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GIUSEPPE GRIECO

AFTER 1799: RIGHTS, LIBERALISM, AND THE  
LEGACY OF THE NEAPOLITAN ENLIGHTENMENT

ESTRATTO

da

THE LEGACY OF THE ENLIGHTENMENT: RIGHTS, CONSTITUTIONS,  
EQUALITY

Edited by Vincenzo Ferrone, Valentina Altopiedi  
and Giuseppe Grieco



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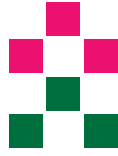
# The Legacy of the Enlightenment Rights, Constitutions, Equality

Edited by

VINCENZO FERRONE, VALENTINA ALTOPIEDI,  
and GIUSEPPE GRIECO



Leo S. Olschki Editore  
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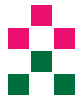
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GIUSEPPE GRIECO

AFTER 1799: RIGHTS, LIBERALISM, AND THE LEGACY  
OF THE NEAPOLITAN ENLIGHTENMENT

INTRODUCTION

Songo state li libre politiche tanto de l'ordramontane quanto dell'alletterate e feluosefe nuoste. Te pare poco tutto chello nce hanno lassato scritto e Filangieri, e Genovese, e Parmieri, e ... Chiste hanno allumenato l'aute co i lummi lloro superiure, e hanno semmenato morde du sti masseme politeche, fatte commune pe a tutta l'Auropa. E nun buliv aspittà che chelle firmentassero, sbucciassero, generassero, e purtassero lu frutto? Mo è benuto lu tiempo de la raccorda, essenose ammaturatione la messe.<sup>1</sup>

In July 1820, a liberal popular movement promoted by the army and the secret society of *Carboneria* in Naples and the Two Sicilies forced the Bourbon king Ferdinand I to establish a representative government, modelled after the Spanish constitution of Cadiz (1812). Soon, constitutional patriots edited newspapers, pedagogical materials, political catechisms, and dialogues (often in the Neapolitan dialect) to educate the people on the constitution and win their support for the new government. The passage quoted above – an extract from a dialogue published at the time – staged the constitutional pedagogy. The fictitious character of *Colamuzio*, law professor, lectured the storyteller *Tribuzio* on rights, freedom, and represent-

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<sup>1</sup> *Passiate pe lu muolo nfra duje amici zoè lo poveta D. Tribuzio Panzarotonna strangia nomme lu canta Rinardo; e lu si dottore D. Colamuzio Panzarotonna catedratico primario de legge nella rispettabile univertzità mandracchiana*, Naples, 1820, p. 74. An English translation would read as: «The political works of thinkers beyond the Alps as well as of our scholars and philosophers [brought about the revolution]. Is not the legacy left by Filangieri, Genovesi, Palmieri, and [all the other Neapolitan thinkers] not enough for us? They enlightened us with their superior brilliance and they sparked many of these political ideas – now common throughout Europe. Do you not want to wait until they fermented, blossomed, and brought forth their fruit? The time of harvest has come, since their crop is now ripe».

ative government. While doing so, *Colamuzio* argued that the writings of Neapolitan Enlightenment thinkers such as Antonio Genovesi (1713-69), Gaetano Filangieri (1752-88), and Giuseppe Palmieri (1721-1793) had enlightened the nation with their political doctrines («hanno alluminato l'aute co i lummi lloro») and paved the way to the revolution of 1820. Why did a pedagogical pamphlet in the Neapolitan dialect mention Enlightenment philosophers? Why was their intellectual legacy relevant? What was the connection between their ideas and liberalism?

By answering these questions, I aim to shed light on the Neapolitan Enlightenment's intellectual contribution to the making of liberalism and the culture of human rights in Southern Europe. I will argue that Duo-Sicilian liberals developed a peculiar current of liberalism that drew on the Neapolitan 'Enlightenment constitutionalism' and school of natural law. By so doing, I will also make a case for the study of 'low theory' texts, such as catechisms, dialectal dialogues, and polemical pamphlets to broaden current understandings of the history of rights and the legacy of the Enlightenment in the age of revolutions.

After achieving independence from Spain (1734), the Two Sicilies embarked upon reforms to strengthen the state at the expense of the Church and aristocracy and bolster the economic might of the kingdom.<sup>2</sup> This context encouraged Southern philosophers' projects to escape backwardness and build a just and equitable society. The abbè and professor Antonio Genovesi promoted the Enlightenment in Naples and a new intellectual beginning for the kingdom from his chair of political economy, the first in Europe (1754). Genovesi's *Discorso sopra il vero fine delle lettere e delle scienze* (1753) and his *Lessons in commerce or civil economy* (1765) formulated an intellectual and educational project to establish the study of commerce and promote the material and moral progress of poor countries like Naples who were falling behind northern European nations.<sup>3</sup>

The quest for a just society led Neapolitan intellectuals to develop an 'Enlightenment constitutionalism' which aimed to promote legislation on the equality of rights sanctioned by natural law, and constitutionalise the

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<sup>2</sup> A.M. RAO, *Il regno di Napoli nel Settecento*, Naples, Guida, 1984; J.A. DAVIS, *Naples and Napoleon. Southern Italy and the European Revolutions 1780-1860*, Oxford, Oxford University Press, 2006, pp. 14-70.

<sup>3</sup> S. REINERT, *Translating Empire. Emulation and the Origins of Political Economy*, Cambridge MA, Harvard University Press, 2011, pp. 187-232; J. ROBERTSON, *Enlightenment and Revolution in Naples*, «Transactions of the Royal Historical Society», X, 2000, pp. 27-29; Id., *The Case for the Enlightenment. Scotland and Naples 1680-1760*, Cambridge, Cambridge University Press, 2005, pp. 347-360.

rights of man.<sup>4</sup> Genovesi himself considered political economy to be part of the ‘moral sciences’. These, according to Genovesi, focused on pursuing public happiness as the science of man in society and his rights. His idea of a just society owed much to the Neapolitan philosopher Giambattista Vico and his historical approach to the study of natural law. In his *Principles of a New Science* (1744) Vico theorised a ‘natural law of nations’ to reconnect legislation with universal principles of natural law. To do so Vico criticised previous theories of natural law for being built on abstract principles, instead of studying human societies through history, and refused to sever legislation from universal morality. Natural law of nations, in his view, evolved according to societies’ needs, but always descended from universal ideas of the ‘good’ and the ‘just’ which it progressively revealed in the history of peoples. Vico identified this universal law with the equal partition of rights (*aequum bonum*) among all members of human society, as well as among different nations.

Vico’s idea of a universal law of nature prescribing the equilibrium of rights among men and nations, and their unity in a common ‘humanity’, left a profound legacy among Neapolitan *illuministi* and inspired their rights theory. In Vico’s wake, Genovesi’s *Diceosina* (1767) theorised the natural moral equality of men and their equality of rights and duties, Gaetano Filangieri’s *Science of legislation* (1780-84) outlined the universal principles for a system of legislation based upon the rights of man, and Francesco Mario Pagano developed a philosophy of history that outlined the progress of nations toward a «regular government» sanctioning «equality of rights» and the «rights of man» in a «code of fundamental law».<sup>5</sup> Drawing on this intellectual legacy, Pagano’s constitutional draft for the Neapolitan republic – established by pro-French patriots and armies in 1799 – declared equality of rights as the general principle of legislation and the «foundation» of the rights of man.<sup>6</sup>

After 1799, European imperial ambitions in the Mediterranean dragged the Two Sicilies into global conflicts, eroded its sovereignty, and precipita-

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<sup>4</sup> A. TRAMPUS, *Storia del costituzionalismo italiano nell’età dei Lumi*, Rome-Bari, Laterza, 2009, p. 149 and ff. See also, ID., *Un modèle pour le constitutionnalisme des Lumières: la culture napolitaine et les droits de l’homme*, «Nuevo Mundo Mundos Nuevos», 7, 2007. Available online at <http://journals.openedition.org/nuevomundo/3479>.

