

LIBERTY UNIVERSITY  
SCHOOL OF ART AND SCIENCES

**Federalism, Constitutionalism, and the Texas Revolt**

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by

John L. Hancock

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## Chapter 1

### Introduction and Historiography

On 27 October 1835, while the Texans prepared to confront the Mexican national army, Philip Dimmitt, the Commander of the Texan garrison in Goliad, wrote to General Stephen F. Austin, the Commander of all Texan forces, that he had created a new flag to represent the Texas Revolt. “The colours, and their arrangement the same as the old one [Mexican flag]-with the words and figures, ‘Constitution of 1824,’ displayed on the *white*, in the center.”<sup>1</sup> Dimmitt carried this banner when he took part in the ‘Storming of Bexar’ (5-9 December 1835), and some claim that variations of it flew at the Alamo.<sup>2</sup> Similarly, a flag created by Sarah Dodson used the Mexican tricolor but with a single star on the white center. This single star, some argue, represented Texas being the last Mexican state fighting to preserve the liberty provided by the Constitution of 1824, and the flag that former Mexican federalist, statesman, and Texas’s future vice-president, Lorenzo de Zavala, suggested as the new flag of Texas.<sup>3</sup>

While Dimmitt’s 1824 flag represented the dedication that many Texans had to the Constitution of 1824 and Mexico’s First Republic, the Dodson flag symbolizes the reality that Texas was the last Mexican territory fighting to defend the federalist republic established in 1824. One by one, the once “independent and free” states that created the Mexican federation fell to the centralists who desired to see a single nation subjugated by Mexico City. Only Texas, dominated by Anglo-American settlers, remained free of the centralists’ authoritarianism.

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<sup>1</sup> Craig H. Roell, "Dimmitt, Philip," The Handbook of Texas Online, Texas State Historical Society, accessed 9 December, 2020, <https://www.tshaonline.org/handbook/entries/dimmitt-philip>.

<sup>2</sup> Charles A. Spain, "Flags of the Texas Revolution," Handbook of Texas Online, Texas State Historical Society, accessed 9 December, 2020, <https://www.tshaonline.org/handbook/entries/flags-of-the-texas-revolution>.

<sup>3</sup> Spain, “Flags of the Texas Revolution.”

Ironically, this made Texas the last bastion of Mexican federalism and the Texans its last defenders.

Unfortunately, most of the Texas Revolt histories do not portray it as a defense of Mexican federalism. Instead, they claim that it resulted from the influx of Anglo-American settlers who secretly desired to seize Mexico's territory. Thus, they never embraced Mexico or respected the Hispanic nation's laws or culture. Instead, they remained aloof of Mexican politics while waiting for the day when they were strong enough to overthrow their Mexican administrators.<sup>4</sup> Additionally, a narrative that became popular among Mexican historians after the war with the United States (1846-1848) claimed that these Anglo-American settlements as part of a plan to fulfill the United States' "manifest destiny" of stretching from the Atlantic to the Pacific.<sup>5</sup> Abolitionists in the United States added to the claim by suggesting that the settlements, of which Southerners dominated, were part of a scheme to add Texas to the Union as a slave state. These narratives have become so engrained into the historiography of the revolt, the Mexican-American War, and Texas history that historians repeat them with little or no thought.

However, over the last thirty years, the shift in Mexico from national to provincial history raises challenges to many of the current narrative's assumptions. The shift includes a reexamining of the First Republic's (1824-1835) federalism and the principles represented in the Constitution of 1824. One assumption is that federalism is a political concept foreign to Mexico since it only experienced centralism under the Spanish.<sup>6</sup> However, the focus on the histories of the provinces and the First Republic indicates that Mexico inherited a uniquely Spanish form of

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<sup>4</sup> Lucas Alamán, *Historia De Mejico*, vol. V (Mexico City 1849-1852), 574. Benjamin Lundy, *The Origin and True Causes of the Texas Insurrection*, ([Philadelphia]: [s.n.], [1836]), 1-5.

<sup>5</sup> George Hooker Colton, and James Davenport Whelpley, *The American Whig Review*, vol. 3 (New York: Wiley and Putnam [etc.], 1845-52), 573. Justo Sierra, *The Political Evolution of the Mexican People* (Austin, TX: University of Texas Press, 1969), Book 3, Part 1, Chap.3, Kindle.

<sup>6</sup> Sierra, *The Political Evolution of the Mexican People*, Book 3, Part 1, Chap. 2, Kindle.

federalism that Mexican federalists adapted to suit the new nation. Furthermore, this federalism attracted many of Texas's Anglo-American settlers and one that they ultimately defended when they revolted against the centralist regime of Antonio Lopez de Santa Anna. In this sense, as the study of the history of Mexican federalism and the First republic illustrate, it can be said that Texas became the last bastion of Mexican federalism and the Anglo-American Texans its last defenders.

The origins of the prevailing school that portrays Mexico as a victim of Anglo-America's "insatiable appetite for land" comes from Mexican centralists such as Lucas Alamán, Carlos Maria Bustamante, and José Maria Tornel y Mendivil.<sup>7</sup> These politician-turn-historians wanted to discredit the First Republic's federalism while simultaneously rationalizing Mexico's humiliating performance during its war with the United States, which dominates much of the history regarding the revolt's causes.<sup>8</sup> Based mostly on "impressionistic or antidotal" history that is more of a product of "partisan denunciations" or post-war "apologia" than intellectual history, the narrative makes the following claims: 1) that the region that would become the territory of the independent nation of Mexico was a single and united territory before being divided by foreign-inspired federalism, 2) Spain's centralist government based in Mexico City unified the nation, 3) Mexico inherited this unified territory and the centralized form of governance, 4) Mexico's first post-independent government, Iturbide's first Mexican empire, provides historical proof of this claim, 5) independence established Mexican nationhood, 6) the provincial movements that culminated in Mexico's independence are evidence of a nascent but growing

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<sup>7</sup> Timothy E. Anna, "Early Mexican Federalism and the Multiple Origins of Nationhood," *National Identities* 1, no. 2 (July 01 1999), 135.

<sup>8</sup> T. R. Fehrenbach, *Lone Star: A History of Texas and the Texans* (Boston, MA: Da Capo Press, 2000), 241.

sense of Mexican nationalism, 7) foreign-inspired federalism created a divided Mexico; 8) the United States, in a war of aggression, used this weakness to steal Mexico's northern territories.<sup>9</sup>

Thus, the traditional narrative of the First Republic contends that the land Mexico inherited upon its independence from Spain was one that was united, unified, and orderly. The primary reason for its orderly and unified condition was the centralized government that the Spanish Empire used to administer the region. Thus, centralism is the nation's historical political arrangement and the government's natural form for Mexicans. The early independence movements, which the classical narrative contends was inspired by nascent Mexican nationalism, are evidence of Mexico's unified condition on the eve of its independence. Therefore, the First Republic's federalism, as a foreign concept introduced by liberals trying to replicate the American republic's success, divided "what was once united."<sup>10</sup> As a result, this foreign-inspired liberalism led to the political and economic chaos that became a characteristic of the First Republic's history.

This narrative, mostly written after Mexico's disastrous war with the United States, is considered the "most influential conceptualization" of the First Republic and Mexican federalism. Alamán, who is still considered by many historians as "arguably the greatest historian of nineteenth-century Mexico," was a historian of the First Republic and one of its leading political figures and contributed directly to the events leading up to the revolt. As the chief ideologue of the Mexican conservatism that came to dominate the First Republic's politics, his history is from a key participant at the highest government levels during the five decades following Mexico's independence.<sup>11</sup>

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<sup>9</sup> Timothy E. Anna, *Forging Mexico: 1821-1835* (Lincoln, Nebraska: University of Nebraska, 1998), 11.

<sup>10</sup> Servando Teresa de Mier, *Discurso Que El Día 13 De Diciembre Del Presente Año De 1823* (Mexico: Imprenta a cargo de Martin Rivera, 1823), 1-16.

<sup>11</sup> Eric Van Young, *Writing Mexican History* (Palo Alto: Stanford University Press, 2012), 3.

Furthermore, nearly all of the contemporary historians of the decades following Mexico's independence have ignored the Spanish federalism that would eventually lead to the Federal Republic. Alamán did not mention the Provincial Deputations' rise until the very end of the last volume of his five-volume *History of Mexico* (1849-1852). Even then, it was nothing more than acknowledging these Spanish derived institutions playing a role in establishing the Federal Republic. This lack of interest in the Provincial Deputations is understandable considering that Alamán wrote his *Historia de Mexico* and *Disertaciones* with the objective of “alter[ing] completely the ideas held by dint of revolutionary declamations on the conquest, the Spanish domination, and the manner in which independence was effectuated.”<sup>12</sup>

What is less understandable is the lack of attention they get from pro-federalist historians of the period. A stalwart of federalism and future vice president of the Republic of Texas, Lorenzo de Zavala, mentions them in his two-volume *Historical Essay on the Revolutions in Mexico from 1808 until 1830* (1831-1832), “only in passing.” Fellow federalist Jose Maria Luis Mora did not mention it in his *Mexico y Sus Revoluciones* (1838). Oddly, the Centralist Carlos Maria Bustamante did detail the Provincial Deputations' establishment and their importance in Mexican federalism's evolution. However, only in a diary, he kept through those years.<sup>13</sup>

The Federalists' anti-Spanish sentiment may have attributed to the downplaying of the Provincial Deputations' role in creating Mexico's federalism. However, the histories published after the Mexican-American War ensured history forgot the Provincial Deputations' role in Mexican federalism's evolution. At the time of publication, many of the elites, like Alamán, were centralists. Their histories allowed them to blame the shameful outcome of the Mexican-

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<sup>12</sup> Lucas Alaman, *Documentos Diversos*, vol. IV, XII vols., *Obras* (Mexico 1945-1947), 604.

<sup>13</sup> Nettie Lee Benson, *The Provincial Deputation in Mexico: Harbinger of Provincial Autonomy, Independence, and Federalism* (University of Texas Press, 1992), xi-xii.

American war federalism that men such as the American Ambassador to Mexico, Joel Poinsette, imported from the United States.

Mexican federalism's mischaracterization impacted Americans' understanding of the First Republic's historiography. In his seminal work on Mexico's history, Hubert Howe Bancroft followed his Mexican counterparts by only making a single reference to the Provincial Deputations. Even then, he erroneously claimed that Mexico could have had many Provincial Deputation but only chose to have one located in Mexico City.<sup>14</sup> Relying on these sources, almost all later historians continue to be unaware of the Provincial Deputations and their role in Mexican federalism's evolution.<sup>15</sup>

More significantly, this misconception caused many English-speakers to assume that the republic's official name, *Estados Unidos Mexicanos*, signified nationhood, as did the American version. Motivated by "Anglo-Saxon ethnocentrism" of the late nineteenth century, many English-speaking historians interpreted the claim that the Latin republics were imitating their government system to prove their superiority over the Spanish.<sup>16</sup>

As will be covered below, the Spanish and Hispanic understanding of terms, especially political terms, differed from those of the English-speaking world. For Mexicans, "*Mexicanos*" did not imply nationhood, but rather a common culture that the individual, sovereign states shared.<sup>17</sup> This misunderstanding would impact the historiography of the causes of America's war with Mexico by leading modern Americans to construe the Texas revolt as one in which non-Mexicans conspire to steal land that is part of the Mexican nation. However, many Mexicans,

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<sup>14</sup> Hubert Howe Bancroft, *History of California: 1801-1824*, vol. II 4vols. (Santa Barbara, CA: Wallace Heberd, 1886), 754-55.

<sup>15</sup> Benson, *Provincial Deputation in Mexico*, xii.

<sup>16</sup> Anna, *Forging Mexico*, 3.

<sup>17</sup> Anna, *Forging Mexico*, 10.



especially those in the provinces, believed that Texans had every right to revolt against Santa Anna's unconstitutional authority, just as did Zacatecas, Jalisco Coahuila.<sup>18</sup>

Alamán's narrative entrenched deeper into Mexican history during the Porfiriato era. The dominating centralists, who promised to bring "progress and order" to what they saw as a dysfunctional and chaotic Mexico, used Alamán's history to construct the myth that federalism was responsible for the "anarchy" and "backwardness of disorder" that characterized the First Republic.<sup>19</sup> While the centralists did establish progress and order during this period, they achieved it through "tyranny and injustice." As historian T.R. Fehrenbach writes, the national government in Mexico City ruled by fiat and "exploited native labor, resources, and soil."<sup>20</sup> The development was unbalanced and "one way," mainly benefitting the federal capital area at the outlying provinces' expense.<sup>21</sup>

At this point in Mexican history, Mexico's next "outstanding" intellectual, Justo Sierra, would leave his mark on the nation's historiography.<sup>22</sup> Sierra was an advocate of Mexico's neoliberalism, who believed that individual institutions should be "conserved."<sup>23</sup> One of those was the centralist-dominated history of the First Republic.<sup>24</sup> For example, Sierra sustained Alamán's argument that federalism created chaos in the first few decades following independence. As Sierra would write in *The Political Evolution of the Mexican People*, the chaos

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<sup>18</sup> Sierra, *The Political Evolution of the Mexican People*, Book 3, Part 1, Chap. 3, Kindle.

<sup>19</sup> Luis Alberto de la Garza, "Una Vision Historiografica Erronea: La Idea De Nacionalidad," in *Evolucion Del Estado Mexicano*, vol. I (Mexico City: Ediciones El Caballito, 1986), 21-54.

<sup>20</sup> T.R. Fehrenbach, *Fire & Blood: A History of Mexico* (New York: Da Capo Press, 1995), 440-41.

<sup>21</sup> Fehrenbach, *Fire & Blood*, 440-441.

<sup>22</sup> Fehrenbach, *Fire & Blood*, 581.

<sup>23</sup> Moises Gonzales Navarro, "Tipología Del Conservadurismo Mexicano," in *La Revolucion Francesa En Mexico*, ed. Solange Alberro, Alicia Hernandez Chavez, and Elias Trabulse (Mexico City, Mexico: El Colegio de Mexico; Centro de Estudios Mexicanos y Centroamericanos, 1979), 216.

<sup>24</sup> Navarro, in *La Revolucion Francesa En Mexico*, 227.

resulted because “each important city had its political oligarchy, clinging with a death grip to newly won power.”<sup>25</sup>

Additionally, he furthered the narrative that federalism was an Anglo-Saxon concept that was barely understood even by its proponents in Mexico. Still, it was adopted by good intentioned Mexicans who feel under the influence of the American ambassador, Joel Poinsett. Along with a litany of other events that Sierra lists in his works, this claim proves that the United States designed the interactions to eventually allow the Americans to take, either by peaceful or violent means, Mexico’s northern territory. As he would note, “the American menace” was “like a hand gloved in iron clutching the throat of a frail and bloodless nation, like a brutal knee in its belly, like a mouth avid with the desire to bite, to rip, to devour, while prating of humanity, of justice, of law.”<sup>26</sup>

While Sierra’s work as a historian was imposing, his work in education would consecrate the centralist narrative into Mexico's history. Appointed by Porfirio Diaz to be Mexico’s Secretary of Public Instruction and Fine Arts in 1904, Sierra would construct an education system dedicated to the positivist vision of public education being a “conserving institution while improving society.”<sup>27</sup> During his seven-year tenure as the head of Mexico’s education system (1905-1911), Sierra completely transformed how the schools educated their students. He reestablished the national university (*Universidad Nacional Autonomia de Mexico- UNAM*), which would produce the majority of the nation’s future professors. Additionally, he established

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<sup>25</sup> Sierra, *The Political Evolution of the Mexican People*, Book 3, Part 1, Chap 2, Kindle.

<sup>26</sup> Sierra, *The Political Evolution of the Mexican People*, Book 3, Part 1, Chap 2, Kindle.

<sup>27</sup> Navarro, in *La Revolucion Francesa En Mexico*, 225.

schools exclusively for teachers' training needed by the recently established nationwide network of grammar schools.<sup>28</sup>

Although the Mexican Revolution (1910-1917) would end the Porfiriato, the education system's monopoly ensured it did not end the history taught in Mexican schools and universities. The main reason is that the organization that governed Mexico (Institutional Revolutionary Party) after the revolution was centralist. Although presenting itself as a “party,” this new political entity was not designed to compete in Mexican politics but to be the “guiding and controlling organization behind the state.” In other words, the party was to be the state and the state the party. As one historian noted, the party was “more similar to the communist party in Russia or the fascist party in Italy than a political party functioning within a democracy.”<sup>29</sup>

Over the next seventy years, the ruling Institutional Revolutionary Party (PRI) would exert control over all facets of Mexican life. This control was made easier by a monopolistic education system teaching the pro-centralist narrative that federalism led to the chaos of the first half of the eighteenth century, resulting in the nation being a victim of American aggression. This monopoly guaranteed that the Alamán-Sierra based historiography would remain the pillar of Mexican history throughout most of the twentieth century.

The American narrative of the causes of the Texas Revolt demonstrates that histories are just as susceptible to politicization north of the border as they are to the south. At the time Alamán published his histories of early 19<sup>th</sup> century Mexico, the United States was in the midst of a sectional dispute over the issue of slavery. Those opposed to slavery already saw the Texas revolt as an attempt to increase the size and political power of the southern slaveholding states.

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<sup>28</sup> Javier Ocampo Lopez, "Justo Sierra "El Maestro De America": Fundador De La Universidad Nacional De Mexico," *Revista Historia de la Educacion Latinoamericana*, no. 15 (2010).

<sup>29</sup> Fehrenbach, *Fire and Blood*, 570.

This suspicion seemed to be confirmed by Texas's eventual addition into the union as a slave state. Many concurred with John Quincy Adams' assessment that Texas's addition to the Union was “the heaviest calamity that ever befell my country.”<sup>30</sup>

As a result, the Whigs and abolitionists were more than willing to use the Mexican account to support their claim that their Democratic rivals instigated the conflict to extend the despised institution of slavery.<sup>31</sup> As historian Robert Selph Henry noted, “the prevailing impressions” of the event leading to the Mexican-American War have been “derived, directly or indirectly, from the writings of those who seemed to have regarded the westward push” of America being “due to the machinations of the slave power.” Furthermore, he notes that these writers' historical narratives “were accepted as almost undisputed truisms” for more than a century.<sup>32</sup> This politicization of Texas's history resulted in the spread of histories that promoted the revolt and subsequent Mexican-American War as immoral and unjust.

Additionally, the narratives written by Mexican nationalists are so focused on the United States' maneuverings that they are void of Mexican federalism's history. One example of such a history is the Mexican narrative *The Other Side*. Written in 1849 by a group of former officers who served in the Mexican army during the war, the book was hailed by its American editor as “the first Mexican historical production...deemed worthy of translation.”<sup>33</sup> Furthermore, the editor details the process to ensure the “truth” and “fairness” of the narrative.<sup>34</sup> Nevertheless, the thirty-two-page chapter on the causes of the war reads as an indictment of the United States' actions in the decades since Mexican independence. Within these pages are all the claims that

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<sup>30</sup> John Quincy Adams, *The Diary of John Quincy Adams*, ed. Allen Nevins (New York: Longmans Green, 1928), 573-74, February 27 and 28, 1845.

<sup>31</sup> Lynn Montross, *War through the Ages*, 3 ed. (New York: Harpers & Row Publishers, 1960), 574-75.

<sup>32</sup> Robert Selph Henry, *The Story of the Mexican War* (New York: Da Capo Press, 1950), Preface.

<sup>33</sup> Ramón Alcaraz, and Albert C. Ramsey, *The Other Side, or, Notes for the History of the War between Mexico and the United States* (New York: J. Wiley, 1850, [c1849]), Preface.

<sup>34</sup> Alcaraz, and Ramsey, *The Other Side*, Introduction.

have become common in the traditional historiography of the war. The foremost of these claims is that the United States was a nation of “energetic people” with an “insatiable appetite for land.” To feed this appetite, the Americans engaged in duplicitous schemes, including introducing destabilizing federalism into the nation, to weaken Mexico to the point that it would be incapable of defending its northern territories.<sup>35</sup> It is telling that these histories do not discuss Mexico's role in the events leading to the revolt and the war except to portray the nation as the victim of a more robust, aggressive neighbor. As the authors noted, Mexico's only role in the cause of the war is “the misfortune” of being near the United States.<sup>36</sup>

Some scholars challenged the conventional historiography of the First Mexican Republic. These scholars point out that Alamán's participation in the Bustamante and Santa Anna dictatorships and Sierra's role in solidifying the government's control of education during the Porfiriato should raise concern over the Centralists' dominance of the historiography of Mexico.<sup>37</sup> While these men are renowned for shaping their times, one must not overlook that they were in return shaped by them. As the centralists' ideological leader, Alamán developed intense animosity against political initiatives that countered his vision of a unified Mexico governed as a central republic. As Secretary of Education, Sierra, a centralist and admirer of Alamán, ensured that Alamán's version of the First Republic is the one that Mexicans were taught well into the late twentieth century. Others, such as Nettie Lee Benson, would challenge the claim that federalism was foreign to Mexico. Although Benson's work in Latin American history earned her the distinction of having one of the most extensive Latin American archives in the world named after her, her work on Mexican federalism had little impact on the traditional narrative.

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<sup>35</sup> Alcaraz, and Ramsey, *The Other Side*, 1-32.

<sup>36</sup> Alcaraz, and Ramsey, *The Other Side*, 2.

<sup>37</sup> Anna, *Forging Mexico*, 27.

Benson's limited impact is that, as an American, her challenges to the classical historiography seen as a rationale or justification of America's immoral behavior. Therefore, any challenges would need to originate in Mexico. Unfortunately, the Institutional Revolutionary Party (PRI) authority over Mexican society, including the universities, made such a challenge too implausible. This dominance would change as the PRI began to lose power in the 1990s. As centralism declined, interest in federalism grew. Led by historians at the University of Guadalajara, scholars began reexamining the federalism of the First Republic.

The history these researchers discovered began to introduce a counter to Mexico's traditional historiography.<sup>38</sup> The first is that Mexico was not a unified nation until after its war with the United States. Likewise, Mexico would not establish a national identity until the late nineteenth to early twentieth centuries. Through federalism, the states united in a federation to create a national government. Thus, entering the federation as sovereign and autonomous political and geographical entities, the states reserved the right to secede if deemed necessary.<sup>39</sup>

While this new history has been useful in understanding much of the First Republic's history and the political chaos leading up to the Texas Revolt, scholars have not applied it to Texas's history during this period and how it led to the revolt. This lack of application is an error that needs remedying. If the new research provides a greater understanding of Mexico's First Republic's history, it should also impact the traditional narrative of the Texas Revolt.

