

# The making of the 'Basque' political institutions: the federal association of the representative assemblies during the Liberal Revolution (1793-1833), part II

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## SUMMARY

In this article Joseba Agirreazkuenaga continues his previous contributions on the development of Basque political institutions. Having followed developments to the end of the Ancien Regime, he analyzes here the process of political and bureaucratic consolidation during a time of political, ideological and military confrontations between supporters of the liberal revolution and those of the counter-revolution, in defence of the old order. This article concludes at the beginning of the long civil war, known as the first Carlist War, in which the Basque Country became one of the focal points of political debate and articulation of the new Spanish liberal state.

### 1. THE CONFERENCE (*CONFERENCIA* 'COMMON COUNCIL OF REPRESENTATIVES') IN BILBAO IN 1793: A FIRST ATTEMPT TO UNITE THREE BASQUE PROVINCES

At the *Juntas Generales* of Gipuzkoa held in Elgoibar in 1791, the commission that had interviewed Juan Bautista Eguía, inspector of iron in Cádiz, informed the Assembly of the work he was doing and of his status as a civil servant dependent on the three Basque provinces. The report prepared for the *Juntas* suggested that the authorities of Gipuzkoa needed to negotiate the issue with Biscay at least once a year. The

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<sup>1</sup> In Richard Ford's words, see: *A handbook for travellers in Spain and readers at home 2* (London: J. Murray, 1845), p. 922.

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*Juntas Generales* of Gipuzkoa commissioned Joaquín Barroeta Sarauz Aldama and Pedro Martín Larrumbide for this purpose. But the issue of the conversion of the *Vales Reales* (Royal Bills) using the 'excesses of land, goods and taxes' of local towns and villages had also lately arisen, creating unease in the Basque provinces; the *Diputación* of Gipuzkoa communicated its concern to Álava and Biscay in the hope of finding a collective solution to the problem. Simón Bernardo de Zamácola called a three-province *Conferencia* for November 26, 1792 at the tavern of Otxandio, but this was postponed. In the end, the *Conferencia* was held in Bilbao on October 30 and 31 and November 1 and 2, 1793.<sup>2</sup> It should be remembered that Spain and France had declared war in March and that the Basque Country was one of the principal theatres of war. The agenda of the 'Conference' (*Conferencia*) according to Prudencio María Verástegui, was 'to discuss the inspector of iron in Cádiz, to establish yearly *Juntas* for the future, to discuss the legitimate means by which we may recover our *foral* rights and laws, to resolve some articles that may interrupt our harmonious correspondence; and, in short, all those matters considered of common interest to the three. The surcharge on our fruit and manufactures and the means of strengthening our reciprocal friendship are the articles that interest our people'.<sup>3</sup> The *Conferencia* had some new and quite ambitious objectives regarding the existing political and institutional tradition, since it sought to give a solid institutional basis to a common political body.

A few years before, in 1787, the *Junta Suprema de Estado*, 'a collegiate body of the King with his ministers', had been created in Madrid. This body is the immediate predecessor of the future *Consejo de Ministros* (Council of Ministers) inaugurated by Fernando VII on 19 November 1823, with the absolutist retaliation in full swing. So really it should come as no surprise to find the *Juntas Generales* of the three provinces trying to set up a common, permanent *Junta*, as had occurred in the Real Sociedad Bascongada de los Amigos del País (Royal Basque Society of the Friends of the Country, the RSBAP), where internal problems, as well as those arising from bilateral relations with the monarchy's governing bodies, could be aired and discussed. The representatives (*comisionados*) who met in 1793 were named by their respective *Juntas Generales*. They belonged to an élite with many aristocratic connections and whose income came largely from agriculture, forestry and proto-industrial activity. The highest-ranking civil servants from the *Juntas Generales* and *Diputaciones* also took part in the meeting, together with their respective advisers. The minutes of the meeting provide us with an excellent synthesis of the problems and concerns of the leaders of Biscay, Gipuzkoa and Álava at the end of the eighteenth century. In the first paragraph they confirm their 'desire to preserve their *Fueros*, Franchises and Freedoms' in the face of the new developments introduced in recent years. Iron-related issues are introduced almost immediately: the iron

<sup>2</sup> Archivo General de Gipuzkoa (AGG) I.D.-I.M. 1-13-44. Archivo del Territorio Histórico de Alava. (ATHA) D.H. 262, no. 2.

J. Agirreazkuenaga (ed.) *La articulación político-institucional de Vasconia: Actas de las Conferencias firmadas por los representantes de Alava, Bizkaia, Gipuzkoa y eventualmente de Navarra (1775-1936)* (Bilbao: Diputación Foral de Bizkaia, 1995), 2 vols.

<sup>3</sup> *Ibid.*, ratified by Prudencio María de Verástegui on 24 of October 1793.

inspector at Cádiz, the exportation of iron ore, the prohibition on the free circulation of money, foreign goods and the taxes imposed at Customs on goods produced by Basque proto-industry. They were concerned to 'improve the Constitution of the Country and consolidate the Brotherhood that they desire to perpetuate'. In France, a new Constitution had been proclaimed; the Basque ruling élite, which in social terms represented a type of gentry that had assumed bourgeois values, looked to perfect the old, historic constitution, hoping to reform the social edifice rather than see it damaged or destroyed by revolution – and to preserve their political leadership at the same time. The first resolution taken by the representatives of the Assemblies was to call the representatives of the three territories to the Conference in May, before the ordinary *Juntas Generales* for each province met.<sup>4</sup> The creation of a tax is the unmistakable sign that the new body was looking to consolidate its position as a permanent representative institution. They even agreed to establish joint collective action in Madrid for the three agents operating there on behalf of each of the 'communities'.<sup>5</sup>

The resolutions of 1793 were, in effect, the founding charter of the Conference (*Conferencias*) system, and they figure repeatedly in later minutes as the point of reference and the source of authority.<sup>6</sup> The following *Conferencia* would begin with an analysis of the extent to which the agreements adopted previously had been adhered to. In short, there was no reaction to the challenges presented by the government of the monarchy for fear of endangering, and possibly destroying, the historic legacy condensed in the foral system, except for the strategy adopted to strengthen solidarity between the Basque provinces. The programme they subscribed to would not have been possible without the experience accumulated by the titled aristocracy and the ruling élites in the RSBAP (Royal Basque Society of the Friends of the Country).

