

The Knight as Fugitive from Justice: Closure in Part One of *Don Quijote**

ROBERTO GONZÁLEZ ECHEVARRÍA

No sooner does Don Quijote set out from his village in search of chivalric adventures than he runs into a picaresque world at the first inn. The second inn, Juan Palomeque's, is the one most readers remember, and rightly so, because of the crucial episodes that take place within it. It is the building that defines Part One, in contrast to the Duke's palatial country home in Part Two. But this first inn is also important because it is first and because it sets the tone, or better the dissonance, of the novel—the din of competing discourses of which it is composed (chivalric and picaresque in this case). Here, at the very threshold of his quest, Don

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Quijote will encounter, in the prostitutes and the innkeeper, the earliest representatives of the two themes that I am interested in here—love and the law. The prostitutes represent love at its lowest level and the innkeeper the law, of which he has been a favorite object and whose representative he becomes mockingly when he knights Don Quijote. The novel's plot will circle back to an inn, Juan Palomeque's this time, in which Don Quijote will be subdued, caged, and returned home—a complete reversal of his accession to knighthood in the first inn.

This first innkeeper is a retired *pícaro* who boasts about a mispent but adventuresome youth. Readers of his time would recognize the innkeeper's life as an itinerary of notorious picaresque emporia—gathering places where these rogues convened in large numbers to rejoice in each other's company and in their collective rejection of society's norms and the state's laws. The first innkeeper's story is a map of picaresque life of sixteenth-century Spain, as Diego de Clemencín called it. His mock confession (relayed by the narrator) is a conceited chronicle in which he translates with great ironic flair his life as a criminal into a chivalric romance. It is the language of literature in the process of being contaminated by that of the jailhouse, as it would be contained in the innkeeper's penal record, the only discourse capable of inscribing, that is, of restraining this seasoned crook. But by his rhetorical skill he can subvert it. Instead of being told in the first person, as in a conventional picaresque, the innkeeper's story is reported in an indirect style that underscores the ironic process by which roguish adventures are narrated as if they were chivalric ones. The performance is very much a part of his self-definition as a devious, skillful trickster—hence the narrator is needed to act it out, as it were. The innkeeper avails himself of a common rhetorical ruse among thugs—a form of jocular transposition and inversion of meanings and values. In their jargon (*germanía*), it was customary to say one thing to mean the opposite, a poetic performance as elaborate and baroque as that of contemporary Góngora-style verse. The inversion of meanings is akin to the practice of “signifying” among American Blacks and of *choteo* among Cubans.

The first innkeeper's life is that of an unrepentant thief and trickster who has been hauled before many criminal courts and lives off his ill-begotten fortune by continuing to fleece others. He has graduated from young *pícaro* and Don Juan type to middle-aged crook and is proud of it. There has been no conversion to the good here as in *Guzmán de Alfarache*, on the contrary, a wistful regret for a criminal past now gone, but hardly forgotten. However, the most interesting feature of his story is the transformation of picaresque into chivalric adventures, and the conquests of a common pimp into grand-style Don Juan type erotic feats involving the seduction of widows and deflowering of maidens. The narrator echoes and magnifies in mock-heroic tones the innkeeper's own sense of self worth in a bombastic, if ambivalent eulogy. This is the flip side of Don Quijote's translation of tawdry, everyday reality, into chivalric terms, as when he calls the whores at the inn "doncellas," which astonishes and delights them because the very concept could not be further from their profession. The mockery highlights the innkeeper's chicanery, holding him up as the very exemplar of criminality, cynicism, and radical lack of values.

