The Logic of Liberalism

Lorenzo de Zavala's Transcultural Politics

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In 1830 a Mexican aristocrat and politician who helped draft the Mexican Constitution of 1824 and would later go on to assist in the creation of the 1836 Texas Constitution traveled to the United States, a full year before Alexis de Tocqueville's now-famous journey. Lorenzo de Zavala's voyage began in New Orleans and led him north through Cincinnati and Pittsburgh, reaching its longitudinal apex in Quebec before returning south from New York to Philadelphia and Washington, DC. His published account of the journey Viage a los Estados-Unidos del Norte de America {Journey to the United States of North America) (1834), has two purposes, his preface tells us. First, the narrative is intended to serve as a biography of sorts, as he had previously "offered" to "publish [his] memoirs" (1). Second, and more importantly, the text is intended to give "useful lessons in politics" to the citizens of Mexico, instructing them in the "manners, customs, habits and government" of the United States, a country whose social and political institutions Mexicans have heretofore "copied so servilely" (1).

The tension between Zavala's desire to impart "useful lessons" yet not have those lessons learned too well, too "servilely," implies a search for a foundational politics: a liberal praxis that emerges not from the US, but also not necessarily (as we will see) from Mexico. And while Zavala's text does engage political topics and explore the possibility of a transamerican liberalism, it does so in a very specific context. Despite its stated goal of conferring "useful lessons in politics," the work is first and foremost a travel narrative. Large sections of the text are given over to tourist banalities such as the weather, local topography, or the navigation of the Mississippi river by steamboat. (There is, Zavala supplies helpfully, little risk of "storms, hurricanes and coral reefs," although readers are cautioned to beware "the explosions of the receptacles or boilers for the steam" [34].) Yet the text principally uses the travel narrative to interrogate the idea of a slavish or "servile" devotion to US social and political institutions—a rather sophisticated use of the form. Mary Louise Pratt has shown that "contact zones"—spheres of social or cultural difference where disparate cultures clash and struggle for dominance—are invariably sites of transculturation where cultural institutions are transmitted from colonizer to colonized, but also from colonized back to colonizer (6-7). Historically, travel narratives have been inextricable from colonialist ideology, but Zavala employs the genre to critique US social and political institutions.

There is a paucity of scholarship on Zavala's Viage. John-Michael Rivera's recent critical introduction to the text insists that Zavala's travel narrative offers only a "panegyric look at U.S. democracy, a utopian primer of liberal democratic mores" (ix; see also xviii). Rivera argues that Zavala creates a utopian representation of US liberal democracy and, more importantly, identifies that representation as a functional political model in the hopes that Mexico will emulate that utopian liberalism. Although Zavala's representations of US political institutions are occasionally utopian, the text's net rhetorical effect is to establish a critical, and not utopian, assessment of US liberalism. Zavala's Viage employs the form of the travel narrative to offer a critical comparison of Mexican and US political praxis. If Zavala does ultimately point toward a transcendent, "utopian" liberalism, it is not one found in the United States. Instead

Zavala's tourist pose allows him to interrogate both US and Mexican liberalisms. Furthermore, the text concludes that a utopian liberalist philosophy can never translate into a functional liberal praxis.

Early on, Zavala provides a clue about how to read his occasionally utopian representations of US political institutions. Zavala briefly notes, as if winking at his readers, that "we [Mexicans] are not always sincere in our flattery or in our compliments, and we have a saying that 'one kisses hands that he would like to see burned'" (54). The "useful lessons" of the text, then, are couched at once inside and outside both the reproofs of Mexico and the superficial plaudits for the United States, and those "lessons," more significantly, are advanced through the form of the travel narrative. Both tourism and liberalism, I argue, are driven by a universalizing impulse. Through his role as tourist, Zavala is able to scrutinize this universalizing impulse and to reframe liberalism as ideology, to resituate it as a political and philosophical construct.[1] Viage employs the totalizing logic of the travel narrative in order to dislodge US liberalism from its transparent, value-neutral status and (more importantly) to critically assess US liberalist praxis so that it is not, in fact, "copied so servilely" in Mexico. Ultimately, Zavala implies a third way, an imagined transamerican liberalist philosophy lying between Mexican and US democratic liberalism.

Nineteenth-Century Liberalisms

As Pierre Manent writes in An Intellectual History of Liberalism, classical liberalism emerged when early-modern Europeans, influenced by Hobbes's and Locke's search for independence from the Catholic church, took a deliberate turn toward the political. Under this logic, liberalism is a byproduct of the desire to split with Catholicism, rather than its catalyst. To escape from the institutional power of the church, one had to:

> renounce thinking about human life in terms of its good or end, which would always be vulnerable to the Church's "trump." Since, therefore, power in the body politic can no longer be considered the power of the good that orders what it gives (the Augustinian definition of grace), man can understand himself only by creating himself. (114)

Without the orientation toward goodness, Hobbes concluded, humans would exist in a pure state of nature. In order to become "man," individuals in this state of nature first would have to think about or represent themselves. For Manent, in this action of selfrepresentation "consists the creative fiat that Hobbes placed at the origin of sovereignty as the efficient cause of the body politic" (115). And this, in turn, creates an

[1] I follow the Althusserian conception of ideology, which defines it as the representation of "the imaginary relationship of individuals to their real conditions of existence" (162).

originary and irrevocable split in the body politic, for in this act of creation, humankind must necessarily divide itself in two and become at once the architect of its own sovereignty as well as its subordinate.

Therefore, the very birth of liberal thought contains an unavoidable paradox: individual sovereignty is always and already divided between self and state. If classical liberal theory places the locus of liberty in nature, then liberalist praxis paradoxically defers its own authority to an entity contrary to that natural state. As such, not only is the history of liberalism the history of the desire to escape the power of the Catholic church, but it is also the history of the desire to escape the power of liberalism.

Mexican liberalism, in the second two decades of the nineteenth century, reflects this foundational ambivalence, an ambivalence stemming in part from the overlapping influences of the self, the state, and the church. For twenty years—from 1821 to roughly 1840—Mexico struggled over approaches to governance that swung from monarchy to confederalism to federalism to centralism. These approaches not only concerned individual liberties and the powers of the state; they were also about the role of the Catholic church in constructing a liberal selfhood, and, in a broader sense, about designating the ultimate arbiter of political and social authority.