<sup>5</sup> V. FERRONE, *Storia dei diritti dell’uomo. L’illuminismo e la costruzione del linguaggio politico dei moderni*, Rome-Bari, Laterza, 2014, pp. 278-348. On Vico, see also W. RECH, *History and Normativity: Vico’s Natural Law of Nation*, «Journal of the History of International Law», 17, 2015, pp. 147-169.

<sup>6</sup> *Progetto di costituzione della repubblica napoletana presentato al governo provvisorio dal comitato di legislazione*, edited by F. Morelli and A. Trampus, Venice, Edizioni della Laguna, 2008, pp. 122-124.

ted civil wars between Naples and Sicily. In 1806, French armies occupied Naples again and established a satellite monarchy, while Britain promoted a protectorate in Sicily. Despite international turmoil, Neapolitan reformers continued to develop constitutional projects inspired by the Enlightenment ‘rights tradition’.

After the restoration of the Bourbon sovereign, liberal patriots forced the king to proclaim the constitution of Cadiz in July 1820 under the example of Spanish revolutionaries. The Neapolitan liberal movement, soon spilling over to encompass Sicily, Portugal, Piedmont, and Greece, was the consequence of an interconnected «crisis of sovereignty» produced by the Napoleonic wars, and part of a global constitutional wave that swept through the Ibero-Atlantic, Mediterranean, and Indian Ocean.<sup>7</sup> Liberals endorsed the constitution of Cadiz, drafted by the Spanish *Cortes* in 1810-12, as a model for a new constitutional pact with their monarchs, based on national sovereignty, representative government, and resistance against the centralised state structures inherited by Napoleonic regimes.

By focusing on Naples in 1820, I explore the intellectual legacy of the Enlightenment on Duo-Sicilian liberalism. Neapolitan liberals put forward visions of constitutional government modelled on the Enlightenment theories of natural law and science of legislation centred on the rights of man and equality of rights. By so doing, Neapolitan revolutionaries theorised a ‘republic of the moderns’ that combined freedom with monarchy, and individual rights with national sovereignty and stood opposed to the post-Napoleonic Europe of imperial powers and counter-revolutionary security.

In this essay, I draw on the recent historiography of Enlightenment and rights. Scholars have shown how late eighteenth-century political thought transformed natural law doctrines into a modern theory of ‘human rights’ as inalienable rights that men preserved in society and defined the legitimacy of government. Dan Edelstein has focused on the transformation of natural rights into the rights of the nation in France and on their constitutionalisation through the lens of English common law in revolutionary America. Meanwhile, Vincenzo Ferrone and Antonio Trampus have unveiled an Italian, and specifically Neapolitan, ‘Enlightenment constitutionalism’ that based its theory on the constitutionalisation of human rights

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<sup>7</sup> M. ISABELLA, *Southern Europe in the Age of Revolutions*, Princeton, Princeton University Press, 2023. See also C.A. BAYLY, *Rammohan Roy and the Advent of Constitutional Liberalism in India, 1800-30*, «Modern Intellectual History», 4, 1, 2007, pp. 25-41; M. ISABELLA, *Risorgimento in esilio. L'internazionale liberale e l'età delle rivoluzioni*, Rome-Bari, Laterza, 2011, pp. 29-42.

founded on the principle of equality and universal principles of morality common to humanity.<sup>8</sup>

Moreover, this essay draws on the ways in which intellectual historians have revised and broadened our understanding of nineteenth-century liberalism by focusing on the Mediterranean in the age of revolutions. Once dismissed as a derivative and backward periphery, the Mediterranean now appears as a «place of intellectual communication» and a region «at the heart of global intellectual production» where liberalism emerged as a popular political force and promoted constitutional cultures alternative to British and French ideas.<sup>9</sup> Maurizio Isabella has showed that the events of the 1820s in Southern Europe led to an unprecedented «popular participation in revolutionary politics» and to «widespread political awareness among the populations». Southern European societies – as shown by Isabella – produced a «popular constitutional culture» that was «hybrid» in nature and supported individual rights and the sovereignty of the people as well as the rights of local communities, territorial self-rule, corporate privileges, and the religious unity of the nation.<sup>10</sup>

Building on the work of these scholars, this essay highlights the influence of the Neapolitan ‘Enlightenment rights tradition’ on liberalism and constitutionalism in the age of revolutions. First, this article shows the nineteenth-century legacy of an Enlightenment language of rights as complementary but distinctive to American and French ‘rights talk’. Duo-Sicilian liberals did not centre their rights theories on national sovereignty nor constitutional precedent, but on cosmopolitan and egalitarian ethics based on the equality of rights in domestic and international

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<sup>8</sup> D. EDELSTEIN, *On the Spirit of Rights*, Chicago, The University of Chicago Press, 2019; FERRONE 2014; TRAMPUS 2009; V. FERRONE, *The Politics of Enlightenment. Republicanism, Constitutionalism, and the Rights of Man in Gaetano Filangieri*, London-New York, Anthem Press, 2012 (or. ed. *La società giusta ed equa. Repubblicanesimo e diritti dell'uomo in Gaetano Filangieri*, Rome-Bari, Laterza, 2003). As Edelstein argues, the attributes of ‘human’, ‘mankind’ or ‘natural’ were closely related. In English, ‘rights of man’ and ‘human rights’ «were used in almost equal measure in the nineteenth century», while in French the expression ‘droits de l’homme’ became dominant by the end of the eighteenth century (p. 24). In this essay, I will use the concepts of ‘rights of man’, or ‘humanity’ since these were the predominant expressions used by Neapolitan liberals in the early nineteenth century.

<sup>9</sup> ISABELLA 2023; M. ISABELLA – K. ZANOU (eds.), *Mediterranean Diasporas. Politics and Ideas in the Long 19<sup>th</sup> Century*, London, Bloomsbury, 2016; K. ZANOU, *Transnational Patriotism in the Mediterranean. Stammering the Nation, 1800-1850*, Oxford, Oxford University Press, 2018; J. INNES and M. PHILP (eds.), *Re-imagining Democracy in the Mediterranean, 1780-1860*, Oxford, Oxford University Press, 2018; M. SOTIROPOULOS, *Liberalism After the Revolution. The Intellectual Foundations of the Greek State, c. 1830-1880*, Cambridge, Cambridge University Press, 2022.

<sup>10</sup> ISABELLA 2023, pp. 1-32.

society. The line of transmissions of this ‘rights tradition’ was preserved not only by constitutional documents but also by a broader discourse of constitutionalism that drew on the philosophical and political treaties of Enlightenment authors. Moreover, the essay’s focus on the legacy of the Enlightenment draws attention to the peculiarity of 1820’s Southern European ‘popular liberalism’ and the richness of its culture of rights. Enlightenment rights doctrines, as I will show, offered to Duo-Sicilian thinkers an intellectual framework to articulate the discourse of constitutionalism and theorise liberalism.