The narrator, echoing the innkeeper, accomplishes the transformation by a typically Cervantean twist, not just by following a *germanía* system of tropes. By 1605, when Part One of the *Quijote* was published, the picaresque style of life had acquired a literary dimension, in great measure because of the success of Alemán's *Guzmán de Alfarache*. In other words, *pícaro* was a role one could play like that of knight; high and low literature had the same effect and followed common literary devices, as did the language of *germanía* and Gongoristic poetry. The character that had been plucked out of the archive of criminal cases had become a novelistic type. It is conceivable, and Cervantes suggests it here and in "Rinconete and Cortadillo," that some of the real *pícaros* had chosen that path not because of need, but to play the role and to revel as a group in their collective rejection of society. They are, in a sense, doing the same as Don Quijote by adopting the style of a literary character and setting out in a life of adventure according to books read, not to society's rules. This is the reason the

innkeeper can transform *pícaro* into knight. Of course, given the mock heroic tone and irony of the passage, it is most likely that the innkeeper is also shrouding in a literary mantle the reasons for his turning to picaresque life, which were more than likely poverty and his natural inclination to evil. The third person indirect style allows the reader to perceive the distance between truth and its embellishment. The truth of the innkeeper's story is no doubt written and stored in the criminal records of all those courts and tribunals mentioned, which are the veritable source and archive of picaresque lives.

The traveling prostitutes, who are ennobled by Don Quijote's chivalric rhetoric, are on their way to Seville with some muleteers. Picaresque life is migratory, and the inns in the *Quijote* serve as gathering places for the cornucopia of rogues of both sexes. Seville was the capital of *picardía*, the gateway to the New World, and in general a center of criminal life. These prostitutes stand in sharp contrast to Dulcinea and the knight's imaginings about the farm girl he elevated to the exalted status of courtly love lady. In their kindness to Don Quijote the prostitutes also reveal a common Cervantean topic: the goodness of delinquents within the rules of their own world and independent of their being outside the law. And the prostitutes are outside the law merely by being on the road, away from their homes and the protective legal custody of fathers, husbands, and brothers. Their wandering ways are a component of their depravity. Lust and criminality—love and the law—surround Don Quijote at the inn, a background against which he thrusts the rhetorical flights drawn from the courtly love tradition and the chivalric romances.

It is a contrast that also underscores the clash between the feats that Don Quijote thinks that he is accomplishing and the criminal acts that he is really committing. He sets out determined to deal with injustices and injuries perpetrated, which in the Spanish has a legalistic tone: "según eran los agravios que pensaba deshacer, tuertos que enderezar, sinrazones que enmendar, y abusos que mejorar, y deudas que satisfacer" (45). ("Tuertos" has the same origin as the English "tort," in Latin "twisted.") The disparity between the justice he plans to dispense and the series

of injuries, torts, and damages that he causes is crucial to understanding Part One of the *Quijote* because the knight's criminal record contributes to the novel's shape—a record that could be written by setting specific instances of misbehavior under each of the categories of offense that he plans to correct. It is a record that is the reverse of his intentions. The pursuit and capture of the hidalgo, and the restitution made for some of the injuries and damages that he causes, organize the book. The picaresque backdrop at the inn also defines Don Quijote, which is part of the reason he “officially” assumes his new identity there. It is the exact opposite, the mirror-image of the innkeeper's turning his life as a *pícaro* into that of a knight. From now on Don Quijote's criminal record, his wandering through roads and wilderness and his catastrophic sojourns at Juan Palomeque's inn makes him into a *pícaro* instead of a knight.

Don Quijote is the first hero in the Western tradition to be a fugitive from justice, and whose life is defined by flight from the authorities of an organized state. The wily Ulysses returns from war shrouded in glory, and his trek home is staked out by a series of obstacles that put his courage and mettle to the test. Aeneas's journey takes him to the solemn task of founding Rome. The pilgrim in Dante's *Divine Comedy* seeks transcendence in the sublime quest for Beatrice. The *pícaros*, Lázaro, Guzmán and Pablos, lack the heroic grandeur to which Don Quijote aspires, but they do provide a close model and ambience, a world of criminals and representatives of justice within which the mad hidalgo will attempt to revive chivalric adventures. Don Quijote's flight and capture are cast within the discourse of the law because he is now the citizen of a body politic whose morals and mores are at odds with his heroic aspirations and his outdated concept of justice.