But if there were varying approaches regarding the details of liberal governance, there was no real debate about the fundamental nature of the government itself. As D. A. Brading has written, from 1824 to 1855 "the dominant creed of the political nation was liberalism" (70). Mexican liberals envisioned a secular, federal democratic republic in the mold of Jeffersonian agrarianism: small businessmen, yeoman farmers, and craftsmen, all unhindered by restrictive local and federal laws (70). As we will see, though, the liberal architects of Mexico's 1824 Constitution failed to realize their ideal of a secular republic, a crucial development in the formation of Mexican liberal subjectivity and an important split with US and European liberalism.

On February 24, 1821, Augustin de Iturbide, an army lieutenant who had fought for Spain in the 1810 War for Independence before coming to support an independent Mexico, issued his Plan of Iguala calling for a unified, independent Mexico. The plan was dubbed Trigarante because it stood for three guarantees—the religious preeminence of the church, Mexican independence, and unification with Spain—while arguing for a constitutional monarchy that would sit Ferdinand VII on the Mexican throne (Guedea 297-98).

Iturbide's plan was immediately successful, gaining the support of nearly all insurgents and converting even opponents with little bloodshed (Guedea 296). The plan's success was not really a deliberative decision favoring a particular direction, however. As Christon I. Archer notes, it was instead "a timely compromise program" that provided a reprieve from the war (303). But the plan did have an immediate liberalizing effect on the body politic. As Archer explains, "The 1820 liberal revolt in Spain that restored the Constitution of 1812 throughout the empire," coupled with the Plan of Iguala, had the effect of transferring "significant powers away from major centers to towns and villages" (303). More significant for Zavala's purposes, though, was the lib-

eralizing effect on bodies per se, not just the body politic. The restoration of the 1812 Constitution granted "absolute liberty of movement," a sharp change from the highly restrictive militarized regime. It terminated "the policy of regulating travel through a system of passports and checkpoints that had helped to maintain wartime order" (Archer 304). Physical autonomy, then, was an integral component of a liberalized Mexico. And although Zavala's travels do have the effect of rendering physical movement a normative value—a transparent construct that can be used to interrogate liberalisms across borders—it is worth remembering that, only ten years before Zavala's journey, travel itself became a foundational element of Mexican liberalism.

With the collapse of the empire, Mexico was tasked with articulating formally a new governing philosophy, a project that would result in the Constitution of 1824. Meeting in late 1823, the constitutional congress was faced with one seemingly straightforward question: should the independent republic be federalist or centralist? Supporting the centralist argument were the "clergy, the hacendados [owners of large agricultural estates], and the army officers," while the federalists were supported by "those liberal criollos [elite Mexican-born Spaniards, like Iturbide and Zavala] and mestizos who considered themselves intellectual heirs of the French and American revolutions and students of the United States Constitution and the liberal Spanish document of 1812" (Meyer, Sherman, and Deeds 301). The issue of a foundational liberal constitutional discourse was ubiquitous. Fray Servando Teresa de Mier, a centralist member of the constitutional congress, disputed the logic of drafting a document modeled too closely after the US Constitution. He noted that the US "federalized themselves in union against the oppression of England; to federalize ourselves, now united, is to divide ourselves and to bring upon us the very evils they sought to remedy with their federation" (qtd. in Meyer, Sherman, and Deeds 302). The new republic, the centralists argued, required a unitary strength that could not exist under a federalist system; to compare a budding Mexican republic to a budding US republic was to engage a false analogy.

But if the argument was superficially about political and national might, the subsurface question was something more insidious: the clergy, military, and hacendados all shrouded their fear of a loss of political power and material worth in the veil of national and ethnic essentialism. They implied that Mexican liberalism must by definition be substantively different from US liberal practice, both because of differing historical circumstances but also, perhaps, because there was something insufficiently Mexican about the radicals' confederalist ideals. As such, at the very birth of the Mexican liberal republic, the language of rights and property was already inextricable from the language of national and ethnic identity. The conservative centralists suggested that liberal selfhood and Mexican selfhood were potentially at odds.

In the end the arguments of Fray Servando and his fellow centralists were unpersuasive. The Constitution of 1824 established the Estados Undios Mexicanos as a federal republic made up of nineteen states and four territories. Governmental authority was divided between executive, judicial, and bicameral legislative branches. Although Michael C. Meyer and others have written that the Constitution bears the

influence of "the philosophical influence of Montesquieu and the practical influence of the United States Constitution of 1787," other historians have contested that view (302). Jamie E. Rodriguez argues that the Constitution of 1824 was "modeled on the Hispanic Constitution of 1812, not, as is often asserted, on the U.S. Constitution of 1787" (21). Similarly, Edward H. Moseley emphasizes that the Constitution was "not a mere translation" of the US Constitution (137). Moreover, Rodriguez makes an important distinction for an historical grasp of Mexican constitutional liberalism: "Mexico's republic," he writes, "was confederalist rather than federalist" (21). The Constitution of 1824—ratified just six years before Zavala's journey to the United States—articulated a "shared sovereignty" between the nation and the states, a decentered form of authority ("shared sovereignty" is, in practice, a contradiction in terms) that ultimately reestablished the individual subject as the wellspring of liberal rule (Rodriguez 21).

