perdices de Blas and Reeder 2003).

From the beginning, Flórez demonstrates his liberalism by attacking privilege, supporting competition, and defending wealth in both the material and the moral senses. Wealth civilizes people and makes them less selfish—a claim that sets Flórez apart from the many who argue the exact opposite to justify intervention—but there is need for a state, for a “wise system of taxes” that à la Laffer *avant la lettre* can “considerably increase public revenue, while at the same time diminish the burden on taxpayers,” without “excessive” public spending (Flórez Estrada 1980, 13–14, 19ff., 49, 62, 69–71). Flórez kept to the classics for his criticism of “mean” mercantilism, whose protectionism hurts “the working class above all” (Smith 2004, 13, 539). Economics was political for the classics, and Flórez shared with them an imprecise notion of the limits of power. Politics and economics, “although distinct parts, constitute a single science; that of organizing society. . . . Political economy is to the state what domestic economy is to the family” (Almenar 2004, 431–32).

Property and Political Intervention

Flórez says “laws were established not to create property rights but to protect them,” but, he adds, “I am not talking about any other property than that which is the product of the labor of the person who possesses it.” With this important qualification, he reasons like a libertarian: we must leave property owners free to do as they wish, no limitations or privileges should be created, and so forth. And taxes? Again, the evil comes only “when more sums are demanded than needed to carry out the state’s business, or when a class or individual is allowed to stop paying in proportion to his wealth” (1980, 89n. 91, 98ff.). This argument, however, may undermine rather than uphold property by suggesting that a public aim is to generalize property, and that its fragmentation is a legitimate fiscal source.⁵

Flórez proceeds in Smithian fashion: division of labor, capital, frugality, growth, infrastructure (private, with tolls), technical progress, and education, always with liberty and secure property as the norms. The poverty of the people, he says, is always due to bad and spendthrift governments, but he suggests “taxing the rent of those who are not producing wealth” and using the revenue as productive capital, with the government either lending it or “using the money itself.” He opposes “laws established to conserve the nobility and clergy’s hold on territorial property” because land is a different kind of property: “it is limited by nature, without it being possible for man to expand it through labor.” The thing to do, then, is to attack “Europe’s feudal and barbarous institutions that impede selling it”; primogeniture is “incompatible with justice.” He goes on: “The French Revolution would not have been as bloody if there had not been a large, uneducated and propertiless population; the necessary consequence of four-fifths of territorial wealth being mortmain.” He censures the

5. “Flórez considers land a ‘gift of nature’ not subject to private appropriation, as opposed to wealth, the origin of which is labor, that as such is subject to full property rights” (Frieria Álvarez 2004, 138).

revolution's cruelty, but applauds the extension of property it brought, without reflecting on the possible relationship between the former and the latter (1980, 137, 236, 251–53, 270 ff; see also Sampetro 1950, 214).⁶

It is necessary to distinguish between *desamortización*, or disentanglement, as mere expropriation and as the breaking off of the restrictions to free exchange of property. The latter can be valid from a liberal perspective, which distrusts the minute examination of the origins of property rights, but only as long as it contributes to making voluntary transactions possible. González distinguishes between Enlightenment thinkers who wanted to limit royal power in conformity with traditional rules and the ones who aimed, as Jovellanos said, to “destroy Spain’s earlier constitution to form a completely new and different one” (2002, xcvi). Without question, the *desamortización* poses technical problems, but it is one thing to debate how to solve them and another to start from the position that property is not defensible.⁷

Flórez distrusted religious education, and it is not clear whether he would object to a public bureaucracy devoted to education, which is exactly where this enlightened and “liberal” eagerness led, or whether he would copy Mill and demand public education, but only primary and not as a monopoly. When Flórez discusses government spending, he argues, “public consumption that results in instructing members is also productive” (1980, 309, 311, 812).