Finally, this essay complements current literature on the Neapolitan Enlightenment, by showing the continuity of eighteenth-century debates beyond 1799. Scholars have often described the collapse of the pro-French republic, the popular counter-revolutionary violence that followed, and the execution of Neapolitan legislators, including Pagano, as the defeat of Enlightenment culture.<sup>11</sup> Instead, this essay challenges the idea that the events of 1799 marked the ‘end of Enlightenment’ in Naples and contributes to revising current literature on the Two Sicilies as a ‘failed nation’ and intellectually stagnant periphery in the nineteenth century.

In this essay, I will show how Duo-Sicilian liberals drew on Enlightenment authors to theorise the foundations of constitutional government and educate the citizens on freedom. Then, I will demonstrate that they adapted the Neapolitan Enlightenment rights theory to promote constitution-making upon the equality of rights of man. Finally, I will show how the study of the intellectual legacy of the Enlightenment could broaden current understanding of nineteenth-century liberalism.

#### NAPLES AND THE GLOBAL CONSTITUTIONAL MOMENT OF 1820S

In Naples and across Southern Europe, the constitutional wave of the 1820s opened a political season of ‘popular liberalism’, free press, parliamentary elections based on quasi-universal male suffrage, and political mobilisation. The revolutions also led to conflicts between old and new ideas of citizenship, local, and national rights.<sup>12</sup> In the Two Sicilies, a civil war erupted between Naples and Palermo in August 1820. In this polarised context, Duo-Sicilian patriots embraced the intellectual legacy of the Enlightenment to build a consensual doctrine of the constitution.

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<sup>11</sup> G. IMBRUGLIA (ed.), *Naples in the Eighteenth Century. The Birth and Death of a Nation State*, Cambridge, Cambridge University Press, 2000.

<sup>12</sup> ISABELLA 2023, pp. 255-379.

Duo-Sicilian patriots admired Cadiz constitutionalism, participated in the transnational networks of the European and Atlantic ‘liberal international’, and acknowledged contemporary British and French liberal theorists. At the same time, they reinterpreted the Neapolitan Enlightenment school of natural law to develop a language to communicate the constitution, shape public opinion and educate citizens on the principles of representative government.

The references to Neapolitan Enlightenment philosophers in 1820 were not just a formal act of devotion or a political tactic. Duo-Sicilian liberals used the Neapolitan Enlightenment to shape a national political tradition and ideology that showed the cultural particularity of the Two Sicilies and offered a language to claim political freedom. Since the late Enlightenment, Neapolitan thinkers tried to raise awareness of the specificity of Neapolitan political theory. Pagano’s revival of Vico and his praise of the Neapolitan historical method in the study of natural law in the *Saggi Politici* were signs of these efforts.<sup>13</sup>

In 1820, the liberals’ ‘Enlightenment talk’ promoted a coherent educational programme centred on the Neapolitan intellectual tradition. By so doing, liberal patriots aimed to show that the constitution was the historical product of the kingdom’s political progress rather than a change imposed from outside. They used the Enlightenment tradition not only to build a «Neapolitan cultural awareness» but also to educate citizens on freedom. Duo-Sicilian understanding of legislation was firmly rooted in Vico’s historicism, according to which law and institutions reflected historical evolution of natural law based on the nations’ needs and customs. Likewise, Filangieri’s *Science of legislation* had argued that legislation followed «immutable principles» but was also conditioned by historical context.<sup>14</sup> This historicism drove the Neapolitan approach to constitution-making and constitutional education in 1820. Most of the liberal thinkers argued that the democratic institutions («very liberal principles») and republican ideal of citizenship («the prescription of virtues») prescribed by the Spanish text were not enough to establish constitutional government in the Two Sicilies.<sup>15</sup> Instead, the new constitution of the Two Sicilies, as the former republican patriot Gioacchino Olivier-Poli remarked, had to reflect

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<sup>13</sup> M. CALARESU, *The patriots and the people in late eighteenth-century Naples*, «History of European Ideas», 20, 1-3, 1995, pp. 203-209.

<sup>14</sup> FERRONE 2012, pp. 42-43.

<sup>15</sup> *Parere sulle costituzioni in generale ed in particolare sulle modificazioni da farsi alla costituzione spagnuola*, Naples, Tipografia Francese, 1820, pp. 14-15.

the «moral» and «territorial» situation of the nation since not «all constitutional project[s] were] equally good for a people».<sup>16</sup>

Liberal patriots believed that the Enlightenment culture had made the Two Sicilies more politically advanced than Spain. According to the criminal lawyer Nicola Nicolini, a pupil of Pagano and supporter of the republic of 1799, Neapolitan legislation was more refined than Spanish constitutionalism since it was inspired by the ideas of Enlightenment philosophers.<sup>17</sup> Members of the *Carboneria* shared this understanding, despite their attachment to the democratic features of the constitution of Cadiz. Angelo Lanzellotti, a jurist from Apulia and supporter of the republic in 1799, praised Neapolitan eighteenth-century reformers and argued that a cultural «gap» existed between Duo-Sicilian and Spanish political culture. He recommended the Neapolitan parliament reject all those Spanish constitutional principles (such as art. 12) that revealed the «intolerance» and «hesitation» of a nation that had been under «despotism» for too long.<sup>18</sup> Likewise, an anonymous essay on constitutions vigorously remarked that Spain and Naples possessed different characters, customs, and opinions. The pamphlet concluded that the Neapolitans could not accept backward «principles such as religious intolerance, citizenship rights based on wealth, and the royal veto on legislation».<sup>19</sup>

The Neapolitan Enlightenment empowered Duo-Sicilian reformers with a political tradition that testified to the cultural maturity of the nation, even though it had adopted a foreign constitution. Liberal thinkers established a direct intellectual connection between the constitutional moment of 1820 and Enlightenment political thought. The idea that eighteenth-century philosophers paved the way for the freedom of the Two Sicilies – presented in the dialogue *Passiate pe lo molo* and quoted in the opening paragraph – was common knowledge across the revolutionary public sphere in Naples and the provinces. The «Minerva napoletana» praised Vico, Genovesi, and Filangieri for starting the «civil restoration» of the kingdom.<sup>20</sup> In a similar tone, the constitutional catechism of the geographer Luigi Galanti recalled the efforts of Pietro Giannone against the

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<sup>16</sup> G.M. OLIVIER-POLI, *Saggio politico-critico su le varie costituzioni date alla Francia, dal 1789 sino alla restaurazione della monarchia nel 1814*, Naples, Tipografia della Società Filomatica, 1820, pp. XIII-XVI.

<sup>17</sup> N. NICOLINI, *La Spagna e le Due Sicilie*, «La Minerva napoletana», I, 1820, pp. 400-401.

<sup>18</sup> [A. LANZELLOTTI], *Osservazioni sopra alcuni articoli principali della costituzione spagnuola*, Naples, 1820, pp. 4-6.

<sup>19</sup> *Parere sulle costituzioni 1820*, pp. 6, 9-10.