That liberal subjectivity, though, was not an absolute value, but a conditional one. And that conditionality was predicated on perhaps the most significant difference between Mexican and US constitutional liberalism: the role of the church. The 1824 Constitution proclaimed that "The religion of the Mexican nation is and shall be perpetually the Catholic, Apostolic, Roman religion. The nation protects it with wise and just laws and prohibits the exercise of any other" (qtd. in Bazant 9). The decision to establish an official religion is significant for at least two reasons. First, it curtails individual expression and thus redefines the notion of agency implicit in Mexican liberal selfhood. And second, the framers' need to "protect" the church with "wise and just laws" fundamentally altered classically liberal notions of individual equality. The 1824 Constitution deliberately did not include provisions specifying equality before the law. Jan Bazant writes that this omission was not monarchical or aristocratic in intent; it "was certainly not intended to safeguard the interests of the . . . Mexican nobility" (9). Instead, its significance lay in its formalization of the practice of fueros, legal immunities that were given to the clergy and military:

> These privileges had, of course, existed before independence but then both the Church and the army had been subject to royal authority on which civil obedience to laws depended and which had not been seriously questioned for three centuries. With the supreme regal authority gone, and in the absence of a strong nobility or bourgeoisie, the vacuum was at once filled by the popular heroes of the victorious army. (Bazant 9)

Arguably, the practice of fueros all but unravels the constitution's liberalist philosophical underpinnings. To have a president who is not beholden to the rule of law—indeed, to have entire social classes outside the boundaries of civil authority—is to fall back into the privileges and hierarchies of monarchy. The rhetoric of classical liberalism attempts to level difference in the name of liberty, but Mexico's 1824 Constitution forsook the equality of liberal selfhood for the continued preeminence of the church. The architects of the Constitution must have felt the sting of this loss: US constitutional

liberalism, after all, established no official religion. In practice, of course, US liberalism contained just as many, if not more, privileges for its elite citizens; the leveling effect of classical liberalism did not extend to many US groups, such as women and African Americans. As we will see, Zavala's travels attempted to reconcile the inequality of liberalist praxis with the equality of liberalist theory.

For the liberal framers of the Mexican Constitution, the conjoining of theory and praxis was particularly problematic with regard to universal property rights. Though they were keenly aware that "political democracy could not be achieved without some approach toward social equality," and so "nursed the ideal of the small proprietor" and yeoman farmer, liberals nonetheless scorned the working class (Brading 71). Indeed, Zavala himself wrote that the "proletarian class of citizens lacks even the capacity necessary to discriminate between the candidates it ought to nominate" (qtd. in Brading 71). The liberals' contempt for the unpropertied commoner, though, was exceeded only by their disgust for the wealthy hacendados. D. A. Brading explains the paradox of the Mexican liberals' attitudes regarding property:

> Despite their universal condemnation of the great estate, it is notorious that the liberals effected remarkably little change in the basic structure of landownership. What was the cause of their failure? In the first place, their Lockean philosophy forbade any government meddling with private property... Second, the liberals assumed that, with the termination of landed entails (mayorazgos) and the mortmain imposed either by direct clerical ownership or by the burden of ecclesiastical mortgages, most latifiindia would shortly disintegrate. . . . [T]he paradox remains: the same philosophy which presented the idea of the small proprietor denied its adherents the means to achieve this goal; effective land reform could only come through the negation of liberalism. (71-72)

Indeed, the aftermath of the 1828 Mexican presidential elections bear out the accuracy of Brading's analysis. The conservative centralists supported General Manuel Gómez Pedraza; the liberals supported General Guerrero, nominally the leader of the federalists but suspected by many to be a figurehead controlled by Zavala (Bazant 11). Although Gómez Pedraza won the election, Guerrero refused to recognize his victory, and Zavala organized a successful revolution on Guerrero's behalf. Guerrero was installed as president in January 1829, and appointed Zavala his minister of finance.

Zavala, finding the treasury nearly empty, sold some church property that had been nationalized prior to independence. As Jan Bazant notes, "His moves against ecclesiastical property . . . made him unpopular with the Church and his attempts at social reform and at seeking support among the lower classes made him hated by all the propertied groups" (11). Indeed, most of his liberal policies were received poorly by one faction or another.

Just before his journey to the United States, Zavala encountered first-hand the paradoxical relationship between liberalism and property rights. He was effectively

forced to betray the right-to-property principles implied by classical liberalism in the name of justice and fair governance. Because of Zavala's tax policies and his actions against church property, the conservative factions began to work actively to undermine the Guerrero administration, targeting particularly Joel R. Poinsett, the Protestant US minister to Mexico, and Zavala himself. Zavala was forced to resign, and went into self-imposed exile in the United States soon thereafter.

To put it another way, once translated from theory into practice, Zavala's liberalism became instantly controversial. And his eventual exile to the United States resulted from a confluence of factors, most stemming from his liberal policies. Immediately upon assuming his position as minister of finance, Zavala advocated abolishing the Mexican government's monopoly on tobacco crops, which ensured that all profits from tobacco crops went to the government. For this, he was attacked by his centralist political opponents, who accused him of trying to bankrupt the treasury. He also persuaded the congress to pass a progressive national income tax, comprised of a tax of five percent on all annual incomes over 1000 pesos, and ten percent on incomes over 10,000. He was criticized for this by his federalist colleagues, some of whom felt he was trying to reestablish a centralist republic. For these reasons, and for his association with the Anglo-Protestant Poinsett and his role in the Revolución de la Acordada that resulted in Guerrero's election, Zavala grew increasingly unpopular, both with his usual political enemies as well as some of his federalist allies (Cleaves 94-96).[2]

Under increasing pressure over the summer and early fall of 1829, Zavala lost his positions in the government. He resigned his national ministerial position as Secretary of the Treasury, and the legislature of the state of Mexico declared he was no longer fit to serve as governor of that state. Shortly thereafter, a revolt broke out in Yucatán, where rebels were fighting for a separate centralist republic (instead of continued adherence to the federalist Republic of Mexico). President Guerrero sent the newly-unemployed Zavala as his envoy to the region to try to stem the nascent revolution. As soon as he arrived, Zavala realized he would not succeed; the revolution had spread too far.

What had begun earlier that year as political unpopularity had turned, as the revolution grew by the close of 1829, into personal danger. In December of that year, Zavala was arrested by the centralist revolutionaries for little reason other than his visibility. He was released six days later, after signing a statement affirming that he would not oppose the authority of any new "Executive Power" (Cleaves 101). By the beginning of 1830, things had deteriorated. Zavala was tried (and quickly acquitted) for fraud in connection with certain loans he had secured when he was minister of finance.

