

Tocqueville's Cervantine Federalism: The Hybrid French Art of Exiting the New World

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“Had every Athenian citizen been a Socrates, every Athenian assembly would still have been a mob.”

—James Madison
Federalist 55

“In the United States, society had no infancy; it was born a fully grown man.”

—Alexis de Tocqueville
Democracy in America 1.2.9



Fig. 1: Salvador Dalí, *Geopoliticus Child Watching the Birth of the New Man* (1943)

Aside from the doctrinaire liberals of his era (Guizot, Constant, Royer-Collard), two great currents of political philosophy dominate Alexis de Tocqueville's *Democracy in America* (1835/40), arguably the *sine qua non* of both classical liberal and romantic political theory. One of these is obvious; the other, if I'm not mistaken, has not yet come fully to light. In this essay, I'll advance the idea that *The Federalist Papers* (1787–88; hereafter abbreviated F) are to the first volume of *Democracy in America* (hereafter DA) what *Don Quijote de la Mancha* (1605/15) is to the second. Before considering the utility of this analogy, it will be helpful to compare the two volumes according to what I argue are their most important philosophical sources.¹

MADISON AND HAMILTON'S MONSTROSITY

The first major source of philosophical influence in DA is obvious. Tocqueville studied the political theories, structures, and institutions advocated by the American Founders. There are exceptions, such as his interests in Puritans, Catholics, pirates, women, Indians, blacks, and Latin Americans, but

the crux of DA1 consists of a meditation on the Constitution of 1787 and its presentation in *The Federalist Papers*. In this regard, the earliest important quotation in DA (1.1.8n8) is from Madison's *Federalist* 45, where the Virginian emphasizes the limited power of the central government as opposed to the unlimited sovereignty of the states. A few pages later (DA 1.1.8n35), the longest quote from any of the Founders is from Hamilton's *Federalist* 71, where the New Yorker argues for a decisive executive. Hamilton's position contrasts with Madison's because it implies greater political centralization. At the end of DA 1.2.7, however, Tocqueville returns to Madison's defense, brandishing a lengthy quote from *Federalist* 51, the famous passage in which America's most important constitutionalist asserts that two dominant factions should be incentivized to protect the rights of a third super minority (cf. Kelsen pp. 67-78). No footnotes now; underscoring his bias toward Madison, Tocqueville puts the quote in the body of his text. Subsequently (DA 1.2.7), he pays homage to another Virginian, calling Jefferson—Madison's friend and mentor—"the most powerful apostle democracy has ever had."

Tocqueville thus indicates he has understood both Hamilton's nationalist bent—insisting on maximum power for the presidency to preserve the union—and Madison's federalist bent—insisting on electoral asymmetry to preserve the power of the states. In this formulation of the political dialectic of the early U.S. republic, Tocqueville highlights the conflict between the free, industrial North and the slaver, agricultural South (see Hamilton 2015, F12, F35, F36), a conflict which *The Federalist Papers* sought to remedy by way of the mixed, divided, adventurous, and monstrously innovative government of the Constitution of 1787.

This monster metaphor—signaling ambivalence and imperfection—plays a critical role in the constitutional discourse of America's Founders (see Graf 2021b). In many respects the Constitution of 1787 is an antidemocratic monstrosity, as seen in such concepts as the lifetime appointment of a hierarchy of judges, the three-fifths political weighting of slaves, the division and separation of powers among three branches of government and between national and state levels, and above all else the Senate. For the Founders, the far more important question was the relative one, i.e., whether the Constitution contained fewer monstrous aspects than it did natural and human ones. By this same reasoning, the most weirdly inhuman of these monstrosities, the least tenable and most requiring of attention, is clearly the three-fifths political weighting of slaves. I would argue that the one-tenth excess of humanity in this compromise was also designed to force the future expansion of the franchise in their direction.

Other monsters play roles in *The Federalist Papers*. On the one hand, Hamilton (2015, F29) claims the Constitution's enemies hallucinate and see monsters everywhere: "In reading many of the publications against the Constitution, a man is apt to imagine that he is perusing some ill-written tale or romance, which instead of natural and agreeable images, exhibits to the mind nothing but frightful and distorted shapes—'Gorgons, hydras, and chimeras dire'; discoloring and disfiguring whatever it represents, and transforming everything it touches into a monster." Hamilton cites the fall of Satan according to Milton, the great seventeenth-century Reformed poet; and he gives the phrase an odd Cervantine spin, since now his political rivals are not just Satan's minions but the authors of cheap novels that too often refer to nonexistent monsters.

By contrast, Madison—the most philosophical of the three authors of *The Federalist Papers*—admits that the new mixed and divided government looks surreal because certain aberrations could not be avoided in the new republic's constitution. As with Hamilton, his deployment of monstrosity is intentional and reflects conceptual precision. For example, the new U.S. government is founded federally, derives its powers nationally, has competing federal and national legislatures, operates mostly nationally, though not exclusively so, and has both a nationally and a federally elected executive, who for his part appoints federally confirmed lifetime judges. Madison (2015, F39) sums this up with a monstrous understatement of the imperfection: "the national countenance of the government on this side seems to be disfigured by a few federal features. But this blemish is perhaps unavoidable in any plan."

Now, the most contentious political issue at the end of the eighteenth century was abolition, which had already marched through northern states in a hodgepodge manner, and would continue to do so through to the Civil War: Pennsylvania in 1780, Massachusetts and the rest of New England starting in 1783, all new states north of the Ohio River in 1787, New Jersey in 1804, New York in 1828, etc. Like many of the

Founders, Hamilton had reason to expect, through a combination of sociopolitical and economic forces, that abolition would prevail at the national level due to the eclipse of power in the South by the demographically, commercially, and industrially expansive North. This is a big reason why, at the end of *The Federalist Papers* in the section devoted to the judiciary, Hamilton (2015, F80) argues that the central government ought to maintain absolute authority in any conflict that affects all citizens: “What, for instance, would avail restrictions on the authority of the State legislatures, without some constitutional mode of enforcing the observance of them? The States, by the plan of the convention, are prohibited from doing a variety of things, some of which are incompatible with the interests of the Union, and others with the principles of good government.” His argument sounds technical, but the state legislatures in his crosshairs are especially those that held out in defense of slavery.