<sup>20</sup> NICOLINI 1820, pp. 406-409.

power of the Church, Genovesi and Filangieri's teaching of the «good principles» of legislation and political economy, and his elder brother Giuseppe Maria's fight for the reform of administration against feudalism (*Della Descrizione politica e geografica delle Due Sicilie*, 1786-1790).<sup>21</sup> In a petition to the parliament, the citizens of Cerignola, an Apulian town, described the «political regeneration» as the «natural product» of the «lumi» in the country that gave birth to Vico, Genovesi, and Filangieri.<sup>22</sup>

Duo-Sicilian liberals built on the Neapolitan Enlightenment theory of natural law to justify the progress of society and legislation towards constitutional government.<sup>23</sup> The constitution, according to this vision, was not just the expression of a social pact moderating royal power but was the outcome of universal laws guiding the progress of society. Duo-Sicilian liberals adapted Vico's cyclical philosophy of history centred on a natural law of nations guiding the evolution of legislation and customs toward the age of 'reason' and 'right'. They also drew on Pagano's *Saggi Politici* and his outline of the progress of nations from barbarism and feudalism towards civil society ('*società colte e polite*') and regular government. The «Giornale della Lucania Orientale», organ of the provincial *Carboneria*, drew on Vico to claim that the revolution represented the last state of the kingdom's *corsi e ricorsi storici*, and the advent of a society based on «right».<sup>24</sup> Likewise, according to the philosopher Pasquale Galluppi, the Two Sicilies had gradually evolved from barbarism to civilisation («*dallo stato di barbarie a quello di coltura*») thanks to the «true philosophy» and «liberal principles» of government preached by the works of Genovesi and Filangieri.<sup>25</sup>

Enlightenment thinkers, according to Duo-Sicilian liberals, had laid the foundations of constitutional monarchy and political emancipation by theorising a government based on written laws and civil liberties (*governo regolare*) and opposed to feudalism. The «Minerva napoletana» praised Filangieri's «principles of legislation» for promoting the «destruction of arbitrary power». Nicola Nicolini celebrated the Enlightenment reformers for giving Neapolitan people an «organic body» of «public law» that emancipated

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<sup>21</sup> L. GALANTI, *Catechismo costituzionale per uso del regno unito delle Due Sicilie*, Naples, Domenico Sangiacomo, 1820, p. 15.

<sup>22</sup> *Indirizzo del comune di Cerignola al parlamento nazionale* (16 December 1820), «Giornale costituzionale delle Due Sicilie», 12 December 1820, p. 583.

<sup>23</sup> FERRONE 2014, pp. 278-292.

<sup>24</sup> *Corso delle nazioni*, «Giornale patriottico della Lucania Orientale», 10 October 1820.

<sup>25</sup> P. GALLUPPI, *Lo sguardo d'Europa sul regno di Napoli* (1820), in *Opuscoli politico-filosofici sulla libertà*, edited by G. Oldrini, Naples, Morano, 1977, pp. 85-93.

them from the abuses of feudal barons.<sup>26</sup> Neapolitan liberals also recalled Giuseppe Palmieri's critique of feudalism in *Riflessioni sulla pubblica felicità* (1788) and the efforts of republican legislators in 1799 against «inhuman feudal rights».<sup>27</sup>

Duo-Sicilian liberals did not describe constitutional government merely as a temperate or moderate monarchy, but rather as the Neapolitan Enlightenment's ideal of a monarchy limited by the rule of law, established on a republican ethics and civic virtue, alternative to both democracy and despotism.<sup>28</sup> This model of government, described by Duo-Sicilian patriots as «a mix of republic and monarchy».<sup>29</sup> Luigi Galanti's catechism exemplified this Enlightenment ideal of a 'patriotic monarchy', that combined republican ethics with modern civil liberties. The geographer presented the constitution as a «mixed government» that «shared the elements of a monarchy and a republic» and was equally distant from «pure monarchy» and «democracy». According to Galanti, both these forms of government promoted «arbitrary and irregular» institutions leading to «absolute power».<sup>30</sup> Instead, popular monarchy would transform the sovereign into a patriot king, establish the government of the laws opposed to that of men, destroy aristocracy, promote the education of the people and a national army of citizen-soldiers. Overall, Galanti claimed that constitutional government was centred on the principle of «virtue» opposed to that of «servitude».

When talking about civic virtue, Neapolitan liberals had in mind the ancient liberty of pre-Roman people in Southern Italy. Since the Enlightenment, these communities had become a symbol of republican virtue and were pointed to as a model of political regeneration for the Neapolitans.<sup>31</sup> Several thinkers from Vico to Giuseppe Maria Galanti (*Descrizione del contado di Molise*, 1781) had forged this distinctive intellectual tradition, by tracing the history of the ancient inhabitants of Southern Italy, who were organised in small and independent republics and had resisted Roman expansion. Italic peoples, as claimed by Matteo Galdi, president of the parliament in 1820 and pupil of Filangieri, had offered to Europe one of the first forms of civilisation founded on civic virtues and

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<sup>26</sup> «La Minerva napoletana», I, 1820, pp. 312-313; NICOLINI 1820, pp. 402-408.

<sup>27</sup> «La Minerva napoletana», I, 1820, p. 53.

<sup>28</sup> TRAMPUS 2009, pp. 232-238; A.M. RAO, *Repubblicanesimo e idee repubblicane nel Settecento italiano: Giuseppe Maria Galanti fra antico e moderno*, «Studi Storici», LIII, 4, 2012, pp. 883-904.

<sup>29</sup> «L'Amico della costituzione», 31 July 1820, p. 4.

<sup>30</sup> GALANTI 1820, pp. 12-14, 19, 54.

<sup>31</sup> M. CALARESU, *Images of Ancient Rome in Late Eighteenth-Century Neapolitan Historiography*, «Journal of the History of the Ideas», 58, 4, 1997, pp. 641-661.

patriotism. This ancient tradition of liberty, according to Galdi, was being reborn in Southern Italy, thanks to the establishment of a constitutional government.<sup>32</sup>

Duo-Sicilian liberals endeavoured to restore ancient republican virtues among the moderns. Civic virtue, as the Neapolitan Enlightenment taught them, was not merely a question of martial valour but involved the education of citizens on freedom and common good through public instruction and free press. Drawing on Filangieri's *Science of legislation*, constitutional patriots promoted education to build an informed public sphere and public opinion as expression of popular participation and sovereignty.<sup>33</sup>

Neapolitan liberals theorised political pedagogy and freedom of the press as essential instruments to restore civic virtues in the new constitutional monarchy. Enlightenment philosophers such as Vico and Genovesi, in their view, had paved the way for the regeneration of the nation through the study and teaching of moral and political sciences («*politici pensamenti e filosofiche dottrine*»)<sup>34</sup> It was up to the new generation of liberal thinkers to complete that intellectual project. Liberals endorsed Genovesi's pedagogical commitment to increase the kingdom's middle class (*ceto mezzano*) required to establish an informed body of public opinion. As they argued, «classi mezzane» were the «backbone of the constitution», since they preserved «patriotism and civic virtues» («*l' amor di patria e le virtù cittadine*»)<sup>35</sup> They emulated Genovesi's *Discorso* and his appeal to the «*studiosa gioventù*» (studious youth) to take up the study of letters and sciences. In Genovesi's wake, Costantino della Marra published a «political manual» that he dedicated to the «*gioventù studiosa*» of the Two Sicilies, while Galanti's catechism addressed the «*giovannetti studiosi*» to guide them in the «moral and political studies».<sup>36</sup>

Like Neapolitan eighteenth-century reformers, liberal writers advocated to themselves the role to enlighten citizens, increasing popular access to citizenship and political knowledge, and shape government through public opinion. The «most learned citizens», as the author of *Passiate pe lu molo* claimed, were educating common people as well as legislators on «political theories» and the principles of the «new system» of government. In doing

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<sup>32</sup> Parliamentary session of 13<sup>th</sup> February 1821, in *Atti del parlamento delle Due Sicilie*, edited by A. Alberti, Bologna, Zanichelli, 1924-31, vol. II, pp. 373-374.