The pervasive presence of the law as context to Don Quijote's actions is a sharp reminder of the knight's real status—of the gap between what he thinks that he is entitled to and that to which the changing social and political conditions have reduced him. As an hidalgo or petty nobleman, he considered himself, if not completely beyond the reach of the law, at least due certain exemptions and privileges, which he elevates through the language of

chivalry to the level of a *caballero*, entitled to use the *don*—he was not as a mere *hidalgo*. Knights are above the law. But the law, that is, justice, does catch up with him, signaling the change in Spanish society, and the stark fact that he is not only heir to his deeds, as he says, but responsible for his actions—he is a subject, subject to criminal justice like any other. *Hidalgos* were gradually losing their privileges. The devastating humiliation of punishment is partly staved off by his madness, which protects him through Part One from the reality of his social condition and allows him to rationalize not only his defeats, but his arrest and caging at the end. The mere fact that Don Quijote can be served with an arrest warrant reveals the erosion of the nobility's exemptions—he is released to the priest and barber not because of his social status but because of his insanity. The convolution of the plot through punishment and reparation at the end make the whole story meaningful, it frames, as it were, the hero (pun intended).

There are many unanswered questions about the structure of the *Quijote's* plot, which seems to be merely episodic with no anticipated end in sight—there is one adventure after another, with characters who reappear and situations that are repeated creating some patterns, but with hardly a guiding line of development. No foreseeable end to his quest looms in the future, as in the case of Dante's pilgrim. There is no sequence of actions linked by necessity to build an Aristotelian chain of events either, though we know from chapters forty-seven and forty-eight of Part One that Cervantes was highly conversant with the *Poetics* and its Spanish and Italian commentators. There is neither the overall shape that would be provided by the *pícaro's* life, a plot structure already known and even parodied by Cervantes in the figure of Ginés de Pasamonte. This is the kind of plot that carries the rogue from birth to the moment he tells the story, moving through a series of events and masters that lead to his corruption and, in some instances, his conversion. There is no such pattern in the novel, in spite of Cervantes' reference to the story of Don Quijote as a *caso*, clearly suggesting that what he found in the archives of La Mancha was a criminal case, the record of Don

Quijote's weird behavior and misdeeds. There is not even the story of a fabulous birth, like that of Amadís de Gaula, Don Quijote's model, whose youth and training as a knight are narrated in loving detail.

We learn, in fact, hardly anything about Don Quijote's family and youth, as if a determining beginning had been purposely avoided. (The use of "lugar" in the first sentence of the novel is also a way of withdrawing any kind of determinism from Don Quijote's origin in the most concrete fashion, as is the narrator's refusal to reveal the name of the village). In the first sentence of the book there is a clash between a beginning dictated by tradition, "In such and such a place there dwelt," and a renaissance author's will to create an original work of literature: "whose name I do not care to remember." There is also an echo of a legal document in which place and time are specified, as in a *relación*. Don Quijote's only relevant life is the one he invents for himself as a literary character within the fiction. That life, however, is only good as a set-up for the mounting yet disconnected number of episodes that occur in roads and inns. It is, in fact, the legal cast of the story, the knight's criminal acts, persecution, and capture that gives recognizable form to the plot, along with the partial reparations for the damages and injuries that he inflicts along the way. Don Quijote's capture and submission at the end loops the plot, giving it a kind of closure. He is returned home caged, on a cart, like the ones that were used to display criminals to hold them up to shame or carry them to the gallows

After the galley-slaves' episode both Don Quijote and Sancho become fugitives of the law, although that was not their first misdeed by far. We discover in the final episodes in Juan Palomeque's inn that the Holy Brotherhood had issued a warrant of arrest for the knight. Freeing the prisoners and injuring their wardens are Don Quijote's most serious crimes, for they are committed directly against the Crown, and in addition, were offenses perpetrated in *despoblado*, on the open road, in an unpopulated area. Crimes in such places were singled out by Spanish law as particularly damnable because the victims had no chance of being helped by others—"despoblado" means a barren place, a

place without “pueblo,” without people, outside the town, a kind of wilderness, the uncivilized, literally that which is not within the political because it is not in the *polis* or city. *Despoblado* is a place outside the reach of the law and of justice, the “unsheltered.” In other novels by Cervantes the most hideous crimes are committed in such areas, as in “La fuerza de la sangre.” In fact, most of Don Quijote’s crimes take place in “despoblado,” hence toward the end of the novel he and Sancho are called by one of the troopers of the Holy Brotherhood *salteadores de caminos*, and the knight a *salteador de sendas y carreras*; that is to say “highway robbers” or a “highwayman,” individuals known for assaulting people on the open roads. This kind of criminal was accorded special attention and punishment in Spanish law because it was the Crown’s charge to keep roads safe, therefore offenses committed in them were considered against the Crown, not against local or regional authorities.