The main challenge of examining this period of Mexican history is that the terms can lead to confusion. For example, the term "Mexico" can refer to the nation, the state, the province, intendancy, and even the city. Likewise, the modern state of Jalisco is referred to at various times as the Kingdom of Nueva Galicia, the Province of Nueva Galicia, the Province of Guadalajara,

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<sup>38</sup> Anna, *Forging Mexico*, 28.

<sup>39</sup> Anna, *Forging Mexico*, 21-22.

the State of Guadalajara, the Province of Jalisco, and the State of Jalisco, each with corresponding intendencies, Provincial Deputations, and legislatures. Terms can also result in a historically inaccurate understanding of the period. Referring to the entire region pre-independence “New Spain” or as post-independence “Mexico” implies a level of unity and uniformity that did not exist until the end of the first half of the 19<sup>th</sup> century. Therefore, in order to maintain historical accuracy, the region will be referred to as “*América septentrional*” (the Spanish term for their North American territory) during the colonial period, the “Empire” during the reign of Emperor Agustín de Iturbide, the “First Republic” (1824-1836), and “Centralist Mexico” after replacement of the Constitution of 1824 by Antonio López de Santa Anna’s “Siete Leyes” in 1836.

Culture can also lead to misunderstanding or misinterpretation of terms, especially political ones. When the *América septentrional* gained its independence and subsequent adoption of a federal republic, there was no universal understanding of terms such as federalism, sovereignty, and even what constituted a nation. Timothy Anna explains that historical, social, and cultural differences led to how the Hispanic and Anglo-Saxon worlds understood these significant terms. Consequently, no study of what transpired during Mexico’s First Republic can be complete without comprehending how Mexicans of the times understood significant terms.<sup>40</sup>

For most English-speakers, federalism is “a form of government in which separate self-governing territorial entities join together to create a greater whole with power distributed between the central power and the constituent units.”<sup>41</sup> While this definition is sufficient to describe the United States and Canada’s federalism, it is woefully inadequate for Latin America. As Brazilian sociologist Aspasia Camargo explains it, Latin Americans “define federalism as an

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<sup>40</sup> Anna, “Early Mexican Federalism,” 136-38.

<sup>41</sup> Anna, *Forging Mexico*, 1-2.

extra-European model of state organization marked by the coexistence of two sovereignties: that of the nation, which retains control of the execution of some functions, and that of the federated units that occupy themselves with the rest.” This manifest in “the existence of distinct and relative autonomous powers” with each entity having “their own sources of revenue and control over public order; and by political and juridical representation through executive, legislative, and judicial powers on the state and federal level.”<sup>42</sup>

Although English distinguishes such a political arrangement as *Dual Sovereignty* or *Shared Sovereignty*, Spanish did not make such distinctions. In English, Anna argues that there is an implication of “supremacy in respect to power, domination, or rank; supreme dominion, authority, or rule.”<sup>43</sup> Derived from the experiences of forming Spain, which was itself an amalgamation of kingdoms, Latin Americans came to understand *sovereignty* to implicitly mean “a union of provinces which were themselves the *patrias* and *naciones* of their inhabitants.”<sup>44</sup> In other words, in Spanish, the term *sovereignty* automatically implies a “noncentralized” form of federalism rather than one which is “decentralized.” This understanding of Spanish federalism meant there were no conflicts in Mexico's case—at least in theory—between the nation and each state having separate yet equal sovereignty.<sup>45</sup> It also meant the possibility of an Anglicized Texas existing within a Hispanicized Mexican nation.

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<sup>42</sup> Aspasia Camargo, "La Federacion Sometida," in *Federalismos Latinoamericanos: Mexico/Brasil/Argentina*, ed. Marcello Carmagnani (Mexico City: El Colegio de Mexico/Fondo de Cultura Economica, 1993), 300.

<sup>43</sup> *Oxford Universal English Dictionary*, vol. IX, X vols., ed. C.T. Onions (Oxford, England: Oxford University Press, 1937), 1953-54.

<sup>44</sup> Timothy E. Anna, "Inventing Mexico," *Bulletin of Latin American Research* 15, no. 1 (1996): 9.

<sup>45</sup> As Daniel Alazar labels such a federalist arrangement as “noncentralized” rather than “decentralized.” In the noncentralized system, both the national and state governments are sovereign within their allocated authority with strong “fences” blocking one from intruding on the authority of the other. Daniel J. Alazar, *Federalism: An Overview* (Pretoria, South Africa: HSRC Publishers, 1995), 39.



Whereas *Patrias* and *naciones* respectively mean “homeland” and “nations,” they had very distinct meanings in nineteenth-century Mexico than they did in the United States. In the United States, just as in the rest of the English-speaking world, a *nation* is an organized “political state” occupying “a definite territory.”<sup>46</sup> The emphasis on the political aspects of a nation runs contrary to the understanding that Spanish-speakers had well into the nineteenth century. At the time, the Spanish Academy’s official *Diccionario de la Lengua Castellana* defined a nation as “the place of birth” or “the collection of inhabitants some providence, country, or kingdom.” The Academy would not recognize a nation as a “state or political body the recognizes a common supreme center of government” until a half-century after establishing the Mexican republic.<sup>47</sup>

The focus on “cultural nationalism” is what makes Hispanic, specifically Mexican nationalism, distinctly different from the traditional “political nationalism” in which national identity attaches to an “imaginary community” in the form of the nation-state, and that is deemed “deserving allegiance and defense.”<sup>48</sup> Therefore, to Mexicans, nationalism was more connected to where one was born and to culture than to any political entity, local, national, or otherwise. Thus, as noted above, when the Mexicans named their first republic the *Estados Unidos Mexicanos*, they did not refer to a whole and sovereign political entity, but rather a loose federation of political entities that shared a common heritage, history, and culture.

These distinctly Hispanic understandings of federalism, sovereignty, and nation guided those who established the federal republic under the Constitution of 1824. They would also be at

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<sup>46</sup> *Oxford Universal English Dictionary*, vol. VI, X vols., ed. C.T. Onions (Oxford, England: Oxford University Press, 1937), 1311.

<sup>47</sup> Victor M Gonzalez Esparza, *Patriotismo Vs. Nación*, Mexico City (1994).

<sup>48</sup> Alan Knight, "Peasants into Patriots," *Mexican Studies/Estudios Mexicanos* 10, no. 1 (1994): 138.

the foundation of how non-Hispanics came to mischaracterize the early years of independent Mexico and the causes of the Mexican-American War.

Using Montross's axiom that understanding the background is necessary for dispelling myths, the following chapters will explore the history fundamental to Mexican federalism. The next chapter explores how federalism became established in Mexico. Chapter three examines Mexico as a federal republic. Chapter four details the centralists' attempt to undermine federalism, which created the political chaos that resulted in Santa Anna proclaiming a military dictatorship. Chapter five will examine how the states, especially Texas, reacted to Santa Anna's arbitrary eradication of the federalism established by the Constitution of 1824. Lastly, chapter six will cover the Texas response to Santa Anna's abolition of Mexican federalism, the various states' mixed reactions to Texas' revolt, and its impact on the Mexican-American War and Texas's history.

## Chapter 2

### Evolution of Mexican Federalism

Rather than being the fount of Mexico's tradition of centralism, as propagated by the centralists, Spanish rule and administration were Mexican federalism's genesis.<sup>1</sup> Therefore, no analysis of Mexico's history, especially that of the first republic, is complete without examining two material aspects of Spanish colonial administration; the intendencies and the establishment of provincial deputations. The former would geographically divide *América Septentrional* (the Spanish name for their North American possessions) into multiple regions that were either semi or entirely independent of New Spain's administration located in Mexico City. The latter will establish local self-governments that eventually evolved upon independence into the autonomous governments of the provinces.

During the three centuries of Spanish rule, there would be several significant administrative and institutional changes. As Spanish control grew, the region divided into smaller administrative districts. While the viceroy of New Spain, seated in Mexico City, is the most well-known, it was not the only one. To the west, the Spanish established the *Reino de Nueva Galicia*, with Guadalajara as its capital. Territories later conquered included Nueva Vizcaya with Arispe as its capital, Nueva Extremadura (which became Coahuila) with Monclova as its capital, Nuevo León with Monterrey as its capital, and Nuevo Santander (which became Tamaulipas after independence) with Aguayo as its capital.

During a restructuring of the region (1767-1786), the Spanish converted some kingdoms and provinces into intendancies. This restructuring resulted in the terms "province" and

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<sup>1</sup> Nettie Lee Benson, *The Provincial Deputation in Mexico: Harbinger of Provincial Autonomy, Independence, and Federalism* (University of Texas Press, 1992), xi-xii.

“intendancy” to become interchangeable. Around 1786, the Captaincy-General of Yucatán with its capital at Merida, including Tabasco and Campeche, was added. By 1808, Spain divided the Mexican province into the intendancies of the province of Puebla, including Tlaxcala; the province of Mexico, including the area surrounding Querétaro City; the province of Nueva Galicia, with its capital at Guadalajara; the province of Michoacán, with its capital Valladolid; and each of the provinces of Guanajuato, Oaxaca, Veracruz, and Zacatecas with corresponding capitals of the same name. The intendancy of San Luis Potosí was a particular case since it was also supposed to be the administrative headquarters for that region of the territory, including several of the Interior Provinces.<sup>2</sup>

While all these intendancies were, in theory, subject to the viceroy of Mexico, they operated as a semi to fully autonomous entities. Intendants acted mainly as governors over the province in which they lived. Although primarily responsible for the territory's financial and economic resources, they also had limited ecclesiastical, political, military, and judicial authority. Except in the military provinces, such as Coahuila, Nuevo León, Nuevo Santander, Texas, New Mexico, Tabasco, the Californias, Chihuahua, Sinaloa, and possibly other provinces that had not yet been made intendancies, the intendants generally replaced the military governors of the provinces. These responsibilities gave the intendants authority over everyday life, and, as a result, they developed a relationship with practically every individual within their intendancy. Additionally, the intendants, who were royal appointees, were directly responsible to the king and not Mexico's viceroy. This local connection and the king's royal appointment resulted in the

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<sup>2</sup> Isabel Gutierrez del Arroyo, "El Nuevo Regimen Institucional Bajo La Real Ordenanza De Intendent La Nueva Espana (1786)," *Historia Mexicana* 39, no. 1 (July-December 1989).

inhabitants of an intendency feeling that their loyalty to Spain's king ran through the intendant rather than through the viceroy in Mexico City.<sup>3</sup>

While the intendencies made the provinces independent of New Spain and its capital in Mexico City, it would be the establishment of Provincial Deputations that would provide the next step in the evolution of Mexican federalism. These governing bodies situated in the intendencies resulted from Imperial France's invasion of Spain in June 1808. Imprisoning Charles IV and his son Ferdinand VII, both of whom laid claim to the Spanish crown, Napoleon declared his brother, Joseph Bonaparte, the new King of Spain. Rising in protest, Spain's intendencies and provinces, most of them former kingdoms, established provincial juntas to govern their provinces. In the absence of a recognized national government, representatives from the provincial juntas met in Seville to form the *Supreme Junta of Spain and the Indies* (here forth referred to as the *Cortes*). Ruling in Ferdinand VII's name, the junta issued a decree recognizing the Spanish territories in America to be provinces of Spain with the right to be represented in the *Cortes* in Seville.<sup>4</sup>

Correspondingly, the New World's Spanish territories sought to establish interim governments until a government under the rightful king re-established in Spain. This impetus led the Viceroy of New Spain, Jose de Iturrigaray, to argue that if New Spain was a province of Spain, then it had the right to establish a local junta with the same authority as those that the provinces in Spain had. Fearing such an action as a step towards New Spain's independence, pro-Spanish forces within the province overthrew the viceroy on September 16, 1808, and replaced

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<sup>3</sup> Lillian Estelle Fisher, *The Intendent System in Spanish America* (Berkeley, CA: University of California, 1929), 97-331.

<sup>4</sup> Benson, *Provincial Deputation in Mexico*, vii.

him with Pedro de Garibay. Recognizing the Cortes' authority in Seville, Garibay declared elections for its representative in the Supreme Junta.<sup>5</sup>

Although the coup would end the career of Iturrigaray as viceroy, it did not end the *América Septentrional* provinces' sentiment to have provincial juntas of their own. One of the new representatives to the *Cortes* was a young attorney from Coahuila named Jose Miguel Ramos Arizpe.<sup>6</sup> It is significant to note that Arizpe was the deputy elected to represent the Eastern Interior Provinces of Coahuila, Nuevo Leon, Nuevo Santander (now the state of Tamaulipas) Texas; and not the region that would become Mexico. Therefore, he lobbied the *Cortes* to establish a board made up of seven citizens of the provinces. Each province would have two representatives except Texas, which would have one due to its smaller population. This board would be in charge of the internal administration of the Eastern Interior Provinces. Seeking to have the local juntas sanctioned by Spain's Cortes, Arizpe did not want them seen as an attempt to become independent of Spain or as a challenge to the Cortes' authority. Therefore, instead of calling them *Provincial Juntas*—as they were in Spain—he referred to them officially as *Provincial Deputations*, which implied a status subservient to the *Cortes*.<sup>7</sup>

The *Cortes* granted the requested sanction provided that the Provincial Deputations be set up only in the provinces named in Article 10 of the Spanish Constitution of 1812.<sup>8</sup> Since the New World's provinces and intendencies were listed very broadly, rather than individually, this provision limited the number of Provincial Deputations in *América Septentrional*. As a result, the *Cortes* authorized Provincial Deputations only in Mexico City, San Luis Potosí, Guadalajara,

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<sup>5</sup> Benson, *Provincial Deputation in Mexico*, vii.

<sup>6</sup> Charles R. Berry, "The Election of the Mexican Deputies to the Spanish Cortes, 1810-1822," in *Mexico and the Spanish Cortes*, ed. Nettie Lee Benson (Austin, TX: University of Texas Press, 1966), 10-28.

<sup>7</sup> *Memoria...Que Presenta Al Agosto Congresso*, by Jose Miguel Ramos Arizpe (Cadiz: Cortes de Espana, 1812).

<sup>8</sup> *Diario De Las Discusiones Y Actas De Las Cortes. 18 Vols. Cádiz, 1811–1813.*, vol. XII (Cadiz, Spain: 1811-1813), 66-67 (April 20, 1812).

Merida, Monterrey, and Durango. In the cases of New Galicia, Yucatan, the Eastern Interior Provinces, and the Western Interior Provinces, this change only acknowledged the fact that these provinces were “virtually independent of the viceroy in practice, if not theory, for many years.”<sup>9</sup>

More significantly, the Constitution of 1812 also declared each Deputation be politically independent of the others, including Mexico City. An appointed intendant who served as the chief of a deputation governed each Deputation. The Deputations, in turn, dealt directly with the national government in Spain through its Political Chief and the Minister of Overseas Affairs in Cadiz. Furthermore, in Article 335, the Constitution details the responsibilities of the Deputations; (1) to administer and approve the assessment of taxes in the province, (2) to oversee the proper expenditure of public funds by the municipalities, (3) to establish Municipal Councils wherever needed and in every community having a thousand inhabitants, (4) to propose needed public works, the repair of old ones, and to present methods for financing such works, (5) to promote education and to encourage agriculture, industry, and trade, by protecting inventors in all fields of endeavor, (6) to notify the national government of any abuses in the administration of public funds, (7) to take the census and to draw up statistics of the province or intendancies, (8) to see that all charitable institutions fulfilled their functions and to propose rules or regulations to correct any abuses, (9) to apprise the Cortes of any infractions of the Constitution, and (10) to watch over the economy, order, and progress of the Indian missions. Additionally, Article 323 gave the Provincial Deputation complete supervisory jurisdiction over the Municipal Councils.<sup>10</sup>

In a succeeding act (dated June 23, 1813), the Cortes declared the Provincial Deputations to serve as the final court of appeal regarding the assessment of taxes, supplies for a

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<sup>9</sup>Benson, *Provincial Deputation in Mexico*, 156n19.

<sup>10</sup> Benson, *Provincial Deputation in Mexico*, 6.

municipality, and recruiting of soldiers or replacements for the army, reducing the participation of the military to justify the aptitude or physical fitness of the individuals. Likewise, the Provincial Deputation was to set standards, exam requirements, and license for public school teachers in the province and present to the government plans and projects to improve agriculture, industry, crafts, and commerce.<sup>11</sup>

Subsequent decrees by the Cortes significantly increased the general powers of the Provincial Deputations. Over time, the *Cortes* authorized Deputations to intervene in certain judicial matters, including distributing public lands within their respective jurisdictions. The Deputation's authority and autonomy significantly increased when the *Cortes* forbade the Audiencias to interfere in the provinces' governmental or economic affairs. Furthermore, Audiencias had to relinquish the cases that fall within the Deputations, the Intendants, or the Municipal Councils' authority. The Audiencia was also to work with each Deputation to establish the schedule of fees to be collected by district or municipal judges, notary publics, and other judicial officers. The Audiencia was to work with the Deputations to establish judicial districts within intendencies and propose to the *Cortes* the number of officials other than the judge needed in each primary court.<sup>12</sup>

The Constitution of 1812 also did not allow for a viceroy to oversee the entire region. Instead, the intendants became the exclusive executive officers of their entire province and, with the Deputation exercising jurisdiction, directly reported to the Minister of Overseas Affairs in Spain. The creation of an intendant in Mexico City reduced the viceroy's limited authority to the Province of Mexico. Thus, by October 1821, Guadalajara, the Eastern Interior Provinces, the

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<sup>11</sup> "Instrucciones Para Los Ayuntamientos Constitucionales," in *Coleccion De Documentos Para La Historia De La Guerra De Independencia De Mexico De 1808 a 1821*, ed. Juan E. Hernandez y Davalos, vol. V (Mexico City: Dario de Mexico, 1814).

<sup>12</sup> Benson, *Provincial Deputation in Mexico*, 7.



Western Interior Provinces, México, San Luis Potosí, Yucatán, Puebla, and Chiapas established Provincial Deputations. Additionally, the Spanish decree of May 8, 1821, gave the intendencies of Guanajuato, Michoacán, Oaxaca, Veracruz, Zacatecas, and the combined intendencies of Sinaloa and Sonora the right to create their own Provincial Deputations, which they promptly established. These new intendencies brought the total number that operated independently of Mexico City to fourteen.<sup>13</sup>

Thus, Mexico was far from being a unified and uniform land centered in Mexico City on the eve of its independence. Instead, it was a collection of politically independent provinces with their own independent Provisional Deputations. Although Mexico's province was the largest in terms of population and wealth, it had ceased being the region's political center long before Mexican independence. Furthermore, rather than being the origin of Mexico's centralism, these Spanish policies were "the genesis of federalism in Mexico." As Nettie Lee Benson noted, the "Constitution of 1812, when reproclaimed in 1820 by Ferdinand VII, played quite a significant role not only in bringing considerable autonomy to the Mexican provinces but in bringing national independence to Mexico. It is quite doubtful that the liberal American deputy Ramos Arizpe proposed and advocated these 'Provincial Deputations' as a basis for the system to take form in the Mexican Constitution of 1824. Nevertheless, they played an extremely significant role in doing just that."<sup>14</sup>

When General Juan O'Donojú, the last viceroy appointed to Mexico City, arrived in Veracruz at the end of July 1821, he found New Spain to be already independent in all but name. Several months previously, Mexico-born Spanish general Augustin de Iturbide and pro-independence leader Vicente Guerrero united in proclaiming the *Plan of Iguala*. This plan set out

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<sup>13</sup> Lucas Alamán, *Historia De Mejico*, vol. V (Mexico City 1849-1852), 33-34.

<sup>14</sup> Benson, *Provincial Deputation in Mexico*, 8.

three guarantees: Mexico, as an independent nation, would have a constitutional monarchy with the preference of offering the crown to Ferdinand VII, the then king of Spain. If Ferdinand declines the offer, then the throne would be offered to another European prince. Until then, with Iturbide as its president, a regency would govern Mexico until the suitable monarch's coronation.<sup>15</sup>

Seeing the hopelessness of the situation, O'Donojú refused to assume the office of the viceroy of New Spain. Instead, he met with Iturbide at a village located halfway between Veracruz and Mexico City. Whether he had authorization to do so or not, O'Donojú signed a treaty that recognized Mexico's independence, an action that the Spanish crown would later reject and not recognize for another eighteen years. More significantly, known as the Treaty of Cordoba, it extended who could become the ruling monarch of Mexico if they could not find someone meeting the requirements in the *Plan of Iguala*. In such a case, the regency can appoint anyone to the throne. On September 27, 1821, Iturbide—with the support of General O'Donojú—entered Mexico City unopposed by its Spanish garrison. Upon establishing the regency, Iturbide issued a directive proclaiming that the colony of New Spain had ceased to exist and was after that Mexico to be an independent nation.

Since Spain was to renounce the Treaty of Cordoba, it was not a surprise that Ferdinand refused to govern the territory as its monarch. Furthermore, Spain ensured that no other European prince would become the king of Mexico. This inability to find a European monarch provided Iturbide the situation for which he waited. Implementing the term outlying who can become the king of Mexico in such a situation, the recently established congress, with pressure from the army, elected on May 18, 1822, Agustín de Iturbide, Emperor of Mexico. Shortly

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<sup>15</sup> Ryal Miller, *Mexico: A History* (Norman, OK: University of Oklahoma Press, 1985), 193-94.

afterward, the southern provinces of the Yucatán Peninsula, Chiapas, Guatemala, and El Salvador joined the Empire.<sup>16</sup> This vastness made Iturbide's Mexico the second-largest country in the New World.<sup>17</sup>

Proponents of the centralist narrative use the Empire as proof that 1) at the time of independence, Mexico was a united and uniformed nation governed by a central government located in Mexico City, 2) the unification was a result of nascent Mexican nationalism, 3) centralism was the form of government best suited for Mexico, 4) foreign ideas of federalism destroyed this unity, thus condemning Mexico to decades of political chaos. As Lucas Alaman noted, "Federalism united that which was united and made separate nations out of that which was and ought to be only one."<sup>18</sup>

Unfortunately for Iturbide (and the centralists), it takes more than a declaration to create a unified nation, especially in one as large and diverse as Mexico. The reality is that Iturbide's Mexico City-based empire had very little control over much of the territory it ostensibly governed.<sup>19</sup> The primary obstacle is that many of the provinces never saw the term "empire" to signify one nation under the authority of Mexico City but used the term to represent an aggregation of provinces "comprising many regions, many peoples, and many language groups."<sup>20</sup> Many provinces continued experimenting with self-government throughout the entire empire period.