[2] Much as Zavala's Viage would later employ democratic liberalism as a touristic textual phenomenon, so in Mexico were his increasingly controversial liberal policies debated as texts in the public sphere created by the popular press. In August 1829, a newspaper named the Echo of Yucatán commenced publication with the stated goal of working "against the political and ministerial conduct of the Secretary of the Treasury, Don Lorenzo de Zavala" (qtd. in Cleaves 97). Around the same time a political pamphlet was also published called "The Crimes of Zavala are Indeed Patent Throughout Mexico" (Cleaves 97).

The newly installed president, Anastasio Bustamante, denounced Zavala's acquittal as "the worst mockery that the Devil could perpetrate on the Mexican people" (qtd. in Cleaves 102). With Bustamante and the centralists in power, Zavala's liberalism began to pose a serious threat. Upon learning that Mariano Zere-cero, the brother of one of Zavala's oldest friends, had been sentenced to death by the new regime, Zavala left for the United States. Soon after, he began the travelogue that would eventually become Viage.

In reading Viage, then, it is important to remember that Zavala's status as tourist is inextricable from his political exile. Zavala's critical assessments of US and Mexican liberal praxis must be understood in light of the failures of political liberalism. The political turmoil that led to his brief exile to the US caused Zavala to cast a more critical eye on all liberal praxes, Mexican and US. Zavala's flight from political trouble was also, in a sense, a flight from the failures of Mexican procedural liberalism. His assessment of US liberalism also serves as a critical reevaluation of the disconnect between liberal theory and praxis, one that rejects both US and Mexican liberalisms in favor of an imagined, and ultimately unobtainable, transamerican liberalism.

If Zavala saw failures or impossibilities in Mexican liberal governance, the US was certainly not immune to similar problems. The historically uneasy relationship between the right-to-property implied by liberalism and the right-to-vote implied by democracy was being navigated in the nineteenth-century United States as well as Mexico. Although the 1787 US Constitution deferred voting rights to the states, most of which in turn restricted the right to vote to property-owning males, at the time of Zavala's journey, just six states (out of twenty-four) tied suffrage to property.

Ambivalence and paradox are of course not unique to classical and Mexican liberalisms, but are also characteristic of a deep and persistent current in US liberal democratic thought. Delineating the classical lineage of US liberalism, David F. Epstein has noted the significance of consent in US constitutional liberalism. The Rousseauvian concept of natural liberty, he notes, "specifies a source for government: only the consent of the governed confers legitimate powers on government" (79). This idea of consent is particularly significant for an understanding of US liberalism, for it not only extends and complicates the self/state duality implicit in Hobbes's liberalist contract, but also compounds liberalism's ambivalence toward itself. The US Constitution ostensibly formalizes liberal values of individual autonomy and choice, yet it does so in a way that necessarily curtails the expression of those same values. Ultimately, as Epstein makes clear, a constitution "is an attempt to limit the people's choice" (123). If liberal participation is not the same as liberal consent, then for US liberal praxis, individual consent is trumped by the rule of the majority. And the rule of the majority, to be sure, effectively unravels the very principle of consent. The centrality of consent in US liberalist philosophy and praxis has a number of significant implications for Zavala's touristic evaluation of that liberalism.

Shortly after his tour of the United States, Zavala moved to Texas and almost immediately began calling for a convention, arguing that because the Mexican centralists

had broken the "compact," all the "states of the confederation are left at liberty to act for themselves" (qtd. in Weber 249). Rivera argues that for Zavala, Texas represented a space where "a liberal utopia could still be constructed based upon enlightened ideas" (xxvii). However, the historical evidence, coupled with the critique of Mexican and US liberal praxis found in Zavala's writings, contradict this claim. For Zavala, Texas was not the last prospect for "liberal utopia"; on the contrary, it represented an acceptance of the shortcomings of liberal praxis. Perhaps more important, it represented economic and political opportunity.

While he was still in the US, Zavala and two business associates formed the Galveston Bay and Texas Land Company, with plans to colonize Texas with US settlers. However, the Mexican congress passed a new law on April 6, 1830, just before Zavala left Mexico, prohibiting US immigration to Texas (Cleaves 110). This, of course, severely curtailed the business opportunities available to Zavala and his partners, and Zavala worked tirelessly to have the law repealed.

On November 15, 1833, he succeeded. One might plausibly interpret Zavala's campaign against the anti-immigration law as a manifestation of his dedication to liberal ideals, but it is more likely that his actions were driven by a rejection of utopian liberal theory, and an embrace of laissez-faire liberal praxis, with its concomitant implications of economic gain. David J. Weber, concurring with this interpretation, writes that "Lorenzo de Zavala and José Antonio Mexia . . . worked openly to bring about this reversal of federal policy. De Zavala and Mexia both had ties to American financiers and wanted colonists from the United States to settle on the lands in which they had an interest" (175). Zavala's later political actions in Texas must be read in light of the economic benefits he stood to gain.

Indeed, many of Zavala's Texas contemporaries were suspicious of his motives in calling for revolution. He was the lone Mexican campaigning for Texas independence, and was viewed by some as an "aspiring Mexican" motivated by self-interest, rather than liberal public ideals (Weber 251). So while Zavala did play a central role in orchestrating the Texas revolution, this revolution was not a concrete step toward a liberal utopia, but rather a way for Zavala to reap certain material and professional benefits. Following the ratification of the 1836 Texas Constitution, a constitution written largely by Zavala, he was elected interim Vice-President, and hoped to eventually capture political power in Mexico. William F. Gray, a close friend of Zavala's, noted at the time that Zavala "expresses the belief that in twelve months he will be in Mexico. He thinks that Santa Anna's race is nearly run; that a revolution will take place in Mexico, and the liberal party will be in ascendancy; that he is the most popular man of that party, and he thinks he will be called to head it" (qtd. in Cleaves 154). For Zavala, then, Texas represented not an opportunity for liberal utopia, but rather a form of transamerican political capital that he hoped to translate into a distinctly Mexican liberal political authority.

Having said that, Zavala's role in the Texas revolution should not be viewed as an exercise in raw political cynicism, nor as a naked power grab. Rather, as the Texas

revolution followed so closely on the heels of his appraisal of US liberalism, Zavala apprehended some of his own "lessons in politics." He perhaps realized that a pure liberalism was a utopian liberalism, and could never be translated into practice. He situated himself to assume positions of political authority—Vice-President of Texas and, he hoped, President of Mexico—in order to bring a necessarily imperfect liberal praxis as close as possible to the ungraspable brass ring of transcendent liberal theory.