In the fifth edition of the *Curso*, released in 1840, and in *La cuestión social*, published the previous year, Flórez places himself between the idolaters and the detractors of private property: “When it [private property] is strictly limited to objects that are the product of man’s labor, those who consider it the origin of society’s every material and moral progress are exactly correct . . . [but when we consider] natural resources, distributed indiscriminately to the human species and indispensable for our existence, the idea of those who see this right as the seed of the many calamities afflicting society is equally true.” Here we find echoes of the Lockean definition of the legitimate appropriation of land that God originally provided for everyone’s benefit and that can be appropriated only by leaving “enough and as good” for everyone else, a clear and well-known limitation. For Flórez, land property left nothing “to the remaining members. . . . In the name of protecting the right to property, laws came into existence that completely destroyed it. Rather than securing the fruit of a producer’s labor, they ripped a part [of that fruit] from him and turned it over to the lazy, who had produced nothing. . . . From that point on, true property rights were noth-

6. Flórez repeats the naive idea presented in his 1810 tract *Introducción para la historia de la Revolución Española*, where, as Varela points out, he espouses “a very positive judgement, uncommon in Spain, of the French Revolution, although not without lamenting the spilling of blood at the Convention” (2004, 33). See also Flórez Estrada 1958, 113:221; Pérez-Prendes 1991, 277, 284; and Fernández Sarasola 2004, 225. Valle Santoro, in contrast, wrote: “As soon as governments violate property rights, they have suffered tragic scenes. The French Republic, taking possession of immense properties, ruined the nation, went bankrupt, and in the end, perished” ([1829] 1989, 74).

7. Cf. Manuel Jesús González’s introduction in Flórez Estrada 2002, xvi, xix–xx, lvi–lxxii, lxxxiv–xciv.

ing but a chimera. . . . The right to property cannot be extended to the gifts of nature” (1980, 377ff.)

This argument can be applied to capital, and in fact socialists since Marx have done so, claiming that private property is, in reality, a lie. Flórez declared he was not a Communist, but he failed to emphasize that land, once redistributed, should become full private property. When an exception is admitted, why not another? Flórez says about his doctrine: “There is no basis to assert it coincides with the socialists, the communists or the Saint Simon-ists; each of these groups want to destroy property rights, whereas I see [property] rights as the root for all the goods man enjoys.” But then he goes on to add: “Property rights are equally destroyed by those who, after stating that labor is the principle of every society, wealth, and law, stumble into the inconsistency of also claiming that land, product of the Creator, can be sold or appropriated.” He comments on emphyteusis, a system “most in keeping with the many invented to bring prosperity to society . . . a system which, by making the farmer an almost property-owner, creates a class of individuals as industrious and rich as if they were property owners” (1980, 377ff.).⁸

But what does it mean “almost” to own something? What sense does property have if one cannot sell it (like an entailment)? This type of reasoning in reality denies property and advances every subordination of it, from the most extreme form of socialism to the stakeholder theory and other contemporary vacuities. Communists resolved the problem of property first by suppressing it completely and later by handing it over to the citizens who were effectively “almost” owners. In modern democracies, property is not eliminated, but it is always subordinate to its “social function,” and in that way citizens are in the end also “almost” owners.⁹

Flórez continues: “The person working the land is undoubtedly the owner, as are those who work in other branches of industry, of all the value he creates. But, for the same reason, the value this man creates should not belong to the idle man, even if he claims to be the owner of the land being cultivated.” He concludes that it is the same to farm as to fish: man did not create the rivers or the land, and he cannot become owner without working them. Here is a collorary: “Whoever circumscribes cultivating the land with the aim of earning a secure living in exchange for his labor is undoubtedly not usurping anything . . . he is not taking advantage of more land than naturally belongs to him.” Flórez points to the contradiction that land can be appropriated and mines cannot, but he does not come to the logical conclusion that

8. On the Lockean proviso, see, for example, Nozick 1974, 174–82, and Jasay 2003. Also see Flórez Estrada 1958, 112:401.

9. Property’s social function, among whose numerous predecessors we find the Catholic Church’s social doctrine, limits private property in the Spanish Constitution, Article 33. Burdiel Hernández notes: “The idea of social function was initially applied to agrarian property” (2003, 144; see also Capellán de Miguel 2004, 506). Flórez does not want to comb through primitive property titles and keeps to the equivocal notion of defending property but questioning its distribution; he believes that the emphyteutic land possessor is “a co-owner with the state” in a system that is fairer and in which all the incentives work correctly (1958, 112:396, 400, 404).

both should be allowed to be appropriated; instead, he concludes that neither should be. “Once the land is appropriated, eight-tenths of the human species would be unable to enjoy the gifts of nature bestowed indiscriminately to all men and indispensable to their survival; and the right to property would become a chimera, as non-property owners could not obtain the means to subsist without coming to terms with the privileged classes.” We can detect an *avant la lettre* Marxism in all of this and in his condemning the principle of “finders keepers” as the basis for permanent property, which necessarily results in a large potential area for political power to establish itself. In contrast, Flórez moves on to propose free trade, demands “the most severe economy . . . in state spending,” condemns the political manipulation of the currency and even alludes to the “free production” of money (1980, 407ff., 482, 573ff., 637ff.).