According to Hamilton, then, those who defend the sovereignty of the states and see hydras everywhere in the Constitution of 1787 are themselves the true hydra, i.e., the hydra threatening the Union under the pretext of the independence of the state legislatures. At decisive moments and regarding serious issues, his idea is to have national power cut that hydra’s throats. Tariffs (F30–36), the executive (F67–77), and the judiciary (F78–85) will contribute money, force, and constitutional authority to the cause of the national legislature against that hydra: “If there are such things as political axioms, the propriety of the judicial power of a government being coextensive with its legislative, may be ranked among the number. The mere necessity of uniformity in the interpretation of the national laws, decides the question. Thirteen independent courts of final jurisdiction over the same causes, arising upon the same laws, is a hydra in government, from which nothing but contradiction and confusion can proceed” (Hamilton 2015, F80).

The metaphor of monstrous disfiguration shared by the Founders has both Miltonian and Cervantine configurations: (1) Hamilton sees the dramatic, legalistic struggle for the future of the U.S. evolving according to the abolition of slavery against the will of the hydra of specific state legislatures; (2) Madison sees that same future hinging on the nation’s own disfiguration created by the awkward balance between provincial power and that of the central government.

Moreover, their respective idioms and tones reveal the nature of the rival parties involved in the Founding. A southerner, Madison is more ambivalent and brooding than his northern abolitionist counterparts. Like Hamilton, he notes (2015, F39) the epic conflict between the national government and the states: “In this relation, then, the proposed government cannot be deemed a NATIONAL one; since its jurisdiction extends to certain enumerated objects only, and leaves to the several States a residuary and inviolable sovereignty over all other objects.” But Madison (2015, F39) considers that the state legislatures have been sacrificed at the altar of final national judicial authority: “It is true that in controversies relating to the boundary between the two jurisdictions, the tribunal which is ultimately to decide, is to be established under the general government. But this does not change the principle of the case. The decision is to be impartially made, according to the rules of the Constitution; and all the usual and most effectual precautions are taken to secure this impartiality. Some such tribunal is clearly essential to prevent an appeal to the sword and a dissolution of the compact.” Six essays later, Madison (2015, F45) yields again with a heavy voice, noting that it remains to be seen what will have been gained in exchange for the sacrifice of the freedom of the thirteen independent republics:

Were the plan of the convention adverse to the public happiness, my voice would be, Reject the plan. Were the Union itself inconsistent with the public happiness, it would be, Abolish the Union. In like manner, as far as the sovereignty of the States cannot be reconciled to the happiness of the people, the voice of every good citizen must be, Let the former be sacrificed to the latter. How far the sacrifice is necessary, has been shown. How far the unsacrificed residue will be endangered, is the question before us.

The Federalist Papers are no doubt a sacred document. The root of the word sacrifice occurs 42 times, Madison using the term four times in one paragraph in F45, and in one case via the excruciatingly rare term “unsacrificed.” Such is the southern perspective.

For his part, Hamilton (2015, F78-85) accepts Madison’s sacrifice and starts a clock against the notion that state legislatures will be permitted to resist the national judiciary forever. The concession by Hamilton (2015, F85), admitting that the Constitution is an “imperfect thing,” is important but always provisional, both formally because the new document admits amendments and socio-politically because the northern majority will now grow and impose its will. That is, at least regarding the abolition of slavery, the Founders believed the hydra of the states would die in a few decades (see Hamilton 2015, F6; Madison 2015, F38, F42).



Fig. 2: Portraits of Madison by Vanderlyn (1816) and Hamilton by Trumbull (1792)

But what of other yet unimagined hydras after that? The institutional bounty of the sacrifice of the states consists of the Constitution’s other brakes on democracy, especially the Senate, that archaic relic of the patricians of Rome. This is the essence of the institutional trade-off between competing interests at the Founding. In sociopolitical terms, Hamilton and Madison, and their respective constituencies, are merging but also already trading places in *The Federalist Papers*. Like Don Quijote, Virginia is on the decline, and like Sancho Panza, New York is on the rise. Paraphrasing Tocqueville, demography is destiny in a democracy. The eclipse of the southern aristocracy by the northern bourgeoisie is inevitable. Political power from the North is entering its golden age as the sun sets on the remnants of a landed gentry in the South. Hamilton perhaps more than anyone knows this, and he is duplicitous about it in several of his contributions to *The Federalist Papers*. It is no secret that the North will have the army, the votes, the tariffs, the presidency, the judiciary, and that in the end it will also gain control of the two chambers of the national legislature. This is also to say, however, that already a new hydra grows in the North.

With that next hydra in mind, Madison has indeed gained something for his sacrifice (cf. Hunahpú and Xbalanqué in the *Popol Vuh*). Like every great founder (see Ceaser 2021), Madison has looked both deep into the human soul and far into the future, and he has perceived that it will always be necessary to resurrect the concept of liberty in order to weather the tyranny of the majority. In the short term, Americans will abolish the barbarity of race-based slavery one way or another. In theory, the 1787 Constitution put mechanisms in motion to ensure that happened. From a longer-term perspective, however, tyranny assumes many

guises. In Ayn Rand's (1964, p. 126) words: "Racism is the lowest, most crudely primitive form of collectivism." New forms of tyranny will be far more sophisticated than chattel slavery or even racism. One of Tocqueville's greatest insights is that subsequent tyrannies are potentially more sinister because they will arrive under the auspices of democracy. He and his French compatriots experienced firsthand the nightmare of a modern imperial and militarized democracy (see DA 2.3.18–26, 2.4.1–8). Circa 1787, the U.S. legislature was expected to solve the slavery problem; going forward, however, tools will always be needed to protect against even the best of all possible mobs. As Madison (2015, F55) put it: "Had every Athenian citizen been a Socrates, every Athenian assembly would still have been a mob." There will arise mobs motivated by causes we have yet to imagine, and there will be mobs that we can never hope to understand. Even the most angelic of mobs will be driven mad by confidence in its own perfections.