The year 1794 saw the offensive of the troops of the French Convention and the attempts, by a sector of the nobility that had inspired the *Conferencias* the year before, to negotiate with the invader. Despite the proclamation of the independence of Gipuzkoa,<sup>7</sup> it was at first ruled like any conquered country. Meanwhile, the *Junta de Merindades* (*merindades* were cities or towns responsible for the defence of the smaller towns or villages within their territorial limits) of Biscay, after the defences on the Spanish border had collapsed and the front line had been fixed on the river

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<sup>4</sup> The calls to meeting were regulated, and a tax was called for ('half a *real de vellón* [coin] from each *quintal* [roughly 46 kilos] of all the iron embarked') to meet the costs generated by the first 'clerk' or 'civil servant' of the new structure.

<sup>5</sup> The term 'community' itself exceeded the scope of the province. By using this term, they aimed to represent the whole, cities included; in their view, the city bourgeoisie formed a distinct party, and this meant they could not possibly represent the community as a whole. The 'titled aristocracy' as distinct from the lesser gentry felt that they alone could take on the role of intermediation and representation of the entire community within the framework of the monarchy, in serious conflict with the merchant bourgeoisie of the cities.

<sup>6</sup> Their programmatic nature – though not exclusively so, as they also contemplated joint action on government – was made clear in the commitments acquired by each provincial delegation.

<sup>7</sup> Tx Castillo, 'Ugazaba eta morroiaren arteko dialektika: Konbenzioko gerraren garaian (1793-1795)', *Euskal Herriaren historia*, eds J. Agirreazkuenaga and R. López Atxurra (Bilbao, 1985).

Deva proposed, as a result of the agreements subscribed the year before, a war union of the three provinces and the township (*villa*) of Oñate.<sup>8</sup> But not even an invasion could force the three provinces to agree on a common defence, despite the resolutions of the year before. There had simply not been time enough for the practical implications of the 1793 agreements to bring about a strengthening of ties and collaboration between the three provinces. The attitude was probably also conditioned by the outstanding disputes between Álava and Biscay over issues like the tax on minerals and other articles.

### *1.1 Attempts to restore the Conference or federal Association of three Basque provinces and internal dissensions*

When the War of the Convention ended in 1795, each province began to restore political and administrative normality. But the division in Basque society and within the leadership was to continue until the emergence of new cultural, social and economic conditions, during the liberal and the industrial revolution. In the first place, they had to pay off the enormous debt accumulated during the war since, as established in the *Fuero*, the provinces had to pay for their own defence in case of invasion. In Biscay, the *Señorío* and the *Consulado* (trading organization) signed an agreement establishing a tax system on consumer and trade products (1796).<sup>9</sup> But the tax system agreed by the *Señorío* was quite clearly detrimental to the interests of the inhabitants of the two sister provinces, with which, years previously, it had signed a coordination commitment through an annual *Conference*. The tax system imposed in Bilbao, as the natural port for imports and exports for the rest of the Basques, directly affected traders and merchants in the other two provinces. The 'extraordinary' *Diputación* of Gipuzkoa, held on 14 December 1796, valued the importance of the *Conferencias* and the *Junta General* of Gipuzkoa which met the following year at Azpeitia and agreed to stimulate the *Junta de comisionados* (common council) of the three provinces, for which they appointed five *representative* (*comisionados*).<sup>10</sup> The *Diputado General* of Álava, Hortuño Aguirre, was enthusiastic and readily accepted his responsibility, it being his turn to call the *Conferencia*. However,

<sup>8</sup> However, at the meeting held on 6 December 1794 in Vitoria, the representatives from Alava, replied that 'the case only required an agreement between Alava and the *Señorío* of Biscay (without losing sight of the need to aid Guipuzcoa) for a reciprocal service in the case of either of the two parties being invaded and this should be according to the number of persons they had in their territories' (Archive of the Casa de Juntas at Gernika (ACJG) Basque Provinces, Reg. 1, leg. 5.) Although the representatives of Biscay wanted to draft a new 'chapter', the rulers of Alava refused to go any further than a general declaration of goodwill.

<sup>9</sup> These measures gave the Treasury of Biscay a level of self-organisation unknown until then. From now on, the administrative and, therefore, the political structure of the *Señorío* became increasingly complex and, in institutional terms, consolidated, in so far as it aspired to represent the will of the *viscatinos* and took on a growing role in daily life in Biscay. A bureaucracy linked to the administration came into being, with the secretary and, later, an adviser, becoming permanent posts.

<sup>10</sup> ATHA, D.H. 262, no. 2. AGG, I.M., 1-13-49. On 28 July of the same year, José Soroa, *Diputado* (Procurator) General of Gipuzkoa, addressed Biscay and Álava on 'the good that the three exempt Provinces in general and each one of them in particular would reap from placing the annual *Conferencia* and the *comisionados* on a firm footing in accordance with the preliminary chapters drawn up in Bilbao on 2 November 1793'.

the *Diputados Generales* of Biscay replied that they would inform the *Junta General*, which meant postponing the *Conferencia* at least for a year, as the next *Junta General* was scheduled for July 1798. But there were some rather deeper reasons for Biscay's reticence. The *Diputados* of Biscay were perplexed by the *Junta General* of Gipuzkoa's proposal to suppress Biscay's right to import tobacco by sea. Discrepancies between the provinces extended to other issues, like the tax on minerals and other consumer articles introduced via the ports of Biscay.<sup>11</sup>

The *Diputados Generales* of Gipuzkoa and Álava were deeply disappointed by the attitude of the *Diputados Generales* of Biscay<sup>12</sup> and justified their standpoint in the following terms: 'I am sure that lately I have always given your worship (Gipuzkoa) proof that I wish to continue the good correspondence and harmony that is so beneficial to us all. I am sure too that I have done nothing that contradicts your *fueros* and rights, while I have experienced the contrary; far from going against our respective *fueros*, we must help to broaden them as far as possible in accordance with the spirit and uniform intention of the *Comisionados*'. But on 14 July 1798 the *Juntas Generales* of Biscay resolved 'that they did not consider it necessary for them to be held every year, as matters of common interest could be agreed and promoted through regular and continued correspondence between the respective *Diputaciones*'. The set of taxes agreed years before remained in effect. This decision effectively meant division, as Biscay refused to take part in the *Conferencias* and consequently refused to negotiate the issue of taxing the inhabitants of the other two provinces.<sup>13</sup> Nevertheless, friction between the two sectors emerged in other aspects of social and economic life. So the rulers of Biscay had little room for manoeuvre with regard to the demands of the representatives of Álava and Gipuzkoa, and repeatedly refused to hold *Conferencias*.<sup>14</sup>

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<sup>11</sup> The surcharge on minerals from Somorrostro had been a problem since the seventeenth century. From 1796 the tax on minerals exported to other provinces, including Álava and Gipuzkoa, was increased. The foundries of Biscay were, however, exempt from such taxes. The Guipuzcoans were also unhappy about the sea traffic in minerals being monopolized by the inhabitants of Biscay and about mineral extraction being limited from May to October. Álava also felt it was unfair that it had to pay the tax on the minerals it bought, as well as the taxes placed in Bilbao on imported goods. Historically, the inhabitants of Bilbao, San Sebastián and Vitoria were exempted from paying the *prebostada*, a 2.5 per cent surcharge on all food, drink and fuel entering the port of Bilbao. In other words, the agreement created a specifically Basque economic zone. By way of extension and simple internal solidarity, given the ties existing between the provinces, the *Juntas Generales* of Gipuzkoa and Álava did not understand why they should be treated differently from the *viscatos* (inhabitants of Biscay) and demanded equality of status. A number of other issues involving coal and expenses incurred in transferring captured criminals from one Basque province to another still remained unsolved.