Flórez’s intermediate position on property, then, is insufficient to infuse his thinking with liberal consistency. Martínez Cachero repeats the notion that there is no right to property without labor and resorts to the argument that the Asturian’s critics are merely defending “the established order of things,” as if this condition per se disqualified their position (1961, 155n., 179, 182). Artola (2000) is also satisfied with mentioning the intermediate position, and, like every author I have read on this matter, he awards Flórez the analytic triumph over the critical article published in 1839 in *El Corresponsal*, supposedly written by Ramón de la Sagra.¹⁰ This article, in truth, is fairly solid. It starts by denying that natural goods should be excluded from wealth and goes on to argue that property and private concessions can exist even over bodies of water. It questions “forced expropriation for communal use” and the racing to the beginning to justify property; effective property that encourages labor, saving, and investment is not that of the Romans or Incas, but that of any free and civilized people who “have not resorted to slavery to sustain the privileged classes.” The article rejects “the Saint Simon school that believed an abstract theory could wipe out individualist feelings and love of family.” It fears that the destruction of property leads to more serious violations in short order. It says Flórez Estrada was even worse than that school because he suggested dividing up properties (Anonymous 1839b).¹¹

10. Suárez, who also attributes “social convenience motives” to Sagra, takes the questioning of property back in the past, including that by Juan de Mariana, and praises Mill, Spencer, George, and Walras as men who “fought the regime of private territorial property in modern times” (1992, 141, 147, 152). Costa also vindicates Mariana (1983, 1:126–31). See also Flórez Estrada 1958, 112:xxxvii, xl; Almenar 2000, 402–4; R. Smith 2000, 325.

11. “If by wealth one understands everything serving mankind as direct enjoyment or an instrument for greater production, the principle is clearly false; wealth is value, and what is valued is what is useful, whether it is spontaneously created by nature or the more or less material result of our handiwork or ingenuity” (Anonymous 1839b). See also Anonymous 1839a, which explains how property makes living in community easier and reduces antisocial impulses. It also develops the thesis that the legitimate basis for property in cases where there was no previous owner was “first come, first served”; afterwards, the situation got worse owing to intervention by patrons and lords, and property was able to reemerge thanks to the royal privileges, or *fueros*, granted to certain people, “separating them from feudal domination”; Christianity contributed to this process, which, in the anonymous author’s judgment, had not finished yet because he thought property lacked “indefinite security.”

De la Sagra is considered a defender of private property, but he changed his opinions during his life time and came close to a Mill-like socialism: “socialism is humanity’s tendency toward rational organization”; “property cannot be changed, but *the organization of property* can change, like the organization of society.”¹² Marquis de Valle Santoro is more definitive. He defends private property and warns of the destructive social consequences if it were abolished even partially. In his *Impugnación a la cuestión social*, part of the third edition of his *Elementos de economía política* ([1829] 1989), he describes Flórez as an idealist and socialist, filled with reformist optimism, giving full trust to the Constitution and the laws to solve all problems. He rejects that limiting property mitigates social tensions and asserts that ceding certain properties to the state threatens everyone’s liberty. Flórez scorned these comments and accused Valle Santoro of not having understood Smith. It is worth noting that Valle Santoro, along with many like-minded authors, was worried not only about social disorder, an important point in explaining why many conservatives’ moderated their liberalism, but also about practical exceptions to full free trade, a cautionary position he shared with classical liberals from Smith onward (1840, 1, 8–9, 12, 16, 23, 31–32, 40–47, and [1829] 1989, 63, 152). This thinking created an asymmetry, lasting to today, between conservatives advocating for property but less so for competition, and socialists or social democrats who invert those priorities.