It seems clear, though, that Zavala wanted to find in the United States a functional liberal utopia. As Charles A. Hale has noted, for many nineteenth-century Mexican liberals the United States seemed a perfect fusion of Enlightenment values and economic potentiality. US democracy, by virtue of being "rooted in the free individual property holder, provided the model not only of liberty and equality, but of political stability as well" (Hale 199). Moreover, Mexico's economic destiny was fundamentally intertwined with the United States. As Weber writes, "Political independence from Spain did not bring economic independence to Mexico. Her trade orientation simply shifted from that of a colonial dependency of Spain to that of a neocolonial dependent of . . . the United States" (122). Despite the strong links between laissez-faire economics and classical liberalism—and despite what Weber terms a "neocolonial" dependency—Mexico had clearly hooked its economic and political future to the wagon of a Jacksonian US.

Jackson-era expansionism, though, has a complicated relationship to classical liberalism, largely because of its implications of non-universal liberal subjectivity—implications concomitant with a diminished importance of individual consent—and the conflation of property rights with land rights. The "American System," proposed by John Quincy Adams in 1821 as "a single and universal system" designed to further "the improvement of the physical, moral, and intellectual condition of man upon earth," in essence was the central plan for coordinated US economic growth (qtd. in Feller 54). Yet in practice, this "improvement" meant simple land annexation, a pattern that would find its ideological culmination in the 1823 Monroe Doctrine. As Gretchen Murphy argues, the Monroe Doctrine "constructed and mediated the changing relations among the United States, Europe, and Latin America in the nineteenth and early twentieth centuries"; it represents a "formative ideology of U.S. nationalism and empire" (4). Zavala's imagined transamerican liberalism, then, is mediated through and constructed by US expansionism. Zavala's 1830 journey responds to a newly-articulated policy suggesting at once frontier liberalist autonomy, or what Murphy calls "New World exceptionalism," and a latent threat to the already "embattled dialectics of the Americas" (2). Viage rejects the antiliberalism of nineteenth-century US governance, suggesting both an alternate liberal subjectivity as well as a new transamerican social imaginary.[3]

[3] For more on liberalism in the age of Jackson, see Feller, Pessen, Sellers, and Hartnett.

Travel and the Universalizing Impulse

Perhaps the hope of this new liberal subjectivity is why Zavala, in Viage, refuses to view US liberalism as a panacea, which is a shift from his earlier position. During the creation of the 1824 Constitution, Zavala had assumed optimistically that US-style liberal democracy assured social progress. Margaret Swett Henson writes that Zavala's proposed reforms for Mexico deliberately resembled the powers held by the United States Congress: "He called for more checks and balances on executive and legislative powers. A bicameral Congress, he said, would prevent congressional tyranny; likewise, an executive veto power would provide an option short of arresting or dismissing members of Congress" (21). However, by his 1831 Ensayo Histórico de las Revoluciones de Mégico {Historical Essay on the Revolutions of Mexico), Zavala would become somewhat discouraged with Mexican constitutional liberalism. He wrote that it supported "the abuses that spring from these principles [e.g., the fueros] so destructive of the envisioned republic" (178; trans. in Hale 198). He concluded that "all the outward constitutional effects" were present in Mexican liberalism, but "much was lacking in order that the substance . . . that reality itself corresponds to the principles professed" (405; trans. in Hale 198). In short, by the time he began his journey to the United States, Zavala had glimpsed the limitations of Mexican constitutional liberalism.

Yet this relatively balanced dynamic—a consideration of the problems of both Mexican and US liberalism—is hardly represented in the exoteric language of the text. Zavala has few kind words for his Mexican reader and an overabundance of plaudits for that reader's United States counterpart. Superficially, Viage represents an uncritical celebration of US social institutions, beginning with the US citizens themselves:

> The Mexican is easygoing, lazy, intolerant, generous almost to prodigality, vain, belligerent, superstitious, ignorant and an enemy of all restraint. The North American works, the Mexican has a good time; the first spends less than he has, the second even that which he does not have; the former carries out the most arduous enterprises to their conclusion, the latter abandons them in the early stages; the one lives in his house, decorates it, furnishes it, preserves it against the inclement weather; the other spends his time in the street, flees from his home, and in a land where there are no seasons he worries little about a place to rest. In the United States all men are property owners and tend to increase their fortune; in Mexico the few who have anything are careless with it and fritter it away. (4)

There are few qualifiers here, no mitigating terms such as most, often, or typically. On the contrary, he actively strives to employ broad generalities: all Mexicans are lazy; all North Americans work. Such stereotyping could easily be chalked up to ignorance, but Zavala's prose in this section is deliberate. The last sentence in the passage—"all men are property owners and tend to increase their fortune"—seems to hint at

this. Of course, it is false that "all men are property owners" in the United States; the rule is too far-reaching to be invariably accurate. However, it is possible, and even likely, that property owners "tend to increase their fortune." The use of that one qualifier, "tend to," allows for exceptions to the rule, thus making it a convincingly accurate statement. Why, in a paragraph so devoid of nuance and specificity, should he feel obliged to insert exactly one qualifying phrase, drawing further attention to what are otherwise unsubtle generalizations? The answer lies in his title. For Zavala's Viage is precisely that: a journey, a tour. To place such a sweeping, incendiary (not to mention manifestly wrong) series of statements at the beginning of his book is, in effect, to teach one how to read it. Indiscriminate generalities define the tourist experience. Travel, despite its pretensions of exoticism, is always a solipsistic experience. Insofar as tourism seeks to diversify lived experience, it also works to homogenize that perceived diversity.[4] Zavala's lone use of the phrase "tend to," then, should serve as a flag that his experiences of the United States are deliberately assembled as touristic experiences, as experiences of the foreigner, the other.