<sup>12</sup> On 12 September 1797 José Soroa, *Diputado General* of Gipuzkoa, wrote to his fellow *Diputado General* in Álava: 'the *Señorío* is showing such disdain that we may be forced to break the important bonds of our brotherhood, the citizens of the three communities suffering the fatal consequences that such disunion might entail'.

<sup>13</sup> The tax system adopted by the institutions of Biscay was the result of a compromise between the sectors that represented territorial wealth and the merchants of the *Consulado*, with a common objective, to settle the debt accumulated during the War of the Convention.

J. Agirreazkuenaga, *Viscaya en el siglo XIX: las finanzas públicas de un Estado emergente* (Bilbao, 1987). P. Feijoo, *Bizkaia y Bilbao en tiempos de la revolución francesa* (Bilbao, 1991).

<sup>14</sup> Books of the *Juntas Generales* and the *Diputación*, book 61, fol. 94.

It was against this unpromising background that the *Diputado General* of Álava, Hortuño Aguirre, Marquis of Montehermoso, arranged the call to meeting for 11 June 1799, to which came the representatives of Gipuzkoa, but not 'the representation of the M.N. and M.L. *Señorío* of Vizcaya as promised at the last *Conferencia*'.<sup>15</sup> At this *Conferencia*, they drew attention to the union signed by both provinces in 1688 and called on the *Diputados Generales* of Biscay to fulfil the commitments acquired in 1793. Faced with the ambiguous reply from Biscay, they agreed to suspend payment of the inspector of Cádiz's salary and add a surcharge on 'the goods and effects that pass to their district (Biscay) from these provinces'. In other words, they decided on a strategy of confrontation. The *Conferencias* concluded with the firm purpose of reconvening in accordance with the chapter or commitment approved in 1793. But an external event was to create the necessary conditions and serve as the excuse for renewing collaboration between the three sister provinces: the creation by the monarchic government of the *Junta de la Caja de Reducción de Vales Reales* (public debt acquired by merchants and nobility).<sup>16</sup> The distribution decided on by the *Junta* included 1,697,500 *reales* to Biscay, 1,758,750 *reales* to Gipuzkoa and 1,043,750 *reales* to Álava. On 9 November 1799, the *Junta de Merindades* of Biscay agreed to create a commission with Gipuzkoa and Álava to share out the funds of the *Caja de Reducción y Consolidación del Crédito de los Vales Reales*. On 13 and 14 December, the three communities held a new *Conferencia*. The differences in the share-out remained, but the figure of the *Conferencia* was re-established as an organism for meetings and direct discussion between representatives of the three *Juntas Generales* (Biscay, Gipuzkoa, Alava). However, it was the opposition to these *Conferencias* shown by the *Corregidor*, or Chief Magistrate of Gipuzkoa, Alfonso Durán, and in particular to the agreement signed in 1799 between Álava and Gipuzkoa, that brought the most far-reaching institutional consequences for the *Conferencia* system.

## 2. MARIANO LUIS URQUIJO AND THE ROYAL SANCTION OF THE *CONFERENCIAS* IN 1800

At the *Juntas Generales* of Gipuzkoa held at Villafranca on 12 July 1799, when the *comisionados* presented their report on the *Conferencia* held with Álava and without Biscay, the *Corregidor* Alfonso Durán expressed his surprise that Gipuzkoa should sign agreements with Álava without the knowledge of the *Corregidor*, and made clear his opposition to such agreements. He asked if the agreements reported on to the *Juntas Generales* had been either confirmed or approved by H.M. the King, to which the rulers of Gipuzkoa answered that they had not.<sup>17</sup> Not happy with this reasoning, the *Corregidor* declared that his duty was to 'preserve unimpaired the royal

<sup>15</sup> ATHA, D.H. 265, no. 21.

<sup>16</sup> A. Zabala, *Mundo urbano y actividad mercantil: Bilbao 1700-1800* (Bilbao, 1994), pp. 313-17.

<sup>17</sup> The latter then went on to argue in the following terms to demonstrate that such meetings, or *Conferencias*, were implicitly legalized: 'but these *Conferencias* can not be called *Juntas*, but rather meditations or propositions to be submitted to the scrutiny of the *Juntas Generales* of both communities, that meet with the approval of HM that the *Corregidor* declares and desires and do not have or receive any effect or force without their being approved and adopted by them and, further, HM has virtually approved these *Conferencias* by admitting the appeals made from them by virtue of the special Commission of the

authority and at the same time provide the *Junta General* with greater discretion', and concluded 'that formal *Juntas* like these, like the bodies that comprise them, needed the Royal Approval'.<sup>18</sup> The *Consejo* of government<sup>19</sup> accepted the attorney's reasoning and resolved that 'such *Juntas* and Associations have been generally prohibited and therefore they are hereby suspended'; the decision was communicated to the *Corregidor* of Gipuzkoa in the same terms. The agent at Court for Gipuzkoa, Errazquin, tried to impede the prohibition by emphasizing the benefits gained from such Conferences.<sup>20</sup> But it was the determined intervention of Mariano Luis Urquijo, then acting Secretary of State, which finally won the Royal Sanction for the meeting to go ahead.<sup>21</sup> The Governor of the *Consejo* and the *Diputados Generales* of the Basque Provinces were immediately informed of the resolution.<sup>22</sup> From then on, this Royal Order would be used as an instrument of political legitimation of the *Juntas* in *Conferencia*, conference or common council of representatives. Further, although the origin of the conflict was the agreement between Gipuzkoa and Álava, the Royal Order explicitly names the three provinces, Biscay, Gipuzkoa, Álava.