We have, then, a liberal author anxious to suppress private property in land, this “evil of all evils,” to paraphrase Unamuno. Flórez thought that emphyteusis was a liberal institution, not in its feudal roots leading to a divvying up of land among local leaders, but if property was totally concentrated in the hands of the state and was distributed (only for usufruct) among more people. Flórez’s leftist readers see distribution as an act of “justice,” linking it to the customary antiliberal predisposition to choose among property owners according to some damning characteristic—such as the size of their possessions, the merits of which are inversely proportionate—that justifies selective expropriation (see Martín Uriz 1985, liii, lxxxviii; Capellán de Miguel 2004, 507; Rueda Herranz 2004, 440–41, 455–57, 460–63).¹³

12. Elorza 1970, 86; Cambrón Infante 1989, 195, 218, 231–33; L[uis] P[erdices], “Sagra, Ramón de la,” and J[ohn] R[eeder], “Socialismo en España, desde los utópicos pasando por los marxistas, hasta los anarquistas,” in Perdices de Blas and Reeder 2003. Mill is categorical regarding land: “When the ‘sacredness of property’ is talked of, it should always be remembered, that any such sacredness does not belong in the same degree to landed property. No man made land. It is the original inheritance of the whole species. Its appropriation is wholly a question of general expediency. When private property in land is not expedient, it is unjust. . . . When land is not intended to be cultivated, no good reason can in general be given for its being private property at all” (1965, 230–32). Bernácer says that Florez’s “gradual socialization” views anticipate those of Mill and George and prove that “he was one of the first to defend on economic grounds the common right to land” (1967, 285). See also L[uis] P[erdices], “Debate librecambio-proteccionismo” and “Valle Santoro, marques de,” in Perdices de Blas and Reeder 2003.

13. The “liberal left” opposed Mendizábal’s disentanglement process because they thought it did not expropriate enough, whereas some of the victims of the *desamortización* condemned it for its consequences—not, per se, a position comparable to those who in recent decades have not criticized state spending, but only its lack of efficiency, fairness, honesty, transparency, and so forth.

Public Finance

Flórez divides capitalists into the idle and the active: “The former do not apply themselves to any type of industry; they have a fixed income from loaning or renting their wealth, whether moveable or not. Properly speaking, these capitalists are embezzling their income from the production of the industrious class.” And this is a liberal talking! After referring to citizens’ consumption, he moves on to the government, “the grand consumer” about which one needs to keep in mind more than just the amount of taxes collected: “It is vital to add the collection expenditures, the government’s demands on personnel, the waste of employees, the trouble, the delays, in short the various obstacles the government and its agents pose to production and all the benefits of which they deprive taxpayers.” This said, however, “there can be no nation without a government,” and its staff must be paid; otherwise, “they will not display the necessary effort in their jobs, and society as a whole will suffer the consequences.” There is no concern over defining limits for the state. The single and simple issue appears to be ensuring that the government is prudent and “demands only the taxes needed to secure defense and prosperity.” There is no reflection as to what kind of obstacles any of this imposes on politics, which might easily dodge them by claiming the need for security, including the “social” one, justice, and prosperity. Flórez says that government spending on education is important, although just as important is limiting the number of civil servants and ensuring a “severe economy” in spending. Good governments contribute to the nation’s wealth, and the state can collect more, without harm, by fixing “a light and evenly distributed tax” (1980, 767, 803ff.).

According to Flórez, the goal of political economy is to prescribe taxes because in everything else (as if the level of fiscal burden could be economically neutral or compatible with liberty) governments know the correct thing is not to intervene. But they must intervene in taxes; “otherwise no one would pay for public expenses; the prosperity or decadency of a nation depends on how good or bad a system is adopted, and whether the revenue is sufficient or insufficient to meet the state’s needs.” This proves that “political economy forms a very essential part of the science whose aim is the organization of societies, in other words, politics.” In Ricardian style, he writes: “The government, through territorial taxes, can absorb the land’s entire rent; but it can never burden the profits of agricultural capital with a tax greater than that levied on capital employed in the other branches of production. An enlightened government should never impose taxes that do not touch all members of society equally; but it will never reach this goal by taxing in the same sum each member’s income. It must tax rent from the land more than from capital and labor.” On the one hand, he sings the praises of equality, but, on the other, he advocates discrimination between properties and incomes, or what would become the norm for government up to this day—for example, different treatment of capital gains, the tax on which is now considered fair, in accord with Flórez’s arguments (“land rent is the effect not the cause of a nation’s

prosperity”). With regard to taxes on capital, he prefers taxing capitalists who do not produce wage goods, and he opposes taxes on wages and in general direct taxation other than on land rents. Indirect taxation “does not lead to investigations into the wealth of taxpayers, as direct taxation always demands and which brings with it constant humiliation,” but has drawbacks, in particular when taxing goods “of general consumption for the working class” (1980, 833–34, 857–59, 888ff.).¹⁴