As a result, we are encouraged to view his analysis of US liberalism through this same touristic lens. He objects, for example, to an 1830 Louisiana literacy law he deems "extremely antiliberal" (28). The law forbids three things: the writing, publishing, or distribution of any text that "has a tendency to create discontent" among the "free colored population"; the verbal—in speeches, meetings, sermons, or conversation—uttering of "anything that may have a tendency to produce discontent" among the same; and the teaching of "any slave to read or write" (28). The Louisiana law, he opines, is not just politically and morally bankrupt, but sad:

> Sad indeed is the situation of a state where its legislators consider necessary such offensive measures of repression against the rights of man. Those who know the spirit of liberty that prevails in all the deliberations of those who guide the United States can only think, in view of these acts of notorious injustice towards a group of individuals of the human race, that very strong motives, that an inevitable necessity, dura necessitas, obliges these people to sanction such laws. (29)

What is the "inevitable necessity" that "obliges" the passing of the Louisiana law? Tellingly, no answer is forthcoming. Zavala apparently intends it as a statement that needs no elaboration. However, his logic, not his conclusion, proves significant. Zavala uses the generalizing, totalizing nature of the travel narrative to examine US liberalism and ensure that it is not "copied so servilely." Much as Zavala classified all Mexicans and all North Americans in his Prologue, here, also, he presumes universality. Because

[4] One key feature of the touristic production, writes Urry, is the "difference between one's normal place of residence/work and the object of the tourist gaze" (12). For Urry, tourism necessarily results from a "basic binary division between the ordinary/e very day and the extraordinary" (12). For more on the production of touristic experiences, see Urry and MacCannell.

he considers the Louisiana laws to be "offensive measures of repression against the rights of man," he reasons that his political opponents (the legislators), as fellow sons of the Enlightenment, must understand them in the same way. This, in turn, explains why he does not interrogate the "dura necessitas" obliging the Louisiana law: given his touristic pose, he is unable to. There must be, under his logic, some "inevitable necessity" compelling the legislators to enact such clear "acts of notorious injustice."

This is clearly flawed thinking. It is easier, perhaps, simply to conclude that the legislators are not beholden to the tenets of liberalism. But Zavala nevertheless forces the Louisiana laws to perform logistical somersaults in order to make them tumble into his liberalist framework. The laws have no apparent basis in any desirable liberal philosophy; why does he seem compelled to ascribe to them some rational purpose, some "inevitable necessity"?

There are at least two answers to this question. The first answer is pragmatic: there is a "necessity" behind the literacy laws, driven by a rationale suggesting a rather ugly side of liberalism. The literacy laws betray a fear of violent racial uprising—indeed, Nat Turner's 1831 slave rebellion would occur only one year after the passage of the Louisiana laws—and, depending on the ideological stress given to liberalism's harm principle,[5] defending the physical well-being of the slaveholders can in fact be viewed as being in accordance with classical liberalism. Under this reasoning, Zavala does not defend the "necessity" of the literacy laws because he is unable to; to do so would require justifying a liberalism that values the negative liberties of the white slaveholders (i.e., freedom from harm and loss of property) over the positive liberties of the slaves themselves.

The second reason for ascribing a rational purpose to the literacy laws is ideological: the logic of tourism dictates Zavala's logic of liberalism. Like tourism, liberalism demands a totalizing approach. And the currency of tourism, as we have seen, is the generalization. As a banal example, take the old aphorism "when in Rome, do as the Romans do." Needless to say, it is impossible to observe what all Romans do, so one must simply base one's experience on an observable subgroup and extrapolate (often erroneously) that information to the nation as a whole. This perhaps explains Zavala's easy avowal that all citizens of the United States are property owners. Similarly, liberalism is also rooted in the assumption of universality. Zavala does not conclude that the Louisiana legislators are not beholden to the principles of liberalism (although he does, correctly, note that the laws themselves are "antiliberal") in part because the logic of liberalism, confoundingly, is predicated on the existence of liberalism. If the laws were passed, it cannot be because the legislators are illiberal, because liberalism is an a priori value unto itself. If the US is liberal, and illiberal laws were passed, then those laws cannot reflect US illiberality; instead, they must have been passed for some

[5] This principle, best articulated by Mill in 1859, holds that a person is only justified in interfering with the liberty of another person if that act of interfering ensures his or her own protection. The literacy laws, then, insofar as they stemmed violent slave rebellion, were viewed as assuring the physical security of the slaveholders.

unknowable "necessity." Liberalism, tautologically enough, presumes liberalism. It is this totalizing impulse—an impulse arguably absent in liberalist philosophy but necessarily present in liberalist praxis—that, in the end, undermines Zavala's confidence in both US and Mexican liberalism and provokes the text's fundamental aporia: the (im)possibility of a transamerican liberal praxis.

The paradox of US liberalist consent—the presumption of individual sovereignty coupled with the rule of the majority—is integral to Zavala's touristic understanding of liberalism, and his travels to Louisiana complicate liberal principles regarding the rights to both consent and property. Zavala is emphatically against slavery and the legal apparatus supporting it, which he identifies as "degrading" and "antiliberal" (26, 28). The rationale behind the first term, "degrading," is self-evident: it is a moral judgment, and thus, for our purposes, needs no further elaboration. But the second objection, that slavery is "antiliberal," deserves closer attention. Zavala clearly intends the word to be at least partially synonymous with "not-free," but Viage's broader interest in US liberal democracy should cause one to read his rebuke as also synonymous with "antiliberal/st." To that end, its use appears to run counter to the right-to-property logic implied by classical liberalism, a complex paradox with which Zavala, after his progressive tax debacle, was well familiar.[6] Even though Mexico abolished slavery in 1829, shortly before his journey to the US, Zavala here seems to recognize the subject invokes a host of questions about liberalism: property, the autonomy of the individual, equality before the law. Fundamentally, then, the argument for slavery is based in the sovereignty of individual states and the inalienable right to property. If both US and Mexican liberalism presume the preeminence of private property, and slavery is understood at least partly as an issue of property, Zavala's identification of the institution of slavery with antiliberalism is superficially problematic.

