

## THE INFLUENCE OF ARISTOTLE'S PRACTICAL PHILOSOPHY ON THE FORMULATION OF A PHILOSOPHY OF ECONOMICS IN COLONIAL SCHOLASTICISM

*A influência da Filosofia Prática de Aristóteles na formulação  
de uma filosofia da economia no escolasticismo colonial*

*La influencia de la Filosofía Práctica de Aristóteles  
en la formulación de una filosofía de economía en el  
escolasticismo colonial*

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### Abstract

After briefly presenting the approaches to price theory developed in American colonial scholasticism by Tomás de Mercado, Bartolomé de Albornoz and Juan de Matienzo, we intend to demonstrate the preponderant role played by Aristotle and the peculiar reception given to him by these authors in their respective works .

**Keywords:** Colonial scholasticism; fair price; Aristotle; Tomás de Mercado

### Resumo

Depois de apresentar brevemente as abordagens relativas à Teoria do Preço desenvolvidas na Escolástica colonial americana por Tomás de Mercado, Bartolomé de Albornoz

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e Juan de Matienzo, pretendemos demostrar o papel preponderante exercido por Aristóteles e a peculiar recepção dada a ele por estes autores nas suas respectivas obras.

**Palavras-Chave:** Escolástica colonial; preço justo; Aristóteles; Tomás de Mercado.

## Resumen

Después de presentar brevemente los enfoques relacionados con la teoría de precios desarrolladas en la Escolástica colonial americana por Tomás de Mercado, Bartolomé de Albornoz y Juan de Matienzo, pretendemos demostrar el papel preponderante ejercido por Aristóteles y la peculiar recepción que le han dado estos autores en sus respectivas obras.

**Palabras clave:** Escolástica colonial; Precio justo; Aristóteles Tomás de Mercado.

From the first decades of the discovery of the Americas, the thirst for knowledge was quenched by the supply of books brought from Spain in ever increasing numbers; in 1785, one single consignment of books received in El Callao, the port of Lima, totalled 37.612 volumes<sup>2</sup>. Certainly, the books sent from Europe included the most varied topics and, with the passing of time, they acquired a heterogeneous character. Nevertheless, the interest of the cultured classes - particularly those of religious men and magistrates - centred on scholastic writings and on their Aristotelian-Thomistic foundations.

The literary works of Aristotle, whose 'Ethics, Politics, and Economics' had already reached the New World by 1536, were widely received. The writings of other renowned scholastics of the School of Salamanca, such as Aquinas, Vitoria, Medina, de Soto, Covarrubias y Leyva, Azpilcueta Navarro, Molina and Lugo, could also be found in most of the private and public libraries until well into the period of independence of the Latin American republics. The spiritual contact with Spain became even stronger by means of the Hispanic American universities. From 1538 to 1824, the final period of

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<sup>2</sup> HENRIQUEZ UREÑA, P. *Historia de la Cultura en la América Hispánica*, Mexico: Fondo de Cultura Económica, 1947, p.45.

Spanish reign in America, the number of universities rose to thirty-three. If contemporaneous colleges and institutes of higher studies were included in this count, the total number of independent learning centers would easily increase to well over fifty. This fact is especially remarkable as the population did not surpass more than 15 million inhabitants<sup>3</sup>. It should be noted that the first twenty-one universities were founded in the sixteenth and seventeenth centuries, a trend which shows that most Hispanic American universities were founded and intellectually nourished under the scholastic tradition. Furthermore, most faculty members were disciples of the great Spanish scholastics from Francisco de Vitoria (1468–1524) up to Juan de Lugo (1583–1660). These disciples, once established in the New World, became mentors to native teachers and to fruitful writers of theological and philosophical treatises and of civil and canon law. In Guillermo Furlong's words, "Philosophy during the long, active and substantive period of Spanish domination was similar to analogous activities in cultured Europe"<sup>4</sup>.