Anticipating this, what Madison wins and Hamilton grants in the form of the Senate is geographic, moderating, and elitist representation at the cost of demographic, emotive, and bourgeois representation. That is, he wins an asymmetrical provincial mechanism to defend liberty against the urban excesses of equality. Hamilton (2015, F60) did not mince words; he saw that his enemies held the Senate:

In a country consisting chiefly of the cultivators of land, where the rules of an equal representation obtain, the landed interest must, upon the whole, preponderate in the government. As long as this interest prevails in most of the State legislatures, so long it must maintain a correspondent superiority in the national Senate, which will generally be a faithful copy of the majorities of those assemblies. It cannot therefore be presumed, that a sacrifice of the landed to the mercantile class will ever be a favorite object of this branch of the federal legislature.

But to his credit, Hamilton also saw longer-term benefits in the same governing principle that impeded him. He grasped the risk of unforeseen outbreaks of fanaticism. Jay (2015, F64) summarizes this view when discussing the Senate: "They who have turned their attention to the affairs of men, must have perceived that there are tides in them; tides very irregular in their duration, strength, and direction, and seldom found to run twice exactly in the same manner or measure" (see Ortega y Gasset 2010; Hoffer 1951; cf. Cervantes 1998, 2.25–27). Today's anti-racists commit the "genetic fallacy" when they denigrate institutions or ideas useful against tyranny on the grounds that they originated in defense of rebellious southern slave states. By contrast, both Jay and Hamilton had embraced the broader utility of the Senate before the Constitution was even ratified.

Throughout DA, Tocqueville echoes the dialectic between Madison and Hamilton. Favoring Madison, Tocqueville grasps the monstrous imperfections and ambivalences embedded in the American political experiment. His honesty about democracy's flaws and his consistent—if not insurmountable—warnings about its future risks undergird his realism. He understands that the South is the paradox of one group's freedom to enslave another, but he also sees that the North is an irresistible egalitarian force that promises its own tyrannical dangers. However, he maintains that American intellectuals—mostly liberal lawyers, many from the South—have built a natural constitutional bridge that will restrain both slavery and populist imperialism.

But Tocqueville also agrees with Hamilton that a social revolution is inevitable, that the logic of equality will overtake the monstrous right to own slaves still defended by the state legislatures (see F35, F80). The arch indication of this is his description (DA 1.2.10) of the two banks of the Ohio River at the end of DA1. The bustle on the northern bank reflects the utilitarian logic of abolition. DA's longest chapter foregrounds this *costumbrista* sketch, which for its part evinces Adam Smith's (1776, 1.8) thesis that slavery would be made obsolete by the efficiency of the labor market: "It appears, accordingly, from the experience of all ages and nations, I believe, that the work done by free men comes cheaper in the end than the work performed by slaves." But Tocqueville's genre is also the moral essay in the tradition of Montaigne. Hence, in the climactic chapter of DA2, he asserts (DA 2.3.18n3) that to its great shame and without such a free labor market, the South can consider itself neither democratic nor honorable: "Here, I am referring to Americans who live

in regions where slavery does not exist. These are the only ones who can present the complete picture of a democratic society.”

Similarly, in the final chapter of DA1, Tocqueville forces readers to face the political reforms that remain to be carried out. Classical liberalism implies continued expansion of the franchise; although not immediately, its irresistible drive will incorporate women, Indians, blacks, and Hispanics. The process also implies a transfer of power, that is, the eventual sacrifice of the sociopolitical authority of the white male aristocracy to the benefit of the motley masses. Hence the importance in DA of pedagogy to preserve and advance the art of democratic governance. For democracy to work—that is, for the franchise to spread without society devolving into one of its majoritarian nightmares (see DA 2.4.1-8)—citizens and readers must be able to recognize and apply the political principles of republican democracy. Ergo, Tocqueville’s emphasis in DA on the habits and responsibilities that accompany a range of self-governing principles, institutions, and activities, such as municipal practices, trials by jury, free markets, associations, churches, corporations, migrations, freedoms of the press, religion, assembly, etc.

Nevertheless, Tocqueville also grasps Madison’s logic at the heart of *Federalist* 51 where the Virginian defends the isolated spirit and self-esteem of an aristocratic notion of liberty inherited from the Middle Ages (see Liggio 1990). In the future, when the principle of equality triumphs and becomes the dominant mode of society, there will be even greater need to resist the egalitarian urge to confound individual freedom. Thus, America must cultivate a natural aristocracy of merchants, industrialists, investors, artists, adventurers, etc. Tocqueville’s most optimistic thesis in DA is that the experience of self-governance promotes freedom among a democratic populace and allows people to develop their own individual responsibilities, skills, plans, and even quirky personal characteristics, all of which might prove necessary to check populist tyranny.