Just as European monarchs had done with uncooperative constituent assemblies, Iturbide dissolved the national congress on October 31, 1822. In its stead, he claimed himself to be the

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<sup>16</sup> Justo Sierra, *The Political Evolution of the Mexican People* (Austin, TX: University of Texas Press, 1969), Book 3, Part 1, Chap. 1, Kindle.

<sup>17</sup> Timothy E. Anna, *Forging Mexico: 1821-1835* (Lincoln, Nebraska: University of Nebraska, 1998), 89.

<sup>18</sup> Quoted in Lourdes Quintanilla, *El Nacionlismo De Lucas Alaman* (Guanajuato, MX: Gobierno del Estado de Guanajuato, 1991), 69.

<sup>19</sup> Anna, *Forging Mexico*, 89.

<sup>20</sup> Anna, *Forging Mexico*, 87.

ruler of all of the Empire. The Provinces saw this declaration as a threat to their local autonomy.

As Timothy Anna writes, in this action, Iturbide “turned his back on the provinces.”<sup>21</sup>

Accordingly, the provinces, including the army generals, rebelled against what they saw. On February 1, 1823, a Plan was signed at Casa Mata in the state of Veracruz by General Echávarri and his officers. Ostensibly written by Col. Gregorio Arana, Echávarri’s secretary, Ramos Arizpe, and Michelena's work provided its foundation.<sup>22</sup> Earning endorsements of the other generals, the *Plan of Casa Mata* called for a new Congress modeled on the Spanish Cortes. More significantly, the provinces were to elect their representatives.<sup>23</sup>

Over the next six weeks, the Provincial Deputations of the provinces would adopt the *plan*. Not surprisingly, the first was the Provincial Deputation of New Galicia, which proclaimed its acceptance on February 27.<sup>24</sup> Correspondence between the Guanajuato’s Provincial Deputation and the governor of Nueva Galicia indicates that their acceptance took place between February 23-26.<sup>25</sup> Initially, the Provincial Deputation of Querétaro waited for Iturbide to avoid a confrontation over the installation of a congress. However, pressure from the province’s citizens forced the deputies to adopt the plan unanimously. On February 26, the Political Chief, Juan José García, and all Provincial Deputation members signed the official act.<sup>26</sup> Zacatecas also hesitated. Instead, they preferred to see what the Provincial Deputations of Mexico or Guadalajara would

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<sup>21</sup> Anna, *Forging Mexico*, 91.

<sup>22</sup> Alaman, *Historia De Mejico*, vol. V, 711. Lorenzo de Zavala, *Ensayo Histórico De Las Revoluciones De Méjico Desde 1808 Hasta 1830*, vol. 2 (New York: Imprenta de Elliot y Palmer, 1831-1832, 1832), vol. I, 139,215.

<sup>23</sup> Benson, *Provincial Deputation in Mexico*, 65-71.

<sup>24</sup> Governor of Jalisco, *Manifiesto De Los Gefes Que Dieron El Fausto Grito De Libertad En Guadalajara* (February 27: Provincial Deputation of Nueva Galicia, 1823), 2-6. Carlos Maria Bustamante, *Diario Historico De Mexico* (Zacatecas 1896), 293-94. Luis Perez Verdía, *Historia Particular Del Estado De Jalisco* (Guadalajara 1910), 203.

<sup>25</sup> *Manifiesto De Los Gefes Que Dieron El Fausto Grito De Libertad En Guadalajara*, 2-6. Lucio Marmolejo, *Efemerides Guanajuatenses*, vol. III, IV vols. (Mexico 1883-1884), 1777.

<sup>26</sup> *Queretaro Libre* (Puebla: 1823), 1.

do before committing themselves. When news of the acceptance of the *plan* by the Provincial Deputation of Guadalajara arrived on March 2, the Deputation of Zacatecas approved the plan.<sup>27</sup>

In San Luis Potosí, the Provincial Deputation, the Municipal Council, and the military garrison accepted the *plan* but faced opposition from its Political Chief, General Juan José Zenón Fernández. On March 2, the Provincial Deputation removed Fernández and, in compliance with Article 10 of the *Plan of Casa Mata*, took over the province's administration.<sup>28</sup> Similarly, the Provincial Deputation of Michoacán, upon its acceptance of the *plan*, declared itself the supreme authority of the province on March 1.<sup>29</sup> On March 4, the Provincial Deputation of Yucatán voted unanimously to adopt the *plan*, as did Durango the following day, but only after its Political Chief resigned in protest.<sup>30</sup>

The lack of a Provincial Deputation complicated the adoption of the *plan* in the Eastern Interior Provinces. As the provinces' representative in the Spanish Cortes, Ramos Arizpe led the constitutional struggle to have the region's various Provincial Deputations recognized by the Cortes. Now, back as home in Saltillo, he headed the movement urging the provinces to adopt the *Plan of Casa Mata*. On March 6, Arizpe was in Monterrey leading a meeting of the city's Municipal Council members, the ecclesiastical chapter, the province's provisional governor, public employees, and prominent citizens. At his direction, the participants held a vote on adopting the *plan*, which was approved.

Furthermore, the participants elected to establish a provincial governing board composed of seven members to govern the provinces until Congress installed a new Constituent Congress

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<sup>27</sup> *Acta General De La Comision Militar*, (Guadalajara: Provincial Deputation of Zacatecas, 1823).

<sup>28</sup> Bustamante, *Diario Historico De Mexico*, 294-95. Manuel Muro, "Acta De San Luis Potosi," in *Historia De San Luis Potosi*, vol. I (San Luis Potosi: 1910), 340-43.

<sup>29</sup> *Diario De La Junta Nacional Instituyente Del Imperio Mexicano*, vol. I (Mexico: Junta Nacional Instituyente 1823), 440.

<sup>30</sup> "Libertad De Yucatan," *La gaceta del gobierno Mexicano* (Mexico), April 12, 1823.

demanded by the Plan of Casa Mata. The participants then named the board members, who immediately took the oath of office and began to unite the four provinces as provisioned in the plan. The junta dispatched copies of Monterrey's action to all towns of the region, calling on them to proclaim acceptance of the Plan of Casa Mata. Most of them did immediately.<sup>31</sup>

The next day news of the Monterrey meeting arrived in Saltillo, the capital of the Eastern Interior Provinces and headquarters of the Political Chief and Comandante General, Gaspar Lopez. López, a loyal supporter of the Emperor, promptly convoked a council comprised of military, ecclesiastical, municipal officials, as well as prominent citizens. Knowing of the Monterrey meeting but not its particulars, the council decided to send Dr. Rafael Ramos y Valdes, a cousin of Arizpe's, to get more detailed information. On the following day, Ramos y Valdes confirmed the news that Nuevo Leon accepted the plan and installed a provincial junta. Ramos y Valdes' report was followed by an official communique from the new provincial junta in Monterrey calling on Saltillo to declare its support of the *plan* and recognition of the provincial junta of Nuevo Leon.

A select committee recommended that Saltillo approve both the *plan* and actions taken at Monterrey's meeting. The council approved this recommendation. The council further agreed that Saltillo should accept the invitation offered by the provincial governing junta of Nuevo León to confer on how to unify and consolidate public opinion within the two provinces.<sup>32</sup> The Political Chief Gaspar López did not intend to abandon the Emperor without a fight. Just as the Political Chief in Durango, Lopez resigned his position as Political Chief, but not as the Comandante-General of the troops who declared loyalty to Emperor Iturbide. Ordering reinforcements from Monclova, Lopez showed he was going to resist the ruling of the council.

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<sup>31</sup> Benson, *Provincial Deputation in Mexico*, 68-69.

<sup>32</sup> Benson, *Provincial Deputation in Mexico*, 69-70.

Upon learning Lopez's intentions, the Nuevo León junta dispatched Lt. Col. Pedro Lemus with troops to assist the Saltillo council.<sup>33</sup> On March 11, Lemus arrived at the nearby town of San Nicolás de la Capellanía.<sup>34</sup> On that same day, Ramos Arizpe and Jose Rafael Llano, Secretary of the Nuevo Leon junta, entered Saltillo to meet with Lopez. A group of citizens assembled to discuss the difficulties that the Monterrey meeting had created. Ramos Arizpe spoke of the necessity of approving the *plan*, followed by taking an oath to support it. López then asked if the province of Nuevo León would recognize him as Commandant-General. Testifying to the federalist viewpoints that dominated the provinces, Arizpe replied that since the Nuevo León junta had assumed full political, economic, and military control, there was no position for him in the military. López eventually left Saltillo and the Eastern Interior Provinces but only after pressure from troops under Lemus, which entered the capital on March 13. On the following day, the municipal, ecclesiastical, and military officials took the oath of allegiance to the *Plan of Casa Mata*.<sup>35</sup>

On April 9, the Provincial Deputation Nuevo Santander declared its acceptance of the *plan* and at the same time proclaimed that it would act as the supreme governing junta for the province until the national Congress could meet. On the same day, the Political Chief of Tabasco, José Antonio Rincón, announced the province's adoption of the *plan*.<sup>36</sup> By April 9, Texas was the only Eastern Interior Provinces that had not declared its support for the *plan*. Just as in the other provinces that lacked Provincial Deputations, the governor, the Municipal Council

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<sup>33</sup> Nuevo Leon Junta, *Message Regarding the Resistance of Gaspar Lopez*, by Jose Miguel Ramos Arizpe, and Jose Rafael Llano, Legado 2, Carpeta 2 (Rinconada: Archivo General del Gobierno del Estado de Nuevo Leon, 1823).

<sup>34</sup> Nuevo Leon Junta, *Message to Lt. Col. Pedro Lemus Dated March 13, 1823*, Legajo 7, Carpeta 2, document 20 (Saltillo: Archivo General del Gobierno del Estado de Nuevo Leon, 1823).

<sup>35</sup> *Acta Del Juramento Solemne De Adhesion Al Plan De Casa Mata* (Saltillo, 1823), Leaf 3.

<sup>36</sup> Manuel Gil y Saenz, *Compendio Historico, Geografico Y Estadistico Del Estado De Tabasco* (Tabasco 1876), 167.

of San Antonio de Béxar, the ecclesiastical officials, the heads of the army, and others met on March 21. Unlike the results of the other meetings, the participants reaffirmed allegiance to Iturbide.<sup>37</sup> The town of La Bahía del Espíritu Santo held a similar meeting, during which it declared its loyalty to the Emperor. Only after Texas's governing council had received a copy of the measures adopted and transmitted to it by the Provincial Deputation of Puebla did the provinces declare its acceptance of the *Plan* on April 15.<sup>38</sup>

Thus, within six weeks, nearly every province had declared acceptance and support of the *Plan of Casa Mata*. Significantly, the Provincial Deputations established under the Spanish Constitution of 1812 was the instrument used to determine each province's actions. Additionally, by declaring themselves independent of the existing national government under Iturbide, each Deputation assumed complete control of its province's affairs. As a result, Mexico broke up into what were independent and sovereign states.

As will be shown later, this did not mean that each province intended to set itself up as a sovereign, independent nation. The desired goal was quite the opposite as all the provinces recognized themselves as parts of a federation united by culture, language, history, and political and legal traditions. Additionally, the *plan* did not demand the removal of Iturbide, just his agreement to form the new constituent congress and to operate as a constitutional monarch under its authority. As evidenced in its eleventh and final article, the *plan* declared that “The army will never attempt against the person of the emperor” since such an action can only be “decided by the national representation” in the form of a “sovereign congress.”<sup>39</sup> For this reason, the *Plan of*

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<sup>37</sup> "Oficio Dirigido Al Supremo Poder Ejecutivo a Consecuencias Del Que Con La Fecha 28 De Abril," *Aguila Mexicana* (Mexico City), July 18-July 19, 1823.

<sup>38</sup> "Governing Council of Texas to the Supreme Executive Power, San Fernando De Bejar, Dated June 11, 1823," *Aguila Mexicana* (Mexico City), July 19, 1823.

<sup>39</sup> *Plan De Casa Mata* (Veracruz, Mexico: Regimiento de Infantería N. 10, 1823).



*Casa Mata* did not provide for the establishment of a national government. Merely that of a constituent congress with members elected by the provinces.

Article eleven is also why Iturbide did not initially recognize the *plan* as being a direct threat to his rule. Believing in the possibility of a settlement, Iturbide sent commissioners to confer with Echavarri and the other plan leaders. At the meeting, the leaders told the commissioners that nothing short of Iturbide's complete adherence to the plan would be accepted.<sup>40</sup> On February 26, the Iturbide called a secret session of the Junta Nacional Instituyente and informed them of his commissioners' finding. He informed them that the army at Casa Mata wanted a congress convoked according to the Spanish Constitution of 1812. The congress should have complete authority over the form the national government may take. Iturbide then declared that while this was acceptable, he would oppose any attempt to establish a republic, as called in Article 2 of the *Plan*.<sup>41</sup>

Recognizing that negotiations were at an impasse over the form of government, Iturbide's advisors recommended that he reconvene the previously disbanded congress to do the work on convoking the demanded constituent congress. Furthermore, Mexico's Provincial Deputation assured Iturbide that such an action would save the nation from falling into complete anarchy.<sup>42</sup> In a proclamation issued on March 4<sup>th</sup>, Iturbide declared that he was reconvening the congress in the spirit of reform and acknowledging the people's will.<sup>43</sup>

Despite Iturbide's intentions, the old congress's reconvening did nothing to alleviate the situation since it was seen by many as a complete abandonment of the *plan*. The reconvened

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<sup>40</sup> "Convenio," *Gaceta del gobierno imperial de Mexico* (Mexico), March 6, 1823. Benson, 75-76.

<sup>41</sup> Bustamante, *Diario Historico De Mexico*, 251-52.

<sup>42</sup> Jose Maria Luis Mora, *Obras Completas*, vol. II, VI vols., ed. Lillian Briseno Senosiain, Laura Solares Robles, and Luara Suarez de la Torre (Mexico: Instituto Mora, 1986-1988), 26-28.

<sup>43</sup> "Proclamation by Emperor Iturbide Reconvening the Disbanded Congress Dated March 4, 1823," *Gaceta Extraordinaria del gobierno imperial de Mexico* (Mexico), March 5, 1823.

Congress further aggravated the situation by not taking sufficient action on establishing elections for a new constituent congress. Not convening until March 29, the Congress did everything it could to maintain itself in power.<sup>44</sup> These actions led many, including some in the congress, to declare the Congress's illegitimacy and lack of authority to establish the constituent congress's election. As one deputy stated in an address to the congress, "this Congress is not wanted...we should pass no measure because we are not deputies, since our authority has been annulled" by the provinces' "complete adherence to the plan."<sup>45</sup> In the meantime, on March 7, members of the Provincial Deputation of Puebla issued a broadside in which it refused to recognize the legitimacy of the congress and, instead, called the other Provincial Deputations to each send two deputies to Puebla with the intent of "re-establishing national representation."<sup>46</sup> Two days later, the same Provisional Deputation restated its refusal to recognize Congress's national authority or any of its legislation. Furthermore, it demanded that the Iturbide government evacuate the capital and install the Constituent Congress as required by the *plan*.<sup>47</sup>

Fearing that the nation was on the verge of civil war and sensing a lack of support for his government, Iturbide sent his notice of abdication to the Congress on March 19. Congress refused this notice because such an act would declare the Empire to have been illegal, null, and void from its inception.<sup>48</sup> Leaving Congress to establish an executive authority, Iturbide went into exile in Europe. Still, Congress took no action. Deputies, such as Carlos Bustamante, argued that the Spanish Cortes laws still governed Mexico, which stipulates that the Provincial Deputations' assume the position of the executive in the order of their elections. Other deputies

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<sup>44</sup> Benson, *Provincial Deputation in Mexico*, 78.

<sup>45</sup> *Actas Del Congreso Constituyente*, by Congreso Constituyente (Mexico, 1822-1823), 15.

<sup>46</sup> *Actas Del Congreso Constituyente*, by Congreso Constituyente (Mexico, 1822-1823, IV, 44-45.

<sup>47</sup> *Acta De La Junta De Puebla, Sobre La Reinstalation Del Congreso Mexicano*, by Junta de Puebla (Puebla, 1823), 4.

<sup>48</sup> Sierra, *Political Evolution of the Mexican People*, Book 3, Part 1, Chap. 1, n6, Kindle.

agreed with Bustamante, but with the qualification that the Iturbide government was governing only Mexico's Intendancy since his resignation. Therefore, its administration should go to the Political Chief of Mexico or his alternate.<sup>49</sup>

These events demonstrate that by the time of Iturbide's abdication on March 19, 1823, Mexico had reverted into independent and sovereign intendancies or provinces that existed before the Empire. By then, most of the provinces had provincial deputations or boards that, with the Political Chief becoming the provincial executive, assumed the legislative functions of the government of their respective provinces. Only the province of Mexico had not taken these steps since Iturbide was in effect the province's political chief and the Emperor. There were now calls for the provinces to do the same with his abdication since "no central government existed."<sup>50</sup>

While this may have solved the issue of who would become the Province of Mexico's executive authority, it did not solve the national problem. For example, the provinces rejected the proposal that the Political Chief of the province of Mexico issue a declaration regarding Congress's reconvening on March 29 because his authority did not extend beyond the province of Mexico. Such a national proclamation, argued Manuel Mier y Terán, could only be made by the national government. However, with Iturbide's abdication, no national executive power existed. The only executive authority that the provinces recognized was that of their respective Political Chiefs.<sup>51</sup> Consequently, the national government no longer had the power to force the provinces to accept its decrees. As a result, the Provincial Deputations obeyed the national government's decrees only when they chose to.

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<sup>49</sup> *Actas del Congreso Constituyente*, IV, 66-68.

<sup>50</sup> *Actas del Congreso Constituyente*, IV, 68.

<sup>51</sup> *Actas del Congreso Constituyente*, IV, 96-97.

To rectify the absence of a recognized, legitimate national government, Valentín Gómez Farías proposed on April 2 that a new interim Congress meet to draft and then approve electoral law to form elections of a more permanent congress. Furthermore, Congress established a committee to study and render an opinion on the proposal.<sup>52</sup> Through their representatives present in Mexico City, the Provincial Deputations of Oaxaca, Zacatecas, San Luis Potosí, Guanajuato, Michoacán, Guadalajara, and Querétaro informed the committee that they not only favored a new convocation but would not settle for anything less than a new Congress.<sup>53</sup>

On April 14, much to the representatives and Farias's surprise, the committee rejected a new Congress's convocation. Instead, the existing Congress should govern the nation while the constitutional committee worked on drafting a Constitution. They recommended that establishing a new congress to ratify a completed constitution.<sup>54</sup> Carlos Maria Bustamante, a vital member of the committee, recommended that the provinces use the existing Congress to establish a new constitution. To this end, the provinces should instruct their deputies, who are also current members of the congress, to return to their seats in the restored assembly. Once returned, these deputies should be authorized to draft and then accept a new Constitution.<sup>55</sup>

In his report expressing the minority opinion, Gomez Frias reminded the Congress of the speed at which the Provincial Delegations accepted the *Plan of Casa Mata* and its demand for a new congress. To do otherwise, he warned, is to ignore the will of the people in the provinces.<sup>56</sup> This sentiment was expressed on April 18, when, in an address to the Congress, the

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<sup>52</sup> Juan A. Mateos, *Historia Parlamentaria De Los Congreso Mexicanos De 1821 a 1857*, vol. 2, 25 vols. (2013: repr., Mexico City: Nabu Press, 1879-1912), 188.

<sup>53</sup> "Provincial Representatives' Reactions to the Farias Report," *Aguila Mexicana* (Mexico City), May 5, 1823, 1823.

<sup>54</sup> "Printing of Committee Report in Its Entirety," *Aguila Mexicana* (Mexico City), May 11 - 20, 1823.

<sup>55</sup> "Voto Particular Del Lic. D. Carlos Maria Bustamante, Sobre La Ninguna Necesidad Que Hay De Formar Una Nueva Convocatoria De Congreso," *Abispa de Chilpancingo* (Chilpancingo, Guerrero, Mexico), April 19, 1823, Suplemento.

<sup>56</sup> Benson, *Provincial Deputation in Mexico*, 85.

representatives from the provinces of Guadalajara, Michoacán, Oaxaca, Zacatecas, Guanajuato, Queretaro, and San Luis Potosi demanded that only a new congress can draft and approve the constitution.<sup>57</sup> In a statement issued several days later, the Provisional Deputation of Puebla noted that each of the provinces being independent and lacking any greater authority meant that only the Provincial Deputations had the right to examine and ratify any constitution.<sup>58</sup> On May 22, Guanajuato's Provincial Deputation warned the Congress that it faced “grave risk” if it did not convoke a new congress.<sup>59</sup>

The backlash to the postponement of establishing a new congress was even more substantial from the provinces, which never recognized Mexico City as the center of government. In a special session, the Deputation in Guadalajara voted not to acknowledge the existing Congress's authority except as a body tasked with convoking a new congress. Thus, the Deputation resolved to suspend any decrees or orders that the Congress may issue. The Provincial Deputation was the highest authority in the provinces and its last court of appeals.<sup>60</sup>

Similarly, Zacatecas' Provincial Deputation declared that it recognized the Congress's authority to be limited to that of a convoking body and that any orders issued by it would be subject to the Provincial Deputation's approval.<sup>61</sup> The Provincial Deputations of Michoacán and Queretaro soon followed with their declarations. Yucatan reasserted the independence it had under the Spanish and started to establish its government independent of Mexico City. Likewise,

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<sup>57</sup> Martin Garcia et al., "Representacion De Los Comisionados De Las Provincias Al Soberano Congreso " *Aguila Mexicana* (Mexico City), May 5-6, 1823.

<sup>58</sup> Provincial Deputation of Puebla, *Representacion Que La Diputacion Provincial De Puebla Dirige El Soberano Congreso Pidiendole Se Sirva a Expedir Nueva Convocatoria* (Puebla: 1823), 7-11.

<sup>59</sup> Benson, *Provincial Deputation in Mexico*, 88.

<sup>60</sup> Provincial Deputation of Nueva Galicia (Guadalajara), *Disolucion Del Congreso Mexicano, Por Los Pueblos Y Manifiesto De La Junta Provincial De Nueva Galicia* (Guadalajara: 1823).