If we were to look for a *prima philosophia* in which Aristotle's influence in the Americas was systematically evident, the writings of Antonio Rubio would undoubtedly stand out (1548-1615). Spanish by birth, Rubio arrived in Mexico in September of 1576 and remained in that country until the same month in 1599. In other words, he resided there for twenty-three years. For twelve years he taught at the University of Nueva España and several Jesuit Colleges, and spent about a decade composing his books. His 'Commentary on Aristotle's Logic', also known as the '*Logica Mexicana*', first surfaced in Colonia Agrippina in 1605. Later, it was officially declared mandatory reading at the Complutense University and at most of the Jesuit universities. In that same year, 'Commentaries on Aristotelian Physics' was published in Madrid, and from this work two compendiums

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<sup>3</sup> FURLONG, G. *Nacimiento y Desarrollo de la Filosofía en el Río de la Plata 1536–1810*, Buenos Aires: Editorial Guillermo Kraft, 1952, p. 277.

<sup>4</sup> FURLONG, G. *Nacimiento y Desarrollo de la Filosofía en el Río de la Plata 1536–1810*, Buenos Aires: Editorial Guillermo, 1952, p. 51.

were subsequently published in Valencia (1610) and in Cologne (1616). The '*Logica Mexicana*' and the 'Aristotelian Dialectics' were republished in 1615, the former in Paris and the latter in Cologne. 'Commentary on Anima' was re-edited in Madrid in 1616 and, two years after, the Germanic presses of Cologne printed the '*De Coelo et Mundo*' treatise. Barely a year later his comments on *Ortu et Interitu* were published as part of '*De anima*'. As if the prolific distribution of this series of editions was not enough, by a writer established in Mexico nonetheless, in the year of 1620 alone publishing houses in Lyon printed two editions of '*Logica Mexicana*', two editions of '*De anima*' and one each of '*De Physica*', '*De Ortu et Interitu*' and '*De Coelo et Mundo*'. Meanwhile, in Alcalá, '*Physicorum Aristotelis*' was simultaneously re-edited. The same publishing houses in Lyon which published two editions of '*Logica Mexicana*' in 1620 went on to print a new edition in 1625. There is evidence that in 1629 and in 1640, Rubio's philosophical treatises were still being reprinted. This high-frequency production rate gives us an idea of the importance of Aristotle in those days of Ibero-America.

In recent years, we have been studying different fields within practical philosophy, more specifically the philosophy of economics. In this arena, Tomás de Mercado (1525-1575); Bartolomé de Albornoz (1519-1573); and Juan de Matienzo (1520-1579) were cardinal thinkers and emblems of Hispanic American scholars of that time. In the following pages, we will attempt to assess the influence that Aristotle had on them, especially in the use of the concept of justice.

Firstly, one must remember that the sun never set on the Spain of that era; that is, the Spain of the sixteenth century. Nor did it ever set on its immense territories which extended beyond the Americas to reach shores as far away as the Philippines. Legally, Spanish America was a Spanish province called the *Provincia de las Indias*. Speaking of Mexico, Mercado wrote in '*Summa*':

"I deal [in my book] with places, though very remote, because we are not only men of understanding, but even more so of one Spanish country and of one Spanish nation",

He would further explain

“(…) that Empire [Mexico] is of Spaniards and Indians; both races and bloodlines are mixed and live under one governor, one jurisdiction and are all subjects of one King”<sup>5</sup>.

Whatever we could say concerning Mercado could probably be repeated verbatim about most Hispanic-American scholastics. Although they were typically born in Spain, they spent years as residents in the New World, working and identifying closely with the problems of Hispanic America. Consequently, they belonged more to the colonial provinces than to Europe or to Spain.

Silvio Zavala says:

“Partly, the political philosophy of the conquest should be attributed to thinkers who never went to see the *Indias*. There were others with experiences of life overseas that were *indianos*. The understandable difference between both is perceptible.”<sup>6</sup>

Based on this criterion that we have compiled our list of “Indian” scholastics, i.e. Hispanic American authors. In the interest of moral economy, “Indian” scholastics, like many European scholastics, would have as a starting point the **just price theory**. It is precisely this idea that we are about to highlight.

## Tomas de Mercado (1523–1575)

This Dominican theologian is famous for combining his intellectual formation with direct experience in trade with America on both sides of the Atlantic. Little is known about his life in Seville, where he probably was

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<sup>5</sup> MERCADO, T. de. *Suma de tratos y contratos*. Sevilla: Fernando Diaz, 1587, p. 385.