DON QUIJOTE AND SANCHO’S DIALOGICAL REVOLUTION



Fig. 3: Gustave Doré, *Don Quijote* 1,8 (1863)

In a letter to his friend Gustave de Beaumont on March 21, 1838, that is, as he was putting the final touches on DA2, Tocqueville (1861) describes himself as an aristocrat alone in a vulgar world already under the sway of bourgeois masses. He uses a precise literary analogy to describe how a recent brush with Plutarch

has affected him: “This reading has captivated my imagination to such an extent, that I sometimes fear that I shall go mad, like a second Don Quixote. My head is crammed full of heroics which are by no means suited to the present day; and life seems very flat when I wake from my dreams.” A month later, on April 22, still working on DA2, Tocqueville wrote another letter to his friend in which he cited seven books on his desk: “You would laugh to see the odd heterogeneous pile of books on my table, almost all of which I have devoured within the last four months: Rabelais, Plutarch, the Koran, Cervantes, Machiavelli, Fontenelle, St. Evremont, &c. &c. I have put all this pell-mell, and without any arrangement, into my head.”

For readers familiar with *Don Quijote* (Cervantes 1998; hereafter DQ), in addition to his two letters to Beaumont, Tocqueville alludes to the novel at three key points in DA: (1) he cites the Inquisition as an example of the repression of freedom of thought (DA 1.2.7); (2) he attributes a shift in relations between servants and masters as a social effect of the new democratic spirit (DA 2.3.5); (3) he expresses his theory of cultural formation as a function of what we would today call “cognitive dissonance” experienced by two castes of people, and he offers as one of its consequences the astonishing transformation of aristocratic honor into democratic patriotism (DA 2.3.18).

It’s not as if France did not have literary, philosophical, and historical models for thinking about the decline of the aristocracy—Rabelais is also on Tocqueville’s table, and he evokes Montaigne, Corneille, Pascal, Descartes, Rousseau, and the history of Louis XIV in key passages of DA. He relies on a Francocentric explanation when he notes that the term *patrie*, “fatherland,” dates from the sixteenth century. The body of evidence, however, points to Cervantes as the main source for Tocqueville’s liberal characterizations of society and politics in DA2. Aside from the hidalgo’s obvious, personal psychological appeal for a French count after 1789, DQ’s international success made it a logical creative point of reference for Tocqueville’s universal and dystopian turns in DA2. Specifically, DA 2.3.18 remains to my mind one of the greatest essays ever written about DQ, interpreting the first modern novel as nothing short of an early articulation of liberal and romantic perspectives on politics.

Two decades ago, Aurelian Craiutu (2005, p. 609) described Tocqueville as a “modern Don Quixote,” arguing that history’s most important theorist of democracy projected himself onto Don Quijote in sentimental fashion due to his immoderate nostalgia for the fading aristocracy. But how does Cervantes’s novel structure DA’s political theory? Readers should recall that Don Quijote is intimately associated with Hercules, the great slayer of mythical hydras and the classical hero most associated with Spain.

The liberal and romantic approach to DQ has not been popular of late. One of the few to consider this approach has been Mario Vargas Llosa (2005). The last Latin American Boom novelist sensed in DQ a bourgeois critique of authoritarianism. By his reading, the merchant class approves of DQ because it is nostalgic for a strong nobility that might resist an expansive, centrist monarchy. Tocqueville is, I think, even more precise, more structural. The French icon of classical liberalism read Cervantes’s novel as a projection of the triangular and dialogical principles of political theorists from Montesquieu to Polybius. This, then, allowed him to read the hidalgo as the incarnation of a liberal mechanism for decoupling the dangerous alliance between a tyrant and the masses.

The grandfather of the Latin American Boom was also of the liberal persuasion. Jorge Luis Borges (2001, vol. 2, p. 353) was asked in an interview in the summer of 1945, for example, what he was writing. He replied: “For the remote and troublesome future, a long narrative or short novel, which will be entitled *The Congress* and which will reconcile (at present I cannot be more explicit) the habits of Whitman and those of Kafka.” Borges has gradually emerged as one of a handful of liberal rebels in the modern Hispanic world. This is a more sophisticated truism than many recognize. Here, for example, reconciling the habits of Whitman (a saccharine apologist for democracy’s egalitarian steamroller) and Kafka (a melancholy skeptic of democracy’s torturous conformity), Borges signals the agonizing quest to conjugate equality and freedom, i.e., the very goal of modern Western jurisprudence according to *The Federalist Papers* and *Democracy in America*. In “El Congreso,” Borges (1989) goes a step further by insisting that the history of the extension of the franchise is in fact the history of humanity.

Like Borges, Tocqueville uses literary concepts to comment on the evolution and practice of parliamentary politics, alluding to DQ as a way of understanding not only the peculiar social circumstances of the U.S. but also the philosophy of classical liberalism. It is as if he decided to write for two types of audience, the one historical and legalistic, the other novelistic and visionary. Reviewing the technical aspects of *The Federalist Papers* in DA1, Tocqueville addresses ministers, liberal lawyers, and constitutional theorists; deploying DQ in DA2, he pivots to address continental philosophers, enlightened aristocrats, and modern sociologists.

There are exceptions—for example, its dystopian futuristic denouement in the manner of Huxley or Orwell—but DA2 consists mostly of Tocqueville’s musings on the metamorphosis of the old European aristocracy into the new American industrial class and the parallel transformation of the caste of serfs into the modern working class. These social shifts accompany the transfer of political power from the leaders who dominated ancient and medieval times to the masses in control of modern democracies. In the more imaginative context of DA2, specific jurisprudential structures fade away; likewise, in DQ2, the Kingdom of Barataria and “The Constitutions of the Great Governor Sancho Panza” muddle positive and negative examples of governance (see DQ 2.45-51). From a liberal perspective, however, the squire’s virtue lies in his attempt to rule in DQ2 according to the textual legacy of his master. Likewise, what matters in DA2 is the pedagogical transmission of virtues between successive generations and castes. In the early seventeenth century, Cervantes foresees a mode of mass rule whereby a man akin to Sancho Panza will rise to the helm of a transatlantic superstate. Tocqueville then lives that event.