The minutes of the *Junta de Comisionados* (Conference or common council of representatives) held in Bilbao on 19 December 1800, reflect the new legal situation of these meetings. They did not use the argument of long-standing tradition, but declared it 'congregated according to the resolution approved by His Majesty in His Royal Order of July 16 of this year'.<sup>23</sup> The *Conferencias* of 1801 returned to some unresolved inter-provincial problems: the taxes levied in Biscay on iron ore and other imported articles consumed by the inhabitants of Gipuzkoa and Álava. However, no

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provinces without having ordered their suspension and such conferences being so ancient that they are now accepted'.

Archivo Histórico Nacional (National Historical Archive) (AHN), Consejos, leg. 1978, no. 29.

<sup>18</sup> The *Junta anual* or *Conferencia* was scheduled for June and the *Corregidor* wanted its conduct to be dictated by higher authority, but in principle he felt that it should not be allowed to take place. He wrote as much on 18 April 1800 and on 17 May the attorney replied in the following terms: 'placing before the consideration of the *Consejo* several objections made against the decree of the referred province and that of Álava to hold annually and alternatively as regards the venue' and continued: 'that such *Juntas* and associations have always been prohibited as subject to infinite political difficulties, particularly in that they deal with affairs and matters that have immediate relation to government, such as *fueros* and provincial privileges, taxes ... and some even when they have been authorized'; the attorney then declared: 'that such finding be communicated to the *Corregidor* of Guipúzcoa and the *Diputado General* of Álava so that in future they do not permit such *Juntas* nor any others to be held without prior license from the King or from this authority'.

<sup>19</sup> The *Consejo* comprised the following persons: Castiel, Ysla, Paz Puente and Pastor. El Relator (Reporter) was the Bachelor Viérgol.

<sup>20</sup> AGG, I.M. 1-13-52 y 51.

<sup>21</sup> J.A. Escudero, *Los cambios ministeriales a fines del Antiguo Regimen* (Seville, 1975), pp. 28-34.

<sup>22</sup> AHN, Consejos, leg. 1978, no. 29.

<sup>23</sup> The first agreement adopted was 'that the *Juntas* and *Conferencias* shall continue as deemed necessary so that in all affairs and business of common and reciprocal interest the provinces shall proceed harmoniously with the union and conformity that lead to the success to which they aspire in all their resolutions in accordance with chapter 18 of the *Conferencias* of 2 November 1793' (this chapter insists on common action in the face of Royal Orders communicated to any of the three provinces). They also agreed to send a collective delegation to the King to explain the crisis affecting the Basque economy as a result of the customs barrier that had been established on its internal limits.

resolution was taken and nor was any formal recognition made of equality between the other two provinces and Biscay.<sup>24</sup> The issue of contributions to the army was to be another cause for concern for the *foral* authorities, as it was difficult to maintain the balance between the *foral* tradition and the new requirements of the monarchy's higher authorities. In 1803, in the name of the King, the exempted provinces (Biscay, Gipuzkoa, Álava and Navarra) were asked to provide two thousand men for the army. The service was completed with a levy of beggars and idlers.<sup>25</sup> A measure of coordination existed between the four provinces, although this is not reflected in the records of any meeting. The *Diputado General* of Álava, José Joaquín Salazar, once again tried to take the initiative in 1804 to bring back the *Conferencias* 'to recover our franchises that have been abolished or limited either by modern Royal Orders or by resolution of the M.N. and M.L. Señorío of Biscay'.<sup>26</sup> In Biscay, after the conflict of *Zamacolada* (1804), the *Diputación* was in no condition to undertake common political action as, among other measures, strict military control had been imposed on the province's institutions. Initiatives in 1804 and 1806 to call a *Conferencia* were unsuccessful and, with the Napoleonic wars, a whole cycle of the emergent political *Conferencias* came to an end.

### 3. THE FORMATION OF THE GOVERNMENT OF BIZCAYA BY THE NAPOLEONIC ADMINISTRATION

An exceptional political and administrative event in the history of the three provinces occurred in 1810, when a single government and an administration was created for the first time in three Basque provinces. In February 1810, the Government of 'Bizcaya' was established; a month later, the government of Navarra. Both governments were headed by French generals, Thouvenot and Dufour respectively. The territories were separated from the Spanish Monarchy and

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<sup>24</sup> With regard to *hidalguitas* (concerning the lesser nobility) and related problems, despite the mutual recognition in 1800 of Álava and Gipuzkoa, they would not be accepted as *hidalgos* (lesser nobility) i.e., with the same rights as the inhabitants of Biscay, until 1816. In 1801 another agreement was reached between the three provinces for the transfer of wanted criminals. This was the beginning of a common legal zone. AGG, I.M. 1-13-53.

<sup>25</sup> ATHA, D.H. 265-2 'Álava, Guipuzcoa y Vizcaya con el Reyno de Navarra sobre la Real Orden de 4 de Julio en que se pide a las tres Provincias y Reyno dos mil hombres para remplazo del Ejército' (Álava, Guipuzcoa and Vizcaya with the Kingdom of Navarra on the Royal Order of 4 July 1803 in which the three provinces and the Kingdom are requested to provide a draft of two thousand men for the army).

J.Gracia, *Mendigos y vagabundos en Vizcaya (1766-1833)* (Bilbao 1993), pp. 161-7.

<sup>26</sup> From the interpretation of this we can conclude that one of the sister provinces had also actively contributed to the destruction of the principles of the *foral* organisation of Álava, which aspired to the same rights as the vizcaínos enjoyed in their territory. The claims and grievances can be summed up as follows:

1. That tobacco introduced into Álava for internal consumption be exempted.
2. That no tax be levied on the mineral of Somorrostro for 'the few foundries' that operate in Álava. This tax had been increased in 1796 and in successive years, until in 1806 it had reached 1 *real* per *quintal* of mineral exported.
3. That the King 'restore the franchise for introducing coin, cattle and fruit of Castilla'.
4. That they be enabled to export manufactured products to Castilla free of importation tax.

ATHA, D.H. 265-2.

incorporated into the French empire.<sup>27</sup> The government of Bizcaya, which lasted two years, was notable for the introduction of new concepts of administration and governmental action. The major areas of government, security with the creation of a police force, treasury, an official newsletter (*Gazette de Biscaye*), depended on the 'Government of Bizcaya'. The titled Basque nobility, educated in the enlightened, liberal spirit, together with a sector of the commercial and industrial bourgeoisie, took an active part in the government. The French, under Napoleon's leadership, were seen as the bearers of reason and modernity. The 'aristocratic élite' were happy to collaborate, although the climate of war was not to favour the government's projects for reform. This took place in a context of civil and social war.