The Holy Brotherhood, an institution created by the Catholic Kings in their effort to achieve centralization, was sanctioned at the Cortes de Madrigal in 1476. The seat of the Holy Brotherhood was Toledo. It was essentially a revamping and consolidation of brotherhoods, independent vigilante forces scattered through Spain and dating back to the middle ages. The Holy Brotherhood’s duty was to patrol the *despoblado*, the roads, to pursue criminals who escaped from one jurisdiction to another, and to punish crimes deemed as rebellious against public order, including rape. It was more than just a rural police. It also acted as a court of justice whose sentences were notorious for their summary expediency and the severity and swiftness of the punishments meted out. Its *cuadrilleros* or troopers were feared and hated, and the institution declined as the towns that supported it through special taxes protested and eventually withdrew their financing. The troopers were like members of an official posse. By Cervantes’ time the strength of the Holy Brotherhood had been reduced and it was charged mostly with the control of brigandage, but consciousness of its presence and fear of its penchant to pass judgment and execute its harsh sentences without delay was still very vivid, as we can gather from Sancho’s apprehensions.

He says that he can hear the troopers' arrows buzzing around his ears because the Holy Brotherhood liked to execute criminals by tying them to a post and shooting them with their bows "porque le hago saber que con la Santa Hermandad no hay usar de caballerías; que no se le da a ella por cuantos caballeros andantes hay dos maravedís; y sepa que ya me parece que sus saetas me zumban por los oídos." The Holy Brotherhood is a constant and menacing presence in Part One. Juan Palomeque, the innkeeper, belongs to it, which leads one to believe that troopers and criminals were cut from the same cloth.

But releasing the galley-slaves and injuring the guards, while being the gravest offenses, are not the only punishable crimes the knight and (sometimes) his squire commit. Had Don Quijote been brought to trial at the end of Part One, the following list of offenses could have been produced against him. All of them are covered by contemporary Spanish law, and in some of the episodes there is direct allusion to the potential application of specific statutes.

At that first inn that I discussed before, Don Quijote brains with his lance two carriers or muleteers who touched his arms while he is on their vigil. These are serious violent acts. When the first carrier touched Don Quijote's arms "alzó la lanza a dos manos y dio con ella tan gran golpe al arriero en la cabeza, que le derribó en el suelo tan maltrecho, que si segundara con otro, no tuviera necesidad de maestro que le curara" (58) And to the second "alzó otra vez la lanza, y, sin hacerla pedazos, hizo más de tres la cabeza del segundo arriero, porque se la abrió por cuatro" (58–59). These are, of course, two cases of assault and battery resulting in serious injury.

The episode in which Don Quijote forces Juan Haldudo to stop flogging Andrés is shrouded in legalisms and is one of several in which the issue of justice is at the forefront. Haldudo is not breaking the law by punishing Andrés, though he may be using excessive force. As in the galley-slaves' episode, Don Quijote acts as judge, but in doing so he has usurped Haldudo's right to deal with his servant and threatened him with physical injury. We will learn later that Don Quijote's actions have had the oppo-

site effect of what he intended, and that in fact Andrés is a kind of *pícaro* on his way to visit places like those on the first innkeeper's itinerary. In other words, that he may very well have been guilty and Haldudo justified in punishing him. Don Quijote's *ad hoc*, seigneurial justice is out of step with current conditions and, in fact, leads to crime. As Richard L. Kagan's writes in his superb *Lawsuits and Litigants in Castile: 1500–1700*: "By the time Cervantes wrote about a pathetic knight setting out to preserve justice by means of chivalric valor and courageous derring-do, most of his readers would have equaled justice with the world of lawyers, judges, and other 'men of the law.' In this legalistic world, the figure of Don Quixote was not so much a joke as an anachronism. He represented a mythical age in which justice was possible without the help of lawyers and a bevy of legal briefs, but there was no room for an ageing knight errant in the labyrinth of Castile's courts." The irony is not just how ineffectual Don Quijote is, but how his actions to bring about justice are themselves criminal and punishable by law.