<sup>6</sup> ZAVALA, S. *Filosofía de la Conquista*, Mexico: Fondo de Cultura Económica, 1947, p.21.

born in 1523, except that at a very early age he went to Mexico where he joined the Order of Preachers in 1551. He studied Arts and Theology at the newly founded University of New Spain (“Universidad de Nueva España”), where he later became a professor and held the *Prima Theologiae* chair. In 1558, he was ordained a priest and from then on taught at the Convent of *Santo Domingo*. In 1562, he was sent to Spain to complete his studies in Salamanca, where he graduated with a Master of Theology.

His best known work is ‘*Suma de ratos y contratos*’ (Salamanca, 1571), a second version of his ‘*Tratos y contratos de mercaderes y tratantes*’ (Salamanca, 1569). It was originally written to guide the moral discernment needed by traders and businessmen in Mexico and Seville. While offering a guide of practical solutions for radically new times, he followed the same path as his brother by leading a religious life at Bartolomé de las Casas.

Mercado’s purpose was not to expound a theory but to analyze and express a moral opinion about certain practices regarding transactions and sales contracts. Throughout the text, definitions are limited and the most abstract concepts have to be extracted from long arguments and reflections.

In reality, there were several versions of the concept of **just price** in the 16<sup>th</sup> and 17<sup>th</sup> centuries. Generally, they were developed and presented in the extensive volumes of the ‘*Tratados*’ series and bore the title of ‘*De iustitia et iure*’. These are commentaries about Thomas Aquinas’ ‘*Summa Theologica*’, which contained Questions dedicated to Law (‘*Summa theologia*’ I–II, q. 90–97) and Justice (‘*Summa Theologica*’ II–II, q. 57–62) in a single volume. The cases of Domingo de Soto (1557), Martin de Azpilcueta (1556), Luis de Molina (1596–1600) and others were similar. These treatises did not aim to update Aquinas’s doctrine on these topics. Rather, their intent was to analyze current and pressing problems by using a philosophical matrix that was sufficiently practical and at the same time acceptable in those circles, in accordance with the Aristotelian-Thomist tradition.

The main topic of Mercado’s book is trading relationships and some criteria to ensure that these relations would be fair. Price is one of the components. Additional components were who could practice trading,

what could be sold and under which conditions, companies, monopolies, laws ruling trade, taxes, compensation, money, values, markets, loans, usury interest, currency exchange and leasing. None of these topics are discussed from a technical perspective of economics, but from a moral concern. A morality founded in the interest of the republic instead of theology. The book begins with an argument for life in community since, in his opinion, “nobody can live well by themselves; everybody should live with those whom they would never stay with under any circumstances if they offended them, or if they offended others”<sup>7</sup>, and he compares the necessity of food for individual life with the necessity of justice for social life.

In Mercado’s point of view, making deals with justice - such as agreements, trade or other business - creates equality and equity in contracts. He understood this as a mandate of natural law founded on reason itself; hence, no one should be made to suffer losses and its observance should be universally binding. This is the first premise of Tomas de Mercado’s syllogism. Justice is an imperative founded on natural law, the reason that determines the search for justice and the avoidance of injustice. Thus, evidence of an injustice would oblige one’s conscience to abstain from such a deal, without discrimination, as though it were the explicit will of God Himself. Mercado advocates a close relationship between trade and justice mediated by the natural light of reason in favor of equality with one’s neighbor.

As we can see, Aristotle’s implicit and explicit influence is present throughout the whole text. Concepts like justice, equality, common good, right reason and *res publica* are terms which were first coined in Aristotelian language, even though they are sometimes channeled through Aquinas. As Mercado’s book is not academic, there are very few quotations. However, we did find some quotes from ‘Nicomachean Ethics, Book V’, and from ‘Politics I’. These references were used to support the development of topics related to the value of money and the meaning of life in society.

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<sup>7</sup> MERCADO, T. de. (1587, p. 9).

## Bartolome de Albornoz (1519-1573)

As many other scholars of those days, Albornoz wrote a piece on the 'Art of Contracts'<sup>8</sup>. This literary work's most controversial part refused legitimacy not only to slave trade, but slavery itself, which is why it became forbidden to read or reprint it, by decision of the Inquisition. The book is divided into four shorter volumes and is dedicated to the jurist Diego Covarrubias y Leyva. It was meant to be used by jurists, theologians, confessors, clerks and merchants.