### Conclusion

While the monarchy inaugurated a policy of cohesion and harmonization that clashed with the practices of the institutions of Biscay, Gipuzkoa and Álava, the *Juntas Generales* promoted a policy of convergence and solidarity, although on some occasions the specific interests of one particular province prevailed. To attribute a sort of aura of neutrality to the actions of the government of the Bourbon dynasty as regards the structures centred on the *Juntas Generales* of the exempt provinces does not, in my view, contribute to the correct interpretation of the political and institutional evolution of the Basque provinces under the monarchy. But the institutional exception of the Basques and the institutionalized meetings of the *Conferencias* became increasingly vigorous, as the Spanish administrative monarchy moved slowly towards a new concept of the nation-state in which peripheral administrations were, in legal terms, no more than appendices of the administrative structure of the monarchy. The construction of new states or the transformation of monarchy-empires into nation-states also contributed to a parallel process of integration affecting the territories structured institutionally around the *Juntas Generales*.

#### 4. CONSOLIDATION OF THE CONFERENCES IN THE CONSTRUCTION PROCESS OF THE SPANISH LIBERAL STATE: FROM THE GOVERNMENT OF BIZCAYA TO THE PRESERVATION OF THE HISTORIC CONSTITUTIONS OF BISCAY, GIPUZKOA AND ÁLAVA 1810-1820.

Leading institutional representatives from the *Diputaciones* of Biscay, Gipuzkoa, Álava and the Kingdom of Navarra, the *Consulados* (merchant organizations) of Bilbao and San Sebastián and the Church, among others, went to Bayonne in 1808<sup>28</sup> to debate and approve a new political constitution for Spain, which was to banish the backward nature of the Spanish monarchy. In their contributions, the delegates from the Basque *Diputaciones*, members of the titled aristocracy and the gentry but intimately linked-above all by a judicious matrimonial policy-to the city-based merchant class, expounded a set of political and ideological views forged in the last years of the Bourbon monarchy and according to which their provinces governed

<sup>27</sup> Royal Order of 16 January 1817. Minutes of the *Conferencias* in Vitoria, 17 March 1817.

<sup>28</sup> Minutes of the *Juntas* of the Spanish *Diputación General* that met in Bayonne on 15 June 1808 by virtue of the summons issued by the Duke of Berge as Lieutenant General of the Kingdom and the Supreme Junta of the Government, dated 19 May of the same year (Madrid, 1874).

themselves politically and administratively under their own constitution, called the *foral* system. The Marquis of Montehermoso, Hortuño Aguirre, *Diputado* for the province of Álava, declared that without the *foral* constitution the inhabitants of Álava would slip inevitably towards ruin.<sup>29</sup> José María Lardizábal also referred to the Constitution of Gipuzkoa.<sup>30</sup> Juan José María Yandiola, representative of Biscay, delivered perhaps the most ideologically and politically reasoned defence of the historic Constitution of Biscay. Yandiola intelligently interweaved the common stock of the new liberal constitutions with the constitution that Biscay had enjoyed for so long, and concluded by saying that Biscay had constructed a liberal constitution 'avant la lettre'.<sup>31</sup> Theoretical conceptualizations that had matured in the eighteenth century began to flourish in the era of the new liberal constitutions by fashioning a continuum between the historic *foral* constitution and the new liberal constitution. But participation in a central body of parliamentary representation, common to the monarchy as a whole, introduced a new type of variable, as the Parliament of the Spanish nation-state as a whole would have to decide on special constitutions and any institutional overlapping.

The vitality achieved by the *Juntas Generales* in each province, as a mechanism of legitimation and alternation in government, was decisive when it came to creating a differentiated political consciousness. In the eighteenth century, the political rule of the titled aristocracy notably increased. These countries or provinces governed and administered themselves, not as mere appendices of the monarchy but by virtue of their own system, constituted as a province in juxtaposition to the general body of the monarchy. This enabled and, indeed, obliged them to create their own political discourse as a guarantee of social and political reproduction. Thanks to this and some other formal coincidences with the reforms the new constitutionalism brought, in Bayonne they finally managed to ensure that the whole *foral* issue was incorporated into the new Spanish political constitution (art. 144) promoted by Napoleon as an unresolved matter requiring a solution in the immediate future, thereby substantiating its validity. However, the climate of war brought about by the Napoleonic invasion soon dissipated the reformist experience and the political existence of the *foral* system, giving way to the first experience of single government for the three provinces, the government of Biscay. The Spanish constitution drawn up in Cádiz by 'patriots' did not include in its legal articles any reference to the *foral* system.

When the Foral Régime was re-established in 1814, thanks to the absolutist reaction of the King, Fernando VII, the *Juntas Generales* were once again summoned to meet, to appoint and legitimate the pertinent governing and administrative

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<sup>29</sup> ... sería inevitable su ruina, con la falta de la Constitución foral que goza, que es el origen y manantial de la felicidad de todos los naturales', (... their ruin would be inevitable, in the absence of the foral Constitution that they now enjoy, and which is the source and origin of the happiness of all our inhabitants') Minutes of Bayonne, 1808, p. 107.

<sup>30</sup> *Colección de Documentos inéditos de la Historia de Guipúzcoa* (San Sebastián, 1958), pp. 103-104.

<sup>31</sup> Therefore, 'there was a need in Spain for a constitution, and VMI and R has seen fit to provide it: but Vizcaya has one that has made its people happy for several centuries and without which they will not be able to exist' which meant that the political existence and the survival of the inhabitants of these provinces was inextricably bound up with the fate of their own constitutions.

bodies; the *Conferencias* between three Basque provinces came to life again with renewed vigour, and their agreements were to achieve growing influence in the individual policies of the *Diputaciones*. Ten years after the last *Conferencia*, there are minutes of a *Junta* of persons of note from the three provinces and of another institutional meeting in 1812 to share taxes for the Napoleonic administration. In 1813, with the provincial *Diputaciones* officially recognized in accordance with the Spanish Constitution of 1812, they met in Tolosa to coordinate their administrative action. But the Conferences with *comisionados* appointed by the *Juntas Generales* were not to recover their political significance until 1816. The immediate motive leading to the summons was provided by an external initiative: the creation of the *Junta* set up to do away with the abuses suffered by the Royal *Hacienda*, or Treasury, in the Basque provinces. Completely in line with the Bourbon administrative tradition, the main objective of this *Junta* was to watch over the interests of the Royal *Hacienda* and, therefore, to introduce the measures that would either mitigate the effects of contraband or eradicate them completely; at the same time, it looked to carry out a general reform of the tax system in the Basque provinces. The *Haciendas* of the provinces, harassed by the enormous debt accumulated in the war of the Convention and the Napoleonic war, as well as the work on road infrastructures, had established a tax system more extensive than any known before, with a view to increasing revenue and wiping out the deficit brought about by the capital lent at interest by members of the merchant and land-owning élite at times of great need. The new taxes had received the obligatory royal sanction.<sup>32</sup> In opposition to the suggestion that the Basque provinces were a focal point for the introduction of contraband goods into Castilla, the representatives of the *Juntas Generales* continued to defend the internal customs posts, arguing that there were other frontiers with much greater levels of fraud, in particular Gibraltar. The defence of the internal customs posts became a central, emblematic element for the traditionalist defenders of the *foral* system. According to Pedro Novia de Salcedo, who wrote his *Defensa histórica* (historical defence) to refute the arguments contained in the *Informe sobre los abusos de la Real Hacienda* (Report on abuses in the Royal Treasury), the issue of the customs was 'one of the main points giving rise to the worries afflicting the Basque provinces, because it is precisely there that its economic system has found itself diametrically opposed to the system adopted by the general government of the kingdom'.<sup>33</sup>