The issue, though, is resolved by considering the significance of consent in liberalist doctrine. Zavala's radical liberalism (a liberalism that is unclassical in its ambivalence regarding the primacy of property) is predicated less on the question of individual property rights and more on the issue of consent. Indeed, consent is of such preeminence in Zavala's philosophical apparatus that, somewhat incredibly, he seems to equate military conscription with the institution of slavery. He phrases his characterization of the Mexican military in language similar to that which he otherwise reserves for slavery: "The lottery system, or draft, which up to the time of my departure was in force in our republic, is especially odious [and should be reserved for only] the direst circumstances. . . . The method of conscription in France alienated many people from the cause of Napoleon" (26). While this sentiment is unremarkable by itself, it is immediately followed by a screed against slavery, a screed begun without segue or transition from the issue of military conscription. The following sentence, which

[6] The US Bill of Rights, of course, is effectively a Property Bill of Rights; fully half of the ten amendments deal explicitly with property rights. See Manent (4244) on the Lockean foundation for the correlation between liberalism and property rights, as well as Conway (10-13) on why, philosophically speaking, liberalism necessarily implies property.

begins a new paragraph, reads: "As he goes from the Mexican Republic to the states which permit slavery in our sister republic, the philosopher cannot fail... to experience a pleasant memory for those who have abolished this degrading traffic and caused to disappear among us the vestiges of so humiliating a condition of the human race" (26). Zavala's objections to the military draft and the institution of slavery are clearly linked. Both violate the tenets of Zavala's ideal liberalism, a liberalism hinging on the absolute sovereignty of the liberal subject whose sovereignty is recognized through the right to consent. However, Zavala's analogy invokes philosophical similarity only to underscore practical difference. His twin uses of the word "republic," referring first to Mexico and then to the US, suggest a common approach to governance and liberality, but the conflicting ideas about slavery in those two republics effectively drains the word "republic" of all conventional meaning. By historicizing liberalism—by rendering it as a social construct pragmatically inseparable from the nuts-and-bolts of governance—Zavala exposes the impossibility of a transnational liberalism, underscored by the larger difficulty of translating liberal philosophy into functional liberal praxis.

Perhaps the most salient idea in the above quotation is contained in the word "philosopher." Zavala does not say that the Mexican feels a pleasant memory for those who have abolished slavery, or that the citizen or even the man has this experience, but rather that it is the philosopher who is best able to appreciate the nuances of a life free from conscription. This is fundamental to Zavala's depiction of liberalism, for the liberalism embraced by Zavala is not a liberalism of praxis, but rather one of theory. This is not a liberalism tied to politics or practice or even specifically to the Americas.

To be sure, the philosophical centrality of consent here implies a liberalism of quite a different stripe. For Zavala, consent takes precedence over the rule of the majority and yet, as I have suggested, this is not how US liberal democracy actually works. Zavala's delineation of the "odious" system of military conscription seems closely aligned with the will of the majority (i.e., a collective will to bear a shared security burden). Yet Zavala implies that in an ideal liberal polity, the consent of the individual should, in fact, trump the rule of the majority. This sentiment critiques Mexican military conscription, but also, and more forcefully, confronts the continued legality of US slavery. Principally, though, it indicts liberal democracy generally: his critique rests on the impossibility of reconciling democratic praxis with liberal theory, an impossibility that cuts to the heart of modem liberal democratic mle.

An Originary Liberalism

Zavala's depiction of the 1830 Louisiana literacy laws prohibiting speech that might create unrest or "discontent" among the freed African American population provides an interesting counterpart to the contemporary US liberal debates over hate speech and speech codes. The 1830 Louisiana laws restrict speech that is potentially injurious to a white majority; speech codes, generally, restrict speech that is potentially injurious

to a non-white minority. Oddly, a liberalist philosophy would seem to have different responses to these ostensibly-similar speech restrictions. The 1830 laws, as Zavala suggests, have the obvious effect of limiting the individual positive liberties of African Americans: they are, he rightly concludes, "antiliberal"; they silence dissent and opposition. Speech codes and hate speech laws, on the other hand, have the less-obvious effect of restricting that which would restrict freedom; they are, the argument goes, liberal (or perhaps anti-antiliberal) because they silence that which would attempt to silence dissent and opposition.[7]

Why the two different responses? In both examples, speech is restricted. Why should a philosophy of liberalism suggest that one restriction of individual freedoms is largely acceptable, while the other is largely unacceptable? The answer returns us to the travel narrative and Zavala's totalizing impulse. Liberalism, I have suggested, mollifies various sociopolitical pressures by homogenizing its heterogeneity. For example, take the supposition "liberalism tolerates dissenting views" (i.e., "liberalism tolerates heterogeneity"). This statement is not unequivocally true, it is only conditionally true. For liberalism to tolerate dissenting views and alternate beliefs, those dissenting views and beliefs must be subordinate to the principles of liberalism. If one wishes to advocate an alternate belief, one must first accept as licit and superior the foundational tenets of liberalism: individual sovereignty, the primacy of property, free speech, and so on. More significantly, that alternate belief must not conflict with those foundational tenets, or the very presence of that belief will not be tolerated within a liberalist discourse. This, then, is the paradox of liberalism: it enables and tolerates heterogeneity up until the point at which that heterogeneity threatens the homogeneity of liberalism itself, at which point it ceases to be tolerant óf that heterogeneity and effectively ceases to be liberalism.

How does this relate to Zavala and the travel narrative? Both liberalism and tourism, we have seen, presume universalism. The logic of tourism and liberalism are inextricable from the logic of the generalization. But this universalizing logic ultimately undermines the fundamental logic of liberalism (and tourism) itself. Although tourism is necessarily predicated on generalization, the very nature of tourism dictates that we must pretend that this is not the case: otherwise, why leave home at all? Tourism, so inextricable from the universalizing impulse, is sustained by the fiction that it does not universalize. Similarly, liberal democracy is concerned with ensuring heterogeneity and individual sovereignty, but, as we have seen, those rights and that heterogeneity can be violated by the logic of the very system that seeks to uphold them. The principle, in short, is betrayed by its own enactment.