The first book is devoted to personal contracts, the second to the regal, the third to irregular ones, and the fourth considers the contract of marriage. The author can be classified into the second Spanish scholastic tradition, which is characterized by a mastery of the Latin classics and a tendency to favour quotes by Aristotle and Cicero.

In Albornoz's book, the specific sources of the just price theory are the Holy Scriptures, mainly the Old Testament. Nevertheless, he makes no attempt to hide his debt to the '*Summa*', written by the "Reverend and learned Friar Tomás de Mercado" with whom he sometimes liked to hold controversial discussions. This is quite natural, as theirs was an old friendship dating back to the times when Albornoz, as a professor of Law at the University of Mexico, must have first met Mercado as a student. Later, there would have been further contact in spaces such as the cloisters and library when the former student became a member of the faculty and professor of Moral Theology. Sometimes, in his commentaries on the theory of just price, Albornoz places Mercado on the same level with Azpilcueta, calling them "our Reverends and very learned teachers, Dr. Azpilcueta and Master Mercado". He also mentions Domingo de Soto and others, but he reserves supreme distinction for his beloved teacher, to whom he dedicates his whole work, "the most Illustrious Reverend Don Diego Covarrubias y Leiva [sic]". Leiva was one of the great Spanish scholastics and, at the time, president of the Royal Council of Spain. On the other hand, Albornoz's dealings with the work of the Bishop

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<sup>8</sup> ALBORNOZ, B. (1573)

of Chiapas, Friar Bartolomé de las Casas, are very cautious. He mentions that he had expressed his opinions regarding the Bishop's doctrine on certain pages which were later lost at sea with his other writings.

Unquestionably, he was referring to his '*Tratado de la Conversion y Debelación de los Indios*', which had been printed in Mexico and subsequently recovered, not washed up on the seashore, but by the Inquisition. Many of his contributions to the theory of just price, in spite of their brevity and juridical approach, are excellent and original. Demetrio Iparraguirre, a modern critic, points out that Albornoz's<sup>9</sup> '*Arte de los Contratos*' is still unknown, because of its rarity. He states that "it is a rare book because it has been condemned by the Inquisition"<sup>10</sup>. However, Pedro de Oñate (1567-1646)<sup>11</sup> mentions him; so does Solórzano Pereira<sup>12</sup>, who certifies that Albornoz "resided many years in New Spain", and remembers that the author wrote his book about contracts "with great distinction and clarity". Yet it has only been in the last decades that the name of Albornoz has begun to be noticed and his works have become the object of research of various specialists in Spanish scholastics.

His references to Aristotle, whom he all but names *the philosopher*, address the thinker as a scientist and not as a moral philosopher. He says:

"An *arroba*<sup>13</sup> of gold of xxiv carats wherever and however it is found is a quantum, and it has the same value disputed by the real law. If this golden mass is considered by the Philosopher for what it is in substance, (to examine its nature) whether in Seville, Florida, or the New Hespaña, he will always judge it by the same number and substance, rather than by the place or time or anything else ... all will say that it has the same value

<sup>9</sup> ALBORNOZ, B. (1573). <http://fondosdigitales.us.es/fondos/libros/3634/3/arte-de-los-contratos/>

<sup>10</sup> IPARRAGUIRRE, D. (1963), pp. 99-118.

<sup>11</sup> OÑATE, Pedro de. (1646).

<sup>12</sup> SOLÓRZANO PEREIRA, J. (1648)

<sup>13</sup> *Arroba* was a Portuguese and Spanish custom unit of weight (11,5 kg).

(the Philosopher for its nature, and the silversmith for its substance and quantity, ....) but if considered to be soldt, as the lawyer or the theologian consider it, the value is relative”<sup>14</sup>

## Juan de Matienzo (1520-1579)

The name of Juan de Matienzo is better known in Hispanic American literature, thanks to his *Commentaria... in Librum Quintum Recollectionis Legum Hispaniae*<sup>15</sup>, in which the magistrate of Charcas deals thoroughly and systematically with all the conceptual requirements of the theory of just price. He was a judge at the Court of Charcas, in the city of La Plata or Chuquisaca (now Sucre), in the Viceroyalty of Peru, and lived there from 1561 until his death in August of 1579. Due to his juridical point of view, Matienzo's contributions are the best complement to the ideas already expressed by Tomás de Mercado from a moral theological point of view. Armed with an extensive bibliography, Matienzo makes the understanding of the scholastic economic model easy.