<sup>61</sup> "Acta De Zacatecas," *Aguila Mexicana* (Mexico), July 3-4, 1823.

on June 1, Oaxaca declared its complete independence and established an independent provincial government with no ties to Mexico City.<sup>62</sup>

In an attempt to appease the provinces, the Congress convened on May 21 to vote on the immediate establishment of a new congress, under the stipulation that the existing Congress draft the new Constitution.<sup>63</sup> This proposal generated an immediate response from the provinces' representatives, who declared that the Congress "lacked the power to frame a Constitution for the nation."<sup>64</sup> Thus, they only voted on establishing a new Congress, demonstrating the divide between the provinces and central Mexico. Of the 104 votes cast that day, 71 were in favor of calling a new Congress. Nearly all those votes came from Michoacán, Veracruz, Guadalajara, Zacatecas, Queretaro, and San Luis Potosi, while nearly a third of the negative votes came from the province of Mexico alone.<sup>65</sup>

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<sup>62</sup> Benson, *Provincial Deputation in Mexico*, 87-88.

<sup>63</sup> Mateos, *Historia Parlamentaria*, 369.

<sup>64</sup> David Alberto Cossio, *Historia De Nuevo Leon*, vol. V, 5 vols. (Nuevo Leon: J. Cantu Leal, 1925), 41.

<sup>65</sup> Mateos, *Historia Parlamentaria*, 374. Bustamante, *Diario Historico de Mexico*, 402.

## Chapter 3

### Federalist Mexico

While the restored Congress debated and delayed convoking a new constituent Congress, several provinces began to establish independent state governments. The *Plan of Casa Mata* inspired the provinces to determine themselves independent of Mexico City's rule. Whether it be that of Iturbide's Empire or the restored Congress, the provinces believed that they had the inalienable right to accept or reject its governance. They also believed that each had the right to establish their state congresses, frame their constitutions, and write all laws that pertain exclusively to their provinces. Furthermore, as sovereign entities, the provinces held that they must approve any national government. Therefore, the national government must conform to the provinces' desires, not the other way around.<sup>1</sup>

The first to implement these beliefs was the Nuevo Galicia. The Provincial Congress, located in Guadalajara, began discussing a Provincial Congress in early April. During these discussions, a group known as the "El Cuerpo de Liberales" (the Liberal Group) issued a manifesto that called for the prompt installation of a provincial Congress, close alliance with other provinces in foreign affairs, and absolute independence from the rest of the country regarding provincial matters.<sup>2</sup> At a meeting held on May 9, Guadalajara's Provincial Deputation notified the recalled government that they had voted to establish a federal representative government for the province.<sup>3</sup>

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<sup>1</sup> Nettie Lee Benson, *The Provincial Deputation in Mexico: Harbinger of Provincial Autonomy, Independence, and Federalism* (University of Texas Press, 1992), 106.

<sup>2</sup> *Manifiesto De Los Liberales De Guadalajara, a Sus Conciudadanos* (Guadalajara: 1823), 1-2.

<sup>3</sup> "Resoluciones De La Provincia De Guadalajara, Y Sucesos Ocurridos En La Misma," *Aguila Mexicana* (Mexico City), May 22, 1823.

Another notification followed on May 12. In this notification, the deputies restated that they would suspend obedience of all decrees and orders issued by the national government as long as the restored Congress continued to fail to convoke a new constituent congress. Only the Provincial Deputation would be the supreme authority within the province, becoming the final Court of Appeal. The Provincial Deputation then published these actions as an official order to Guadalajara and Nueva Galicia. It also sent copies to all other Provincial Deputations in the country, informing them of the steps taken and encouraging the deputations to establish a general confederation. On the same day, it also issued a declaration stating that Nueva Galicia favored a confederation of provinces with popular representative governments.<sup>4</sup>

In anticipation of any attempt to mischaracterize these actions, Luis Quintanar, the Political Chief of Nueva Galicia, distributed a statement to the other provinces' political chiefs and governors. He explained that the inaction of the restored Congress to convoke a new constituent congress, an act that defied public opinion, left the Provincial Deputation of Guadalajara no option but to demand a new Congress's election and the establishment of a federal government. He further explained that while he had ordered his troops to guard the province's frontiers, it was done only as a step to deter any attempt of aggression that may result from Nueva Galicia's efforts to establish a federal state.<sup>5</sup>

Quintanar sent a similar statement to the national Supreme Executive reaffirming his intentions of implementing resolutions issued by the Provincial Deputation. He also informed them that he had ordered provinces' armed forces to the frontier as a defensive measure, and the province was suspending the remission of funds to Mexico City. Finally, Quintanar sent a notice

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<sup>4</sup> *Disolucion Del Congreso Mexicano Por El Voto De Los Pueblos Y Manifiesto De La Junta Provincial De Nueva Galicia* (Guadalajara: Provincial Deputation of Nueva Galicia, 1823).

<sup>5</sup> Luis Quintanar, *Quintanar to the Governor of Texas, May 12, 1823* (Guadalajara: 1823). Printed Circular located in the Benson Latin American Collection, University of Texas, Austin.



to the municipalities' political leaders that comprised the Provincial Deputation of Nueva Galicia. He described the advantages of the federal over the central form of government.<sup>6</sup>

The Provincial Deputation became concerned about how their actions were portrayed in the other provinces' press, especially Mexico City, which declared them harmful to the nation. Thus, the Provincial Deputation issued another statement clarifying its position on June 5. In the statement, Provincial Deputation declared themselves resolved:

For the present and until the general national Congress of the Federated States of Mexico meets, and shall recognize Mexico's capital as the center of all of them' union; Likewise, the present national congress and the supreme executive power shall be recognized, understanding that the existing national Congress has only the character of a convoking body; The law of convocation and the other general ones that the existing national Congress may be issued as mere regulations shall be punctually obeyed; All orders of the national supreme executive power that are direct to the general well-being of the states of the Mexican nation shall also be obeyed; Those orders that have to do solely with the Jalisco state shall be suspended if not acceptable to the state.<sup>7</sup>

Wishing to keep the national Supreme Executive Power informed of the Provincial Deputation's intentions, Quintanar sent copies of the resolution to Lucas Alaman, the Minister of Foreign and Domestic Affairs for the national Supreme Executive Power in Mexico City.<sup>8</sup>

It appears that these attempts to persuade the restored Congress to act on convoking a constituent congress failed, for, in a special session on June 16, the Provincial Deputation chose to establish a provisional government for the new "Free State of Jalisco." The body then issued a twenty-article plan for and addressed to the "inhabitants of Jalisco's free state," which the deputation published along with Quintanar's proclamation on June 21. In the proclamation, Quintanar reaffirmed his belief that the Mexican people had wanted a republic since

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<sup>6</sup> "Gobierno Politico Superior De Nueva Galicia Circular," *Aguila Mexicana* (Mexico City), May 23, 1823. "Proclama Del Sr. Quintanar a Los Habitantes De Nueva Galicia Sobre La Separation Del Congreso Mexicano," *Aguila Mexicana* (Mexico City), May 23, 1823.

<sup>7</sup> "Minutes from the Meeting of the Provincial Deputation of Guadalajara of June 5, 1823," *Gaceta del gobierno supremo de Mexico* (Mexico City), June 5, 1823. Verdia, 206-07.

<sup>8</sup> "Quintanar to the Minister of Domestic and Foreign Affairs, Guadalajara, June 6, 1823," *Gaceta de Gobierno Supremo de Mexico*, June 14, 1823.

independence. The *Plan of Iguala* and the resultant tyranny of the Mexican Empire denied the people of this desire. Now, even after the Iturbide's abdication, these desires remain unsatisfied by the restored national Congress's actions. This inaction resulted in the authority of the restored congress being deemed invalid. Thus, the authority to govern has fallen to provincial deputations, whose members were popularly elected by residents of their respective provinces.<sup>9</sup>

In the plan, the Provincial Deputation declared that the Province, which "shall in the future be called the Free State of Jalisco," to be "free, independent, and solvent within itself and shall recognize no other relationships with other states or provinces but those of brotherhood and Confederation." Furthermore, as a free state, Jalisco "has a right to make its own Constitution and to frame, in union with other states that confederate with it, the general relations of them all." Lastly, "the state's executive power shall reside in the acting political chief, who in the future shall be called Governor of the State of Jalisco."<sup>10</sup>

On June 23, Quintanar sent circulars to all the provincial deputations throughout Mexico and the municipal Council of each of the provincial capitals. The circulars detailed the plan for installing a provisional government for the State of Jalisco, which took place on June 22, 1823. Encouraging the other providences to do the same, he expressed Jalisco's desire to unite in the closest ties of fraternity and confederation with the new states that other provinces might form. Lastly, he asked the Provincial Deputations to make it known to their constituents that the State of Jalisco had established its provisional government.<sup>11</sup>

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<sup>9</sup> Provincial Deputation of Guadalajara, *Manifiesto Del Capitan-General a Los Habitantes Del Estado Libre De Xalisco* (Guadalajara, June 21 1823).

<sup>10</sup> *Minutes of the Special Session of the Provincial Deputation of Guadalajara of June 16, 1823* (Guadalajara: Urbano Sonroman, 1823), 7-9.

<sup>11</sup> *Quintanar to the Municipal Council of San Fernando De Bejar, Texas*, by Luis Quintanar (Guadalajara: Gobernacion del Estado Libre de Xalisco, June 23 1823).

With the establishment of a provincial government, the new state moved forward with its plan to establish a state constituent congress to replace the Provincial Deputation. On September 3, the Provincial Deputation adopted a design for establishing the Constituent Congress of Jalisco.<sup>12</sup> The province held elections over the next several days, and on September 14, installed the first Jaliscan State Congress. This event was followed by three days of celebration with parades and concerts during the day and music and dancing each night in the city's principal plaza.<sup>13</sup> The new Congress conducted its first regular session on September 18, with the first decree declaring the now redundant Provincial Deputation's dissolution.<sup>14</sup> The first legislature of the State of Jalisco was officially a reality.

It is no coincidence that Zacatecas would follow Jalisco in setting itself up as a free state. As the province's deputy to the restored Congress, Valentin Gomez Farias was one of the body's most strident and insistent proponents for provincial autonomy.<sup>15</sup> In his *Voto Particular* of April 19, he supported the transformation of Provincial Deputations into provincial congresses. He also expressed the desire for the provinces to have autonomy over their internal affairs.<sup>16</sup> These sentiments were validated by the Zacatecan Provincial Deputation when it sent a statement of its approval of Farias' *Voto Particular* to the national restored congress.

On June 18, 1823, the Zacatecan Provincial Deputations, with the assistance of two members of the Municipal Council of Zacatecas City, decided upon a provisional form of

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<sup>12</sup> "Bando Publicado El 11 Del Corriente En La Ciudad De Guadalajara," *Aguila Mexicana* (Mexico City), September 21, 1823.

<sup>13</sup> "Manifestacion Del Gobernador Del Estado Al Congreso Provincial En Su Instalacion," *Aguila Mexicana* (Mexico City), October 4, 1823, "Proclama Del Ciudadano Luis Quintanar a Los Habitantes De Jalisco," *Aguila Mexicana* (Mexico City), September 25, 1823. "Noticias Naciones," *Aguila Mexicana* (Mexico City), September 21, 1823.

<sup>14</sup> "Congreso Constituyente Del Estado De Jalisco," *Aguila Mexicana* (Mexico City), October 15, 1823.

<sup>15</sup> Benson, *Provincial Deputation in Mexico*, 101-02.

<sup>16</sup> Valentin Gomez Farias, *Voto Particular Del Sr. Gomez Farias* (Mexico: 1823).

government.<sup>17</sup> This plan, published on July 12, called for establishing the Provisional Government of the Free State of Zacatecas until the state installed a constituent congress. Although this plan is similar to that of the plan of Nueva Galicia issued at Guadalajara on June 5 and 16, it had one significant difference. In violation of Article 16 of the law issued by the national restored Congress on June 17, Zacatecas declared its intentions not to hold new elections for its provincial deputation. Instead, the existing deputation was to continue its work until the installation of a Zacatecan Constituent Congress.<sup>18</sup> With its new constituent Congress and the old Provincial Deputation's dissolution, Zacatecas became a free state on October 19, 1823.

While the provinces of Nueva Galicia and Zacatecas were converting themselves into the federal states, other provinces moved in the same direction. Shortly after it adopted the *Plan of Casa Mata*, the Provincial Deputation of Oaxaca's Intendancy elected a junta of nineteen to act as a provisional government.<sup>19</sup> Installed on March 6, the junta replaced the Provincial Deputation and assumed control of the government. Seen as a step too far in the direction of establishing a federal government, the Oaxaca reestablished the Provisional Deputation a month later.<sup>20</sup>

Any qualms the Oaxacans had regarding establishing a federalist state evaporated as they lost confidence in the restored Congress's ability and willingness to convoke a new constituent congress. At a June 1 meeting of Oaxaca's Provincial Deputation, a committee from the Oaxaca Municipal Council reported that the people wanted a federal republic. Furthermore, they wanted

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<sup>17</sup> "Acta De Zacatecas."

<sup>18</sup> Plan for the Establishment of a Zacatecan State Constituent Congress, July 12, 1823, Signed by Domingo Valazquez, Political Chief of the Province of Zacatecas, 1823, Benson Latin American Collection, University of Texas, Austin.

<sup>19</sup> Carlos Maria Bustamante, *El Honor Y Patriotismo Del General Nicolas Bravo, Demonstrado Los Ultimas Dias Del Fugaz Imperio de Iturbide* (Mexico 1828), 31. Emilio de Castillo Negrete, *Mexico En El Siglo Xix*, vol. XV, 26 vols. (Mexico: Imprinta del Editor, 1875-1892), 348-49.

<sup>20</sup> Bustamante, *Diario Historico de Mexico*, 381.

Oaxaca to secede from Mexico's capital and establish itself as a federal state. The deputies unanimously voted for the province to declare itself utterly independent of the national government in Mexico City.<sup>21</sup> The next day, a committee composed of representatives from the provincial deputation, the Municipal Council, and the army presented a plan to establish a provincial government for the Province of Oaxaca.<sup>22</sup> According to this plan, sovereignty was exercised exclusively through a yet to be formed provincial Oaxacan Congress established under a federalist system.

In the interim, the Commandant-General of the province would command the Army. Simultaneously, a newly established junta, having the limited authority to pass only regulations and provisions deemed essential, was tasked with governing the province. Upon the arrival of more than half the deputies, the new State Congress would take over the province's governance, and the junta dissolved. More pointedly, Oaxaca recalled its deputies to the national Congress, and orders from the national government in Mexico City were no longer recognized.

More ominously, the plan established a provisional Council of War composed of three military officials who could not be junta members. The Council of War's responsibility was to establish a military force sufficient enough to preserve order within the province while resisting aggression from neighboring provinces or the national government. Although Oaxaca estimated the risk of attack by a neighboring province minimal, it reserved its right as an independent province to defend itself. Furthermore, if such an act of aggression did occur, the offending province would be considered an enemy and may result in the expulsion of its residents residing in Oaxaca.<sup>23</sup>

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<sup>21</sup> Bustamante, *Diario Historico de Mexico*, 425.

<sup>22</sup> "Acta De La Ciudad De Oaxaca," *Aguila Mexicana* (Mexico), June 22-24, 1823.

<sup>23</sup> "Bases Provisionales Con Que Se Emancipo La Provincia De Oaxaca," *Aguila Mexicana* (Mexico), June 11, 1823. *La Provincia De Oaxaca Independiente De Mexico* (Oaxaca: Provincial Deputation of Oaxaca, 1823).

This plan was immediately adopted, and elections were held shortly after that. On July 6, 1823, with the dissolution of the provincial governing junta, the Congress of the Free State of Oaxaca assumed the responsibilities previously held by the Provincial Deputation.<sup>24</sup>

Ever since its acceptance of the *Plan of Casa Mata*, the Provincial Deputation of Yucatán, considering the province to be free and independent, informally assumed authority over all of Yucatán's affairs. This informal control became official when, on March 4, 1823, the Provincial Deputation established a provisional popularly elected five-member junta to oversee the province's governance.<sup>25</sup> The elections were completed by May 18. By the end of the month, the Provincial Deputation was well into converting the province into a federal state.<sup>26</sup>

At a special session held on May 29, the Provincial Deputation listened to petitions from its residents. The petitions made clear that the Province should only become federalist Mexico. For only under a federalist system would allow the Province to create its constitution and laws is established. The national government's authority, the petitioners declared, should be limited to making treaties, declaring war, naming diplomatic officials, and other issues that impact the nation as a whole. The nomination of all other officials within the province was to be the exclusive purview of Yucatán.<sup>27</sup>

The Provincial Deputation called representatives from the municipal councils, ecclesiastical bodies, the provincial army, and all the provincial electors chosen to elect the aforementioned administrative junta to gauge their constituents' sentiments. All were in favor of

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<sup>24</sup> "Bando Publicado in Oaxaca," *Aguila Mexicana* (Mexico), July 15, 19, 1823. Bustamante, *Diario Historico De Mexico*, 481-89. Victoriano Baez, *Compendio De Historia De Oaxaca* (Oaxaca: Talleres Tipograficos de Julian S. Soto, 1909), 114.

<sup>25</sup> Eligio Ancona, *Historia de Yucatán, Desde La Época Más Remota Hasta Nuestros Días* (Barcelona: M. Heredia Arguelles, 1878), 265.

<sup>26</sup> "Manifesto of the Committee and the Acts of the Provincial Deputation of Yucatan," *Aguila Mexicana* (Mexico), May 13-15, 1823.

<sup>27</sup> Ancona, *Historia de Yucatán*, 274-75. "Viva La Republica Federada De Yucatan," *Aguila Mexicana* (Mexico), June 20, 1823.

accepting the measures put forth by the petitioners. They also reaffirmed a plan that established the executive five-member junta to govern the province until a state constituent Congress could be elected and installed.<sup>28</sup> With this approval, the junta issued a call on June 6 for elections to the provincial constituent Congress. The Province held municipal elections on June 29, district elections on July 13, and the provincial elections on July 27.<sup>29</sup> On August 20, the constituent Congress of Yucatán was installed and immediately began to draft a constitution for the State of Yucatán.

Then, Lucas Alaman, the Minister of Foreign and Domestic Affairs for the nation Supreme Executive Power (1823-1824), condemned Yucatan's actions as premature and anarchical. In its reply on September 27, the Constituent Congress of Yucatán explained that while Yucatán did, like every other state and province, have the right to create its state constitution, it did not have any intention of withdrawing from the Mexican nation. To further outline its relationship to the national government, the Yucatán Congress included its pronouncement of August 27. In the pronouncement, the Congress declared the state of Yucatán to be “sovereign and independent of the domination of any other state,” “that sovereignty resided in the people of the state, who alone had the exclusive right of directing the provincial government informing the Constitution and laws of the province,” and “that it was the desire of the state to join in an equitable and just pact with all other independent states of the Mexican nation to form a federal republic.”<sup>30</sup>

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<sup>28</sup> Ancona, *Historia de Yucatán*, 275-76.

<sup>29</sup> "La Honorable Junta Provisional Governativa De La Republica," *El Sol* (Mexico), July 14, 1823.

<sup>30</sup> Ancona, *Historia de Yucatán*, 280-83. Albino Acereto, "Historia Política Desde El Descubrimiento Europeo Hasta 1920," in *Enciclopedia Yucatanense*, ed. Carlos A. Echánove Trujillo, vol. III (Mexico: Ed. oficial del gobierno de Yucatan, 1947), 180-81, 440-41.

These first four “pioneer states” led to rumors that other provinces were about to do the same.<sup>31</sup> Bustamante noted on April 21 that a junta composed of members from Coahuila, Texas, Nuevo Santander, and Nuevo León formed in Monterey to establish a “Federation with Mexico.” The next day, Servando Mier wrote that the four Eastern Interior Provinces desired to become “a sovereign Confederate state of the Mexican Republic.” At a Saltillo meeting, Ramos Arizpe told Stephen Austin that the nation's provincial provinces, including Oaxaca, Guadalajara, Guatemala, Guanajuato, and the Eastern Interior Provinces, had declared in favor of a confederated Republic. Eventually, nineteen federal states established constituent congresses. In doing so, the provincial deputations that these provinces had inherited from Spain and that were so essential in establishing state governments in what would become the nation of Mexico would “pass out of existence.”<sup>32</sup>

Useful in establishing local autonomy, the state constituent congresses did not provide an acceptable national government. By April 1823, it had become clear that the provinces did not trust the drafting of a new constitution and the forming of a new government to the restored Congress. In an attempt to stave off the provinces' drive to establish independent and sovereign states, the restored Congress issued on June 17 laws governing the election of a new congress. The passing of these laws marked the ending of the restored Congress. By giving into the provinces, the congress “declared itself unworthy of the confidence of its constituents and the great struggle it had waged against Iturbide.”<sup>33</sup> Installed on October 31, the new Constituent

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<sup>31</sup> Benson, *Provincial Deputation in Mexico*, 94-105.

<sup>32</sup> Oaxaca, Yucatán, Jalisco, Zacatecas, Queretaro, Mexico, Puebla, Guanajuato, Michoacán, San Luis Potosi, Tabasco, Veracruz, Nuevo León, Coahuila and Texas, Chihuahua, Durango, the Western Interior State, and Chiapas. Guatemala would remain an independent Central American nation. Benson, *Provincial Deputation in Mexico*, 129

<sup>33</sup> Jose Maria Bocanegra, *Memorias Para La Historia De Mexico Independiente: 1822-1846*, vol. 1, 2 vols. (Mexico City: Imprenta del Gobierno Federal, 1892-1897), 216-18.



Congress was approximately seventy percent in favor of a national government that was federalist.<sup>34</sup> What form such a government would take was still to be seen.

Fortunately, others were laboring in the design of such a form of federalism, which would create a national government that would be acceptable to all the newly created congresses. In the closing days of Iturbide's reign, Prisciliano Sanchez, a University of Guadalajara educated attorney and deputy representing the Province of Guadalajara in the restored Congress, presented to the assembly his vision of what form of government the new nation should have. Published under the title of the *Federal Pact of Anahuac*, the document reflected Jalisco's federalist passions. After painting a utopian picture of federalism, Sanchez contends that there is already an existing order among the providences. At the national level, any government should only have enough authority to "fulfill a common duty" that already exists "with the people" or within their communities.<sup>35</sup> He insisted that the national government should act as a magistrate with "sufficient and competent authority" to compel their citizens "to fulfill their pro-community duty." "But," he continued, "can a single reason be indicated" that the authority of the magistrate is "extended to the internal government of their homes, their families, their negotiated and their most deprived interests? Wouldn't this be intolerable oppression, and an atrocious offense, even if it were dressed in the most specific colors and pretexts?" He then urged the deputies to "apply this to the provinces," which, like families in a community, "make up the whole of the Nation."