The *Conferencias* also tackled internal issues like the mineral tax that the inhabitants of Gipuzkoa and Álava had to pay and the agreement between Álava and Biscay to reduce taxes on consumer goods paid under the *prebostada*. It was, indeed, almost as if the eighteenth century had never gone away. However, with regard to the affair of filiations and the recognition of the *hidalguitas* of Álava and Gipuzkoa in Biscay, from 1816 a course of reciprocal correspondence was decided on, which meant a major step forward in the legal homologation of the inhabitants of the three provinces. This measure meant an approach to the recognition of a special status of

<sup>32</sup> J. Agirreazkuenaga, op. cit.

<sup>33</sup> P. Novia de Salcedo, *Defensa histórica, legislativa y económica del Señorío de Vizcaya y provincias de Álava y Guipúzcoa, contra las Noticias históricas de las mismas que publicó D. Juan Antonio Llorente, y el informe de la Junta de reformas de abusos de la real hacienda en las tres Provincias Bascongadas* (Bilbao, 1852), t. IV, p. 287.

Basque citizenship on the basis of an individual's legal residence, although using formulas and reasoning more suited to the Ancien Régime. The full concept of citizenship, which directly corresponds to the concept promoted by the liberal constitutions in European states, would take some time to become established. The measure transformed provincial political individuals into Basque subjects with full rights. From now on, when any inhabitant of the three provinces changed residence from one province to another, they would continue to enjoy the same rights as before and could take up jobs or posts unhindered.

Álava and Biscay also smoothed over their differences with regard to taxes on tobacco and minerals from Biscay to Álava and, reciprocally, on the taxes levied at the customs in Vitoria on products destined for Biscay. 1817 was a year of intense activity for the *Conferencias*. Four were held in all, one in March, another in June, a third in July and the last in December. 1817 could in fact be seen as the year of the *Conferencias* and of their practical consolidation. The bankruptcy affecting the monarchy's public finances forced the Minister of the *Hacienda* to ask for a donation. The Royal Warrant sent by the government to Gipuzkoa uses the following formula: 'without prejudice to the general interests of the nation and the system of unity'. For the first time in the framework of traditional monarchical doctrine, the *Fueros*, or Foral Laws, were seen not as a doctrinal and institutional body that was an essential part of the historic and composite Spanish monarchy, but rather as a defective, distorting element that did not suit a principle like the general interest of the nation, which in 1839 would be formulated in terms of 'constitutional unity'. So the formula instituted in the parliamentary debate of October 1839 and transferred to the Act of 25 October 1839, was not exclusively an invention or solution of the liberals for the new Spanish state. During the absolute monarchy, this view on 'unity' was already beginning to be fully accepted.

The return of the absolute monarchy was identified with a project of administrative monarchy, where indirect mandates could be substituted by an administration directly dependent on agents of the General Government of the Kingdom. In the economy, the introduction of products from the colonies via the customs posts of Castilla and Aragón was prohibited, thereby restricting still further the Basque merchant bourgeoisie's chances of working as intermediaries and brokers. New taxes were levied on some products of the traditional proto-industry, such as tanned leather and by-products. In the face of this attack, the representatives of the Basque *Diputaciones* tried, and failed, to secure the complicity or support of the Kingdom of Navarra to present a wider front. Finally they approved the donation, comprising a million *reales*, Biscay contributing 39.4 per cent, Gipuzkoa 35.6 per cent and Álava 25 per cent. But the general government of the monarchy also demanded a contribution of *quintas* (military drafts) to combat the generalized collapse of the American colonial empire. These were critical times for the Spanish Empire. So in 1818 they made an extraordinary payment of 10 million *reales* to secure exemption from military service. In the eyes of most ordinary people, the opposition to the *quintas* was the most immediate and tangible advantage of the *foral* régime. The normal application of the *quintas* meant the disappearance of one of the signs of voluntarily shared sovereignty. Members of the *Consulados* of Bilbao and San Sebastián were also invited to the *Conferencias* of 1818, as their influence was

decisive when establishing any tax revenue system. The *Diputaciones*, increasingly controlled by landowners and the titled nobility, tried to increase the pressure of taxation on business capital and felt that the *Consulados* should meet the costs of delegations and claims made to the government on customs issues. In short, the *Conferencias* held between 1816 and 1820, during the first absolutist Restoration, symbolized the consolidation of a new power. Indeed, there was a gradual transfer of political rule from each of the individual *Diputaciones* to the common forum of debate and decision-making that the *Conferencias* were becoming, although such decisions as they took had to be ratified by the *Juntas Generales* of each territory.

During the *Trienio Liberal* (as the three-year period of Liberal rule is known), although the *Juntas Generales* and the bodies deriving from them were suppressed, the *comisionados* of the three provincial *Diputaciones* met in Mondragón, where they established the quotas to be paid to the central *Hacienda* for the contributions for each territory and for consumption. The administration of the Basque provinces was settled and during the *Trienio* there was even a moment when the possibility of unifying the three provinces in a single demarcation came under consideration. Meanwhile, the anti-constitutionalists, organized in armed groups, met in Villanueva in Navarra on 24 August 1822 as 'a *Junta General* of the three Basque provinces, Vizcaya, Guipúzcoa and Álava, their union and the creation of the new government with higher authority than these'. The pamphlet's title read: *Unión de las provincias Bascongadas Vizcaya, Guipúzcoa y Álava en defensa de los derechos del altar y el trono y su Junta General celebrada en Villanueva de Navarra a 24 de agosto de 1822 (Union of the Basque provinces Vizcaya, Guipúzcoa and Álava in defence of the rights of altar and throne and their Junta General held in Villanueva of Navarra, 24 August 1822)*.<sup>34</sup> When the absolute monarchy was restored in 1823, with the decisive international aid of conservative and absolutist European states, the restoration of the *Juntas Generales* and of the foral system became particularly significant, since from then on the survival of the system seemed to be inextricably linked to that of the absolute monarchy. The decade from 1823 to 1833 in the Basque Country could be described as a continuation of a war that had begun with the anti-constitutional war in 1821. The climate of war would not remit until 1839.