Zavala, then, is able to expose these paradoxes and impossibilities through the form of the travel narrative. The twin impulses toward generalization are no accident. As

[7] As Fish notes, speech "is never a value in and of itself but is always produced within the precincts of some assumed conception of the good to which it must yield in the event of conflict" (104). Fish provides a provocative analysis of the paradox of free speech and its use within a liberal polity. For an historical analysis of speech codes and conventions in the age of Jackson, see Cmiel.

indicated earlier, they amount to a contact zone, a key feature of both the travel narrative and the transcultural experience, as Pratt explains:

> [Transculturation] describefs] how subordinated or marginal groups select and invent from materials transmitted to them by a dominant or metropolitan culture. While subjugated people cannot readily control what emanates from the dominant culture, they do determine to varying extents what they absorb into their own, and what they use it for. Transculturation is a phenomenon of the contact zone. (6)

In both the contemporary geopolitical dynamic as well as in Zavala's own narrative, the United States is clearly the "dominant culture." Yet Zavala makes use of the narrative form characteristic of the colonizing, dominant nation—the travel narrative—in order to critique both his own sociopolitical sphere, Mexico, as well as the sociopolitical systems of the US.

Zavala's liberalism is one of theory, not one of practice. His writings interrogate problems and contradictions with Mexican as well as US liberal praxis. Viage's section concerning New York fires and public safety underscores this intellectual and theoretical—rather than practical—understanding of liberalism. Noting that house and building fires are exceptionally common in early-nineteenth-century New York, Zavala comments that fires, like all public spectacles, attract a large number of onlookers. He quotes one observer and fellow "traveler" who seems amazed that the firefighters would throw furniture from a burning building "into the street without much consideration for those who were there, at the risk of breaking their heads" (111). The traveler further comments that in London, "in order to avoid the crowds of idle people that hinder the operations and increase the difficulties, they are supposed to close the entrances and have them guarded by police" (111). However, he concludes, that kind of commonsense approach would likely not work in the US, "where exclusion of any sort is always contrary to public sentiment," and suggests that "the exclusion of a group of idlers from the scene of a fire because they increase the difficulty of saving the property and lives of some" would be regarded as "an attack upon liberty" (114).

Zavala quotes this observer without direct criticism or commentary, but his function in Viage seems clear. For this, again, is a touristic understanding of liberalism. In their role as cultural and political tourists, Zavala and his consociate are like little boys, pointing out that the emperor has no clothes. Both are foreigners (the "fellow traveler" appears to be visiting from London) and so this transcultural contact zone engages three different liberalisms—US, Mexican, and English—through the medium of travel. Travel defamiliarizes liberalism, such that US theories of individual sovereignty become tacitly (and unfavorably) compared to the individual rights implied by Mexican and English liberal praxis.

Liberalism should not be a death sentence, and the freedom to endanger the property and lives of others hardly seems worth defending. The obvious, pragmatic solution to

the firefighters' difficulty is to simply move the onlookers away from the vicinity of the conflagration. But to do so would appear to violate the principles of liberalism: it would, after all, restrict the individual freedoms of the gawkers. Zavala again illustrates the dilemmas of liberal praxis. He recognizes that the liberal state, while predicated on the assurance of individual freedoms, must nonetheless concern itself with limiting those freedoms. The citizen must understand and accept the concept of individual freedoms as liberalism defines it. Again, homogeneity holds sway. If the state decides that the right of the firefighters to do their work safely and without obstruction trumps the right of onlookers to watch a burning building, then the state is only ensuring a very limited, specific type of individual sovereignty. US liberalism, Zavala suggests, can ensure the rights of either the bystanders or the firefighters, but it cannot ensure both.

And so liberalism, in Zavala's Viage, ultimately reaches an impasse. For while he seems to appreciate freedom in all its forms, in a liberal state freedom itself becomes a type of restriction, which of course is the very opposite of freedom. In The Rule of Freedom, Patrick Joyce writes of "the oxymoronic nature of liberal governance," concluding that liberalism is a form of "rule through freedom" (259). So it is not surprising that Viage evinces dissatisfaction with liberalism, for it is, indeed, a cautionary representation of the US whose lessons are not to be copied "so servilely." But are they intended to be copied at all?

Perhaps not. Toward the end of Viage, Zavala emphasizes the need for singularity in the creation of a liberal polity:

> Could the legislators of the Mexican nation resist so strong an influence when they had in their hands the arranging of the destinies of their constituents? The model was sublime, but not to be imitated. Those who set themselves to copy a painting of Raphael or of Michael Angelo at times succeed in imitating some of the shadows, some of the characteristics that bring them somewhere within range of the original. However, they never manage to equal those sublime concepts. Original artists do not copy or imitate others. (210)

As Pratt and others have established, travel narratives are inseparable from their colonial legacies. It is a form by which militarily- and economically-powerful nations have historically dominated weaker ones. Zavala's Viage, though, ultimately succeeds in discursively appropriating the liberalist philosophies of both the US and Mexico. It is not enough, Zavala suggests, to hew to an implemented and established liberal philosophy. In the above passage, as well as in the bulk of the text, he resists mimesis in all its forms. If Mexican liberalism is inadequate because it is a poor copy of US liberalism, then US liberalism, he implies, is inadequate because it is a poor copy of itself. Liberalism, then, must be a contested value, ever in the process of redefinition. It is the stuff of philosophers, not politicians. In this sense, Zavala implies that it is insufficient for a system to possess liberal values. This inevitably leads to contradiction and antilogy, pitfalls of both Mexican and US liberalism.

Instead, he seems to point toward a never-realized third way, a transamerican theory that is liberal, but also anti-antiliberal. This system would not simply stand on principle in the utilitarian sense of the word—obeying laws and regulations—but also would be principled in a philosophical sense, possessing a fundamental guiding belief. "Principle," from the Latin principium, suggests a source, a foundation, an origin. And this, perhaps, explains the ineffability of Zavala's liberalism. His search for "original artists" in the above passage is, in many ways, a search for an authentic and originary liberalism. If this is a quixotic search, then his form is apposite: the travel narrative has always been more about invention than truth. Zavala journeys to the United States, then, in order to search for Mexico; his quest for a foundational, philosophical liberal discourse finds, in the end, only a liberalism of paradox and praxis.

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