The episode with the merchants from Toledo could have led to injury had Rocinante not stumbled, but Don Quijote did attack one of them in a fashion that, in spite of the chivalric models for the adventure, befitted a highway robber. Don Quijote has perpetrated here his first assault in *despoblado* against innocent and peaceful subjects availing themselves of the King's highway. One of their servants beats him to a pulp in legitimate self-defense, settling the issue without recourse to official justice.

After a brief stay at home and the acquisition of Sancho as squire, Don Quijote attacks the Benedictine friar in the episode that winds up with the battle against the Basque. This is another unprovoked assault: "Y sin esperar más respuesta, picó a Rocinante y, la lanza baja, arremetió contra el primero fraile, con tanta furia y denuedo, que si el fraile no se dejara caer de la mula, él le hiciera venir al suelo mal de su grado, y aun mal ferido, si no cayera muerto" (100). The fight with the Basque is also punishable by law, as fighting in the open fields and roads—again *despoblado*—was a serious offence, and the man sustains severe wounds. After being struck by Don Quijote "comenzó a echar

sangre por las narices y por la boca, y por los oídos" (111). Sancho knows the gravity of the crime and is quick to suggest seeking sanctuary in a church, the only place safe from the reach of the law: "Paréceme, señor, que sería acertado irnos a retraer a alguna iglesia; que, según quedó maltrecho aquel con quien os combatisistes, no será mucho que den noticia del caso a la Santa Hermandad y nos prendan; y a fe que si lo hacen, que primero que salgamos de la cárcel que nos han de sudar el hopo" (113). Sancho is referring to being tortured, to which he, but not his noble master, was liable. Sancho's alarm is such that he insists: "sólo sé que la Santa Hermandad tiene que ver con los que pelean en el campo" (113).

In the episode with the men from Yanguas and their mares (who are so seductive to Rocinante), which is in parodic contrast with the Marcela and Grisóstomo story and a heavy satire of the courtly love tradition, Don Quijote injures another man: "dio don Quijote una cuchillada a uno, que le abrió un sayo de cuero de que venía vestido, con gran parte de la espalda." The men then proceed to thoroughly beat him, Sancho, and Rocinante and to flee for fear that they too can be hunted down by the Holy Brotherhood. More mayhem follows. Don Quijote kills more than seven sheep in the episode in which he takes the herds for armies of knights. This opens the list of property damage that he causes throughout Part One. The shepherds, in return, rain stones on Don Quijote and leave him for dead, fleeing in a hurry because they, like the men from Yanguas, also fear the Holy Brotherhood.

There follows the adventure of the corpse, in which Don Quijote attacks the men in mourning who are transporting it, knocking one down and breaking his leg. The man claims that by injuring him Don Quijote has committed a great sacrilege and crime because he had already taken orders, alluding to specific statutes of the period. The man accuses Don Quijote of having "puesto mano violenta en cosa sagrada," to which Don Quijote replies with a bit of pettifoggery that reveals his familiarity with the law, "no puse las manos sino este lanzón" (206). To add insult to injury, Sancho plunders the supply ass that the men had with them. Breaking this man's leg is the worst bodily injury that the

knight causes in Part One, and whether the victim had actually taken first orders or not Don Quijote would still be liable for a violent act committed in the open road and at night. Sancho would be prosecuted as a thief.

Next comes the famous episode of the barber's basin, in which the poor fellow is not injured because he jumps off his mount in the nick of time. But Don Quijote steals the basin, which Sancho assesses to be worth a handsome amount. Together with the provisions that they stole from the men with the corpse, Don Quijote and Sancho carry with them booty obtained by violent means on the open road. As with the merchants from Toledo, the Benedictine friars, and the men with the corpse, he has assaulted an innocent subject in the King's highway.

The episode in which Don Quijote frees the galley slaves and attacks their keepers structures the plot of the novel because the knight is pursued and captured as a result. The whole chapter in which it occurs is packed with legalisms, and with a very detailed depiction of the functioning of Spain's criminal justice system, which clearly Cervantes knew well first hand. The episode is not just about the law, but about its enforcement, including, of course, deviations from it and institutionalized corruption.