Fig. 4: John Gilbert, *Don Sancho Panza, Governor of Barataria* (1875)

Let us review DA’s three most explicit allusions to Cervantes’s novel:

(a) In the chapter entitled “The Majority in the United States Is All-Powerful and the Consequences of That,” under the subtitle “The Power Exercised by the Majority in America over Thought,” Tocqueville (DA 1.2.7) insinuates that his project bulwarks freedom of conscience, except now the struggle is more serious and takes place at scale:

The Inquisition was never able to stop the circulation in Spain of books hostile to the religion of the majority. The power of the majority in the United States has had greater success than that by re-

moving even the thought of publishing such books. You come across skeptics in America but skepticism cannot find an outlet for its views (see DQ 1.6-7, 2.63).

This metaphorical use of censorship by the Spanish Inquisition allows Tocqueville to assert what is arguably his most impressively counterintuitive axiom: democracy legally protects freedom of conscience while sociologically repressing it. The extreme social conformity imposed by equality means that the more equal a nation becomes, the more important it is to protect freedom of thought, freedom of speech, and freedom of the press.

(b) Five years later in DA2, in the chapter entitled “How Democracy Modifies the Relations that Exist Between Servant and Master,” Tocqueville (DA 2.3.5) underscores that “bizarre muddling of two lives” which must be negotiated in the transition from medieval feudalism to modern capitalism:

We have never seen societies with such equality of social conditions that neither rich nor poor exist and, consequently, neither masters or servants. Democracy does not prevent the existence of these two classes of men but it changes their attitudes and modifies their relationships ... They recede together from our view and daily slip into the darkness of the past, together with the society which engendered them. Equality of social conditions turns servants and masters into new beings and establishes a new relationship between them.

Examining the shift from aristocracy to democracy, Tocqueville (Ibid.) saw the binary relationship at the core of DQ as a point of reference for a new political theory:

In aristocratic nations the master comes, therefore, to view his servants as an inferior and secondary part of himself. He often concerns himself with their fate through a final effort of selfishness. From where they stand, servants are not so far from seeing themselves in the same light and sometimes adopt an identity from their master to such an extent that they end up as his appendage in their own eyes, as in his.

Echoing the struggle between Don Quijote and Sancho Panza in DQ 2.60, Tocqueville (Ibid.) notes the new volatile reality of compensated employment in lieu of faithful service:

At any moment, the servant may become a master, and he has the ambition to do so; the servant is, therefore, no different from the master. Why, therefore, has the latter the right to give orders and what forces the former to obey? A temporary and freely made agreement. They are not inferior to one another by nature; they become so temporarily only by contract. Within the terms of this contract, one is servant, one is master; beyond that they are two citizens, two men ... Already law and, in part, public opinion are declaring the end to any natural and permanent inferiority between servant and master. But this newly founded faith has not yet seeped into the latter’s mind, or rather his heart rejects it. In the secret recesses of his mind, the master still considers that he belongs to a special and superior species but dares not say so; with a shudder he allows himself to be drawn down to the same level.

According to Tocqueville (Ibid.), the end of the master’s quixotic isolation from the servant class coincides with the rise of revolutionary social conditions at the end of the eighteenth century:

But in the transition between these two conditions almost always a turning point occurs when men’s minds hesitate between the aristocratic notion of subjection and the democratic one of obedience. At that point, obedience loses its moral basis in the eyes of the man who obeys; he stops

treating it as some sort of divine obligation and he does not yet see it in its purely human light; it is in his eyes neither holy nor fair; he submits to it as he would to a degrading though useful condition.

Even Tocqueville's attention to the abject nature of the "soul of a lackey" recalls the role of Tosilos in DQ 2.56.

(c) Tocqueville's third allusion to DQ is the most important for his overarching thesis. In the longest of the chapters in the 1840 volume—"Honor in the United States and in Democratic Societies" (DA 2.3.18)—he explains that the collapse of differences among the citizens of a democracy erodes the aristocratic concept of honor in the Ancien Régime and transduces it into the patriotism of the modern nation state. The new sociopolitical meaning that Tocqueville assigns to DQ in DA2 allows democracy's greatest theorist to project an image of himself as a modern hidalgo, exactly as he had represented himself in his two letters to Beaumont in 1838 (see Craiutu 2005). Don Quijote represents liberal salvation for the rebellious aristocratic animus because at the end of the day he marshals liberty in response to equality. In similar fashion, the aristocrat's modern role can now be in the service of his nation and he can also be an antidote to the dangers of pure democracy. To be allowed to assume this new role, however, he must learn to kill what was once his own hydra, a hydra he had favored according to his now antiquated form of aristocratic honor.

Now let us consider some of the most specific ways Tocqueville deploys *Don Quijote*. Throughout his novel, Cervantes marks the inevitable absurdity of different codes of behavior for knights and commoners (DQ 1.8, 1.15, 2.14, 2.52, 2.56, *passim*). The hidalgo is distinguished by his confusing, archaic language and his random explosions of violence toward other characters. In sum, he embodies the strange values of an outmoded caste devoted to warfare. For Tocqueville, this is what makes the hidalgo a symbol of the fallen aristocrat who remains incompatible with modern society.

Don Quijote also serves the most important theorist of modern democracy as the prime example of his theory of sociocultural formation. The aristocrat is a subspecies of humanity whose unique origins, attitudes, and behaviors distinguish him from the masses:

Within the vast community of mankind, narrower associations have been formed and called nations within which still smaller groups have assumed the name of classes or castes. Each of these associations represents, as it were, a particular species of the human race and, although no different essentially from the mass of men, stands to some extent apart with needs of its own. These are special needs which alter, to some degree and in certain countries, the way of looking at human behavior and the value attached to it (DA 2.3.18).