Federalism, he assured the body, did not mean to "separate the provinces to be so many other independent nations at all" and "none have thought of such delirium." On the contrary, the "sovereign states have spoken out regarding their internal government," which "they want to

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<sup>34</sup> David M. Quinlan, "Issues and Factions in the Constituent Congress, 1823-1824," in *Mexico in the Age of Democratic Revolutions, 1750-1850*, ed. Jaime E. Rodriguez (Boulder, CO: Lynne Rienner, 1994).

<sup>35</sup> P. Sánchez, *El Pacto Federal Del Anáhuac, July 28, 1823* (Mexico City, Mexico: Partido Revolucionario Institucional, 1987), III.

exercise this without subordination to another authority.” They wish to remain independent of each other in order “to administer and govern themselves, since no one better than them can do it with more interest, with greater economy, nor with better success.” Regardless of their autonomy in internal matters, these states “ensure that they always want to remain integral parts of the great whole of the Nation that they are members, united together with the insoluble link of Federation, under a central authority” with enough force “to assure each and every one from foreign aggression, in order to guarantee their reciprocal independence.”<sup>36</sup> Only a “federated system [that] divides the nation into small and independent states...in order to meet their political and domestic needs” more effectively and less costly than could “a distant and foreign province” can achieve this “reciprocal independence.”<sup>37</sup> Thus, “each state is independent from the others in all matters concerning its internal government, under which it is itself sovereign.”<sup>38</sup>

Sanchez’s plan divides the federal government into three branches. The executive branch, made up of the president and his administrators, would have the political authority over the navy and national army in order to oppose external enemies as well as “maintaining the mutual balance between all the states” by countering the ambitions of one state to “invade or disturb the rights” of another. The nation as a whole would be represented by the national Congress, which would “dictate wise laws” that promote “the mutual separation of the states and maintain the federal union.” The judicial branch’s role is to limit the possibility of anarchy by ending “discords and oppositions of one state with another.” Likewise, each state should conform to the federalist system by having a similar government structure that works within the federal republic's framework.<sup>39</sup>

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<sup>36</sup> Sánchez, *El Pacto Federal*, III-IV.

<sup>37</sup> Sánchez, *El Pacto Federal*, II.

<sup>38</sup> Sánchez, *El Pacto Federal*, IX.

<sup>39</sup> Sánchez, *El Pacto Federal*, IX.

While the Constitution of 1824 incorporates many aspects of Sanchez's *Federal Plan of Anahuac*, its most significant impact was that it served to direct the federalists' actions.<sup>40</sup> He delivered a speech documenting his sweeping vision of a Mexico based on a federal republic, which gained him many supporters in Jalisco. The province elected Sanchez to represent them in the new Congress. As deputy to the new congress, Sanchez participated in the debates, voting, and adoption of the *Constitutive Acts* that eventually led to the Constitution of 1824.<sup>41</sup> After establishing the First Republic, he would be elected the first Constitutional Governor of the Free and Sovereign State of Jalisco (January 24, 1825 – December 30, 1826). His term would be short, as he died while in office only one year later. However, he implemented several substantial policies, the most significant being a program that educated Jalisco's citizens in "republican customs."<sup>42</sup>

The new Second Constituent Congress immediately declared the national Supreme Executive Power as illegitimate since its authority ended with Iturbide's abdication. Therefore, Mexico lacked a national government as well as a constitution to establish one. To resolve this, Congress established a committee headed by the experienced Ramos Arizpe to design a plan to draft a new national constitution. Coming from outlying sections of the nation, many committee members had little desire to see central Mexico dominate the country. As a result, they were devoted to establishing a republican form of government that respected the various states' sovereignty that would comprise the new nation.<sup>43</sup>

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<sup>40</sup> Carlos Ramiro Ruiz Moreno, *Fuentes Historicas Sobre La Constitucion* (Guadalajara, Jalisco: Universidad de Guadalajara, Coordinación Editorial, 2016), 20.

<sup>41</sup> Moreno, *Fuentes Historicas*, 12.

<sup>42</sup> Manuel Oropeza Gonzalez, "El Federalismo," *Estudio Historicos C*, no. 53 (1995): 64-65.

<sup>43</sup> Fehrenbach, *Fire & Blood*, 363.

They also believed that a centralist form of government would make Mexico ungovernable. As the Acta would state, it is impossible for “a nation spread over the area of 118,479 square leagues<sup>44</sup>... to dictate laws to its individuals or enforce those it dictates.”<sup>45</sup> Instead, the new government “must accommodate...the position of the peoples, respect their votes, and look at their circumstances.”<sup>46</sup> They insisted that the people wanted a republican, federalist government, which ensured that all regions were equal.<sup>47</sup> Therefore, in compliance with the will of the peoples, the commission resolved to establish a government of the Mexican nation that “will be a representative and federal republic.”<sup>48</sup> Thus, the resulting document called the *Plan de la Constitucion Politica de la Nacion Mexicana*, published on March 18, 1823, was a republican document.

Five points or principles provided the foundation of the Mexican Republic. This federalism was to be one customized to Mexico, with the nation and states sharing in the nation's governance. Thus, the nation was a pact between the provinces, with the provinces and municipalities sovereign regarding their internal affairs. Only such a form of government could ensure that “the towns will not be victims of arbitrary administration” and that “the minimum will not sacrifice the maximum.”<sup>49</sup> This last part reflects the provinces' fear that one state—namely the State of Mexico—would come to dominate others' affairs. Thus, Mexican federalism's objective was for the national government to “create a linkage among all entities so

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<sup>44</sup> Approximately 409,026 square miles.

<sup>45</sup> *Constitucion Mexico. Comision para fijar las bases de la, Plan De La Constitucion Politica De La Nacion Mexicana* ([México]: Imprenta nacional, 1823), 8.

<sup>46</sup> *Constitucion Mexico, Plan De La Constitucion Politica*, 3.

<sup>47</sup> *Constitucion Mexico, Plan De La Constitucion Politica*, 6.

<sup>48</sup> *Constitucion Mexico, Plan De La Constitucion Politica*, 8.

<sup>49</sup> *Constitucion Mexico, Plan De La Constitucion Politica*, 9.

that they could protect themselves” from the domination of the more populated and wealthy regions of the nation.<sup>50</sup>

Witnessing the growth and prosperity that the republican government system had brought to their northern neighbors, it was only natural that the Mexican Federalists looked to the United States as an example. Although the drafters do mention this admiration in the *Plan*, it is a mistake to assume that they based the new Constitution solely on that of the United States.<sup>51</sup> As educated men, the drafters “examined the most credited of the modern constitutions” as well as trying to understand “the spirit of the oldest.”<sup>52</sup> As noted above, the Plan's objective was to establish a form of federalism that was uniquely Mexican, which meant more Spanish than American. Firstly, Mexican federalism sought to create a republic based on the Spanish concept of sovereignty, which implies duality.<sup>53</sup> Secondly, as Benson notes, most of the plan's articles are verbatim from the Spanish Constitution of 1812.<sup>54</sup>

Additionally, the members of the commission knew that every Constitution is flawed in one way or another. They understood that a weak central government was just as dangerous as a strong one. Echoing Sanchez, the new plan emphasized that “if the human species divides into nations that do not recognize a central power of sufficient force to make them represent their reciprocal rights, it is constantly tormented by desolate wars.” Likewise, “A nation subdivided into nations that have only a weak bond of union will be proportionally afflicted by evils of the

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<sup>50</sup> Emilio O Rabasa, *El Pensamiento Político Del Constituyente De 1824: Integración Y Realización*, vol. 21 (Universidad Nacional Autónoma de México, Instituto de Investigaciones Jurídicas, 1986), 123-24.

<sup>51</sup> Rabasa, *El Pensamiento Político*, o 4.

<sup>52</sup> Mexico. Comisión para fijar las bases de la, 2.

<sup>53</sup> Anna, Timothy E. "Early Mexican Federalism and the Multiple Origins of Nationhood." *National Identities* 1, no. 2 (July 01 1999), 136.

<sup>54</sup> Benson, *Provincial Deputation in Mexico*, 124.

same kind.”<sup>55</sup> Their goal was to produce the balance that Sanchez discussed in the *Pacta de Anahuac*.

The new republic divided into states and territories, their jurisdictions, and the extent of local control under the federalist system was the most significant challenge to achieving this balance.<sup>56</sup> Although the states had partly done this, some issues complicated the efforts. One was that intendencies that were part of a larger Provincial Deputation requested that they establish their congresses under the new constitution. Some of these intendencies, such as Nuevo Mexico, established their deputations even though they had representation in another Provincial Deputation.<sup>57</sup> There was also the question of Chiapas, which, along with the other Central American republics, had remained outside of Mexico’s colonial administration.<sup>58</sup> With the province was the ongoing debate as to whether it would be part of Mexico, Guatemala, or independent of both.

Some committee members suggested that they use the last territorial divisions of the Spanish intendencies as a guide. The congress rejected this suggestion since regions that desired statehood, such as Querétaro and Tlaxcala, were nothing more than *corregimientos* (royal districts) under the Spanish system. Furthermore, there was a question about what to do with less populated areas such as the Lower and Upper California, Colima, and Tehuantepec. Adding to this already difficult task was the lack of statistical data. It was apparent that some regions were wealthier and more populous than others, but to what degree and extent were unknown.<sup>59</sup> Using Humboldt’s calculations, the drafters estimated that the combined population of the northeastern

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<sup>55</sup>Mexico. Comision para fijar las bases de la, 7.

<sup>56</sup> Hubert Howe Bancroft, *History of Mexico: 1824-1861*, vol. V (San Francisco, CA: A.L. Bancroft & Co, 1885), 16.

<sup>57</sup> Benson, *Provincial Deputation in Mexico*, 51.

<sup>58</sup> Benson, *Provincial Deputation in Mexico*, 24.

<sup>59</sup> Benson, *Provincial Deputation in Mexico*, 16

fourth of the nation (comprised of Mexico, Puebla, Guadalajara, Guanajuato, Oaxaca, Merida, and Valladolid) was four times that of the rest of the country (4.8 million compared to 990 thousand).<sup>60</sup>

More significant for the new republic's financial stability was the lack of data establishing the wealth and income generated in each state. This lack of data made the assessment of revenue each state contributed to the central government's support extremely difficult. Consequently, the distributions that were to be paid by the states had no connection to reality, and, as a result, very few states paid their allotted amount consistently.<sup>61</sup> Catastrophic for a new republic inheriting the foreign debt incurred during the reign of Iturbide. In Article VII of the *Acta*, the commissioners determined the states of the new federal republic to be Chiapas, Guanajuato, the Western Interior State (composed of the provinces of Sonora, Sinaloa, and the two Californias), the Northern Interior State (composed of the provinces of Chihuahua, Durango, and New Mexico), the Eastern Interior State (composed of the provinces of Coahuila, Nuevo León, Texas, and Nuevo Santander), the State of Mexico, Michoacan, Oaxaca, Tlaxcala, Querétaro, San Luis Potosi, Tabasco, Veracruz, Jalisco, Yucatán, and Zacatecas.<sup>62</sup>

Combining provinces into the Eastern, Western, and Northern Interior States led to protest from those provinces' deputies. Therefore, when the debate on article 7 started on December 20, it was decided to postpone discussing the Eastern and Western Interior provinces, along with Chiapas and Tabasco, for a later date. On the same day, Congress did approve the states of Guanajuato, Mexico, and Michoacan. On the following day, it confirmed the states of

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<sup>60</sup> Mexico. Comision para fijar las bases de la, 13-14.

<sup>61</sup> Bancroft, *History of Mexico: 1824-1861*, 16.

<sup>62</sup> *Act a Constitucional Presentada Al Soberano Congreso Constituyente Por Su Comision El Dia 20 De Noviembre De 1823*, by Comision para Formar un Proyecto de Constitucion (Mexico City: Constituyente Congreso de Mexico, November 20 1823), Article VII.

Oaxaca and Puebla. However, whether Tlaxcala would become part of Puebla or an independent state was referred back to the constitutional committee. Over the next two days, Querétaro, San Luis Potosi, Veracruz, Jalisco, Yucatán, and Zacatecas received statehood.<sup>63</sup>

It would require months of political haggling for Congress to resolve the question regarding the interior states' status. In May, the Congress determined to divide the Eastern Interior Provinces into Nuevo León, Coahuila and Texas, and Nuevo Santander (renamed the state Tamaulipas).<sup>64</sup> The Northern Interior Provinces would similarly separate, with Durango obtaining statehood on May 22. However, due to the uncertainty of Nuevo Mexico, the status of Chihuahua would not be decided. In July, Congress voted that Nuevo Mexico should be part of the State of Chihuahua.<sup>65</sup> Recognized as a state on January 10, 1824, the Western Interior State remained intact.<sup>66</sup> After resolving its internal debate, Chiapas became a state in September, while Tlaxcala, unable to decide as to becoming an independent state or not, would remain a territory of the Mexican federation.<sup>67</sup>

Article 5 provided that the Mexican Republic's integral parts were independent, free, and sovereign states proved to be less controversial. This article had two votes, the first on the reference to the states being “independent and free” and the second on them being “sovereign.” Both passed on December 19. Only seven of the 144 deputies voted against the states as independent and free. Only 25 votes against recognizing them as “sovereign.” In both cases, the majority of opposing votes came from deputies representing the State of Mexico.<sup>68</sup> With the last article's passing on January 31, 1824, Congress officially adopted the *Constitutive Acts of the*

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<sup>63</sup> Juan A. Mateos, *Historia Parlamentaria De Los Congreso Mexicanos De 1821 a 1857*, vol. 2, 25 vols. (2013: repr., Mexico City: Nabu Press, 1879-1912), 622-23.

<sup>64</sup> Mateos, *Historia Parlamentaria*, 770.

<sup>65</sup> Mateos, *Historia Parlamentaria*, 786, 815, 828-30.

<sup>66</sup> Mateos, *Historia Parlamentaria*, 966.

<sup>67</sup> Mateos, *Historia Parlamentaria*, 649.

<sup>68</sup> Mateos, *Historia Parlamentaria*, 620.



*Mexican Federation dated 21 January 1824.*<sup>69</sup> From that point on, the thirty-six articles as the *Constitutive Acts* serve as the foundation of what would become Mexico's first and, as the Tejanos would argue a decade later, Mexico's only legitimate Constitution.

Officially known as the *Federal Constitution of the United Mexican States* and adopted on October 4, 1824, this constitution formerly and officially confirmed the federal government already operating under the *Constitutive Acts*. Several articles, such as the fourth, were just restatements of what form of government the nation would have and how the various parts connected.

**Article 4.** The Mexican nation adopts for the form of its government a popular representative and federal republic.

Recognizing the nineteen states and four territories were to become constituent parts of the republic, the Constitution defined the difference between the states and territories.

**Article 5.** The constituent parts of the Federation are the following States and Territories, viz: the States of Chiapas, Chihuahua, Coahuila and Texas, Durango, Guanajuato, Mexico, Michoacán, Nuevo Leon, Oaxaca, Pueblo de los Angeles, Queretaro, San Luis Potosi, Sonora and Sinaloa, Tabasco, Tamaulipas, Vera Cruz, Jalisco, Yucatan, and Zacatecas; the Territories of Upper California, Lower California, Colima, and Santa Fe de Nuevo Mexico. A constitutional law will fix the character of Tlascalala. The Constitution required by what means each state established its government.

**Article 157.** The government of each state shall be divided into three powers, viz: the legislative, executive, and judicial, and two or more of these can never be united in the same person or corporation, nor can the legislative power be vested in a single individual

**Article 158.** The legislative power of each state resides in a legislature, composed of the number of individuals determined by their particular constitutions, elected by the people, and removable at the time and in the manner they may prescribe.

**Article 159.** The legislative power of each state resides in a legislature, composed of the number of individuals determined by their particular constitutions, elected by the people, and removable at the time and in the manner they may prescribe.

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<sup>69</sup> "Constitutive Acts of the Mexican Federation 21 of January, 1824, Also Federal Constitution of the United Mexican States October 4, 1824," in *Laws of Texas*, ed. H.P.N. Gammel, vol. 1 (Austin, TX: The Gammel Book Company, 1898), 61-66.

**Article 160.** The judicial power in each state shall be exercised by the tribunals established by their constitutions, and all causes as well civil as criminal which originate in such courts must, be therein finally disposed of.

The Federal Government preserved the states' sovereignties by 1) sustaining the national independence by providing for the preservation and security of the nation in its external relations, 2) preserving the Federal Union of the States and establishing peace and public order in the interior of the Confederation, 3) maintaining the independence of the States among themselves, according to the Constitutive Act and this Constitution, and 4) by sustaining the proportional equality of obligations and rights which the states possess in point of law.<sup>70</sup> Additionally, under the federal government's regulations, each state established its militia with the right to appoint officers reserved solely to the states.<sup>71</sup>

Understanding that the new constitution or some of the articles may prove inadequate for Mexico's needs, the Federalists built into the new Constitution a mechanism for its interpretation and, if need, reform. Although the federal Congress had the exclusive right to interpret the Constitution, the states could "make observations on the different provisions of the [1824] constitution and constitutive act" until 1830. Once these observations were received, the "next Congress in the first year of its ordinary session, shall take into consideration these observations, and make such reforms as it thinks necessary. However, the same Congress cannot propose amendments and act on them."<sup>72</sup>

Reforms or additions proposed after 1830 "shall be considered by Congress in the 2d year of their session, and if regarded as necessary according to the preceding articles, this resolution

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<sup>70</sup> Federal Mexico. Constitución, *Coleccion De Constituciones De Los Estados Unidos Mexicanos. Tomo I* (México: Imprenta de Galvan á cargo de M. Arévalo, 1828), 48.

<sup>71</sup> Federal Mexico. Constitución, *Coleccion De Constituciones*, 52.

<sup>72</sup> Federal Mexico. Constitución, *Coleccion De Constituciones*, 93-94.

shall be published for the consideration of the next congress.” Furthermore, the Constitution required that all rules “shall be followed” when reforming or adding to the Constitution and that the “articles of this constitution and of the constitutive act which establish the liberty and independence of the Mexican nation, its religion, the form of government, liberty of the press and the division of the supreme powers of the Union *and of the states can never be changed.*”<sup>73</sup>

Unlike the United States, there would be no popular vote for the position of president. Nor would he be chosen by his party, as in a parliamentary system. Instead, each state's legislature (but not territory) would nominate two individuals for the position. The nominations read in Congress determined who became president. If there were no clear winners, then there was a detailed process to follow until one is selected. Either way, this was a powerful tool that the states' legislatures checked the federal government's authority. It also kept the presidency's power out of the *Mestizo* and Indian dominated masses and in those of the *Criollo* controlled legislatures.<sup>74</sup>

Historians have long debated how much the United States Constitution inspired the Mexican Constitution of 1824, but what is not debatable is that any similarity between the two stops at how they were adopted.<sup>75</sup> Unlike its North American counterpart, there was not a ratification process. Either as a whole document or on its articles, the Constitution lacked a public. There are no Mexican equivalents of *The Federalists* and the *anti-Federalists* papers. More significantly, there was not any discussion of the Constitution conducted below the federal level. Instead, each article was published and given the force of law as soon as Congress passed

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<sup>73</sup> Federal Mexico. Constitución, *Coleccion De Constituciones*, 95.

<sup>74</sup> Ryal Miller, *Mexico: A History* (Norman, OK: University of Oklahoma Press, 1985), 305.

<sup>75</sup> Francisco A. Eissa-Barroso, "Mirando Hacia Filadelfia Desde Anáhuac," *Politica y Gobierno* XVII, no. 1 (2010): 97.

it.<sup>76</sup> As a result, many outlying states and territories did not learn of the Constitution for months. Alta California and Texas did not learn of it until a year after its adoption.<sup>77</sup>

While many historians attribute this lack of local and popular participation to the Criollo elites' desire to retain their privileges and power, it could also have been a recognition that the majority of the nation's population lacked the experience in self-government. Additionally, the lack of participation could have been an indirect way of dealing with the reality that for most of the population, the concept of being a Mexican was non-existent and would remain so until the early part of the 20<sup>th</sup> century. As Mexican senator Mariano Otero would observe over two decades later, Mexico lacked a "national spirit because we are [still] not a nation."

Regardless of the motivating factors, the local leaders and populace's lack of buy-in would prove to be fatal to the Federalists' vision of a "civilized Mexico." By the middle of the 19<sup>th</sup> century, the resulting political chaos would result in the name Mexico becoming synonymous "throughout the civilized world with barbarianism and banditry."<sup>78</sup> As one Latin American expert claimed, "The chaos of political life, epitomized by several decades of coups and uprisings led by generals and congressmen," made post-independence Mexico an example of an "ungovernable nation."<sup>79</sup>

Six days after the United Mexican States Constitution was fully adopted, the Congress declared Guadalupe Victoria the new republic's first president.<sup>80</sup> He would have the honor of being the only 19<sup>th</sup>-Century president of Mexico to serve his full term.

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<sup>76</sup> Bancroft, *History of Mexico: 1824-1861*, 16-17.

<sup>77</sup> Bancroft, *History of California: 1801-1824*, 510.

<sup>78</sup> Fehrenbach, *Fire and Blood*, 404.

<sup>79</sup> Torcuato S. Di Tella, *National Popular Politics in Early Independent Mexico, 1820-1847*, vol. 1st ed (Albuquerque: University of New Mexico Press, 1996), 384.

<sup>80</sup> Marcos Arróniz, *Manual De Historia Y Cronología De Méjico* (Paris: Rosa y Bouret, 1858), 409.

## Chapter 4

### Killing the Republic

Within three years, the former Spanish provinces of *América Septentrional* had won a war of independence, united and disunited under a monarchy, disbanded an unrecognized and illegitimate national government, only to unite again under a federalist republic. Within a month of the signing of the *Plan of Casa Mata*, fifteen of the twenty-eight provinces that made up the Empire had declared themselves free and sovereign states independent of Mexico City. While the five Central American provinces selected not to join the Mexican Republic, the other nineteen would unite a few months later to become the United Mexican States'.<sup>1</sup> Moreover, each state had adopted governments and established their constitutions, all based on federalism. As an electoral college, these state congresses would elect the federalist Guadalupe Victoria to be the United Mexican States' first president.

Therefore, upon Guadalupe Victoria's inauguration, the new federal republic had reason to be proud. Using their variation of federalism, they "united the disunited."<sup>2</sup> The provinces of the nation had unified under into a federal republic with a president acceptable to all. For the first time in over a decade, there was peace throughout the region. Though financially weak, the new republic had the respect of foreign governments and banks, which translated into loans that the nation could use to get its financial house in order.<sup>3</sup> This optimism was reflected in Victoria's inaugural speech, in which he assured the nation that with the people's cooperation, the future

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<sup>1</sup> Timothy E. Anna, *Forging Mexico: 1821-1835* (Lincoln, Nebraska: University of Nebraska, 1998), 139.

