



Javier Milei and the Spanish Tradition of Liberty

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Javier Milei's popularity has had unforeseen consequences. One of these has been the creation of the "[Milei Explains](#)" account on X (formerly Twitter), which teaches libertarian principles by posting old, subtitled interviews with Argentina's new president. This is a welcome innovation—and not least because it is making many native speakers of the current *lingua franca* aware of a Spanish tradition of economic liberalism that most people did not realise even existed.

This is important. As I [wrote](#) in 2020, Latin America needs to rediscover what legal scholar Leonard Liggio [has called](#) the "Hispanic tradition of liberty." The expression refers to Medieval Spain's long history of limited government, a tradition most powerfully ingrained in two historical institutions: the *fueros* and *cortes*.

The *fueros* were general law codes or municipal charters for towns, in which the nobility, clergy, and freemen claimed for their persons and property legal protection from the power of the king. The *cortes* were proto-parliaments: representative assemblies that often withheld money from the monarch. The essence of these institutions, as Liggio notes, was the principle "that the king must live on his own resources."

These institutions are likely to remind Anglosphere readers of the 1215 Magna Carta, which, as Rudyard Kipling puts it in his poem "[The Reeds of Runnymede](#)," was "the first attack on Right Divine." Today, as much of the English-speaking world marvels at the rhetoric of an Argentine libertarian, we should not forget that the Spanish tradition of limited government is older than Magna Carta.

Mariano Rajoy, the former Prime Minister of Spain, learned this the hard way. In 2017, he had to [apologize](#) to the people of León, a city of Roman origin, after writing [an article](#) for the London paper, the *Guardian*, in which he calls England "the cradle of parliamentarism." In fact, the 1188 *Decreta* of León [contains](#) "the oldest known written information regarding the European parliamentary system," according to UNESCO.

Though slightly older than England's, the Hispanic tradition of liberty faced overwhelming headwinds at the onset of the modern era. Victory in the centuries-long Reconquista required a highly centralized and militarized state and that state was taking its first steps towards absolutism. In 1492, the local Jews and Moriscos were either expelled or forced to convert to Christianity on pain of death. When the Habsburg dynasty took over in 1516, following the ascension of the Holy Roman Emperor Charles V (Charles I of Spain), Spain's medieval freedoms were further eroded. In 1591, Charles's son and heir, Philip II, decapitated the last

authentic *justicia* of Aragón, an official before whom monarchs had once knelt at their coronations, as they swore to respect the people's ancient liberties.

In 1700, the Bourbons succeeded the Habsburgs as Spain's ruling dynasty and introduced their French brand of absolutism to Spain, and to its American colonies. By the 1780s, the "Bourbon Reforms," which imposed a roster of new and increased taxes, including unpopular levies on goods like tobacco and *aguardiente*, had spurred revolts in Peru and New Granada (present-day Colombia). In the latter colony, the rebels' slogan recalled the old limits on kingly power: "Long live the king, and death to bad government!"

The phrase was borrowed from a line of thought inspired by the School of Salamanca: a group of late 16th and early 17th-century neo-scholastics broadly associated with the University of Salamanca. They included the Jesuits Francisco Suárez and Juan de Mariana, who argued that monarchical power rested on popular consent. If that consent was violated—for example, through excessive or arbitrary taxation—it constituted tyranny. Mariana and Suárez even argued that tyranny justified regicide. (Some contemporaries blamed Mariana for inspiring the assassination of Henry IV of France.)

Mariana fell foul of Spain's Habsburg authorities in 1609, when he published a book denouncing King Philip III for debasing the Spanish currency. Mariana had dedicated a book on good kingly governance to Philip in 1599, but now the ruler was, he believed, abusing his authority. Philip ordered that all silver be removed from *vellón* coins, thereby halving their weight. Then as now, governments were fond of monetizing their excesses—wars, subsidies, luxuries—by manipulating the currency, in an attempt to obtain more money without raising taxes. Currency debasement is a surreptitious means to steal individuals' property, Mariana writes, one of several "disguised ways to impose taxes on them, bleed them dry, and seize a part of their estates."

Though a preeminent scholar in his day—his 1592 history of Spain was still praised in the late 18th century—Mariana is no longer a household name, even in the Spanish-speaking world. Nonetheless, Cervantes scholar Eric Graf has argued that his writings had a direct influence on some of the main thinkers of the Anglo-American classical liberal tradition. John Locke's library held a copy of Mariana's 1599 book *De Ponderibus et Mensuris*, a treatise on ancient weights and measures, as scholar Gabriel Calzada has confirmed. Thomas Jefferson kept a copy of Mariana's *General History of Spain* in his own library and was so impressed by that work that, while in Paris, he had an English translation sent to James Madison.

Jefferson was a keen Hispanist, who often recommended Cervantes' *Don Quixote* to others. As Graf notes, the novel is imbued with some of the basic economic concepts of the Salamanca school: currency debasement as an act of tyranny, the pernicious effects of inflation, the common people's natural preference for sound money, the subjective nature of prices. This last idea—most fully developed by 16th-century Dominican scholar Martín de Azpilcueta—eluded economists like Adam Smith and David Ricardo, and was only "rediscovered" during the field's 19th century "Marginal Revolution."

However, despite Spain's rich tradition of liberty, the country failed to prosper in the way the Anglosphere did. In the UK and US, many Whiggish historians have traced a direct line of

descent from the Magna Carta to the Glorious Revolution and beyond to the American Revolution and the US Bill of Rights. It is to this history that Winston Churchill is alluding in the preface to his 1956 *History of the English-Speaking Peoples*, when he refers to them as the heirs to “a body of legal and what might be called democratic principles,” which were in place by 1492, “at any rate in primitive form.” Churchill stresses that the key democratic institutions—Parliament, trial by jury, local government, a fledgling free press—“survived the upheavals and onslaughts of the French and Spanish empires.”