Tocqueville (Ibid.) also grounds his theoretical-novelistic (*costumbrista*) vision of the transformative power of the American honor code in the dialogical contrast between Don Quijote and Sancho Panza:

Mankind has the universal and permanent interest that men should not kill one another, yet a nation or class might, in special instances, adopt the peculiar and temporary interest of excusing or even honoring homicide. Honor is nothing but this particular rule founded on a particular state of affairs, by means of which a nation or class allots praise or blame. Nothing is a greater waste of effort for the human mind than an abstraction. So, I hasten on to reveal the facts. An illustration will make my meaning clear. I shall choose the most extraordinary example of honor that has ever been seen on this earth and the one we know best: that aristocratic honor residing at the heart of feudal society.

Anticipating Tocqueville's reference to the lowly Tosilos, the caste distinction echoed by a nobleman's right to vengeance drives the attempted homicide committed by the mad knight in DQ 1.9, as well as his squire's subsequent use of the word *omecillo* in DQ 1.10 (see Byrne 2012, pp. 84-85). Of course, Don Quijote consid-

ers himself above any law against murder, and it is in this particular light that we can see how Tocqueville (DA 2.3.18) counts among history's greatest interpreters of the sociological significance of Cervantes's novel:

When these distinct opinions arose, the nobility formed a separate body within the nation, which it dominated from the inaccessible heights to which it had withdrawn. To sustain this special position which constituted its strength, it not only required political privileges but needed rules of right and wrong tailored for its own use. That some particular virtue or vice belonged to the nobility rather than to commoners, that such and such an action was neutral when it affected only a peasant and punishable when it had to do with a feudal lord, these were what were often arbitrary matters. But whether honor or shame should attach to a man's actions according to his social status, that was the result of the very constitution of an aristocratic society.

On multiple occasions, Tocqueville also describes and explains Don Quijote's insanity better than any modern psychologist or literary critic:

In certain instances, feudal honor insisted on revenge and condemned any forgiveness of insults; in others, it loftily ordered men to rein themselves in and to forget their own desires. It did not make human kindness or gentleness its general rule but praised generosity; it valued liberality more than charity; it allowed men to grow rich from gambling or war but not from work; it preferred great crimes to small earnings. Greed was less a source of disgust than concupiscence; it often sanctioned violence while it always viewed cunning and treachery as contemptible. These strange ideas did not solely arise from the whim of those who invented them (Ibid.).

Reading Tocqueville, Don Quijote's random outbreaks of madness recover the aura of their caste, that is, they reflect the explosive volition that is the essence of the noble character:

Such a class of men is not afraid to upset the natural order of conscience by placing those virtues before all others. It may even be easy to imagine that they will raise certain bold and brilliant vices above virtues which are quiet and unpretentious. To some extent such a class is hemmed in by its social condition to adopt such principles. Noblemen of the Middle Ages reckoned military valor as the greatest of all virtues and one which pushed many of those virtues aside. Feudal aristocracy was born of warfare and for warfare. Its power had been founded by arms and arms maintained it. Nothing, therefore, was more necessary than military courage; it was natural that such courage was glorified above all other virtues (Ibid.).

Likewise, Tocqueville (Ibid.) helps us appreciate how a range of Don Quijote's odd behaviors stem directly from the sociopolitical conditions of medieval Iberia:

That a man should look upon a blow on the cheek as a great insult and should feel obliged to kill in single combat the person who has struck him so lightly is an arbitrary rule; but that a nobleman should not peacefully tolerate an insult and would be dishonored if he allowed himself to be struck without fighting back, that was the result of the very principles and needs of a military aristocracy.²

In the shadow of Don Quijote's glory, Cervantes forces readers to consider the matter of Sancho's salary (DQ 2.7, 2.28, 2.71; see Johnson 2000). This occurs in concert with the novel's consistent bourgeois advice against leisure (DQ 1.1, 2.16, 2.70). Tocqueville's (DA 2.3.18) use of Cervantes echoes this same mangled transfer of values from old aristocrats to new materialistic men:

“Amidst these half-obliterated notions of some exotic honor, some new opinions appear on the scene to form what might be termed the American honor of our time;” ... “Americans make an equally arbitrary classification of men’s vices. Certain tendencies which appear condemned by common sense and the universal conscience of mankind are in agreement with particular and temporary needs of the American community which blames them only feebly and sometimes praises them; I shall cite particularly the love of money and the secondary tendencies connected to it;” ... “The American calls noble and praiseworthy that ambition which our medieval ancestors used to describe as slavish greed, just as he considers as blind and barbarous frenzy that burning desire for conquest and that warlike spirit which hurled them daily into new battles;” ... “In a democratic society such as that of the United States, where fortunes are small and insecure, everyone works and work opens all doors; this has turned honor inside out and set it against idleness. In America I have sometimes met some rich young men, temperamentally hostile to any difficult exertions, who were obliged to adopt a profession. Their nature and fortune allowed them to stay idle, public opinion forbade it and its imperious order had to be obeyed” (see Lukács 1971).

Finally, Tocqueville (DA 2.3.18) draws heavily on Cervantes’s contrasts between the knight and his squire in the double duels of DQ 2.14:

In aristocratic countries, identical codes of honor are only ever accepted by a few men who are often limited in number and always separated from the rest of their fellow citizens. Honor, in the minds of such men, is associated and identified with the very conception of their own distinctiveness. It is, in their eyes, the peculiar trait of the face they present to the world. They apply its various rules with the enthusiasm of personal involvement and, if I may be permitted the expression, they are passionate about complying with its dictates. The truth of this becomes clear on reading the medieval law books dealing with trial by combat. There we find that the nobles were bound to use lance and sword in their quarrels whereas peasants used sticks, ‘seeing as,’ state the old law books, ‘peasants have no honor.’ That did not mean, as may be imagined today, that these men were to be despised but simply that their actions were not judged by the same rules as the aristocracy. The first and astonishing fact is that, when honor has so powerful a place, its rules are generally very peculiar, so that men appeared to be the more prepared to obey these rules, the further they appear to depart from common sense. From this, some people have drawn the conclusion that honor derived its strength precisely because it was extravagant.