Adam Smith’s influence is apparent. The Asturian economist specifies that in the Spain of his time taxation does not respect Smith’s principles and that “taxation of rent coming from land property is the only one that does not discourage industry.” The government can also obtain funds from uncultivated land—today we would refer to appropriating capital gains from the soil or limiting owners’ rights to keep their apartments empty—and own land with no harm: “The more extensive the government’s territorial property, the easier it will be able to distribute the most important type of wealth among individuals; it is on this distribution that the happiness or misfortunate of nations depends.” Flórez removes limits to the expansion of governmental intervention, reduces the question of property to one of efficiency, and does not explore (no one did, not even Léon Walras) what happens if the money fails to materialize in a sufficient amount. He applauds the emphyteusis system and considers liberal this measure that leads to the nationalization of land (1980, 967, 971ff.).¹⁵

This entire argument is pervaded by anti-classical liberalism. The emphasis on distribution and public property can, as I have suggested, be easily transferred to other contexts and other sources of private income. In the end, the distribution of capital or personal income can also be “corrected.” The Treasury’s straits, a major topic in the reformers’ debates, can justify a turn from optimistic sufficiency to the need for more tax collecting from any source. The discussion of many nineteenth-century thinkers, including liberals, who thought that the *desamortización* was inevitable for reasons of efficiency, fairness, and the “needs of the Treasury,” reappears today in the arguments stressing efficiency, fairness, and “social needs.” Perhaps scarce consolation can be found in Flórez’s repeated claim to accept moderate taxes in other areas such as indirect taxes or import and export duties. Even though he rejects provincial revenue sources such as the *alcabala*, he opposes state monopolies only in the sale of basic wage goods, among which tobacco is not included, and he supports its monopoly, or *estanco*. He favors discriminatory taxation, the key to a growing state: it is necessary to change only the object on which it is levied. In his time, it seemed reasonable and liberal to tax letters and mines and also “cars, horses, dogs, and luxury

14. Prados Arrarte notes that Flórez’s tax “not only but mainly” on rent distances him a bit from Henry George (1981, 148). Spanish Georgists considered Flórez and the physiocrats as precursors (see Martín Uriz 1985, lix, lxxix; Rodríguez 2001, 527, 537–38, 545, 549).

15. Arranz Notario notes that it is remarkable that Flórez “was not in the least worried about the fate of individual liberty and the division of powers when he advocated that the liberal state should become Spain’s largest landlord” (2006, 13–14).

servants, given that the tax would be of wealth used for superfluous consumption and impact the richest classes.” And everything goes in a paradise that “would establish itself without needing to resort to violence, because it would not be the least onerous, and would have the advantage of employing few agents while supplying the treasury’s coffers with more than enough resources to meet the needs of the state.” Flórez rejects the two-handed mercantilist argument in favor of public debt—“all the interest stays inside the country”—and uses the classical argument against debt—it encourages spending and war. It is fine for an individual to go into debt because he uses the money for productive activities. The government does not. But Flórez opens the door to this possibility: “credit given to a government could and should serve to enrich the nation” (1980, 984–8, 991ff.; see also J[ohn] R[eeder], “Álvarez de Mendizábal, Juan de Dios,” in Perdices and Reeder 2003; Almenar 2004, 434).