Militant anti-liberalism was to be the new watchword of the governors of the *Diputaciones*, at least in the years after 1823, although this attitude survived among an increasingly better organized sector until the outbreak of the Carlist War. A number of diligent civil servants from the general government of the absolute monarchy also perceived a danger in the *Juntas Generales*, in so far as they represented a focal point of power of popular origin, therefore representing a threat to the exercise of the absolute power of the King.

In 1824, the Minister of the *Hacienda*, Ballesteros, introduced a new philosophy governing the regulation of the fiscal relation between the Basque provinces and the monarchy's Treasury. According to the proposal, the three provinces were to pay a fixed *cupo* or quota every year, instead of the voluntary donation envisaged in the traditional *foral* system. This novelty provoked a meeting of the *Conferencias*. The

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<sup>34</sup> Printed in Bilbao in 1823. Biblioteca del Seminario de Vitoria. no. 2565.

provinces made a counter offer of a fixed annual quota of seven million *reales* for seven years.<sup>35</sup> Each province would pay according to its estimated wealth, so that Biscay would give 38 per cent, Gipuzkoa 34.4 per cent and Álava 27.6 per cent. This model would be maintained in coming years. The tax contribution, military service and the customs restraints on Basque industrial production and commerce would constitute the main issue in successive *Conferencias* and of the frequent delegations made to the King. In 1825, *comisionados* from the three provinces went to Madrid to negotiate the duties on Basque products within the monarchy; they also went with the purpose of negotiating privileges concerning the tobacco trade. That year also saw the inauguration of a new form of collective political intervention of the three Basque provinces in Madrid; before attempting to negotiate with the central government, the Basque *comisionados* tried to unify criteria and points of view. So the representatives of the Basque provinces began to work together on joint intervention in Madrid to combat government bureaucrats and ministers. A good example of this new orientation is the fact that the claims laid before government and King were signed by the respective representatives of Biscay, Gipuzkoa and Álava. The spirit and the system of the *Conferencias* extended to direct intervention in Madrid. For this reason, at the end of the records of the *Conferencias* there is added an appendix with the joint records signed by the *comisionados* to the Court from the three provinces. The coordination of their efforts at Court began to be quite normal.

Later, during the constitutional period, the creation of a permanent commission of representatives at Court and the *Diputados* from the provinces of Biscay, Gipuzkoa and Álava in the *Cortes* (Spanish Parliament) was, in effect, the crowning moment of a movement begun in 1825, a movement in which the vision and influence of Pedro Novia de Salcedo, *comisionado* for Biscay, was decisive. His political ideas and thoughts, always with Biscay as a central theme, extended to take in the Basque provinces as a whole. The claim laid before the King in 1825 by the *comisionados* at Court for the three provinces is the document that best synthesizes any analysis of the political and economic situation from the perspective of the *rentier* landowning élite; its absolutist-rooted ideological inspiration was evident at a time when the old political and economic edifice was clearly crumbling. In Novia de Salcedo's view, a number of agents had helped enormously to undermine the traditional foundations, and he pointed the finger directly at merchants, traders and intermediary speculators. In his farewell speech to the *Juntas Generales* of 1827, when he looked back over his political and economic rule at the head of the *Diputación*, Novia de Salcedo tried to discover the causes of such decadence. Aware of the exogenous and endogenous causes contributing to the social crisis in the Basque community, he accused merchants and brokers of destroying the equilibrium of traditional society, and proposed measures to stimulate the political development of the middle class.

During this period, the general policy of the Council of Ministers regarding the demands of the Basque élites hardly changed at all. At the end of the period of

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<sup>35</sup> Archive of the *Presidencia del Gobierno* (APG). J. Agirreazkuenaga, J.M. Ortiz de Orruño, 'Las Haciendas Forales de Álava, Guipuzcoa y Vizcaya entre 1800 y 1878'. *Ekonomiaz* 9-10 (Vitoria-Gasteiz, 1988), pp. 69-92. See also, R. Barahuna, *Vizcaya on the eve of Carlism, Politics and Society, 1800-1833* (Reno, 1989).

moderate or evolved absolutism, it supported the claims of merchants from San Sebastián. But, while the internal customs posts remained, a change in economic policy on the Basque provinces was out of the question. The policy begun by Muzquiz in 1779 was applied to its ultimate consequences. The nineteenth century historian Nicolás Soraluce was much concerned in his work with these problems.<sup>36</sup> The Royal Order of February 21, 1828 authorized the ports of Bilbao and San Sebastián to trade directly with America - once it had become much less important - and in 1830 the King promised to preserve the *Fueros*. The transfer of customs posts, 'the doors of Death' in the expression of Fontecha y Salazar,<sup>37</sup> was a cause of fear for some and relief for others.

The truth is that at the *Conferencias* of September 1828 in Mondragón, the landowning aristocracy imposed its free-exchange views, just as it had done in the same place 50 years earlier. Novia de Salcedo's doctrine was accepted over the views of the merchant class, which also worked for changes in the ruling free-exchange economy. In the *Memoria* published in 1832,<sup>38</sup> Claudio Antón Luzuriaga outlined his opposition to Novia de Salcedo's ideas. The records of the *Conferencias* of Mondragón are an example of the political and economic world view of one sector of the ruling élite in the Basque Country, very much linked to the land but also with close connections to the retail intermediation trade in the towns and cities. From 1823, *Conferencias* were held on average once a year and sometimes two, which gives an idea of their increasing weight in Basque institutional organisation. But the political, ideological and economic debate was again interrupted by a new outbreak of civil war in 1833. One of the outstanding structural factors that help us to understand this new flare-up - beyond immediate circumstantial causes like the death of Fernando VII - was the fear of one sector of the ruling class of inevitable upheavals caused by the moderate absolutists in power and even more by the liberals. The spark was provided by the death of the King, but to ignore the structural conditions against which the élites and middle classes moved and thought, including the evolution of a general system of social and economic organization like the *foral* régime, with the reproduction of their collective political existence and living standards guaranteed, is to ignore one of the major factors explaining why civil war became an almost chronic state in the Basque Country. The minutes of the *Conferencias* would certainly seem to invite this kind of reflection.