Like the Roman jurists and the scholastic theologians, Matienzo begins his writings on economic theory with *commentaria* on the doctrine of the just price, and manages to address it from three perspectives: the doctrine of just price as a philosophy of economics; the doctrine of the just price as an instrument of order in the market; and the doctrine of the just price as the economic foundation of the theories of value, price, and money. All of these fit under what we call an economic point of view.

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<sup>14</sup> ALBORNOZ, B. (1573). Libro II, p. 64: "Una arroba de oro de xxiv quilates donde quiera y como quiera que se halle es una naturaleza, y se tiene el mismo valor disputado por la lei real, si esta masa de oro la considera el Filósofo por lo que ella es um substancia, (para examinar su naturaleza) poniendosela en Sevilla, y en la Florida, y en la Nueva Hespaña, siempre la juzgará por una misma en número y en substancia, y que ni el lugar ni el tiempo ni otra cosa...todos dirán que tiene un mismo valor (por su naturaleza el Filósofo, y el platero por su substancia y cantidad,...) pero consideremos para venderlo, como lo considera el legista o el teólogo, el valor es relativo".

<sup>15</sup> MATIENZO, J. (1580).

As a jurist, Matienzo starts by establishing the connection between the doctrine of the fair price and the “*Instituciones*” and the “Digest” of the Justinian code of 533-564. One of the first sources of the doctrine of fair price in classical scholasticism is the commentary of the jurist Paulus (170-230) regarding a law called Falcidian which was incorporated into the Digest. The idea of Paulus is this: the prices of things should not be established by the esteem or utility of individuals, but in accordance with common valuation. Matienzo begins the exposition of the doctrine of just price with the thesis of Paulus and makes direct mention of the Falcidian law. Matienzo completely subscribes to Paulus’ comment and transcribes the text literally: “The fair price of each thing is determined not by preference or cost, but by common esteem”<sup>16</sup>. What makes Matienzo original is his very revival of a classic author like Paulus who had lived and died more than 1300 years earlier, and who had previously stressed common or social esteem as the appropriate basis for calculating fair price. Objectivity as the cost of production or necessity was replaced by objectivity regarding collectivity.

Another maxim inherited from the Romans, which much celebrated among the jurists, is that an object was worth what could be paid for it. Matienzo was also aware of this axiom. He proceeded to incorporate it into Paulus’s theory, and also to adapt it to the philosophical thinking of a queue of scholastic moralists who had addressed the concept of just price. Matienzo faithfully follows the points of view of Aquinas and Domingo de Soto in this respect, and reformulates this second maxim of the jurist thus: “something is worth as much as it can be sold for, without fraud or injustice, according to the common appreciation, to those who know their conditions”<sup>17</sup>.

To these select normative reflections, it is necessary to add others related to the possibility and viability of using the doctrine of fair price as an instrument to establish order in the Market. With this purpose, Matienzo makes an important distinction between two types of fair

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<sup>16</sup> MATIENZO, J. (1580) Title 11, Law 1, Gl.2, No. 1, p. 343.

<sup>17</sup> MATIENZO, J. (1580) Title 11, Law 1, Gl.2, No. 1, p. 343.

price, based on the ideas of Thomas Aquinas and Aristotle, which were repeated in Tomás de Mercado's *Summa*: "one legal and another natural". Matienzo sustains that "the legal fair price is that which is determined by a law coming from the sovereign or from the civil society itself"<sup>18</sup>. Later, he would defend the idea that only the social authority, by its very nature, is able to give or identify the concept of a fair or unfair social price, and especially ideas regarding social or common valuation.