<sup>33</sup> FERRONE 2014, pp. 340-342.

<sup>34</sup> «La Minerva Napolitana», I, 1820, pp. 361-362.

<sup>35</sup> *Ibid.*, pp. 29, 54-55.

<sup>36</sup> C. DELLA MARRA, *Manuale politico per i Siculo-Napoletani, ovvero principi di diritto pubblico particolare pel regno delle Due Sicilie*, Naples, Chianese, 1820, p. VII; GALANTI 1820, p. 3.

so, they were guided by the «political science» of eighteenth-century thinkers.<sup>37</sup>

Why was the Neapolitan Enlightenment relevant to the education of Duo-Sicilian citizens? What was the idea of civic virtue that liberals wanted to teach their fellow citizens? Why did it matter to constitutional government?

Duo-Sicilian patriots embraced Antonio Genovesi's definition of virtue as the respect for the rights of man and the equality of rights.<sup>38</sup> In his notes to Montesquieu's *Spirit of the Laws*, re-published in 1820, Genovesi criticised the French author for claiming that virtue was the principle of only republican governments, and that civic patriotism could not exist among modern commercial societies.<sup>39</sup> Genovesi rebuked at Montesquieu that monarchies too could be founded on political virtue. For him – and Neapolitan liberals too – virtue was not a synonym of republican patriotism but rather the «non-invasion or violation of other men's rights», and without it 'civil society' could not exist. Virtue, according to Neapolitan thinkers, described a society based on the respect of rights, and their equal partition among citizens. As Galanti's catechism argued, the education of citizens on their «rights» and «duties» would promote «common good».<sup>40</sup>

The Neapolitan Enlightenment mattered to Duo-Sicilian liberals because it offered them a theory of legislation centred on rights. The 'just' and 'equal' society theorised by the Neapolitan Enlightenment 'school of natural law' represented a government built on the equality of rights. Duo-Sicilian liberals turned to this 'Enlightenment rights tradition' to shape a constitutional monarchy founded upon the rights of man.

#### THE CASE FOR THE RIGHTS OF MAN

Duo-Sicilian 'popular liberalism' drew on the Neapolitan Enlightenment to develop a constitutional theory centred on the equality of rights and the constitutionalisation of the rights of man. The constitution, according to this vision, was not just centred on the balance among powers and representative government but established a society built on rights. According to the Neapolitan school, rights were neither based on a tradition of con-

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<sup>37</sup> *Passiate pe lu molo* 1820, pp. 3-5, 33-34.

<sup>38</sup> FERRONE 2014, pp. 302-303.

<sup>39</sup> C. DE SECONDAT, BARON DE MONTESQUIEU, *Spirito delle leggi, con le note dell'abate Antonio Genovesi*, Naples, 1820, p. 122.

<sup>40</sup> GALANTI 1820, pp. 8, 36.

stitutional liberties nor on popular sovereignty. Instead, they were founded on universal principles of natural law, centred on the common humanity of men and the equality of their rights. This tradition of ‘Enlightenment constitutionalism’ can be summed up in four connected ideas:

- Positive legislation is based on universal principles of morality (Vico’s ‘natural law of nations’). Natural law reveals these universal ideas of the ‘good’ and the ‘just’ in the history of peoples. These are centred on the idea that every society tends towards an equal partition of good (*aequum bonum*) among its members.<sup>41</sup>
- Natural law shows that men share the same humanity and moral nature. They are all born to pursue happiness and are endowed with ‘faculties’ (or rights) to achieve that (Genovesi, *Diceosina*). Moral equality is not the product of a social contract or the general will but descends from their common humanity.<sup>42</sup>
- The study of morality contains a theory of rights and politics belongs to ‘moral sciences’ (Genovesi, *Lezioni di commercio*). They investigate the principles of a ‘just and honest’ society, namely how to promote an equal repartition of rights and duties in society.
- Legislation must guarantee the equality of rights in society (Filangieri, *Scienza della legislazione*). To this end, legislators must constitutionalise the rights of man (Pagano, *Saggi Politici*).<sup>43</sup>

Duo-Sicilian liberals credited Neapolitan Enlightenment thinkers for unveiling these cosmopolitan and egalitarian principles of legislation centred on rights. Neapolitan philosophers and lawgivers, according to liberal patriots, had shed light on the «immortal doctrines of the rights of man». Their ‘rights talk’ had to guide the revolution of 1820 to constitutionalise natural rights and turn them into positive legislation, as outlined by Filangieri’s *Science of legislation*. The «Giornale Costituzionale» praised the «immortal works of Vico and Genovesi, Grimaldi, Palmieri, Pagano» and that of «Gaetano Filangieri, the supreme avenger of the rights of mankind». These philosophers, according to the newspaper, attacked feudality

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<sup>41</sup> FERRONE 2014, pp. 282-292.

<sup>42</sup> N. GUASTI, *Antonio Genovesi’s Diceosina: Source of the Neapolitan enlightenment*, «History of European Ideas», 32, 4, 2006, pp. 385-405; ID., *Un caso editoriale la Diceosina di Antonio Genovesi*, in A. GENOVESI, *Della diceosina o sia filosofia del giusto e dell’onesto*, edited by N. Guasti, Venice, Edizioni della Laguna 2008, pp. XIX-XXIX.

<sup>43</sup> According to Pagano, written legislation should sanction the «rights of man» in a «code of fundamental law». See F.M. PAGANO, *Saggi politici*, Naples, Vincenzo Flauto, 1785, vol. 2, pp. 124-143.

and disordered administration, initiated the Neapolitan «political reform», and «laid the foundations of a better government». Their culture of rights and legislation promoted «freedom», instead of the «spirit of conquest» and «despotism» brought by the French revolution's general will.<sup>44</sup>

Drawing on Vico's 'natural law of nations', Neapolitan liberals theorised moral equality as the universal principle of justice (or natural law) and prescribed the equality of rights (*aequum bonum*) as the means to achieve happiness in society. In his 'essays on individual freedom', the philosopher Galluppi claimed the existence of immutable «universal laws» that guided man towards the «moral good» and their «improvement». Rights, or what Galluppi called man's «moral freedom», were not founded on a rational or metaphysical natural law but on the common moral nature of humanity, that pushed every man to pursue the «development of his faculties». Expanding upon the idea of the moral equality of men, Galluppi established «equality of rights» as the founding principle of every legitimate government.<sup>45</sup>

The foundation of the 'rights talk' on the science of morality allowed Neapolitan liberals to build an egalitarian theory of rights that did not require theorising a social covenant or a pre-social state of nature. Drawing on Genovesi's *Diceosina*, the science of 'just' and 'honest', Neapolitan patriots claimed that men had the same rights since they shared the same nature. Costantino della Marra's *Manuale politico* based the idea of «primitive» and «inviolable rights» on the moral equality of men. He argued that human beings had been endowed with the same moral and physical faculties (although in different quantities) to pursue their happiness and were guided by a common sense of the «just» and the «honest».<sup>46</sup> According to Francesco Paolo Bozzelli, lawyer and former Napoleonic civil servant, nature placed men in the same situation of «primitive equality» and endowed them with the same «needs» and «faculties» to preserve their individual existence («*autoconservazione dell'individuo*»). In his view, equality of rights was necessary to fulfil the moral nature of man.<sup>47</sup> Likewise, according to the writer Nicola Calcaterra, the moral nature of man «constantly strives for equality» through the different epochs of history and societies.<sup>48</sup>

<sup>44</sup> «Giornale Costituzionale del Regno delle Due Sicilie», 1 February 1821, p. 107.