Both in terms of property and interventionism and in terms of public finance, Flórez was more a free trader than a liberal, and his ideas would have had trouble withstanding the growing accusation launched during the nineteenth century against the so-called *incuria* (negligence) *liberal*, which reproached liberalism for recommending noninterference in the face of pressing difficulties that might be resolved through politics. As Bentham had condemned Smith’s idea of natural liberty for “denying all laws,” liberalism afterward would be increasingly criticized for being cruelly antisocial and so on, up to the present day, when many would agree with what Piernas Hurtado wrote in the mid 1870s: “The individualist school has always centered more on consecrating liberty in an external way than on trying to ensure its appropriate use. . . . It has not managed to determine the focus of economics or the true aim of the science dedicated to its study. With an almost fatalistic and contradictory resignation, it has admitted impotency against economic evils that liberty on its own does not remedy” (1874, 5; see Rodríguez Braun 1989, 78).¹⁶

Conclusions

Alvaro Flórez Estrada was a distinguished Spanish economist and intellectual. His commitment to civil and political liberties confirms that he was a brave and valuable person, “un homme d’esprit élevé,” as L. Galibert, author of the 1833 French translation of the *Curso* described him. This article is not intended to judge such merits, but rather to point out the limitations and contradictions in Flórez’s liberal analysis, faults that form part of a long, complex, and varied tradition that predates his work and still endures today. Together with many other Spaniards, he was a liberal who barely hesitated before the social engineering that would be propounded later on by innumerable versions of extreme or tempered interventionism. Varela says that

16. I am grateful to Luis Perdices de Blas for this reference and his observation that beginning in the 1860s, those in Spain who agreed with Piernas Hurtado’s ideas won out and joined together in characterizing liberal ideas as “simplistic.” See also Martínez Cachero 1961, 237.

Flórez was “one of the most relevant Spanish liberals of all time. Relevant and consistent” (2004, 81). In the foregoing discussion, I have tried to demonstrate that the attempt to depict Flórez as a socialist is essentially accurate, but that it is not correct to allege that his thought was consistently liberal.¹⁷

A crucial point is his fragmented view of the legitimacy of property because one cannot allow exceptions to this liberty and ignore the consequences. From the time of John Locke, most liberals, both in Spain and abroad, have ignored or attempted to reason away these consequences, and this tendency explains the considerable weight the classical economists gave to the idea that land was exceptional in many ways: economically, leading David Ricardo to argue that rent was not necessary for production, but also politically and legally, allowing it to be expropriated (particularly when entailed or left fallow) without, in truth, violating anyone’s liberty. Some even argued that the land expropriation enhanced the majority’s liberty and made possible the resolution of every kind of social and economic problem. In the nineteenth century, many voices defended this point, including George and Walras, who, following Herman Heinrich Gossen, claimed it was enough to expropriate land and rent it out for the state to pay for all its expenditures and eliminate all taxes. Flórez belongs to this mainstream (along with men such as Herbert Spencer) with which he shared the optimistic view that by infringing this property right, everything else would fall into place and work well (Ramos Gorostiza 2000, 19n.).¹⁸

Seen in perspective, it is remarkable that intelligent and passionate liberals like Flórez did not realize that one violation of liberty leads to another and that when the coercive power of politics gets going, it is difficult to stop it by asking it to expropriate only from some people in only some ways and to trust that this power itself will exercise self-control and not continue expropriating. But this same critique applies to John Stuart Mill, a defender of liberty and socialism. According to Mill, political forces should leave production free and intervene “only” in distribution. This position of “liberty yes, but . . . ” demonstrates the practical and intellectual difficulties of liberalism, whose advocates have not freed themselves from comfortable shortcuts; it also taints with sloppy thought even supposedly impeccable watchtowers and places Flórez Estrada in illustrious company. The weaknesses and contradictions of Adam Smith’s liberalism have been well known for decades—Anthony de Jasay (1994,

17. Failure in redistributing property rights during *desamortización* processes did not deter supporters; one bit of social engineering could simply replace another. See, for example, J[ohn] R[eeder], “Caballero y Morgáez, Fermín Felipe,” in Perdices de Blas and Reeder 2003. On Henry George, see J[osé] L[uis] R[amos], “George (Henry), en España, la recepción de,” in Perdices de Blas and Reeder 2003.

18. José Ortega y Gasset rightly pointed out the “socializing cruelty” of liberalism’s theorists, such as Spencer and Mill: “The aggressive title that Spencer chooses for his book—*The Man versus the State*—has caused it to be stubbornly misinterpreted by those who read nothing but the title of books. Individual and State mean in this title two mere organs of only one subject—society. And the matter under discussion is whether certain social needs are better served by one organ or the other. Nothing more. Spencer’s famous ‘individualism’ is always fighting inside the collectivist atmosphere of his sociology” ([1930] 1975, 38–39).