## Some Conclusions

1. These three authors lived in Latin America and while we cannot be certain that they knew each other, the economic and moral challenges of the New World undoubtedly exerted an influence on their formulation of new ideas for new foundations to economic theories. With the help of some classical thinkers, especially Aristotle, Aquinas and the roman jurists, they were encouraged to envision a new commercial and monetary reality for a newly discovered globalized economy. In turn, their work served as an example for a whole generation of philosophers dedicated to practical philosophy on the other side of the Atlantic, in Spain, such as Martin de Azpilcueta, Juan de Mariana, Luis de Molina, and Juan de Lugo.

First Conclusion: It seems that the medieval theological tradition was unable to give appropriate answers for new challenges. It seems that the most fundamental Aristotelian concepts and the universality of the roman jurists were more useful for this new wide world.

2. Aristotle as the philosophical background. The virtue of justice is not *a priori* a moral assumption among scholastics. It is a logical requisite, a need derived from the existence of societies themselves and from human beings' living commonality. According to the Thomistic tradition, men are joined in society to supply their needs and to benefit from life in society. No man has

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<sup>18</sup> MATIENZO, J. (1580) Title 11, Law 1, Gl.2, No. 9, p. 349.

the right to abuse others, as that person would go against the very logic that justifies the constitution of society, which is the mutual favoring and satisfaction of needs. Life in society requires a balance between transactions and respect for the just price. This line of thought echoes Aquinas when he says,

“... buying and selling seem to be established for the common advantage of both parties, one of whom requires that which belongs to the other, and vice versa, as the Philosopher states (Polit. I). Now whatever is established for the common advantage should not be more of a burden to one party than to another, and consequently all contracts between them should observe equality of thing and thing”.<sup>19</sup>

Clearly, contracts and trade relationships between men are in the realm of commutative justice. As a consequence, these activities and their implementation became a matter of concern to thinkers of the Second Scholasticism and would lead them to study economic reality. Thus the ‘*De iustitia et iure*’ treatises, the main depository of the economic ideas of Late Scholasticism, are nothing but an intention to analyze the different types of existing contracts and to find out under which empirical conditions commutative justice was respected. Conversely, this assessment also served to verify under which conditions it was not respected; namely, under which conditions only one of the parties would lose or gain. Essential concepts of the scholastic economic order (e.g. just price, restitution, unlawful usury, loss of profits and consequent damage) make sense only if we take into account the ideas of justice emphasized here.

Scholastic doctors demand respect for commutative justice as an imperative of morality but also, and above all, as a requirement of rationality. That is to say, the intelligibility of analysis. What has been agreed upon for the benefit of everybody (life in common and cooperation for mutual satisfaction of needs)

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<sup>19</sup> AQUINAS, T. *Summa Theologica*. (2018). II-II, q. 77, a. 1, p. 317.

must not benefit or damage some more than others. Moral assumption in the scholastic scheme requires the support of reason. It might not be sufficiently clear to many that economy and trade are matters of relation between people and, as such, matters of morality dependent on justice as a natural rational result. It is not a fact to be accepted and to which we adapt to survive.

The scholastic renewal in the 16<sup>th</sup> century was largely due to the teaching and intellectual work of these Ibero-American doctors who, seated in their chairs, sought to find a way to understand science and the relationships between surrounding political, economic and legal realities.<sup>20</sup> Several authors played an important role. For instance, Francisco de Victoria's Thomism, and a large dose of what was known as the Nominalist school, were so important that the Second Scholastic shifted course. Consequently, and contrary to some claims, it did not become a mere updated symbol of Thomas Aquinas, transplanted into 16<sup>th</sup> century Latin American reality. Rather, it represented a new synthesis with Aristotelian philosophy, developed by the Nominalist tradition of the 14<sup>th</sup> and 15<sup>th</sup> centuries. Perhaps the best-known exponent within this tradition was William of Ockham, together with some of his followers, such as Jean Gerson, Pedro d'Ailly, Gabriel Biel and John Mair.<sup>21</sup>

This new "way" created profound concern among Scholastic doctors because of the empiricist line of knowledge complementing logical reasoning. On the other hand, nominalism assumed that special attention would be dedicated to strictly economic problems; problems that were approached from assessments of reality and not from *a priori* positions.