<sup>45</sup> P. GALLUPPI, *Della libertà di stampa* (1820), in *Opuscoli* 1977, pp. 32-34.

<sup>46</sup> DELLA MARRA 1820, pp. 9-13.

<sup>47</sup> F.P. BOZZELLI, *Origine de' dritti e de' doveri dell'uomo*, «Liceo Costituzionale», 1820, pp. 6-13.

<sup>48</sup> N. CALCATERRA, *Importanza de' cittadini costituenti*, Naples, 1820, pp. 3-6.

Once they established this understanding of rights based on equality, Neapolitan liberals argued that the purpose of constitutional government was to promote equality of rights through the balancing of rights and duties in society, as Genovesi's *Diceosina* identified. As a matter of fact, Bozzelli argued that the science of rights was based on a «relationship of equality among men» and that the purpose of government was to acknowledge and guarantee this equilibrium of rights and duties through civil legislation, so that man could pursue his happiness.<sup>49</sup> The «social pact», according to Bozzelli, did not create rights but merely ensured their natural equilibrium. Likewise, both a dialectal dialogue as *La Scuola costituzionale* and the 'high theory' philosophical texts of Pasquale Galluppi presented constitutional government as the «guardian» of the equality of rights and duties.<sup>50</sup>

To achieve such equilibrium, Neapolitan liberals argued that positive laws had to be modelled after natural law. Indeed, they viewed constitution-writing as fulfilling the new science of legislation theorised by the Neapolitan Enlightenment and centred on the equality of rights. Nicolini, claimed in the «Minerva Napolitana» that Vico, Genovesi, and Filangieri had theorised «principles of civil legislation» that rested on the «equality of rights» among citizens, «intolerance against privileges» and «feudal power», and had encouraged codification guided by these ideals. Building on their effort, the revolution of 1820 would constitutionalise those principles and transform them into the general «rule» and «basis» of legislation.<sup>51</sup>

Liberal patriots did not merely wish to incorporate a rights claim or a declaration of rights into the constitution. Drawing on Filangieri's *Science of legislation* and the constitutional project of 1799, they aimed at transforming the constitution of Cadiz into a document centred on the constitutionalisation of the rights of man. The principle of the «equality of rights», as constitutional projects claimed both in 1799 and 1820, was the foundation of every other right and the constitution itself.<sup>52</sup> Coeval drafts of reforms argued that the constitution must include not «vague and general» declarations of rights, but «clear and specific laws» determining the «rights and duties of the citizens» to guarantee their «equality». Indeed,

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<sup>49</sup> F.P. BOZZELLI, *Patto sociale. Poteri e forme di governo che ne risultano*, «Liceo costituzionale», 1820, pp. 49-60.

<sup>50</sup> S. GRASSO, *La scuola custezionale pe li piccirilli*, Naples, 1820, pp. 6-7; GALLUPPI (1820), in *Opuscoli* 1977, pp. 36-37.

<sup>51</sup> NICOLINI 1820, pp. 407-411.

<sup>52</sup> V.L. FERRARO, *La dottrina del popolo costituzionale*, Naples, Tipografia di Nunzio Pasca, 1820, pp. 13-16; B. FIORILLI, *La migliore costituzione politica per tutte le genti sul calcolo di ragione*, Naples, Tipografia Francese, 1820, pp. v-vi.

they claimed that the goal of the constitution was to establish «an equal distribution of rights and duties» to promote «public and private happiness». <sup>53</sup> Likewise, another constitutional draft opened with a declaration of the «equality of civil and political rights» of the citizens. <sup>54</sup>

The importance attached to the moral and legal principle of equality led Neapolitan liberals to develop a constitutional theory that balanced individual rights and national/popular sovereignty and asserted the primacy of the rights of man over legislation and constituted powers. To put it in the words of the minister of justice Francesco Ricciardi, the «sovereignty of the people» must be limited by the respect for «individual rights». Moreover, as Filippo Maria Pagano (nephew of the reformer Francesco Mario) claimed, institutional mechanisms had to prevent the transformation of the legislative assembly into a new «more legitimate and legal» tyrannical power. <sup>55</sup>

First, liberals advocated the principle of equality to oppose any reform that could jeopardise the Enlightenment notion of virtue, legislation, and balance of rights and duties that shaped constitutional government and a just and equal society. Thus, they opposed any attempt at introducing hierarchies or privileges among citizens, such as the establishment of an aristocratic senate or the restriction of suffrage. Angelo Lanzellotti argued that wealth and property could not be the criteria for the right to vote and be elected member of parliament, otherwise the new assembly would establish an «aristocracy» and exclude «sublime intellects» such as Vico, Genovesi, Pagano only because they lacked an adequate income. He also argued that the new council of state should not be based on «class divisions» but rather on a «proportioned combination» of expertise, including lawyers and political economists. <sup>56</sup> As a matter of fact, Neapolitan liberals blocked attempts at introducing a second chamber composed by peers appointed by the sovereign, which they judged to be a «political monster». <sup>57</sup> Instead of an aristocratic institution, they imagined a senate that reflected the Enlightenment republican ethics and that would be «composed by citizens of every class» and «opened to talents and virtue». This institution,

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<sup>53</sup> *Parere sulle costituzioni* 1820, pp. 46-47, 78-79.

<sup>54</sup> *Progetto di modificazioni da farsi alla costituzione delle Spagne presentato alla nazione napoletana da un veterano della libertà*, 6 Ottobre 1820, Naples, Tipografia Francese, 1820, p. 51.

<sup>55</sup> F. RICCIARDI, *Sovranità della nazione. Diritti politici de' cittadini. Poteri dello stato*, «L'Amico della costituzione», 18 August 1820, p. 4; F.M. PAGANO, *Osservazioni critiche sulla Costituzione della monarchia spagnuola*, Tipografia dell'Intendenza del Principato Citeriore, 1820, p. 10.

<sup>56</sup> A. LANZELLOTTI (ed.), *Costituzione politica del regno delle Due Sicilie del 1821. Sotto Ferdinando I. Con documenti e note*, Naples, 1821, pp. 38, 89-90.