<sup>2</sup> *Cronicas: Constitucion Federal De 1824*, vol. 2, 2 vols. (Mexico: Secretaria de Gobernacion 1974), 1027.

<sup>3</sup> Hubert Howe Bancroft, *History of Mexico: 1824-1861*, vol. V (San Francisco, CA: A.L. Bancroft & Co, 1885), 20.

would be one of prosperity.<sup>4</sup> However, many sensed that the new republic was still in a fragile condition. How long, people wondered, would the new political agreement last?

Unfortunately for Mexico, peace and prosperity were not in the nation's future. Not everyone saw Victoria's inauguration as president of a federal republic made up of sovereign states as an occasion to celebrate. The Centralists, such as Lucas Alamán, saw the event as a setback to their vision of a unified and uniformed nation governed from Mexico City. However, after the unpopular centralism of Iturbide's Empire, the centralists were not strong enough to suppress federalism. Therefore, the centralists had no option but to allow the provinces their federalism.

This acquiescence did not imply that they accepted the provincial-driven federalism of the First Republic. On the contrary, they decided to ensure that Mexico City would determine what version of Mexican federalism would govern the nation. Their vision was federalism that would create a central republic dominated by Mexico City and in which the states would have limited autonomy. To this end, the centralists dedicated themselves to undermining state sovereignty through both political and military means. The political effort was to achieve the dominance of Mexico City by using the national government, when possible, to undermine the sovereignty of the states and the independence of their legislatures. When the centralists felt strong enough, any resistance to these efforts would result in a military intervention that often led to removing disobedient state assemblies and governors. Both of these actions would inevitably require the weakening, if not the elimination, of the state-controlled militias. Centralists hoped this agenda would establish a nation, as Servando Teresa de Mier, deputy to the national

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<sup>4</sup> "La Independencia Se Afianzará Con Mi Sangre, Y La Libertad Se Perderá Con Mi Vida," *Gaceta de Gobierno de Mexico* (Mexico)1824.

Congress representing Nuevo Leon, described it, that was “federalist in name, centralist in reality.”<sup>5</sup>

Thus, regardless of its promising beginnings, the centralists ensured that the eleven years of the federal republic would not be a period of progress and peace, but one marked by turmoil and war.<sup>6</sup> The political chaos started when the first president, Victoria, was nearly ousted by a coup attempt led by his centralist vice-president Nicolas Bravo. The failure of the coup and the resultant exile of Bravo did little to dissuade the centralists from their plans to control the national government. Although still not strong enough to implement their vision for the nation, the growing federalists' division allowed them to exert influence. The federalists' moderate wing (*los moderados*) embraced a cautious brand of Mexican liberalism instituted gradually, allowing the centralists to recover their political strength. On the other hand, the *puros* held firm to the province centered federalism embodied in the Constitution of 1824.<sup>7</sup>

The *Puros* nominated Vicente Guerrero for president, while the *Moderados* supported the candidacy of Manuel Gomez Pedraza. The centralists (now under the label of *Los Conservativos*), still not strong enough to offer a candidate, supported the moderate Gomez Pedraza. Under the Constitution of 1824, the state legislatures elected the president. Each state received one electoral vote given to the candidate who received the most votes in the state legislature. As a result, there would be a total of nineteen electoral votes that would decide the presidency.<sup>8</sup>

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<sup>5</sup> Servando Teresa de Mier, *Discurso Que El Día 13 De Diciembre Del Presente Año De 1823* (Mexico: Imprenta a cargo de Martin Rivera, 1823), 4.

<sup>6</sup> Justo Sierra, *The Political Evolution of the Mexican People* (Austin, TX: University of Texas Press, 1969), Introduction, Kindle.

<sup>7</sup> Dennis E. Berge, "A Mexican Dilemma: The Mexico City Ayuntamiento and the Question of Loyalty, 1846-1848," *Hispanic American Historical Review* 50, no. 2 (1970): 229-31.

<sup>8</sup> David Pantoja Moran, *Bases Del Constitucionalismo Mexicano: La Constitucion De 1824 Y La Teoria Constitucional* (Mexico: Fondo de Cultura Economica, 2017), 274-75.

In the 1828 elections, Gomez Pedraza won eleven to Guerrero's eight electoral votes—Durango, not having a sitting legislature at the time, did not participate.<sup>9</sup> Although Gomez Pedraza may have been a *moderado* when it came to federalism, he despised the *puros* and extreme in his treatment of *puros* after the election. As Victoria's Minister of War (1825-1827), a position he still held until his inauguration, he had top *puros* arrested, driving their ideological leader Lorenzo de Zavala from his office as the duly elected and legitimate governor of the State of Mexico.<sup>10</sup> These aggressive and extralegal actions caused the *puros* to revolt, which led to four days of bloody fighting in Mexico City. Although he had the support of the army, Pedraza fled the country before his scheduled inauguration.

With the *puros* now in charge of the capital, their candidate, Vicente Guerrero, was inaugurated president on 1 April 1829. Unlike the Criollo elites that dominated Mexico's ruling class at the time, Guerrero was from the very bottom of Mexican society. Born in the town of Tixtla, in the intendancy of Mexico, in 1782, his parents were part of a colonial society that was, by law, custom, and prejudice from their condition.<sup>11</sup> His birth should have condemned him to a peasant's life, but he quickly earned fame as a fighter and leader of men during the struggles against the Spanish and then Iturbide.<sup>12</sup> Thus, by ability, this illiterate and uneducated peasant rose first to the elite level of general to eventually become the second President of Mexico.

As a product of his origins, Guerrero believed that people, no matter how lowly, would prosper if left unrestrained and that institutions based on a pure and radical form of federalism were the best way to achieve such conditions. Therefore, his government would be a paternal one

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<sup>9</sup> "Results of the 1828 Presidential Election," *El Aguila Mexicana* (Mexico), October 1, 1828.

<sup>10</sup> Lorenzo de Zavala, *Ensayo Histórico De Las Revoluciones De Méjico Desde 1808 Hasta 1830*, vol. 2 (New York: Imprenta de Elliot y Palmer, 1831-1832, 1832), vol. I, 76.

<sup>11</sup> Bancroft, *History of Mexico: 1824-1861*, 77.

<sup>12</sup> Editorial Porrúa, *Diccionario Porrúa De Historia, Biografía Y Geografía De México*, vol. II (Editorial Porrúa, 1986), 1345.



that would serve the interest of the people. Thus, in his twenty-page inaugural address, he promised to be “everything to the people.”<sup>13</sup> A leading federalist newspaper reported at the time that, under Guerrero’s presidency, Mexican people were “happily reigned” with the expectation of individual “sovereignty” and that “the majority of people ought to govern.”<sup>14</sup> To make matters worse, Guerrero had a “poorly disguised disdain of an upper-crust” to which most of the ruling elites, including his cabinet members, identified.<sup>15</sup>

Such proclamations led some scholars to label Guerrero’s presidency “the most radical government to take power in Mexico before 1855.”<sup>16</sup> The extremism of Guerrero’s rhetoric even concerned the arch-federalist Lorenzo de Zavala. He believed that Guerrero was inspiring his followers—mostly of the illiterate lower class—to call for “absolute equality, despite the present state of society, and democratic liberty, despite the differences” between the various Mexican classes.<sup>17</sup> As Bancroft noted, Guerrero “committed a serious mistake in adopting such a course when the social and political ties were loosened, and indeed society was almost in a chaotic state.”<sup>18</sup>

If Guerrero’s rhetoric and attitude towards the elites alarmed *purists*, they terrified the predominantly “upper crust” conservatives and centralists.<sup>19</sup> Already believing that Gomez Pedraza was the legitimate president, the centralists (along with their *moderado* allies) were looking for any excuse to remove Guerrero from office. This excuse was provided by Spain when Ferdinand VII launched a halfhearted and disorganized attempt to reclaim Mexico. As a

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<sup>13</sup> Vicente Guerrero, "Manifiesto Del Ciudadano Vicente Guerrero, Segundo Preseidente De Los Estados- Unidos Mexicanos a Sus Compratriotas," (Mexico City), April 1, 1829. BLAC.

<sup>14</sup> "Comunicados," *Correo de la federation Mexicana* (Mexico), February 8, 1828.

<sup>15</sup> Sierra, *The Political Evolution of the Mexican People*, Book 3, Part 1, Chap. 2, Kindle.

<sup>16</sup> Peter Guardino, *Peasants, Politics, and the Formation of Mexico's National State: Guerrero, 1800-1857* (Stanford, CA: Stanford University Press, 1996), 123-24.

<sup>17</sup> Zavala, *Ensayo Histórico*, vol.2, 101. Anna, *Forging Mexico*, 210-11.

<sup>18</sup> Bancroft, *History of Mexico: 1824-1861*, 77.

<sup>19</sup> Sierra, *The Political Evolution of the Mexican People*, Book 3, Part 1, Chap. 2, Kindle.

temporary measure to meet the threat, the national congress granted Guerrero presidential powers suspending the constitution. Thus, allowing Guerrero to rule by decree.<sup>20</sup> When Guerrero refused to relinquish the extra powers, he gave his enemies the justification they needed for his removal.<sup>21</sup>

In response, on 4 December 1828, General Melchor Muzquiz (former Governor of the State of Mexico, 1824-1827) and Colonel Jose Antonio Facio (Secretary to vice-president Anastasio Bustamante, 1828) declared the *Plan of Jalapa*. In the *plan*, the army officers demanded that the government restore federalism enshrined in the Constitution of 1824. Furthermore, the military would not put down arms until the restoration of constitutional order. This restoration included the retraction of the extraordinary power granted to Guerrero. Additionally, it requested the removal of all officials who opposed the *plan*.<sup>22</sup> The authors of the *plan* invited both Anastasio Bustamante, then serving as Guerrero's vice-president, and Antonio Lopez de Santa Anna to join the revolt against Guerrero's government. While he initially supported the *Plan of Jalapa*, Santa Anna soon saw that its federalist language covered a centralist attempt to remove Guerrero from office and decided to retire to his hacienda Manga de Clavo in the state of Veracruz.<sup>23</sup>

Bustamante established a name for himself when he defeated the Spanish at the battle of Juchi (April 1822). As Luis Quintanar's second-in-command during Jalisco's struggle against the restored Congress, he established his reputation as an ardent federalist and earned "the affection

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<sup>20</sup> Anna, *Forging Mexico*, 227.

<sup>21</sup> Alaman, *Historia De Mejico Desde Los Primeros Movimientos Que Preparan Su Independencia En El Ano 1808 Hasta La Epoca Presente*, 846.

<sup>22</sup> David Guerrero Flores, and Emma Paul Ruiz Ham, *The Country in Formation. Chronology 1821-1854* (Mexico: National Institute of Historical Studies of the Revolutions of Mexico, 2012), 72-73.

<sup>23</sup> Enrique de Olavarria y Ferrari, "Independent Mexico 1821-1855," in *Mexico through the Centuries*, ed. Vicente Riva Palacio (Mexico: Balleca y Cia, 1880), 226. Bancroft, *History of Mexico: 1824-1861*, 88. Anna, *Forging Mexico*, 228.

of the provinces where he had served.”<sup>24</sup> Therefore, it is surprising that he would become the president of the most centralist and dictatorial regime of the First Republic period. It is easy to assume that he was an opportunist like Santa Anna, but unlike Santa Anna, Bustamante was respected and trusted by his contemporaries. As one contemporary wrote at the time, it did not “seem possible” that “General Bustamante would renounce his old commitments with the states of the federation.” Bustamante, “they said, is a man of honor” who would never “ally himself with those who have hitherto been his opponents.”<sup>25</sup>

Therefore, Bustamante’s reputation as a federalist, along with his first manifesto as president, gave credence that goal of the *Plan* and his administration was “to restore the federalism that protected the sovereignty of the states.”<sup>26</sup> In a circular to state legislatures, Bustamante represented himself as the defender of federalism. He claimed that Guerrero’s disregarding of the states’ requests to relinquish the extra powers was a violation of the states’ sovereignty. “The institutions,” he wrote, “cannot be sustained if the general government is unable to fulfill its [constitutional] duties, as will certainly happen if the lack of cooperation on the part of the states causes the failure of the coherence and harmony enjoined by the constitution and laws.” Lastly, he warned that Guerrero’s “bad administration” has “induced in many the belief that the evils are inherent in the federal system.”<sup>27</sup> Thus, the *Plan* and his presidency initially had the enthusiastic support of the states.

Capitalizing on Bustamante’s reputation, the revolting army proclaimed itself “defender of the constitution and laws” while its real intentions were to undermine federalism by replacing

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<sup>24</sup> Zavala, *Ensayo Historico*, vol. 2, 141.

<sup>25</sup> Juan Suárez y Navarro, *Historia De México Y Del General Antonio López De Santa-Anna* (Mexico: Impr. de I. Cumplido, 1850), 185.

<sup>26</sup> Anastasio Bustamante, "Manifiesto Que El Vicepresidente De La Republica Dirige a La Nacion " (Mexico City), January 4, 1830. BLAC, Garcia Collection.

<sup>27</sup> Bancroft, *History of Mexico: 1824-1861*, 89.

Guerrero with a more malleable chief executive. These dual goals of the army were noted by Bustamante himself, who witnessed his soldiers shouting “Long live centralism” and “Death to the negro Guerrero.”<sup>28</sup> The last exclamation referencing Guerrero mestizo background. However, unlike Santa Anna, Bustamante continued to support the *Plan of Jalapa*. There is speculation that he had come under the influence of Lucas Alamán, which would inspire many historians to refer to the Bustamante government as the “Alamán administration.”<sup>29</sup> It would also result in the second revolt of a vice-president against the sitting president in as many administrations.<sup>30</sup>

Initially, Guerrero requested from the national Congress permission to personally lead an army to suppress the rebellion. While the deputies granted this request, the Senate, many of whom were supporters of Jalapa's Plan, denied it. Realizing he had little support in the capital, Guerrero gathered an army of loyal troops and left Mexico City. On 22 December, General Luis Quintanar entered the capital and proclaimed it in the name of Jalapa. Three days later, Guerrero resigned from the office of president. Declaring that he would leave it up to the national Congress to sort out, Guerrero returned to his hacienda and stronghold near Tixtla.<sup>31</sup>

Bustamante assumed executive power on 31 December 1829, although still under the vice-president title since the National Congress did not want Guerrero's removal to look like a coup, which it was.<sup>32</sup> Although there was the legitimate claim that that Guerrero's election was unconstitutional, so was Bustamante's presidency. To merely void Guerrero's election was

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<sup>28</sup> *Unsigned Note to Guerrero Dated 6 December 1829* (Jalapa: Archivo General Nacional, Legajo 72, exp 1, Jose Antonio Facio, "Memoria Del Secretario De Estado Y Del Despacho De La Guerra, Presentada a Las Cámaras El Día 24 De Enero De 1831," *La Aguila Mexicana* (Mexico), January 24, 1831.

<sup>29</sup> Anna, *Forging Mexico*, 229.

<sup>30</sup> Suárez y Navarro, *Historia de Mexico*, 173.

<sup>31</sup> In an act of treachery, Guerrero would eventually be drawn out of his stronghold to be murdered by assassins sent by Bustamante.

<sup>32</sup> Michael P Costeloe, *La Primera Republica Federal De Mexico (1824-1835)* (Mexico: Fondo de Cultura Economica, 1983), 243-47. Stanley C. Green, *The Mexican Republic: The First Decade, 1823-1832* (Pittsburg: University of Pittsburg Press, 1987), 170-74.

insufficient since it would make Gomez Pedraza and, not Bustamante, president. Therefore, at a meeting in January of 1830, Congress met and declared Guerrero “morally unfit” for office.<sup>33</sup> Disgraceful treatment of a man who had given so much to Mexico and its First republic. In a final act of treachery, a ruse lured Guerrero out of his stronghold, enabling Mexico's former defender to be murdered by Bustamante’s assassins.<sup>34</sup>

However, the men named to Bustamante’s administration's top positions soon disabused all as to his real intentions. The fervent centralist Lucas Alamán was once again named Secretary of Interior and Exterior Affairs. The co-architect of the *Plan of Jalapa*, José Antonio Facio, was named Secretary of War. Also, Rafael Mangino, who had opposed sovereignty for the states, became Secretary of the Treasury. José Ignacio Espinosa, who had spoken in Congress to centralize the civil power, became Secretary of Justice.<sup>35</sup> Thus, a new liberal periodical declared that contrary to restoring federalism, the *Plan of Jalapa* and the Bustamante presidency sought to destroy the states' sovereignty.<sup>36</sup> As Mexican historian Suárez y Navarro noted, there had never been a “revolution neither more hypocritical nor more shameless.”<sup>37</sup>

Guided by Alamán, Bustamante demonstrated how far the centralists were willing to eliminate the federalism established under the Constitution of 1824. As Secretary of the Interior and Exterior Affairs, Alamán set out to fulfill the article of the *Plan of Jalapa* that called for the removal of public officials who were opposed by “public opinion”<sup>38</sup> In this case, as Suarez y Navarro notes, “public opinion” required nothing more than a denouncement by “one of the main bosses of the faction who” to remove “governors and legislatures who had no

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<sup>33</sup> Suárez y Navarro, *Historia de Mexico*, 194. Sierra, *Political Evolution*, Book 3, Part 1, Chap. 2, Kindle.

<sup>34</sup> Suárez y Navarro, *Historia de Mexico*, 228.

<sup>35</sup> Anna, *Forging Mexico*, 229. Suárez y Navarro, *Historia de Mexico*, 193.

<sup>36</sup> “Commentary on the Plan of Jalapa,” *El Atleta* (Mexico City), January, 1830.

<sup>37</sup> Suárez y Navarro, *Historia de Mexico*, 174.

<sup>38</sup> Costeloe, *La Primera Republica*, 255-67.

affection for Bustamante and his new party”<sup>39</sup> To this end, he instructed his agents throughout the country to make a formal complaint against pro-federalist governors and state legislatures. The pro-Alamán Commandant-Generals also sent petitions to the federal Congress requesting the removal of unwanted officeholders by restoring the previous incumbent or calling for new elections. As Alamán wrote at the time, these moves “make motions that will help us and fortify us. The revolution cannot be stationary, and everything that has its origins in the capital will not be well received in all the states.”<sup>40</sup>

Alamán’s systematic removal of many federalists who controlled most of the state governments “constituted the most serious assault launched by a central government thus far against the principles of federalism.”<sup>41</sup> On 17 February, the federal Senate approved Puebla’s state legislature’s dispersion, which resulted in the state’s governor’s resignation. Likewise, the regime dissolved Mexico’s state legislature after civil authorities of various towns pronounced against it in early March. The federal Senate also voted to nullify the Oaxacan state legislature. Dispersing the legislative deputies, the new Commandant-General, convinced the governor to resign. A group of armed men took over the Jalisco state Congress’s legislative building and forced the seated assembly to call for a new state Congress.<sup>42</sup> As a result of Alamán’s machinations, Jalisco, Michoacán, Queretaro, and Durango, Tamaulipas, Tabasco, Oaxaca, Puebla, Veracruz, Chiapas, and Mexico had all or part of their state legislatures dissolved. Several governors resigned, either voluntarily or by the threat of force.<sup>43</sup>

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<sup>39</sup> Suárez y Navarro, *Historia de Mexico*, 196-198.

<sup>40</sup> Lucas Alaman, Letter to Jose Mariano Michelena, January 19, 1830.

<sup>41</sup> Anna, *Forging Mexico*, 230.

<sup>42</sup> Costeloe, *La Primera Republica*, 258-60.

<sup>43</sup> Zavala, *Ensayo Historico*, vol. I, 506.

At the national level, Alamán launched a massive assault against the National Congress members who openly opposed the Bustamante government, which led to the arrest and forced removal of many deputies. This assault on the deputies included two of its most outspoken federalist deputies, José Maria Alpuche and Anastasio Zerecero, who went into exile. On 24 March, during the mass arrest for a supposed conspiracy against the government, Mariano Zerecero, brother of the deputy Anastasio Zerecero, was shot. The arrest of deputies resulted in only a few outspoken opponents of the Bustamante regime. This small group consisted of Quintana Roo and Juan de Dios Cañedo in the Chamber of Deputies and Antonio Pacheco Leal and Manuel Crecencio Rejon in the senate.<sup>44</sup>

In January 1831, deputy Juan de Dios Cañedo introduced to the Chamber of Deputies a discussion on Bustamante's power's legitimacy. Both Cañedo and Quintana Roo, with support from Pacheco Leal and Rejon in the Senate, argued that Gomez Pedraza was the legitimate president. Moreover, they demanded the removal of Facio from office for having employed methods of terror. In response, a group of officers attacked Pacheco Leal on the street, leaving the deputy beaten senseless. Officers armed with sabers similarly attacked Rajon.<sup>45</sup> Cañedo, fearing for his life, accepted an appointment that moved him to South America.

Andres Quintana Roo was one of Mexico's most distinguished federalists and, in 1830, the President of the Chamber of Deputies. In January 1831, he founded *El Federalista Mexicana*, a short-lived Federalist periodical he frequently used to proclaim the Bustamante government as illegitimate and for the terrorist tactics it employed to suppress opposition. After a failed attempt to destroy the newspaper's press, four military officers went to his house on the night of 2

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<sup>44</sup> Jaime E. Rodríguez O, "Oposición a Bustamante," *Historia Mexicana* 20, no. 2 (1970): 204. Jaime E. Rodríguez O, "The Origins of the 1832 Rebellion," in *Patterns of Contention in Mexican History*, ed. Jaime E. Rodríguez O (Wilmington, DE: SR Books, 1992), 145-62.

<sup>45</sup> Rodríguez O, in *Patterns of Contention in Mexican History*, 151.

February 1831 to silence him physically. Quintana Roo's wife, a heroine of the wars of independence and the most famous woman in Mexico, went to the National Palace to directly protest to Bustamante the threat of violence against her husband.<sup>46</sup>

Bustamante called in Felipe Codallos, commander Gen. of the capital. Codallos told Leona her husband had to account for his opposition to the government and that "it had become indispensable to answer such writers with blows." "This was evidence," Leona replied, "that we should consider society dissolved, leaving each person obliged to defend himself." Furthermore, she chided Bustamante, "you are not the Sultan of Constantinople but the chief of a free Republic; you should not permit the law to be made into a joke in your presence by a functionary such as Codallos."