*Conclusions on the period of consolidation of the Conference as a common council of representatives (1814-1833)*

1. The *Conferencias* of 1816 signified the recovery of a framework of reference and

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<sup>36</sup> N. Soraluce, 'El libre comercio vascongado', *Revista de España* 46 (Madrid, 1875), pp. 330-56. N. Soraluce, *Historia General de Guipúzcoa* (Vitoria, 1970), t. I.

<sup>37</sup> P. Fontecha y Salazar, *op. cit.*

<sup>38</sup> *Memoria justificativa de lo que tiene expuesto y pedido la ciudad de San Sebastián para el fomento de la industria y comercio de Guipúzcoa, publicada por acuerdo del Ayuntamiento General de vecinos concejantes y Junta de Comercio de la misma ciudad* (Justification of the reasons and requests of the city of San Sebastián to stimulate industry and commerce in Guipúzcoa, published by agreement with the General Town Council and the Trade Council of that city), San Sebastián, 1832.

opinion superior to the political formations structured around the provincial *Juntas Generales* and inferior to the Council of Castilla and the King, as well as a forum where different points of view and opinions touching on common problems could be harmonized and brought into line. In this phase the *Conferencias* were called mostly in response to an external event or a proposal generated by the action of the central government, the King or his councils.

2. From 1823, the content of the records of the *Conferencias* reflects a more complex situation. The new absolutist government backed the absolute power of the King more vigorously than before. So other powers that might have limited or balanced this mode of government were considered as defying the hierarchy and, therefore, as institutions that had explicitly to recognize the superior rank of the King and of his ministers. The *juntas*, assemblies and other such bodies provide a nexus of communication with the representative systems of liberal institutions. Any popular *junta* was under suspicion. And this accounts for the fact that in the Basque provinces two types of absolutism took shape: first, the royalist tendency, which placed the power of the King above all other bodies. Basing his arguments on the pact or contract view of power, Sagaseta Illurdoz tenaciously opposed this tendency in Navarra to ensure recognition for the *Cortes* (Parliament) of Navarra. Secondly, in a report of 1826, the British consul in Bilbao<sup>39</sup> noted the formation of a *pro-foral* party, which defined itself as anti-liberal, but which at the same time opposed the royalist pretension of annulling the power of the *Juntas Generales*. This *pro-foral* power base was to be given theoretical backing and also, in ideological and political terms, headed by Novia de Salcedo and, in military terms, by the Marquis of Valdespina. These two took a leading role in the Carlist uprising of 1833, but during the war, from 1834–35 on, were gradually excluded from the Carlist bloc.
3. During the absolutist period, the *Diputaciones* were consolidated as provincial governing bodies. The *Conferencias* became more important, to the extent that at the *Conferencias* of Mondragón in 1828 the programmes for economic recovery and diffusion of the Basque language were debated. The agenda of the 1828 meeting made it seem a repeat of the *Conferencia* held in the same town in 1780. The model of economic growth remained the real subject of debate and no agreement had been reached in the intervening 50 years. But what we would like to stress is that in 1830 the *Conferencias* were considered not as just another body but as an institution which was a major reference point for each *Diputación*. Events easily overtook the original schedule of a yearly meeting. Besides, as the century progressed, the *Diputaciones* of each province perceived the limitations inherent in the provincial structure which hindered them individually in providing the services society required. The 'Basques' began to

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<sup>39</sup> 'The population of these provinces in regard to public feeling, may, I think, be divided into three classes, namely the Royalists, the Fieristas (or those who hold out for their privileges) and the Liberals. The two former may certainly be considered as two links of the same chain in as far as they may relate to a decided opposition to the third, they are beyond a doubt much more numerous; but the Liberals are mostly men of property and superior education' (John Clark) Public Record Office. FO 729/9, January, 1826.

- be a political entity with rights and duties deriving from the *Fueros*, which were considered in general terms as *Fueros* common to all of them. But this could only be true to the extent that the *Fueros* were given the dimension of public law.
4. From 1816 to 1833 the *Conferencias* looked at aspects of the production economy and features concerning the system of duties applied to Basque industrial products and the importation of colonial products. They also developed a theoretical overview of the political and legal status of Basque political formations within the framework of the absolute monarchy. Towards 1830, the defence of the internal customs posts, exemption from land-based military service and tax exemptions became the three pillars on which the Basque *foral* system rested. Any alteration to any of them was interpreted as an attack on Basque 'political existence'. In 1818 a call was made 'to restore the *foral* system'; in other words, there was a widespread feeling that the *foral* régime was breaking down. This idea was to be repeated uninterruptedly in the following decades. In 1817, in government circles there appeared a formula explicitly interpreting the *foral* system 'without prejudice to the general interests of the nation and the system of unity'. Later on, in the Law of 25 October 1839, the expression had become 'without prejudice to constitutional unity'.
  5. Attention should be drawn to the attempt in 1817 to extend the 'union' of the three provinces to Navarra, with a view to broadening its strength against the offensive launched by the bodies of the general government of the monarchy.
  6. In 1824, the concept of 'Basque *fueros*' became widespread and in the records of 1828 the 'loyal Basques' became protagonists. In the face of administrative and political levelling, the Basque élites reclaimed the application of the monarchical theory of 'classes' and 'privileges' which required a different status within the unified monarchy to compensate for the limitations of natural resources.
  7. For the health service, Gipuzkoa proposed the creation of a 'a higher *Junta* for Health in the Basque Provinces', but the project was rejected due to the 'nature of the service, in which the three provinces had never made a community'; in other words, powers in health matters should be provincial. There was still no clear movement in favour of the creation of a common Basque administration, but the agenda of the meetings is a clear example of the progressive institutional coordination between the *Diputaciones* of the Basque provinces, independently of the political and ideological attachments of the *Diputados Generales*. This process of identification and harmonization ran parallel to the constitution of the new Spanish nation-state. Indeed, the formation of the nation-state and the progressive political and institutional integration of the Basque provinces are phenomena that are indissolubly linked. The minutes from 1830 to 1833 give evidence of a high level of internal debate between different sectors of Basque society. The validity and reproduction of the *foral* system came up time and again in all the debates; even the high density of the population was attributed to the *foral* system. In 1833 all the protagonists accepted in their diagnoses the crisis of the *foral* system and the need to define new alternatives. The death of Fernando VII was immediately followed by armed uprisings, which in Bilbao had been perfectly planned and coordinated. Although the *foral* issue

was not an explicit factor in the uprisings, a close reading of the transcribed records of the *Conferencias* would seem to confirm that the fear of its disappearance contributed to the mobilization of the absolutist *fuéristas*, or supporters of the *foral* régime.

8. These perspectives were to change from 1834, when the first voices were raised in favour of the conjunction of a type of *foral* system and the liberal constitutional régime.