QUIXOTIC LIBERALISM

Keeping in mind DA’s dependence on DQ, we better understand the sociopolitical meaning of the central trio of texts Tocqueville signals in his letter to Beaumont. *The Prince*, *Don Quijote*, and the *Quran* press Don Quijote into a solitary struggle against the sinister alliance between Machiavelli’s calculating tyrant and Muhammed’s impassioned masses. This locates modern individualism at the intersection of our social and political selves. Historically speaking, in the twilight of the medieval world, a ghostly aristocrat lays a feeble claim to his privileges. Tocqueville (DA 1.1.5) reminds us that the French Revolution went to such extremes precisely because the upper estates—the clergy and the aristocracy—couldn’t resist the momentous accord between the tyrant and the mob:

“I think that provincial institutions are useful to all nations but they are never more needed than in a society which is democratic. In an aristocracy, one can always be sure that a certain degree of order will be maintained in freedom. The ruling class has much to lose and, therefore, order is a main concern for them. Equally, one can say that, in an aristocracy, the nation is sheltered from the excesses of tyranny because organized forces exist ready to resist a despot. A democracy with-

out provincial institutions has no guarantee against such ills;” ... “Those who fear anarchy and those who are afraid of absolute power should, therefore, share the desire for a gradual development of provincial liberties. Moreover, I am convinced that no nations are more liable to fall beneath the yoke of administrative centralization than those with a democratic social order;” ... “The Revolution announced itself as opposed both to royalty and to provincial institutions. It directed its hatred indiscriminately against all that had gone before, both absolute power and those elements which could mitigate such power. It was simultaneously republican and centralizing” (see Burke 2003; Dawson 2015).

Ultimately, Tocqueville’s quixotic liberalism exhibits maximum anxiety regarding that pact deemed so dangerous by Polybius (1889, 6.11-18), the one put into motion by Caesar and then resurrected by Louis XIV and Napoleon. By the nineteenth century, the situation is dire. A tyrant all too easily becomes a war-mongering dictator at the head of a mass movement. More ominous still, the new despot is an unwitting player, a tiny rider atop an elephant stampeding into the vacuum of a decaying sociopolitical order: “Now men engage in great battles and, as soon as they have a free path before them, they rush upon the capital so as to end the war with a single blow. Napoleon is said to have discovered this new tactic but it did not depend upon one man, whoever he might be to create this idea. Napoleon’s method of conducting a war was suggested to him by the social conditions of his day and succeeded because it was wonderfully suited to those conditions and he was the first man to put it into practice. Napoleon is the first man to have traveled at the head of an army from capital to capital along a route opened before him by the ruins of feudal society” (DA 2.3.25). “Napoleon should be neither praised nor blamed for having concentrated almost the whole administrative power in his own hands for, after the sudden disappearance of the nobility and the upper levels of the middle class, these powers devolved upon him automatically; it would have been almost as difficult to reject as to accept them” (DA 2.4.4; see Hoffer 1951; Dawson 2015; cf. Derrida 1991).

Two letters to Beaumont and three explicit allusions to DQ in his magnum opus (DA 1.2.7, 2.3.5, 2.3.18) reveal that Tocqueville was reading Cervantes’s novel with philosophical precision. The *hidalgo* embodies that super minority who must be protected according to Madison in *Federalist* 51. This not only accords with the liberal mantra of the medieval aristocracy as the origin of modern individual rights; it asserts that a new variation of that aristocracy—perhaps fallen or modified, yet from now on tenuous and marginalized—are those few remaining citizens with enough self-esteem to reject democracy’s tyrannical inclinations. Tocqueville (DA 1.2.9) understands that the world now belongs to Sancho, but he hopes the squire-governor can learn something from the knight-errant, irrespective of the latter’s incoherence. The only way left now to preserve liberty is to moderate the rebellion of the masses:

I think that if we fail to introduce and gradually set up democratic institutions in France, and that if we abandon the attempt to inspire all citizens with the ideas and feelings which first of all prepare them for freedom and consequently allow them to enjoy it, there will be no independence for anyone, neither for the middle classes, nor for the nobility, nor the poor, nor the wealthy, but only an equal tyranny for all; and I foresee that if we fail to establish among us the peaceful authority of the majority in time, sooner or later we shall arrive at the *boundless* power of one man.

Don Quijote, let us recall, insists that honor be esteemed on par with liberty: “por la libertad así como por la honra se puede y debe aventurar la vida” (for liberty, as well as for honor, one can and should risk one’s life; Cervantes 1998, 2.58). Think of it this way: the last knight still defends his honor and votes against sacrificing liberty in order to satisfy the majority. This solitary tragic individual who still holds out against the murderous mob is surely among the major meanings attributed to Cervantes’s novel by Borges (1956) in “Pierre Menard, autor del Quijote.”³

Tocqueville’s grasp of Cervantes is more than a matter of the novel influencing the greatest political theorist of modern democracy. In DA political science and the origins of sociology coopt the study of litera-

ture. DQ is undoubtedly a fallen, tragic figure, in all the sentimental, aesthetic, and poetic senses attributed to him by the Schlegel brothers, Richter, Schelling, Heine, Chateaubriand, or Hugo. But it is Tocqueville who lets us see that the deepest reason for the Romantic appreciation of DQ is Cervantes's anticipation of the sociopolitical contours of modern democracy. Anthony Close, Peter Russell, Leo Spitzer, Erich Auerbach, and others have charged that the romantic vision of DQ is a clumsy anachronism. Failing to appreciate the profound influence of Cervantes's novel on Tocqueville, and hence on modern political thought more generally (see Schmitt 1949), such critics can be forgiven for seeing DQ as either comedic or divine. Tocqueville, however, reminds us of the weighty political issues on display in DQ2. And mine is not a *sui generis* argument. Besides Tocqueville, enlightened and classical liberal thinkers of the seventeenth, eighteenth, and nineteenth centuries, including authors, leaders, and philosophers like Voltaire, Montesquieu, Jefferson, Burke, Adams, Hobbes, Locke, and Bastiat all read DQ as a font of sociopolitical wisdom (see Graf 2021a, pp. 1-13).