Resigned to the fact that her husband was not going to get any assistance from Bustamante, she asked him if she could count on his protection for herself. Bustamante replied that she was safe while in his house but could not answer what happened outside it.<sup>47</sup> The event led her to consider fleeing to the United States since, as she wrote to one of her daughters, "while there were officers [in control of government], we can have no other government than a cruel despotism shielded with the name of a republic."<sup>48</sup> In January 1832, a failed assassination attempt by the government force Quintana Roo into hiding.

Congress demanded an explanation of these violations of the parliamentary immunity most members believed protected them from such abuses. Alamán appeared in person before Congress to say that the targeted politicians were not attacked as Congress members, but as a

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<sup>46</sup> Genaro Garcia, *Leona Vicario, Heroína Insurgente* (Mexico City: Editorial Innovacion, 1979), 138-43.

<sup>47</sup> "Account of Leona Vicario," *Registro Oficial* (Mexico), February 9,10, 1831. "Account of Leona Vicario," *El Federalista Mexicano* (Mexico), February 5,9, 1831. "Account of Leona Vicario," *El Sol* (Mexico), February 6-8, 1831.

<sup>48</sup> Leona Vicario, "*Mi Hijito*" *Dated June 15, 1831* (Mexico City: BLAC Garcia Collection, 1831).



result of their non-congressional activities. Using Rejon as an example, Alamán explained that no violation of immunity occurred “because the soldiers assaulted the Rejon the writer, not Rejon, the senator.” Nevertheless, Alamán’s purging of opposition in the congress was so significant that the Congress of 1831-1832 was utterly subservient to the administration's will by establishing special laws, courts to terrify opposition, and granting Bustamante’s ministers near unlimited power.<sup>49</sup> The judiciary was no better, with the death penalty permitted in cases that normally would not warrant such a severe punishment.<sup>50</sup>

Since many of the period's newspapers were also organs of politicians, the press's suppression was just as brutal. On 23 April 1831, Quintana Roo’s *El Federalista* closed down because of hefty fines. Likewise, due to Lorenzo de Zavala fleeing the country, the *Correo de la Federacion Mexicana* was shut down. Manuel Crecencio Rejon ceased publication of a short-lived periodical *El Tribuno del Pueblo Mexicano* after soldiers ransacked the newspaper’s offices.<sup>51</sup> *El Atleta*, the federalist newspaper that exposed the Plan of Jalapa's centralist motives, suffered a similar fate. Even the conservative Carlos Maria de Bustamante had to suspend his *Vos de la Patria's* publication after the periodical’s critique of Facio resulted in the withdrawal of a government subsidy. Vicente Rocafuerte, who had published pamphlets critical of the government and Alamán, was indicted on charges that his “Essay on Religious Toleration” was seditious. Although eventually acquitted by a jury, the message was clear. There was no opposition periodical left in Mexico City for nearly a year.<sup>52</sup>

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<sup>49</sup> Bancroft, *History of Mexico: 1824-1861*, 104.

<sup>50</sup> Suárez y Navarro, *Historia de Mexico*, 224.

<sup>51</sup> Rodriguez O, in *Patterns of Contention in Mexican History*, 151.

<sup>52</sup> Zavala, *Ensayo Historico*, vol. ii, 312-13. Manuel Rivera Cambas, *Historia Antigua Y Moderna De Jalapa Y De Las Revoluciones Del Estado De Veracruz*, 3 vols. (Mexico: I. Cumplido, 1870), ii, 592,96.

Oppressive as these acts were, Alamán did not intend them as an open assault on federalism. He understood that such an attack would trigger a more significant response than the centralists would be able to handle. Therefore, he adopted the strategy developed by Servando Teresa de Mier to undermine the federalists in 1823 and 1824. This measured approach would result in a system that was “federal in name, central in reality.” Hence the central government’s claim “for the reestablishment of constitutional order” and “for the Republic's consolidation.” As Reyes Heróles puts it, “the Bustamante government did not touch de jure federalism, but it practiced a de facto centralism.”<sup>53</sup>

Regardless of Alamán’s intent, some of the Bustamante regime's actions did generate the opposition he wanted to avoid. As previously mentioned, under the Constitution of 1824, the states were allowed to retain and control their militias to protect themselves from the aggressions of other states and, more significantly, the central government. In an attempt to suppress these militias, the centralist governor of the State of Mexico, Melchor Múzquiz, who had replaced the displaced Zavala, proposed a militias reform. Múzquiz tried to disguise this assault on the states' ability to defend their sovereignty as a stop of improving their effectiveness while reducing costs. Therefore, he proposed that the militias be placed under the control of the regular Army or dissolved.<sup>54</sup> Federalists in the national Congress recognized that the proposal was attempting to reduce their ability to defend themselves and refused to approve the proposal.

As in the days of Iturbide’s authoritarianism, Jalisco was the first to take a stand in defense of federalism. Reflecting the suppression of the press in the capital, the Comandante-General of Jalisco, Ignacio Inclán, in November 1832, ordered the arrest and execution of Juan

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<sup>53</sup> Anna, *Forging Mexico*, 231.

<sup>54</sup> Costeloe, *La Primera Republica*, 300-01. Juan Ortiz Escamilla, "Las Fuerzas Militares Y El Proyecto De Estado En Mexico, 1767-1835," in *Cincuenta Anos De Historia En Mexico*, ed. Alicia Hernandez Chavez and Manuel Mino Grijalva, vol. 2 (Mexico City: Centro de Estudios Historicos, El Colegio de Mexico, 1991), 261-82.

Brambillas, who was the printer of the state of Jalisco's publications.<sup>55</sup> Many Jaliscans, including moderates, saw the arrest as an attack on Jalisco's sovereignty and decided that it was time to act in its defense. Fearing the Comandante-General's actions, the state legislature fled from Guadalajara to the city of Lagos, from which the governor, Anastasio Cañedo, appealed to other states for assistance.<sup>56</sup> Believing that the Bustamante regime intended to destroy state sovereignty, Zacatecas, Guanajuato, and San Luis Potosi also pledged Jalisco's support. Eventually, an alliance comprised of Mexico, Puebla, Vera Cruz, San Luis Potosí, Durango, Querétaro, Michoacán, and Oaxaca formed a resistance against Bustamante's regime.<sup>57</sup> Zacatecas' support was significant since its state militia numbered over 20,000 men, and it was the best-equipped militia in the Republic.<sup>58</sup>

Federalist civilian politicians, such as Valentin Gomez Farias of Zacatecas and Sebastian Camacho of Veracruz, believed that a successful revolt required some of the regular army officers' support. Therefore, they decided to reach to sympathetic army officers. This action was risky since it gave the military the ability to coopt the rebellion. Therefore, the civilian leaders insisted that the revolt's primary aim was to place Manuel Gomez Pedraza in the presidency, to which the states' legally elected him in 1828.<sup>59</sup>

Concerned over Veracruz's loyalty, Minister of War José Antonio Facio replaced the region's military forces commander. This replacement provoked Col. Pedro Landero to issue the *Plan of Veracruz* on 2 January 1832.<sup>60</sup> The plan, which declared that the government a threat to

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<sup>55</sup> Mexico. Congreso et al., *Proceso Instructivo Formado Por La Seccion Del Gran Jurado De La Camara De Diputados Del Congreso* (Mexico City: I. Cumplido, 1833), 32-37. Rivera Cambas, *Historia Antigua*, vol. iii, 20-21.

<sup>56</sup> Alaman, *Historia De Mejico*, vol. v, 854.

<sup>57</sup> Suárez y Navarro, *Historia de Mexico*, 261.

<sup>58</sup> Anna, *Forging Mexico*, 246-47.

<sup>59</sup> Rodriguez O, in *Patterns of Contention in Mexican History*, 145-62.

<sup>60</sup> Alaman, *Historia De Mejico*, vol v, 855.

the federation republic, demanded changes in the government and invited General Santa Anna to command the revolt.<sup>61</sup> Santa Anna accepting the offer insisted on a more moderate approach. Writing to Bustamante, he limited the demand to the rescinding of Veracruz's military command changes. Furthermore, he requested that there should be a reshuffling of the cabinet, starting with the removal of Alamán and Facio. In its place, Santa Ana proposed a more balanced cabinet comprised of federalists and centralists.<sup>62</sup>

Santa Anna believed this approach would avoid a war since the complaints thus far had been directed primarily against Facio and Aleman. Unfortunately for Santa Anna, those in the capital who had suffered the most from Bustamante's oppressive actions refused to consider any solution that did not result in removing Bustamante from office. By April, *El Duende*, attempting to increase public anger at the vice president, pointed out that since independence, three men had usurped the national executive— Iturbide, Guerrero, and Bustamante— and given that the first two had died before firing squads as retribution, what then of Bustamante?<sup>63</sup> Thus, with no apparent peaceful settlement, Santa Ana launched in February 1832 what that may properly be considered Mexico's first Civil War.<sup>64</sup>

Although initially defeated at the Battle of Tolome on 3 March, Santa Anna declared his intention to keep fighting, resulting in the government's army abandoning Veracruz city's siege.<sup>65</sup> The State of Tamaulipas joined the rebellion when General Estevan Moctezuma took to the field against the government, adding to the revolt's growing enthusiasm. Additionally, Veracruz and Tamaulipas's actions denied the central government two primary sources of its income: Veracruz

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<sup>61</sup> "Plan De Veracruz," *El Fenix de la Libertad* (Mexico), January 11, 1832. Suárez y Navarro, *Historia de Mexico*, 263. Carlos Maria Bustamante, *Voz De La Patria* (Mexico: C. Alejandro Valdes, 1831), vol vii, 9-10.

<sup>62</sup> Antonio Lopex de Santa Anna, *Letter to Anastacio Bustamante Dated January 4, 1832* (Mexico City: BLACRiva Palacio Collection, 1832).

<sup>63</sup> *El Duende* (Mexico), 23 April 1832, 1832.

<sup>64</sup> Bustamante, *Voz De La Patria*, vol vii, 21-23.

<sup>65</sup> "Seige of Veracruz," *El Duende* (Mexico City), March 10, 1832.

and Tampico's ports' customs duties. The rebels immediately appropriated Their funds, which totaled upwards of 400,000 pesos.<sup>66</sup> In response, Bustamante sent two major armies to the east. Moctezuma's Tamaulipan forces soundly defeated the forces led by General Miguel Mier y Teran at the Battle of Tampico on 13 May, which allowed Moctezuma to march into the country's interior.<sup>67</sup> Bustamante's forces stop Mectezuma's advance on 18 September 1832, when at the battle of Gallinero near San Miguel Allende, Bustamante won a devastating victory. Moctezuma, commanding a joint force that included Zacatecas and Tamaulipas' militias, suffered a loss of over a thousand killed, effectively destroying the revolt in the northwest.

Although the defeat removed the threat of the Northwest alliance, it did not end the war. With the capital surrounded by Santa Anna to the east, Garcia to the north, and Alvarez to the south, the government was virtually shut off. At the end of September, Santa Anna defeated an army led by Facio in a battle near Puebla, leaving Mexico City unprotected.<sup>68</sup> After Santa Anna took Puebla's city on 5 October, the government declared that Mexico City was in a state of siege.<sup>69</sup> Bustamante's resistance ended when, on 5 December, his forces met Santa Anna's in an indecisive battle. Bustamante sued for peace and proposed new elections for state legislatures and after that for the Congress and chief executive.

Even though there were less than four months left in his term, the revolt's supporters insisted that Gomez Pedraza, who returned from exile on 6 November, be recognized as Mexico's rightful president.<sup>70</sup> Only then can the constitutional violations of the Guerrero's and

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<sup>66</sup> Anonymous, *Dos Anos En Mexico* (Jose Uribe: repr., Mexico City 1840), 54,65.

<sup>67</sup> Bustamante, *Voz De La Patria*, vol. vii, 66-67. Bancroft, *History of Mexico: 1824-1861*, 111.

<sup>68</sup> Suárez y Navarro, *Historia de Mexico*, 324. Bustamante, *Voz De La Patria*, vol vii, 219-27.

<sup>69</sup> *Legislación Mexicana: Ó, Colección Completa De Las Disposiciones Legislativas*, 20 vols., ed. Manuel Dublan and Jose Maria Lozano (Mexico: Dublán y Lozano, 1897), vol ii, 453.

<sup>70</sup> Jose Maria Luis Mora, *Obras Completas*, vol. II, VI vols., ed. Lillian Briseno Senosiain, Laura Solares Robles, and Luara Suarez de la Torre (Mexico: Instituto Mora, 1986-1988),, vol i, lxxv.

Bustamante's presidencies be rectified and constitutionalism restored. Therefore, in late 22 December, Bustamante, along with his top officers, arrived at the Hacienda de Zavaleta, near Puebla, to begin negotiations with Santa Ana, Gomez Pedraza, and Ramos Arizpe. On the following day, the parties reached an agreement. Known as the Treaty of Zavaleta, the agreement renamed Gomez Pedraza to the presidency, promoted military officers from both sides, and declared new elections for Congress and the state legislatures held before 15 February. Elections for the president and vice president would follow on 1 March 1833.<sup>71</sup>

Initially, Congress rejected the agreement but acquiesced when threatened if it did not recognize Gomez Pedraza as president. Nearly four years after his election, Gomez Pedraza took the oath of office for Mexico's president in Puebla on 26 December.<sup>72</sup> Gomez Pedraza failed to notice that he had made himself an instrument of Santa Anna's ambitions. When he, Santa Anna, and Bustamante entered Mexico City together on 3 January 1833, Santa Anna was the dominant power. As Anthony Butler, United States minister to Mexico, noted at the time, "the fate of the government was sealed, and the constitution was at an end, destroyed not only by repeated violations committed upon it but also by its failure to complete the most important obligation of electing the next president and Congress."<sup>73</sup>

Although it appeared that federalism was protected and the constitution restored, the Treaty of Zavaleta ensured its demise because the treaty did not intend to reestablish federalism or even to restore the Constitution of 1824. Furthermore, a year of brutal warfare had significantly weakened the one tool the states had to protect their sovereignty; their militias. For

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<sup>71</sup> Suárez y Navarro, *Historia de Mexico*, 296-97. "Convenio De Zavaleta," *Registro Oficial* (Mexico City), ix, December 31, 1832, 122.

<sup>72</sup> Rivera Cambas, *Historia Antigua*, vol iii, 226.

<sup>73</sup> Anthony Butler, *Letter to Edward Livingston Dated 12 December 1832* (Mexico City: BLAC Justin H. Smith Papers, 1832).

this reason, some historians argue that the Treaty of Zavaleta became, in effect, the constitutional charter of the nation. Although the state had won the victory, they point out that the Treaty of Zavaleta was essentially military. It supplanted the constitutional order when it annulled the presidential elections of 1832.<sup>74</sup>

The only real winner was Santa Anna, for the war resulted in him becoming the “indispensable man.” As the revolt leader, he was responsible for the overthrow of the despotic Bustamante regime. With his overwhelming popularity, it was no surprise when on 1 March 1833, Santa Anna was elected president with Gomez Farias as vice president. As has become the custom for Santa Anna, he immediately sought the renewal of his health by retiring to his Hacienda of Manga de Clavo, leaving his vice-president Gomez Farias as acting president.<sup>75</sup>

Not surprisingly, after three years of Bustamante implementing Alamán’s vision of centralism, the election resulted in a federalist dominated Congress. With the *purist* Gomez Farias acting as president, Congress launched a reform program to bring both the church and the army under the government's control.<sup>76</sup> First, Gomez Farias attacked the clergy’s immunity from civil prosecution (the *Fuero*). More importantly, the military’s Comandante-Generals came under the direction of the states' governments in which they operated. Furthermore, the states’ militias, which protected the states’ sovereignty, were to be strengthened.<sup>77</sup>

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<sup>74</sup> Costeloe, *La Primera Republica*, 347. Josefina Zoraida Vazquez, "Los Pronunciamentos De 1832: Aspirantismo Politico E Ideologia," in *Patterns of Contention in Mexican History*, ed. Jaime E Rodriguez O (Wilmington, DE: SR Books, 1992), 163-86.

<sup>75</sup> *Legislación Mexicana: Ó, Colección Completa De Las Disposiciones Legislativas Expedidas Desde La Independencia De La República*, vol ii, 503.

<sup>77</sup> Reynaldo Sordo Cedeno, *El Congreso En La Primera Republica Centralista* (Mexico City: El Colegio de Mexico/Intituto Tecnológico Autónomo de México, 1993), 19-20. Bustamante, *Voz De La Patria*, viii.

The church and army, allying against the reforms, pleaded with Santa Anna to reclaim the presidency and for him to pressure Congress to revoke the reform laws.<sup>78</sup> Santa Anna's role at the time was unique because he was in the peculiar position of being simultaneously the figurehead of a radical regime and the person to whom all anti-progressive elements look for protection.<sup>79</sup> Whatever commitment Santa Anna had for federalism, it was clear that he could not let the army, which was his primary source of support, be threatened and acted to end its reform. Therefore, on 16 May 1833, Santa Anna assumed the office of the presidency.<sup>80</sup> On the other hand, as the federalist government leader, he could not be seen defending the church's immunity. Therefore, as soon as Congress started debating the church reforms in December 1833, Santa Anna again retired to Manga de Clavo.

As the debate over the church's reform heated up in the first months of 1834, it became clear to Santa Anna that he had to choose a side. Selecting the side that would provide him with the most prospects, he returned to the capital as the Savior of religion, declaring he would not recognize the legality of its enactments that Congress passes on the issue. Resigning in protest as vice-president, Gomez Farias left the country. A month later, when the military garrison of Cuernavaca, declaring the *Plan of Cuernavaca*, revolted against the Congress, the state legislatures, and the reformers, Santa Anna took over the leadership of the movement. The *plan* called for the dissolving of the national Congress and most state legislatures. Although moderate Federalist states, such as Durango and Zacatecas, accepted the *Plan of Cuernavaca*, the more radical states, including San Luis Potosi, Michoacán, Yucatán, Puebla, and Jalisco, rose in

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<sup>78</sup> Reynaldo Sordo Cedeno, "Santa Anna Y La Republica Centralista," in *Cincuenta Anos De Historia En Mexico*, ed. Alicia Hernandez Chavez and Manuel Mino Grijalva, vol. 2 (Mexico City: Centro de Estudios Historicos/El Colegio de Mexico, 1991), 283-98.

<sup>79</sup> Sierra, *Political Evolution*, Book 3, Part 1, Chap. 2, Kindle.

<sup>80</sup> Bustamante, *Voz De La Patria*, vol viii, 134-35.



opposition. However, Santa Anna brutally oppressed them in a series of military campaigns during June, July, and August 1834.<sup>81</sup>

Any belief in federalism that Santa Anna still had ended when a centralist dominated Congress began to meet in January 1835. He believed that the Constitution of 1824, with some modifications, could still serve the country, but the new Congress was unwilling to cooperate. Unable to work with a centralist Congress, he attempted to renounce the presidency. Congress refused, although it did allow him to retreat to his hacienda in Veracruz. Congress then nullified the reform laws passed in 1833 in 1834. Upending the legislation to strengthen state militias, the new Congress proposed legislation that gave the national Congress the authority to assign forces to each state and territory based on their population and circumstances. Thus, the Plan merged the single defender of state sovereignty and the army's active militia into a single organization under Army officers' command.

Now convinced that it was impossible to resist the spread of centralism, Santa Anna positioned himself as the head of the centralist movement and once again took command of the government in April 1835. José Maria Tornel, Santa Anna's most intimate advisor, reportedly remarked on 12 April that the fact that not even "Santa Ana himself wanted it" showed that that Federalist system no longer suited the nation.<sup>82</sup> He did not engineer the end of the Federal Republic, as most of the historiography urges, but with political realism, he reluctantly acceded to it; an opportunist, no doubt, but more the prey than the predator.

Recognizing the threat that the national government's control of the civic militias posed to federalism and state sovereignty, Zacatecas, Jalisco, San Luis Potosi, and Guanajuato formed

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<sup>81</sup> Josefina Zoraida Vazquez, "La Crisis Y Los Partidos Politicos, 1833-1846," in *America Latina: Dallo Stato Coloniale Allo Stato Nazione*, ed. Antonio Annino, vol. 2 (Milan: Franco Angeli, 1987), 557-72.

<sup>82</sup> Quoted in Cedeno, "Santa Anna Y La Republica Centralista," in *Cincuenta Anos De Historia En Mexico*, 291.

another union to defend themselves from the centralists. Santa Anna responded by demanding that the state militias submit to the regular Army's command to avoid becoming a torment to society at large.<sup>83</sup> This demand was resisted by Zacatecas, which deployed its militia under the command of the state's former governor, General Francisco Garcia.

These forces were defeated when, on 11 May 1835, government forces personally led by Santa Anna attacked the state. The defeat ended any hope of resistance to the centralists. Santa Anna severely punished Zacatecas by having Aguascalientes' region converted into a territory on par with Texas, California, and New Mexico. The loss of this wealthy region of the state effectively ruined Zacatecas for decades to come.<sup>84</sup> In many ways, the sacrificial lamb, Zacatecas, fulfilled its destiny in the last Federal Republic by becoming its final defender. It paid such a high price in men, treasure, and territory that it would never again recapture the stature it had in the late 1820s as Mexico's most important state.<sup>85</sup>

The defeat of Zacatecas sealed the fate of the Federal Republic. While returning to Manga de Clavo from Zacatecas, Santa Anna paused to confer with leading politicians at Tacubaya. The idea prevailed in the discussions that installed a constituent congress to transform the government into a central republic. With the joining of the two chambers of Congress on 14 September 1835, the new transformative Congress became a reality. Over the next eighteen months, this constituent congress would dismantle federalist institutions and, on 30 December 1836, enacted a new centralist constitution, known as the *Constitucion de Siete Leyes*.<sup>86</sup>

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<sup>83</sup> Escamilla, in *Cincuenta Anos De Historia En Mexico*.

<sup>84</sup> Josefina Zoraida Vazquez, "El Federalismo Mexicano: 1823-1847," in *Federalismos Latinoamericanos: Mexico/Brasil/Argentina*, ed. Marcello Carmagnani (Mexico City: El Colegio de Mexico/Fondo de Cultura Economica, 1993), 15-20.

<sup>85</sup> Anna, *Forging Mexico*, 260.

<sup>86</sup> Bustamante, *Voz De La Patria*, vol viii, 219-21.