In his treatise on the Hispanic tradition of liberty, Liggio takes a different stance. For him, “on the eve of colonization, Spain shared all the institutions of Europe and England.” The later history of the English colonies diverged from those of Spanish America, Liggio argues, because,

Spain embarked on the creation of an Absolutist state in Spain and the colonies; England languished in its medieval heritage, and its medieval heritage was carried by the Colonists to North America. The American Revolution was a successful struggle to retain the English medieval heritage when London itself seemed to move in the direction of Absolutism.

Most people would not attribute the wealth and progress of English-speaking North America to its conservation of medieval English institutions, nor would many people argue that it is Latin America’s overeager embrace of modernity that has led to its relative poverty and stagnation. But consider this: the Latin American obsession with political novelty and intellectual fads has led many countries to constantly draft and re-draft their constitutions. And in many cases, the newer constitutions have granted progressively less freedom and led to ever increasing political and economic instability and, in some cases, almost pre-modern levels of poverty.

Venezuela is a case in point; its current, “Bolivarian” constitution, created by Hugo Chávez in 1999, is the twenty-sixth in the country’s 213-year history. When it was ratified, Chávez promised to institute “a revolutionary programme” against poverty and corruption. Instead, in 2021, Venezuela’s per capita GDP fell beneath that of Haiti. As recently as 1982, Venezuela was the richest country in Latin America—it was once richer than Spain. But unlike Venezuela, Spain had the good sense not to embrace socialism a mere ten years after the fall of the Berlin Wall.

There are other examples of Latin American countries that have rushed to change their constitutions on a whim—even amidst national prosperity. For instance, since 2019, political debate in Chile, which boasts the region’s highest per-capita GDP, has revolved almost exclusively around the supposed need to get rid of the 1980 constitution. Heavily amended since its introduction, the Chilean constitution has been among the most successful in the history of the region in terms of its material results. And after three referenda, the election of two constitutional assemblies, and the rejection of two alternative constitutions, it has finally become clear that a majority of Chileans prefer to stick with their current, proven model of progress, however imperfect it might be.

As philosopher Nicolás Gómez Dávila has commented: “Liberty flourishes better under bad laws than under new ones.” This is part of what makes common law, with its emphasis on precedent, so effective. It also explains the strengths of America’s extant, 18th-century

constitution, as well as Britain's unwritten one. It is far better to stick with time-tested old principles of limited government than to remake the state every few decades according to the current, vogueish forms of interventionism.

Milei is an outlier among Latin American leaders in that he is not proposing a new constitution for his country. Instead, as he made clear at his recent speech at the World Economic Forum in Davos, if Argentina is to prosper in the future, it must look to its own past. It must restore its own tradition of liberty, a principle clearly endorsed by Argentina's 1853 constitution, which expresses unequivocal respect for private property (Article 17), free trade (Article 12), and unrestrained industry (Article 14). "Thirty-five years after we adopted the model of freedom, around 1860," Milei declared, "we became a leading world power." (Spanish speakers can find the original speech here; a transcript of the original Spanish is available here.)

Then, in the 1920s, came the rise of nationalism, which morphed into Peronism. Juan Domingo Perón himself, a corporatist strongman, argued that "the ultimate meaning of ethics is the correction of egotism." In 1949, Perón amended Argentina's constitution in order to "bind the individual to society," writes scholar Alejandro Herrero. Perón nationalized industries, strengthened labour unions, and heavily regulated the economy. Milei summarizes the results of this anti-individualist ethos in his Davos speech: "When we embraced collectivism over the course of the last 100 years, we saw how our citizens started to become systematically impoverished."

Milei's speech was intended as a cautionary tale. The effects of Peronism should serve as a warning to the West and particularly to today's Anglosphere, given some of the dangerous trends that have emerged in recent decades, especially the United States' recent slide towards fiscal insolvency, as chronic fiscal deficits have led to perilous levels of debt. The example of Argentina, a serial defaulter, shows how ephemeral even world-leading prosperity can prove if a government fails to live within its means.

Peronism was above all a cultural phenomenon, based on a rejection of the 1853 constitution's "materialist" element and its "egotist individualism," Herrero writes. Vulgar, commercial concerns, Peronist theorists argued, should not override the nation's Christian morals. Their priggish, holier-than-thou denunciations of Argentina's classical liberal tradition were akin to the recent rise of the neo-Puritanism of the progressive left in the United States, which seems bent on turning against the Anglo-American tradition of liberty. Progressives have campaigned against the legacy of the American Founders—by removing statues of the men themselves—and, more importantly, even legal scholars from institutions like Harvard and Yale have argued against the US Constitution itself. There have been growing calls to ditch the Constitution altogether since, in the words of one writer, "it simply isn't cut out for 21st-century governance." A glance at the history of Latin American constitutional reforms should dispel any such notions.

It is fitting that Milei's warning speech at Davos was delivered in the language of Cervantes. After all, the term "liberal" in its political sense is of Spanish origin. As Liggio points out, the first *liberales* arose "in the context of the Spanish struggle for liberation from Napoleon." Thus,

Franco-Swiss author Benjamin Constant, one of Friedrich Hayek's favourite writers, "saw the Spanish peasants as the liberators of Europe."

Milei's election and his agenda to overturn a century of collectivist failure are encouraging—and not just for Argentina. If he can turn that failing state around, it could provide an important example for Latin America in general. And the effects of his resurrection of the Spanish tradition of liberty could be felt far beyond the Spanish-speaking world.

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