Given the importance of DA and given Tocqueville's heavy use of DQ in that book, I now believe that the French theorist is among history's greatest missing links between Cervantes's novel and Romanticism. Anthony Close (1977), who at times mocks their overdetermined readings of the novel, wonders why the Romantics were so attracted to the mad knight. He attributes this to whim on the one hand and Cervantes's artistry on the other. The second point is unassailable, but the first could not be further from the truth. It was not caprice but the historical fact of the French Revolution that made Don Quijote into the precursor of the fallen liberal aristocrat and made Sancho Panza symbolize the rebellious masses flirting with modern dictators.

An equally important aspect of Tocqueville's genius was his grasp of how DQ bridges the troubled waters between Madison and Hamilton. The French theorist argues in DA that any lasting national constitution is an arduous pact between two internal nations, two groups with radically different worldviews, different enough such that they are often like two medieval castes who can't fully understand each other. A handful of authors, such as Donoso Cortés, Ortega y Gasset, and Vargas Llosa have argued that the inspiration for Romanticism was both aesthetic and political (see Schmitt 2005). But it is Tocqueville who best signals the Romantic scope of the first modern novel, which we can also call the first liberal novel. Beginning when a medieval Manchegan knight defeats his Basque rival and then fails against a modern mechanical invention, and climaxing when a man as common as Sancho Panza governs the Isle of Barataria, the novel traces the fall of the aristocracy and the rise of democracy in the same generalized sociopolitical and even economic senses stressed by Tocqueville.⁴ Historically, this makes sense. By 1615 early tremors had already been felt in the Ancien Régime in Spain—the Revolt of the *Comuneros* of Castile (1520-22) or the *Alteraciones de Aragón* (1591)—and reverberations would continue to be felt 200 years hence in 1776, 1789, 1830, 1848, 1861, 1917, and beyond.⁵

To conclude, I confess to a certain awe at Tocqueville's culturally bivalent achievement, which is far more impressive than it might seem at first glance. By pairing *The Federalist Papers* and *Don Quijote*, he forges a new world epic. In a generic sense, *Democracy in America* already deploys heroes, journeys, enemy tribes, visions, prophecies, and social compacts sanctioned by mutual sacrifices, also known as national compromises or constitutions. All this and liberal political philosophy to boot. But *Democracy in America* is perhaps most epic in the sense of a kind of bequeathed manual which can guide many generations of Americans to come. Two volumes, and such that the most efficient way to grapple with the totality of the work would be to study *The Federalist Papers* as the basis for volume one and *Don Quijote* as the basis for volume two. It is an audacious gesture, a glorious French salute upon exiting the New World. It is brilliant marketing too in terms of Tocqueville's potential readers. It is a kind of double map, a map for two regions, North and South, two cultures, Anglo and Hispanic; two constitutions which are destined, even bound to converge with one another. Bidding us farewell, he conducts a final diplomatic ceremony, which we might paraphrase as follows: "Federalism and individual rights, Anglos you do these well, but you should study Cervantes because you have a blind spot regarding how to overcome race and caste. Novels and collective rights, Hispanics you do these well, but you should study Madison, because you have a blind spot regarding how to activate individualism and provincial independence. *Au revoir et bonne chance.*"

NOTES

1. This essay supplements my book *Anatomy of Liberty in Don Quijote de la Mancha*, where I relate Cervantes to such classical liberals as Locke, Hobbes, Voltaire, Hume, Jefferson, and Bastiat. Like other Cervantes scholars, my blind spot has been Tocqueville, who is more subtle than his bourgeois contemporary. Specifically, the difference between Bastiat—whose reframing of the Isle of Barataria repudiates Don Quijote and vindicates Sancho—and Tocqueville—who is ever nostalgic for the hidalgo and worries about the squire’s principles—reflects perspectives on opposite sides of the barricades during the June Days uprising of 1848. Bastiat embraced revolt in the streets of Paris; Tocqueville backed General Cavaignac’s counterrevolutionary measures.
2. The ability of the Castilian nobility to field armies well into the fifteenth century represented a serious obstacle to late-medieval attempts at royal authoritarianism in Spain (see Gómez 2021).
3. One might legitimately ask why Ortega (2010 [1929]) did not mention Tocqueville in *La rebelión de las masas*. This might owe to indignant nationalism. The Spanish-American War of 1898 marked at least two generations of Spanish artists and intellectuals.
4. In his *Tesoro de la lengua* (1611), Sebastián de Covarrubias’s definition of the verb *revolver* has political implications for the windmill in DQ 1.8: “es ir con chimerias, y quisiones y a este llamamos rebolvedor, y reboltoso, re- vuelta, la question: rebolución, alteracion” (to go about spreading rumors and quarrels, and those who do so we call rebels and rebellious, we call the dispute a revolt: a revolution, an alteration).
5. Historians such as José Antonio Maravall (1963) and Stephen Haliczzer (1981) have noted the populist parallels between the Revolt of the *Comuneros* (1520-22) and the French Revolution (1789). As for the events of Aragón in 1591, they were a type of counterrevolution in the sense of a regional aristocratic insurrection against the increasingly imperialist Habsburg Crown. Aragón also represented the last resistance offered to the rise of the modern nation state in Iberia by the remnants of the medieval aristocracy.

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