<sup>57</sup> GALANTI 1820, p. 58.

as an anonymous pamphlet argued, would be a celebration of «equality» rather than «nobility».<sup>58</sup>

Moreover, Duo-Sicilian patriots drew on the Neapolitan 'Enlightenment constitutionalism' to criticise constitutional principles that restricted fundamental human rights such as the freedom of thought, press, and religion. This was the case of art. 12 of the constitution of Cadiz, which established Catholicism as the religion of the nation and did not tolerate any other. As shown by Isabella, most Neapolitan liberals and many Southern European reformers, praised religious uniformity, defined the nation in religious terms, and believed that «constitutional government required religiously homogeneous community to survive».<sup>59</sup> However, Duo-Sicilian patriots tried to find an accommodation between national religious identity and individual rights, and modify art. 12 without sacrificing the civic value of religion. Building on Filangieri's *Science of legislation* (book V, *Delle leggi che riguardano la religione*), Neapolitan liberals aimed at transforming Catholicism into a civic religion that opposed fanaticism, superstition, and the power of the clergy and that promoted instead social bonds, «virtue and happiness».<sup>60</sup> Both radical and moderate liberals such as Lanzellotti and Galanti believed that the constitution should protect the national cult since religion was the foundation of «civil orders» and a «powerful social bond». Yet, they also stood opposed to «fanaticism and intolerance».<sup>61</sup>

Liberals knew that intolerance would jeopardise the Enlightenment educational project centred on freedom of conscience and press. Voicing these concerns, the Neapolitan parliament proposed a reform of art. 12 to restrict only the «public practice of other cults». This reform, as argued by Galanti in parliament, would confirm the role of religion as «basis of social virtues» while still preserving freedom of thought.<sup>62</sup> Likewise, Galluppi praised the civic role of religion but drew on Filangieri's opinion to defend freedom of press and thought as an essential «right of man» based on the «right to self-improvement» aimed at achieving the diffusion of *lumi* and «social virtues» against «ignorance» and «superstition».<sup>63</sup>

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<sup>58</sup> *Progetto di modificazioni* 1820, p. 22.

<sup>59</sup> ISABELLA 2023, pp. 487-509, 559-564. See also, M. ISABELLA, *Religion, Revolution, Popular Mobilization*, in INNES – PHILIP 2018, pp. 231-251.

<sup>60</sup> FERRONE 2012, pp. 93-99.

<sup>61</sup> LANZELLOTTI 1820, pp. 6-8; GALANTI 1820, pp. 21-22.

<sup>62</sup> Galanti presented a motion in parliament on January 18, 1821, to defend the reform, see A. ALBERTI (ed.), *Atti del parlamento*, vol. III, pp. 68-71. In defence of the reform, see also Lanzellotti's comment on art. 12 in *Costituzione politica*, p. 13.

<sup>63</sup> GALLUPPI (1820), in *Opuscoli* 1977, pp. 44-56.

Finally, to consolidate the constitutionalisation of rights of man and its place above positive legislation, Neapolitan liberals proposed the introduction of constitutional guarantees against any usurpation of powers. In doing so, they built on Pagano's *magistratura degli Efori*, introduced in the constitutional draft of 1799. This supreme tribunal had neither legislative, judicial, or executive functions but instead had the task of holding the balance of powers and enclosing them within their spheres to protect the primacy of constitutional principles.<sup>64</sup> In the annotated re-edition of Pagano's draft, Lanzellotti praised the *Eforato* as the «most beautiful part of the project» and «*senato conservatore* of the sovereignty of the people».<sup>65</sup> Likewise, Bartolomeo Fiorilli's draft of a constitution, introduced a «senate of seniors» that would balance every constitutional power and «preserve» the constitution as «sacred depot» of rights.<sup>66</sup> This *senato conservatore* had to «invigilate on the respect of the constitution» and ensure that the legislation passed by the national assembly respected the principles of the constitutional code. Similarly, other patriots proposed a «supreme tribunal», neither subordinate to government, nor parliament, that would stop «abuses» and laws opposed to the «equality of rights among citizens».<sup>67</sup>

The intellectual influence of the Neapolitan Enlightenment 'rights tradition' on liberals was not limited to the constitutional discourse. Duo-Sicilian liberals shared with Enlightenment thinkers a cosmopolitan vision of the rights of man. The constitution, as Francesco Bozzelli claimed, declared but did not limit the geographical scope of rights to the national sphere, since these were by nature universal, inalienable, and made no «differences» among peoples. As he claimed, the rights of a «savage from austral lands» were as much valid as those of a Duo-Sicilian citizen.<sup>68</sup> Indeed, as Costantino Della Marra noted, Neapolitan citizens must stand against slavery and any other form of feudal vassalage that violated the «primitive rights» of man and vilified «human nature».<sup>69</sup>

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<sup>64</sup> FERRONE 2012, pp. 148-152; F. MORELLI, *La costituzione*, in MORELLI and TRAMPUS 2008, pp. 112-118.

<sup>65</sup> LANZELLOTTI (ed.), *Progetto di costituzione*, pp. 136-144. Lanzellotti paraphrased or copied most of Vincenzo Cuoco's notes on Pagano's project, and endorsed some of his observations, published in the *Fragments of Letters to Vincenzo Russo*, in the *Saggio Storico*. On Cuoco's democratic critique of Pagano's project, see A. DE FRANCESCO, *How not to finish a revolution*, in *Naples in the Eighteenth Century*, edited by G. Imbruglia, pp. 167-182.

<sup>66</sup> FIORILLI 1820, pp. xxviii-xxix, 104-105.

<sup>67</sup> *Parere sulle costituzioni* 1820, pp. 108-109, 113-114.

<sup>68</sup> F.P. BOZZELLI, *Sul mandato di cui devono munirsi i deputati alle prossime Corti legislative*, «Liceo Costituzionale», 1820, p. 37.

<sup>69</sup> DELLA MARRA 1820, pp. 43-44.

Neapolitan liberals did not confine the rights of man to the national constitution but used them to advocate a cosmopolitan system of international relations built on the equality of nations. This system would be alternative to the European ‘Congress system’ established at Vienna in 1814-15 and led by a directorate of great powers in charge of preserving counter-revolutionary peace and security in the continent.<sup>70</sup> Neapolitan liberals built on the ‘Enlightenment rights talk’ to defend the rights of the nation at a time in which the great powers’ conferences of Troppau (1820) and Laybach (1821) placed the revolutionary government of the Two Sicilies outside the European states-system and sanctioned an Austrian armed intervention to restore the rule of Ferdinand I.<sup>71</sup>

Duo-Sicilian liberals held that a new law of nations (or European public law), with written and secure laws centred on justice and equality, should replace the current system based the rule of a council of great powers over weak states.<sup>72</sup> The «law of nations», as stated by the periodical «Amico della costituzione», had to be turned into a «science» as the definition of its rules could no longer be left to brute force and conquest.<sup>73</sup> Recalling Vico’s re-foundation of natural law on new principles, the «Minerva napoletana» argued that the «*new science*» of public law should also be codified upon the «natural right» of nations to independence.<sup>74</sup>

Neapolitan legislators theorised an international society founded upon the equality of rights among nations. While proclaiming national rights, they reconnected the principle of national independence/sovereignty with the ‘Enlightenment constitutionalism’. The rights of nations, as Bozzelli argued, were based on the same universal principles of justice and morality that established the rights of man (*giustizia primitiva degli uomini and delle genti*).<sup>75</sup> First, this meant the illegitimacy of any distinction between nations. Even a small and lesser power at the «extremity of Europe», claimed

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<sup>70</sup> B. DE GRAAF – I. DE HAAN – B. VICK (eds.), *Securing Europe after Napoleon. 1815 and the New Culture of Security*, Cambridge, Cambridge University Press, 2019.