As a last conclusion, we'd like to remark that the Aristotle we find in these authors is indeed still a figure of authority - as he was for most medieval philosophers and theologians. However, we also know they began to point out his limitations. As such, even if he is present in every book that has some-

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<sup>20</sup> See SCHUMPETER J.A. (1954, pp. 19-20): "The doctrine of natural law that in the sixteen century grew into an independent discipline is of still great importance to us. It is very difficult to give an adequate idea of the extent of the scientific progress made within this framework".

<sup>21</sup> CULLETON, A. (2011, pp. 153-167).

thing to do with practical philosophy, he is no longer the last word. Just as an example, we cite Juan de Solórzano Pereira who, in his '*De indiarum iure*', book II (dedicated to *De retentione induarum*) refers to Aristotle in these terms:

“Whatever the meaning of the words of Aristotle, it is important not to accept them if they are contrary to the laws and customs of Christian teaching: he was pagan and buried in hell, he launched harsh invectives against the bishop of Chiapas in the presence of the emperor Carlos V, as can be seen in the *Historia general de las Indias* written by Antonio de Herrera, and in the replica of Sepúlveda. The thoughts of Domingo de Soto, Jose de Acosta, Fernando Vazquez de Menchaca and Domingo Bañez in his commentary are not obscure: they maintain that perhaps he intended to flatter Alexander the Great, who was his disciple, and at that moment he was engaged, with one or another pretext, with deceitful reasons for subjecting the outside world, reasons that we could describe as simple tyranny, plunder and violence”<sup>22</sup>.

We find this is a recurring feature in almost all Ibero-American literature. This is original and shows a mature treatment of Aristotelian tradition.

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<sup>22</sup> SOLORZANO PEREIRA, J. (1999, p. 313): “Cualquiera que sea el sentido de las palabras de Aristóteles, importa no aceptarlas, si son contrárias a las leyes y costumbres de la enseñanza cristiana: él fué pagano y sepultado em el infierno, contra é lanzó duras invectivas elo bispo de Chiapas em presencia del emperador Carlos V, como puede verse em la *Historia general de las Indias* de Antonio de Herrera, y em la réplica de Sepúlveda. No es obscuro el pensamiento de Domingo de Soto, José de Acosta, Fernando Vazquez de Menchaca y Domingo Bañez em su comentário: sostienen que tal vez pretendió adular a Alejandro Magno, que era discípulo suyo, y em eso momento estaba empeñado, com un y otro pretexto, com razones enganosas em someter el mundo exterior, razones que podriamos calificar más bien de simple tirania, pillaje y violéncia”.

## Bibliography

ALBORNOZ, B. *El Arte de los Contratos*. Valencia: Pedro de Huete, 1573.

AQUINAS, T. *Summa Theologica*. Edited by Anthony Uyl. Woodstock: Devoted Publishing, 2018.

CULLETON, A. *Ockham e a lei natural*. Florianopolis: EDUSFC, 2011.

FURLONG, G. *Nacimiento y Desarrollo de la Filosofía en el Río de la Plata 1536–1810*, Buenos Aires: Editorial Guillermo Kraft, 1952.

HENRIQUEZ UREÑA, P. *Historia de la Cultura en la América Hispánica*, Mexico: Fondo de Cultura Económica, 1947. <https://doi.org/10.24201/nrfh.v2i2.3386>

IPARRAGUIRRE, D. Los antiguos economistas españoles y el desarrollo económico de España. *Boletín de Estudios Económicos*, [S. l.], v. 58, p. 99-118, 1963.

MATIENZO, J. *Commentaria Ioannis Matienzo Regii Senatoris in Cancellaria Argentina Regni Peru in Librum Quintum Recollectionis Legum Hipaniae*. Madrid: F. Sánchez, 1580.

MERCADO, T. de. *Suma de tratos y contratos*. Sevilla: Fernando Diaz, 1587.

OÑATE, Pedro de. *De Contractibus*. Roma: Francisco Cavalli, 1646.

SCHUMPETER J. A. *History of Economic Analysis*. New York: Oxford University Press, 1954.

SOLORZANO PEREIRA, J. 1999. *De indiarum iure*. Madrid: CSIC.

SOLORZANO PEREIRA, J. *Política Indiana*. Madrid: Diego de la Carrera, 1648.

ZAVALA, S. *Filosofía de la Conquista*. Mexico: Fondo de Cultura Económica, 1947.

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