Sancho is the one most keenly aware of the danger they are in because of the seriousness of their offense, which has been against the Crown, and not only because it was committed in the open road but because the condemned men were directly under the purview of royal authorities, as were all those assigned to the galleys. (Here domestic and foreign policy coalesced, as the prisoners provided the motive force for ships that enforced the latter.) Sancho provides the legal theory behind the potential sanctions against them. He says, with legalistic precision, that the prisoners are "gente forzada del rey" (236). The squire further explains, like an expert jurist, that "la justicia, que es el mismo rey, no hace fuerza ni agravio a semejante gente, sino que los castiga en pena de sus delitos" (236). Sancho means that the King, in whom natural law is invested, or who incarnates it, is discharging his duties not acting violently. When the priest catches up with them later and, to vex Don Quijote, tells a tall tale about

having been assaulted by the freed prisoners, he corroborates Sancho's legal interpretation. The perpetrator of the crime, he says "quiso defraudar la justicia, ir contra su rey y señor natural, pues fue contra sus justos mandamientos. Quiso, digo, quitar a las galeras sus pies, poner en alboroto a la Santa Hermandad, que había muchos años que reposaba..." (344). "Rey y señor natural" means exactly that his power to command issues from natural law. Don Quijote and Sancho, in fact, will from now until the end of Part One become fugitives from justice. They are being persecuted by both the priest and barber and by the Holy Brotherhood, with the posses converging at the end to nab the knight.

Don Quijote as fugitive from justice is a major ironic incongruity because of his perceived exemption from the law as an hidalgo and deranged belief that he is a knight. But at this particular point—the episodes in the Sierra Morena—his being a fugitive is ironic in three particular ways that engage the overarching presence of penal law in the novel as applied to him. First: Don Quijote flees into the Sierra Morena to do penance for Dulcinea in the manner of chivalric heroes; but it is a penance, as Sancho reminds him, without a motive or reason because Dulcinea was not guilty of the sort of infidelity that Angelica committed in Ariosto's *Orlando furioso*, one of his master's models. Don Quijote also has to make up his own delinquency to justify the penance: his only imaginable fault would be insufficient service to his lady, an infinite debt which is by definition impossible to repay. His is a punishment without a crime—his or his lady's. Second: Don Quijote has, indeed a genuine and pressing reason to become a fugitive because the Holy Brotherhood is surely after him for actual offenses. The lack of a real motive for penance is ironically counterbalanced by the genuine motive for flight, of which he is oblivious, but that more than justifies it. Don Quijote is a fugitive without a cause, but with a pending cause. Third: he is going to find in the Sierra Morena a mirror-image of himself, Cardenio, who has a real reason to do penance because he has been betrayed by Luscinda, and also because he has committed various assaults and thefts. He is remorseful too because his cowardice also led to his predicament. When Don Quijote and Cardenio

meet they embrace like brothers. The ironic interplay between existent and non-existent motives or causes is augmented by the Sierra Morena itself as a setting, as a place to expiate real and imaginary guilt—a site for literal rustication.

The Sierra Morena is a true *despoblado*, in the juridical sense discussed before, and also a wilderness like the *selva selvaggia* of the *Divine Comedy* and of literary tradition. It is a labyrinth too, as Javier Herrero has suggested. Solitude and the starkest absence of civilization are its main characteristics, not to mention an inhospitable nature. Cardenio, the quintessential inhabitant of this landscape, is a wild man, with sporadically violent contacts with other human beings. Dorotea, his counterpart in the Sierra Morena, who completes this primal and alienated couple, is dressed as a man, as if to highlight the disorder prevalent in these woods; it is chaos prior to civilization and the separation of the sexes. She has been sexually assaulted by her employer and by the servant who helped her to escape, whom she hurls down a cliff when defending herself. We do not know if he survives. These are dangerous woods. Because of all this lawlessness, the Sierra Morena threatens to become allegorical—abstract in the purity of its lacks and absences and chartable by recourse to systems of thought and belief. But this tendency is counterbalanced by the juridical nature of the *despoblado*, which gives it a contemporaneous air, a factuality, that withdraws it from the literary and the ideological—it is a space named and classified by the legal codes in all their casuistry and contingency. Outlaws running away from the Holy Brotherhood hide here, not lost pilgrims in search of sublime salvation. Cardenio's and Dorotea's counterparts are the galley-slaves, who must be hiding in the very bowels of the earth (as Ginés de Pasamonte put it), in parts not too dissimilar to the Sierra Morena. They must be in *despoblados* of their own, committing the kind of crime that the priest mentions in his made-up story about them. Like Don Quijote, they are true fugitives from justice, dwelling, confined, rusticated, in some hostile region. Will they be redeemed by this punishment? When Ginés reappears it is to steal Sancho's donkey, but in Part Two he has transformed himself into Maese Pedro, master puppeteer, a kind of