<sup>71</sup> M. JARRETT, *The Congress of Vienna and its Legacy. War and Great Power Diplomacy after Napoleon*, London-New York, I.B. Tauris, 2013, pp. 270-284. On Neapolitan international thought and its critique of the principle of intervention in 1821, see G. GRIECO, *British imperialism and Southern liberalism: reshaping the Mediterranean space, c. 1817-1823*, «Global Intellectual History», 3, 2, 2018, pp. 202-230.

<sup>72</sup> «La Voce del Secolo», 30<sup>th</sup> January 1821, p. 217.

<sup>73</sup> «L’Amico della costituzione», 8<sup>th</sup> February 1821, pp. 2-3, and 4<sup>th</sup> September 1820, pp. 3-4.

<sup>74</sup> «La Minerva napoletana», I, 1820, pp. 184-192.

<sup>75</sup> F.P. BOZZELLI, *Rapporti generali di popolo a popolo*, «Liceo costituzionale», 1820, pp. 111-117.

the «Amico della costituzione», had the same rights as other peoples.<sup>76</sup> As the deputy Giuseppe Poerio declared, the universal principle of «equality» sanctioned the incompatibility of the «any foreign supremacy» with the «law of nations» since nations «necessarily have equal rights». Moreover, Poerio linked the language of the law of nations and national sovereignty with that of constitutional rights. Indeed, the equality of nations was associated with their right for political freedom («*libertà politica*») and the rights of the peoples («*diritti de' popoli*») against «*despotismo*» and «*servitù*».<sup>77</sup>

Duo-Sicilian constitutional debates revived a distinctive Enlightenment 'rights tradition'. Neapolitan liberals defended the ideal of a just and equal society centred on the rights of man against the post-Napoleonic Europe of empires and great powers based on the principle of legitimacy and counter-revolutionary security. They also showed capacity to build on the Neapolitan 'Enlightenment constitutionalism' and adapt its language of rights to nation-building without sacrificing its cosmopolitan principles.

## CONCLUSION

The Austrian intervention in March 1821 brought an end to the brief constitutional experiment in Naples. Yet, the intellectual legacy of the Neapolitan school of natural law did not come to an end with the restoration of Ferdinand's absolute monarchy. Duo-Sicilian reformers continued to uphold a theory of liberalism and legislation centred on equality, the rights of man, and the quest for justice in domestic and international society. Still in 1848, the Neapolitan constitution of 1799 was re-published by the jurist Giovanni Manna as part of a collection of the most important European constitutional law documents to guide the new Neapolitan parliament.<sup>78</sup> Meanwhile, from the first Italian chair of international law in Turin, the Neapolitan lawyer Pasquale Stanislao Mancini drew on Vico's 'natural law of nations' to theorise international law upon the equality of rights and self-determination of nations (1851).<sup>79</sup>

This focus on Neapolitan political thought has illustrated how Enlightenment 'rights talk' continued to shape nineteenth-century lib-

<sup>76</sup> «L'Amico della costituzione», XI, 1820, p. 7.

<sup>77</sup> Parliamentary session of 15<sup>th</sup> February 1821, in *Atti del parlamento*, vol. 3, pp. 406-407.

<sup>78</sup> G. MANNA (ed.), *Il diritto costituzionale d'Europa ossia raccolta delle principali costituzioni politiche d'Europa dal 1791 fino a' giorni nostri*, Naples, Tipografia di Porcelli, 1848.

<sup>79</sup> G. GRIECO, *A Legal Theory for the Nation State. Pasquale Stanislao Mancini, Hegelianism and Piedmontese Liberalism after 1848*, «Journal of Modern Italian Studies», 24, 2, 2018, pp. 266-292.

eralism. The brief constitutional episode of 1820-21, is part of a broader Duo-Sicilian nineteenth-century intellectual story,<sup>80</sup> shows how the Enlightenment continued to inspire at the margins of the European states-system alternative understandings of rights, constitution, and law of nations. The legacy of the Enlightenment, as I have shown, did not end in Naples with the brutal repression of the republic of 1799. Instead, the writings and political theory of Enlightenment philosophers contributed to develop in Two Sicilies a current of liberalism alternative to the coeval Anglo-French liberal ‘turn to empire’<sup>81</sup> as well as to post-Napoleonic European counter-revolutionary projects of moderate liberalism in the shadow of the Holy Alliance,<sup>82</sup> and conservative declinations of ‘liberty without equality’.<sup>83</sup>

The legacy of the Enlightenment in the Two Sicilies also offers a new viewpoint on the global history of the «re-articulation and reinvention» of the Enlightenment in the nineteenth-century beyond the non-Western world.<sup>84</sup> Duo-Sicilian liberals, as I have shown, drew upon the Enlightenment language of rights to promote a cosmopolitan society established on equality and justice, and the right of lesser states to prosper in a world of great powers. Their intellectual effort shows that also lesser powers at the ‘margins’ of Europe re-appropriated the Enlightenment culture to reclaim rights and develop emancipatory projects in the age of empires.

This essay has revealed the ways in which the study of the connections between liberal political thought and the Enlightenment reaffirms liberalism in the present as a cosmopolitan and egalitarian theory of rights. The legacy of Enlightenment ‘rights talk’ can still offer a language to reimagine liberalism as a cosmopolitan theory centred on the moral equality of humanity and the equilibrium between individual and national rights.

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<sup>80</sup> I will deal at length with this in a forthcoming volume on *Empires and the Two Sicilies. Re-imagining the Mediterranean in the Age of Revolutions*.

<sup>81</sup> J. PITTS, *A Turn to Empire. The Rise of Imperial Liberalism in Britain and France*, Princeton, Princeton University Press, 2005; D. BELL, *Reordering the World. Essays on Liberalism and Empire*, Princeton, Princeton University Press, 2016.

<sup>82</sup> I. NAKHIMOVSKY, *The Holy Alliance. Liberalism and the Politics of Federation*, Princeton, Princeton University Press, 2024.

<sup>83</sup> A. DE DIJN, *French Political Thought from Montesquieu to Tocqueville. Liberty in a Levelled Society?*, Cambridge, Cambridge University Press, 2008; A. KAHAN, *Aristocratic Liberalism*, Oxford, Oxford University Press, 1992.

<sup>84</sup> S. CONRAD, *Enlightenment in Global History: A Historiographical Critique*, «American Historical Review», 117, 4, 2012, pp. 999-1027.

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Recent historiography often portrays the Enlightenment as the intellectual source of modern evils and projects contemporary biases on Enlightenment thinkers. Discussions on the legacy of the Enlightenment have ended up being subsumed within the study and exploration of Western imperialism, colonial domination, capitalism, inequalities, and racism. For its part, this volume aims to offer an alternative perspective on the legacy of the Enlightenment. It does so by shedding light on the new language of rights, constitutionalism, and equality shaped by the Enlightenment and by exploring its legacies, transformations, and reinterpretations in the nineteenth century. The Enlightenment promoted a cultural revolution and a new humanism associated with the invention of the language of the “rights of man” and the idea of the equality of humanity. The essays collected in this volume retrace some aspects of the intellectual legacy of this revolution by looking at how Enlightenment authors and texts influenced debates on the safeguarding of individual rights, written constitutionalism, inequalities and the remnants of feudalism, ideas of development, the equality of men and women, European colonialism, and the oppression of indigenous people. The volume also explores the impact of the ideas of rights and humanity brought on by the Enlightenment by looking at the new ethical and social role acquired by art and music.