1997) recently studied the exceptions to liberalism admitted even by such outstanding liberals as Karl Popper and F. A. Hayek.¹⁹

Over time, the areas in which it was acceptable or even laudable for the state to intervene changed, but not the basic reasoning. After land—a question that, as Keynes remarked in 1925, “has become, by reason of a silent change in the facts, of very slight political importance” (1972, 298.)—came capital, and after land rent came capital profits, personal income, financial flows, and so forth. Feudal privileges waned, and democracy spread, but always in the presence of the notion that progress, equality, and the common good were socially superior to individual liberty, which might be restricted in order to protect it! And history goes on repeating itself: ecological economics now frequently postulates that the solution to environmental problems demands that property rights to land not be respected because land is exceptional, coinciding with what we have seen our author defend (“the right to property cannot be extended to the gifts of nature”).

Surely Flórez would reject being defined as an enemy of liberty, just as today many others, more conservative or more socialist, defend “our social model” for the sake of liberty, but without perceiving any inconsistency because in their liberalism something has vanished—the old liberal doctrine calling for limited government. Instead, now the state must be honest, efficient, fair, compassionate, and far-sighted. If, regrettably, it fails in meeting those standards, along come political initiatives—never to reduce it, always to reform it.

An examination of the works of Álvaro Flórez Estrada, like that of many other liberals, allows us to scrutinize this strange path. A few of Flórez’s conservative contemporaries were right to distrust his arguments because property is the basis for social order and does not allow for tinkering without consequences. Moyano, for example, made this argument.²⁰ However, this objection poses particular difficulties. Among defenders of liberty, no dispute—say, over the freedom of expression or religion—is comparable to the conflict over the idea of property between the two liberal groups whom de Jasay (2002) defines: one group believes secure property (and consequently, trade) is infrastructural, endogenous, as ancient as humanity itself and prior to politics and the state; the other believes property is superstructural, depen-

19. Bastiat did not make that mistake regarding the state and in 1848 wrote: “I foresaw that the right to property, once weakened in one form, would soon be attacked in a thousand different forms” (1995, chap. 3; see also Bastiat 2005). For this reason, he was a severe judge of British political economy (2004, 243). John Elliot Cairnes, the late-classical English economist, criticized Bastiat’s theories with Ricardian arguments and accused the French of not grasping the “fundamental distinction between land and the ordinary products of industry” (1873, 343–44). On Adam Smith’s qualms, the classic reference is Viner 1927. A well-known debate questioned the supposed liberalism during the nineteenth century, both in its doctrine and its actions; a good summary of the literature can be found in Paul 1980; also see Gabb 1998. Capellán de Miguel distorts the classical economists, alluding to their “blind faith in the market” (2004, 479).

20. Claudio Moyano asked the Cortes in 1855: “Don’t you realize that private property protected other properties that formed other lines of defense impeding anyone from attacking it? . . . Make these barriers disappear and little by little all variety of property will start to fall” (L[uis] P[erdices], “Debate sobre la reforma agraria [siglos XIX y XX],” in *Perdices de Blas and Reeder* 2003).

dent on a guarantee mechanism that society demands and the state operates. In the latter view, things change, and property becomes “a social privilege, its inviolability cannot be invoked against society, which can now modify or annul the property rights it conferred and protected” (6-7). The genie is out of the bottle. Because the state violates property, conditions contracts, and redistributes income, the state is simultaneously a precondition for economic order and incompatible with it. The solution, as customary as it is feeble, is to find a balance between the state and the market, a third way that also seduces liberals hoping for a state that exercises self-restraint, but never explaining how to make it do so (Rodríguez Braun 2005, 169–81).

Álvaro Flórez Estrada and many other liberals are open to the criticisms Tocqueville leveled at the liberal ideas of Turgot and the physiocrats, which retain their power today. In the notes of the second volume of *L'ancien régime et la révolution*, Tocqueville warns of the danger inherent in the enlightened rationalist optimism that quickly manipulates and destroys institutions in order to bring everything under state organization on society's behalf; that interprets tolerance as hostility to the church, but not to politics; that illusively welcomes measures of *médication intellectuel*, such as transferring education from church to state; that believes political power can bend people to its will; and that at the same time defends free trade and political and legislative intervention because, in the end, human beings do not enjoy the “general right to govern themselves” (1982, 2:230–34, 271, 292).

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