redemption by art. Don Quijote emerges from the hills ready to take on the hideous giant Pandafilando de la Fosca Vista.

After serving time in the Sierra Morena the conflicts in Part One are resolved at Juan Palomeque's inn. It is as if their season in the woods had purified them, as if the rustication had led to their conversion to the lawful. At the inn Don Quijote will add to the list of damages that he causes by slashing the wineskins and spilling their contents. But in so doing he slays the ghastly giant Pandafilando and prepares the way for the scene in which justice will be served and order restored by the various marriage vows made or observed. Again, this may contain an allegorical suggestion, except for the grotesqueness of it all and the fact that the giant and the whole story of Princess Micomicona is a hoax. More importantly, the court-like scene at which settlements are reached is, after all, Palomeque's inn, the kind of picaresque abode that opened Part One. The criminal site becomes an improvised courtroom. There is an ironic appropriateness to this, for the inn and picaresque life are the true realms in which Don Quijote has moved, and in which he himself will be recognized by the Holy Brotherhood troopers, one of whom recollected that among other warrants for apprehending delinquents, he had one against Don Quixote, issued by the Holy Brotherhood, on account of his having set the galley-slaves at liberty, as Sancho had very justly feared: "le vino a la memoria que entre algunos mandamientos que traía para prender a algunos delincuentes, traía uno contra don Quijote, a quien la Santa Hermandad había mandado prender por la libertad que dio a los galeotes, y como Sancho con mucha razón había temido. Imaginando, pues, esto, quiso certificarse si las señas que de don Quijote traía venían bien, y sacando del seno un pergamino, topó con el que buscaba, y poniéndosele a leer de espacio, porque no era buen lector, a cada palabra que leía ponía los ojos en don Quijote, y iba cotejando las señas del mandamiento con el rostro de don Quijote, y halló que sin duda alguna era el que el mandamiento rezaba" (527–28). The plot's loop is closed—Sancho's prophecy fulfilled—when the document with Don Quijote's arrest warrant is read. The knight's case is closed, as it were, as his body and the description yield a match. Here we

have an instance where casuistry's program of representation has been successful—even if the troopers' reading deficiencies make it a laborious process.

It is now up to the priest to plead, as had the first innkeeper, that because of Don Quijote's mental condition he will never be convicted, and to ask that the prisoner be released to him and the barber to return him to his village. Justice is prevailing, not just in the lofty realm in which abstract ideas, theories and religious doctrines can be shuffled like cards, but in the real world of warrants, arrests and the confinement of bodies. Because it is bodies, not souls, that are at issue in this fallen world ruled by the law, the priest acts as a lawyer, not in his capacity as minister of God. The priest's argument about Don Quijote's immunity by reason of his insanity is grounded in Spanish law going back to (at least) the *Siete partidas* in the thirteenth century. Closure, in the case of Don Quijote, is brought about within the limits prescribed by the law. The *Partidas* are the foundation of the laws in force at the time, and effective in invalidating the warrant read by the officer of the Holy Brotherhood. Both function within the same legal system.

It is at the inn too where the barber, whose basin was stolen, is paid and the innkeeper recites a list of the expenses incurred by Don Quijote, Sancho and their mounts, in addition to the substantial damages that they have caused in their two calamitous visits. The beginning of chapter 46 has the tone of a court settlement with the representatives of the Holy Brotherhood exercising their judicial duties and the various parts' damages paid and, in the case of the barber, with a document to prove it:

Finalmente, ellos [the troopers], como miembros de justicia, mediaron la causa y fueron árbitros della, de tal modo, que ambas partes quedaron, si no del todo contentas, a lo menos en algo satisfechas, porque se trocaron las albardas, y no las cinchas y jáquimas; y en lo que tocaba a lo del yelmo de Mambrino, el cura, a socapa y sin que don Quijote lo entendiese, le dio por la bacía ocho reales, y el barbero le hizo una cédula de recibo y de no llamarse a engaño por entonces, no

por siempre jamás amén. ...El ventero, a quien no se le pasó por alto la dádiva y recompensa que el cura había hecho al barbero, pidió el escote de don Quijote, con el menoscabo de sus cueros y falta de fino jurando que no saldría de la venta Rocinante, ni el jumento de Sancho, sin que se le pagase primero hasta el último ardite. Todo lo apaciguó el cura, y lo pagó don Fernando, puesto que el oidor, de muy buena voluntad, había también ofrecido la paga; y de tal manera quedaron todos en paz y sosiego, que ya no parecía la venta la discordia del campo de Agramante, como don Quijote había dicho, sino la misma paz y quietud del tiempo de Octaviano; de todo lo cual fue común opinión que se debían dar las gracias a la buena intención y mucha elocuencia del señor cura y la incomparable liberalidad de don Fernando. (530–31).

The priest has argued his case well and has taken care of the proper compensations. Restitution is a form of resolution, an ending of sorts, a kind of closure provided by the legal cast of the plot rather than by a literary device drawn from narrative tradition. The innkeeper and his wife are “made whole,” as it were, as was the second barber. But there are others, like the shepherds and the man whose leg was broken who are not compensated for their losses or injuries.

Part Two of the novel, which is among various things a profound commentary of Part One, with episodes sometimes matching each other as direct re-writings, has what I take to be a hilarious and complicated gloss on this scene of reparations at the inn. I am referring to the aftermath of Don Quijote’s destruction of Maese Pedro’s puppet show, when the knight is made to pay for every figurine smashed, with the damages being assessed according to the rank of the character each represents in the story and the amount of damage inflicted to the object itself. This is a brilliant passage in which literary characters acquire concrete existence, but only as figures in a puppet show, and while their injuries are reduced to the material damage done to their images, their status in the fiction also determines their worth. There are faint traces here of contemporary debates about religious images,

but more to the point the fiction in Part One, shrouded in a legal mantle and resolved in a trial-like scene, is brought down to a miniaturized, but real drama involving restitution in a manner that involves both fiction and the most trivial reality. It is as if Cervantes were saying that, indeed, the conflicts in Part One were of a judicial nature, but transformed into literature to such a degree that they can be represented by this blatantly fictitious puppet theater. In short, this episode is a parody of Part One that underlines the literary role that reparations play. Cervantes, as is often the case, preempts critical commentary, such as mine here.

After the reparations the charade to cage Don Quijote for the return home is organized. This is another master stroke, by which the knight will be punished but on his own terms, at the level of fiction. Don Quijote will still engage in two more violent acts: his fight with the goatherd and the attack on those carrying an image of the virgin. But the overall pattern of injury, damage, judgment and restitution is closed at the inn.

Two patterns have emerged from the foregoing. One is the overall story of crime, pursuit, capture and confinement of Don Quijote, with the attendant plot of damages and restitution. The other is the one of rustication and redemption, or correction and reform, involving Don Quijote and the characters in the Sierra Morena. Both intersect at the inn, which is transformed from picaresque emporium into court of justice, with priests, policemen, judges, assessments of damages, negotiated settlements, and conscription. What gives shape to *Don Quijote* Part One are these underlying legal stories, and the gradual merging of *pícaro* and knight to create a protagonist that will endure in the history of the novel: one caught in the net of the law, which confines him as it defines him and gives him social and ontological substance.

Department of Spanish and Portuguese
Yale University
PO Box 208204
New Haven, CT 06520-8204
roberto.echevarria@yale.edu