Created by the extreme centralists Manuel Sanchez de Tagle, Lucas Alamán, and Carlos Maria de Bustamante, the new constitution established a highly centralized nation governed from Mexico City. The sixth law, which eliminated any sovereignty the states had, ultimately did away with the states. It turned them into departments with appointed governors. A separate law divided the former state of Coahuila y Texas into two departments. New Mexico was also made into one department while the separate Californias united as a single department.<sup>87</sup> These changes removed all political and financial autonomy of the states and made them subservient to Mexico City.

Thus, through the maneuverings of Lucas Alamán, the centralists' vision of one united and uniform Mexico under the control of Mexico City became a reality for the Federal Republic, and the federalism established by the Constitution of 1824 was officially dead. While several states and territories would attempt to resist the new political order—most notably Zacatecas and Yucatan—only one would gain its independence; Texas.

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<sup>87</sup> Bustamante, *Voz De La Patria*, vol. xi, 59-63.

## Chapter 5

### Texas: The Last Bastion

Historians estimate Texas's population at the beginning of the 19<sup>th</sup> century to be between six to seven thousand non-Indian inhabitants dispersed over the three southern settlements of San Antonio, La Bahia, and Nacogdoches. Most of the residents of these settlements, of which San Antonio was the largest of settlements with approximately two thousand residents, were Spanish creoles and a few French and Americans.<sup>1</sup> Outside of these three settlements were inhospitable lands known as the *tierra despoblada* and regions controlled by various Indian nations. *Apacheria* (Land of the Apache) was the largest of the Indian controlled lands and was considered by both the Spanish and then the succeeding Mexican governments as an independent nation.<sup>2</sup>

The initial Spanish exploration into what would become Texas originated from the viceroyalty of Nueva Galicia in 1540. During the Spanish rule, which ended with Mexican independence in 1821, it was part of the Comandante-Generalcy of the Eastern Interior Provinces (Coahuila, Nuevo Leon, Nuevo Santander (now the state of Tamaulipas), and Texas). Located in Chihuahua, the Comandante-Generalcy was subject to San Luis Potosi's intendency regarding financial matters and Nuevo Galicia's Audiencia in judicial issues.<sup>3</sup> Thus, Texas had never been under the direct control of Mexico City up to and including its independence in 1836.

During the Spanish colonial period, Texas' provincial experiences were similar to those of the other provinces of the Spanish *América Septentrional*. During the reformation of the

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<sup>1</sup> Hubert Howe Bancroft, *History of the North Mexican States and Texas*, vol. 2, 2 vols. (San Francisco: The History Company, 1889), 2.

<sup>2</sup> T. R. Fehrenbach, *Lone Star: A History of Texas and the Texans* (Boston, MA: Da Capo Press, 2000), 30,82.

<sup>3</sup> Bancroft, *History of the North Mexican States and Texas*, 4.

intendancy system in the 1780s and 90s, Texas, along with the other frontier provinces of Coahuila, Nuevo Leon, Nuevo Santander (later Tamaulipas), New Mexico, Tabasco, the Californias, Chihuahua, and Sinaloa, remained military provinces under a military governor.<sup>4</sup> As a military province, the province had greater autonomy regarding its political, fiscal, and military affairs. The governor could react quickly to external threats such as those posed by other imperial powers and hostile Indian nations.

Like the rest of the Spanish territory in Latin America, the invasion of Spain by the French Empire changed Texas' status within the Empire. The imprisoning of Charles IV and his son Ferdinand VII, both of whom laid claim to the Spanish crown, and the installation of Napoleon's brother as king, resulted in Spain not having a recognized national government. To rectify the situation, representatives from the provincial juntas met in Seville to form the *Supreme Junta of Spain and the Indies* (here forth referred to as the *Cortes*). Ruling in Ferdinand VII's name, the junta issued a decree recognizing the Spanish territories in America to be provinces of Spain with the right to be represented in the *Cortes* in Seville.<sup>5</sup>

It is significant to note that the *Cortes* recognized the Eastern Interior Provinces as an independent province of Spain and not of Mexico or New Spain. It is also worth noting that the province elected a young attorney from Coahuila named Jose Miguel Ramos Arizpe as their representative in Cadiz.<sup>6</sup> Ramos Arizpe's election and subsequent actions represent the pro-federalist sentiment that prevailed in the province. As deputy, he lobbied the *Cortes* to establish a board made up of seven of the provinces' citizens. Each province would have two representatives

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<sup>4</sup> Nettie Lee Benson, *The Provincial Deputation in Mexico: Harbinger of Provincial Autonomy, Independence, and Federalism* (University of Texas Press, 1992), ix,4-6.

<sup>5</sup> Benson, *Provincial Deputation*, vii.

<sup>6</sup> Charles R. Berry, "The Election of the Mexican Deputies to the Spanish Cortes, 1810-1822," in *Mexico and the Spanish Cortes*, ed. Nettie Lee Benson (Austin, TX: University of Texas Press, 1966), 10-28.

except Texas, which would have one due to its smaller population. This board would be in charge of the internal administration of the Eastern Interior Provinces.

This step towards the provinces' increased sovereignty over their internal affairs eventually created the Provincial Deputations that would establish the independent and free provinces that united to form the First Republic. The Provincial Deputation for the Eastern Interior Provinces was established in Monterrey and virtually had full autonomy over its internal governance. Furthermore, it was accountable directly to Spain's national government through its Political Chief and the Minister of Overseas Affairs in Cadiz.<sup>7</sup> This change, notes Benson, only acknowledged the fact that these provinces were "virtually independent of the viceroy [in Mexico City] in practice, if not theory, for many years."<sup>8</sup>

In February 1810, the regency acting in the name of the imprisoned Ferdinand VII called for a new election for the *Cortes*. The recent decree recognizing Spanish territories in America as provinces of Spain, rather than colonies, increased the number of American deputies elected to the *Cortes. América Septentrional*, including the Eastern Interior provinces of Coahuila and Texas, elected twenty-two American deputies to represent their provinces in the *Cortes*.<sup>9</sup> Although invited to send a representative to the *Cortes*, Texas, failed to do so because the province did not want to bear the expense of maintaining a deputy in Cadiz and failed to come to terms on a suitable candidate. This lack of representation of Texan interest in the Spanish *Cortes* and later Mexican congresses would have "unfortunate results" as representation "might have

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<sup>7</sup> Benson, *Provincial Deputation*, 6.

<sup>8</sup> Benson, *Provincial Deputation*, 156n19.

<sup>9</sup> "Decree for Elections " *Gaceta de Mexico* (Mexico), April 15, 1809. Berry, "The Election of the Mexican Deputies to the Spanish Cortes, 1810-1822," 10-25. Benson Nettie Lee, "The Elections of 1809: Transforming Political Culture in New Spain," *Mexican Studies* 20, no. 1 (Winter 2004).

changed" the "history of the province."<sup>10</sup> One of those changes may have been the decision to allow Anglo-Americans to settle into the province.

The presence of aggressive Indians in the province made the area's settlement critical, but it also hampered any efforts. The Apache and the more recent arrivals, the Comanche, were warlike nations preyed on settlers and the more passive Indian nations. The horse being their primary instrument of war meant that they were in constant need of more. The settlements were excellent sources, but neither Indian nation avoided conducting raids as far as Jalisco to obtain horses.<sup>11</sup> Furthermore, Spain was fearful that the lack of Spanish citizens occupying such a vast land would invite other imperial powers to claim the land for themselves. This concern became acute when the Louisiana purchase placed the growing Anglo-American Republic directly on the territory's eastern border and included threats by the British Empire to the north and the Russian Empire already occupying northern California<sup>12</sup>. Spanish authorities realized that buffer was needed to keep the Indians from raiding south of the Rio Grande and set up a scheme to entice Spanish-Americans to settle in the area.

Unfortunately for the Spanish already settled just north of the Brazos, this scheme failed to attract enough people to create a sufficient buffer. Although the main reason was that any settlement was exposed to attack by the Indians, it was not the only reason. The Spanish had established the Hacienda system in their North American territory, which resulted in a creole elite who lived off pacified Indians' forced labor. Therefore, the province's lack of a concentrated society of pacific Indians made it unattractive to the *Haciendados*, who preferred to stay in the

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<sup>10</sup> Nettie Lee Benson, "Texas' Failure to Send a Deputy to the Spanish Cortes, 1810-1812," *The Southwestern Historical Quarterly* 64, no. 1 (1960): 14.

<sup>11</sup> T. R. Fehrenbach, *Lone Star: A History of Texas and the Texans* (Boston, MA: Da Capo Press, 2000), 57-58.

<sup>12</sup> Steven J. Frogue, "Russian California 1817-1825" (M.A., Chapman University, 1967), 1-2, ProQuest Dissertations & Theses Global.

south. The system also resulted in most of the population held in a state of peonage. This near status of slavery meant that even if a peon could establish his ranch, he did not have the liberty to do so.<sup>13</sup> The result is that the province's population had remained virtually stagnant throughout Spanish rule. Despite Spain's effort to entice Spanish Americans to colonize the province, its non-Indian population increased by less than a thousand during the first two decades of the 19<sup>th</sup> century.

Therefore, to protect other provinces' interests, including Coahuila, the Spanish government signed on 22 February 1819 the Treaty of Amity, eliminating the policy that excluded Anglo-Americans from settling in the province. Moses Austin was the first to take advantage of the change in Spanish policy. Understanding and believing that the Spanish government's titles would secure Anglo-American ownership of the land, Austin set out in December 1820 for permission to establish a colony for 300 families. From his home in Missouri, he traveled to the capital of the Province, San Antonio de Béjar, where he petitioned the governor to grant land for the colony.

Unfortunately, the arduous return journey, which exposed Austin to cold rain, proved too much for his health, and he died shortly after returning home on 10 June 1821. Before his passing, he received word that the Eastern Interior Provinces' supreme government approved his grant on 27 January 1821. At this time, the province was still part of the Spanish Empire, and that the granting authority was the government of the Eastern Interior Provinces acting independently of Mexico City. As one of his final acts, he took the legal steps to bequeath the grant to his son, Stephen, in New Orleans.

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<sup>13</sup> Bancroft, *History of the North Mexican States and Texas*, 72-73.



Stephen, who had assisted his father with the grant's application, immediately set off for San Antonio de Béjar. Upon his arrival on 10 August, Austin received permission from the province's governor to explore the Colorado River area for a suitable colony location. While exploring the region, Mexico declared its independence with a provincial governing junta established in Mexico City. Returning to San Antonio de Béjar in March 1822, Austin learned that he would need to go to Mexico City to have the Spanish grant certified by the new government. He arrived in Mexico City on 29 April, but the chaotic political situation delayed any action on his grant.

Initially, Austin worked with a committee created by the first Congress, but the committee disbanded when Iturbide, proclaimed Emperor on 19 May, dissolved the Congress. The new *junta instituyente*, through which the new Empire governed, formed another committee to attend to issues regarding the colonization of the Empire's territory. A colonization law granting the establishment of foreign colonies in Mexican provinces passed on 4 January 1823. Under this law, Austin pushed for the grant his father received from Spain to be recognized. On 18 February, an imperial decree approved the Spanish grant's validity and recognized Stephen as the grant owner.

Unfortunately, before Austin could depart with his grant approved by imperial decree, Mexican politics took another chaotic turn. On 19 March, the Mexican Empire came to an end with Iturbide's abdication. The following month, the restored Congress annulled all imperial decrees and suspended the colonization law that recognized Austin's grant. Thus, Mexican political chaos once again invalidated his claim. On 14 April 1823, the national Supreme Executive Power, which governed the nation in the absence of a chief executive, upheld the imperial decree recognizing the Spanish grant.

The extent that Stephen Austin went to get official approval of the grant his father received from the Spanish government belies the claim that the Austins were part of a conspiracy to undermine Spain's and Mexico's claims to the province. Even as Mexico City appeared unable to govern itself, much less a province 1,300 miles away, Stephen spent an entire year dealing with four successive national governments to get legal validation for Anglo-Americans' settlement in Texas. At no time did Stephen or his father, Moses, act in any way that disrespected or undermined Spain's or Mexico's claim to the province. On the contrary, they both went to extremes to ensure that the establishment of their settlements was legal and in full respect of the governments' authority.

On 1 February 1823, Antonio Lopez de Santa Anna and Guadalupe Victoria signed a plan calling for a new national Congress modeled on the Spanish Cortes. More significantly, the provinces were to elect their representatives.<sup>14</sup> Inspired by federalists such as Ramos Arizpe from Coahuila and José Mariano Michelina from Michoacán, the plan became known as the *Plan of Casa Mata*.<sup>15</sup> Led by Ramos Arizpe, the Eastern Interior Provinces of Nuevo Leon, Nuevo Santander, Coahuila adopted the plan by 9 April and declared themselves free, independent, and sovereign states.

Since Texas lacked a Provincial Deputation, the decision to accept the *plan* fell onto the governor and the municipal councils of the San Antonio, La Bahia, and Nacogdoches. At a meeting held by the governor and the municipal council on 21 March, San Antonio rejected the *plan* and, unaware of Iturbide's abdication on the 19<sup>th</sup>, reaffirmed its allegiance to Emperor.<sup>16</sup>

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<sup>14</sup> Benson, *The Provincial Deputation in Mexico*, 68-69.

<sup>15</sup> Alaman, *Historia De Mejico*, Vol V, 711. Zavala, *Ensayo Historico*, vol I, 139,215.

<sup>16</sup> "Oficio Dirigido Al Supremo Poder Ejecutivo a Consequencias Del Que Con La Fecha 28 De Abril Remitio El Exmo Sr. Secretario De Estado Don Jose Ignacio Garcia Illueca a La Exma Diputacion Provincial Del Nuevo Reino De Leon."

Likewise, in a vote held the next day, La Bahia did the same. Only after the governing council of Texas had received a copy of the measures adopted and transmitted to it by the Provincial Deputation of Puebla did Texas declare its acceptance of the *Plan* on 15 April.<sup>17</sup>

With nearly every province having declared acceptance and support of the *Plan of Casa Mata*, Emperor Iturbide abdicated his throne and went into exile. Without the Emperor's legitimacy, the restored Congress disbanded and replaced by the Second Constituent Congress. Meeting on 7 November 1823, the new Congress set out to draft a new constitution to guide a national government's formation. Based on the *Actas Constitucionales* authored by Ramos Arizpe, the new Constitution was adopted on 4 October 1824. Contrary to Texans' hopes, who established their own Provisional Deputation on 31 October 1823, the Constitution combined the province with Coahuila to create the State of Coahuila y Texas.<sup>18</sup> Significantly, a subsequent act assured the Texans that they retained the right to form their own state "as soon as it felt in position" to do so.<sup>19</sup>

During much of this time, Stephen Austin was in Mexico City and very much aware of Texas' status within the newly formed Federal Republic and the promise for statehood at a future date. As he would write on 11 May 1823, "The Congress is acknowledged and the new system fully adopted and although there is "some difference of minor importance between this place [Texas] and Monterrey...all will unite in supporting the congress and a liberal government."<sup>20</sup> Furthermore, Austin and Ramos Arizpe met several times while the latter drafted the *Acta*

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<sup>17</sup> "Governing Council of Texas to the Supreme Executive Power, San Fernando De Bejar, Dated June 11, 1823."

<sup>18</sup> Carlos E. Castañeda, *A Report on the Spanish Archives in San Antonio, Texas* (San Antonio, TX: Yanaguana Society, 1937), 129.

<sup>19</sup> Benson, *The Provincial Deputation in Mexico*, 127. Juan A. Mateos, *Historia Parlamentaria De Los Congresos Mexicanos De 1821 a 1857*, vol. 2, 25 vols. (2013: repr., Mexico City: Nabu Press, 1879-1912), 818,53.

<sup>20</sup> Benson, *The Provincial Deputation in Mexico*, 108. Stephen F. Austin, *Letter to General James Wilkinson Dated May 11, 1823* (Saltillo, Coahuila: Barker History Center of the University of Texas, 1823).

*Constitucional*. Although no record exists of these meetings, they likely discussed the federal Republic since that was a topic "being discussed throughout Mexico." It also appears that at this time, Austin conceived of the idea of drafting his own Constitution. Austin showed his plan to Ramos Arizpe at a subsequent meeting. Although Ramos Arizpe reviewed and made notes on Austin's "Plan of a Federal Constitution," Austin does not list him as a recipient of a copy.<sup>21</sup>

Nor were the Anglo-Americans in Texas unaware of the Federal Republic and the Constitution of 1824, which established it. On the contrary, the formation of the Republic and its Constitution lured potential settlers. A book published in New York in 1832 provided potential settlers with copies of the Constitution of 1824, the Constitution of the State of Coahuila y Texas, as well as "sundry other laws and documents, particularly relating to Coahuila y Texas."<sup>22</sup> The book explained that the new state had three departments, Saltillo, Monclova, and Texas. Under its Constitution, published on 11 March 1827, the state would be federalist with a constitutional congress comprised of twelve members, two of whom would represent Texas. The congressional representatives were elected indirectly by the leaders of districts within the departments. Representation within Congress would increase in proportion to the population growth of the departments. The Constitution required that any candidate for governor be a native of the Republic, 35 years of age, and had lived in the state for at least five years.<sup>23</sup>

As late as 1831, just four years before Texas revolted against the Mexican centralist Republic, a publication addressed to prospective settlers stated:

Another reason why a cession of Texas is not desirable to its inhabitants, arises from their condition under its present government. They are perfectly contented with it; they desire not better—it is a free republic like that of the United States, the people choose their own

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<sup>21</sup> Benson, *The Provincial Deputation in Mexico*, 123-24, 198n82.

<sup>22</sup> Mexico, Bay Galveston, and Company Texas Land, *The Constitution of the Republic of Mexico and of the State of Coahuila & Texas* (New-York: Ludwig & Tolefree, printers, 1832), 1.

<sup>23</sup> Bancroft, *History of the North Mexican States and Texas*, 85-86.

rulers and make their own laws...What more can they desire? And if they did, we know not to what government they can look with a prospect of attaining it.<sup>24</sup>

Bancroft echoes this sentiment when he notes that Coahuila's government was "favorably disposed towards" Texas during this time.<sup>25</sup> "But," Bancroft continues,

the federal government was not equally considerate; and with its customary interference in the internal affairs of the states, it presently began a system of encroachments on the liberty and rights of the settlers, thereby establishing a mine of grievances" which resulted in "the outburst of a bloody revolt."<sup>26</sup>

When published in the United States, the books' authors could not have known that Anastasio Bustamante and Lucas Alamán were establishing Mexico's first dictatorship. Alamán, as Minister of Internal and External Affairs, greatly feared that the United States had plans to take Texas from Mexico.<sup>27</sup> On 8 February 1830, Alamán presented to Congress a report in which he accused the state government of Coahuila Y Texas of being negligent in how they implemented the laws governing colonization. To rectify the imbalance between the Mexican and Anglo-American populations, which numbers over 25,000, he suggested 1) making Texas into a penal colony for Mexican criminals, 2) limiting foreign settlers to those who were not Anglo-American, 3) limit Texas' trade to the other part of the Republic, 4) suspend the Colonization Law of 1824 and place the Anglo-American settlements under the control of the federal government, and 5) appoint a commissioner to examine and report on the condition of the Anglo-American settlements including their legality.<sup>28</sup>

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<sup>24</sup> Bay Galveston, and Company Texas Land, *Address to the Reader of the Documents Relating to the Galveston Bay & Texas Land Company* (New-York: Printed by G.F. Hopkins & Son, 1831, 1831), 33.

<sup>25</sup> Bancroft, *History of the North Mexican States and Texas*, 97.

<sup>26</sup> Bancroft, *History of the North Mexican States and Texas*, 97.

<sup>27</sup> Lucas Alamán's *History of Mexico* greatly influenced the historiography of the period, including the promotion of Texans being part of a conspiracy created by the United States to steal Texas from Mexico.

<sup>28</sup> *Noticias Biográficas Del Exmo. Sr. D. Lucas Alaman, Secretario De Estado Y Del Despacho De Relaciones Exteriores* (Mexico: Andrade, 1853), 47-56.

The Congress, in some cases beaten into submission, approved Alamán's suggestion on 6 April. The new law prohibited citizens from any neighboring nations from settling into any Mexican state or territory immediately adjacent to it. Furthermore, it invalidated any unfulfilled colonization contracts. As for the established settlements, the law prohibited further importation of slaves.<sup>29</sup> These laws were loathsome since they reduced the Anglo-Americans, each of whom became Mexican citizens, to the status of non-citizens.

This unique treatment of the Anglo-American citizens in Texas worsened when Manuel Mier y Teran, the military force commander in the eastern states, was ordered to take a military force large enough to ensure the Texans complied with the new law. Accordingly, Mier y Teran entered the Department of Texas with two battalions of regular infantry, a regiment of cavalry, several independent companies, artillery, and three other states' militia. A military occupation soon took control, with military posts established throughout the district and a warship deployed off the coast. The military authorities, only recognizing the settlements established by Stephen Austin, Green Dewitt, and Martin de Leon, reject titles of Anglo-American citizens even though some had been settled there for years.<sup>30</sup>

The Texans were not the only ones to see the unconstitutionality of the laws. The governor of the Coahuila y Texas, José María Letona, regarded such actions as an infringement of his state's sovereignty. Letona named Francisco Madero and José María Carbajal commissioners to grant titles and sent them to the Trinity River area. Upon establishing the town of Liberty, the commissioners immediately granted the titles and appointed an ayuntamiento

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<sup>29</sup> *Legislación Mexicana: Ó, Colección Completa De Las Disposiciones Legislativas Expedidas Desde La Independencia De La República*, ii, 238-40.

<sup>30</sup> Suárez y Navarro, *Historia de Mexico*, 244-46., Manuel Rivera Cambas, *Historia Antigua Y Moderna De Jalapa Y De Las Revoluciones Del Estado De Veracruz*, 3 vols. (Mexico: I. Cumplido, 1870), vol. iii, 26-27.

(municipal council). Declaring these actions as violations of the new law, Mier y Teran ordered the two commissioners arrested and imprisoned in Anáhuac, and the town of Liberty dissolved.

What is often overlooked or obscured by centralist driven historiography is that the Anglo-American settlers had become Mexican citizens with all the protections provided by the Constitution of 1824. These provisions included article 147, which prohibited the government's confiscation of estates.<sup>31</sup> So it should be no surprise that the Texans, denied their status as Mexican citizens, reconsidered their relationship and loyalty to Mexico. At this time, there began the illegal importation of arms and war material from the United States, and revolt appeared all but certain.<sup>32</sup>

The calls for revolt temporarily subsided when on 2 January 1832, Santa Anna endorsed Veracruz's Plan, which declared the Bustamante government a threat to the Federal Republic. The state of Tamaulipas joined the rebellion when General Estevan Moctezuma took to the field against the government, forcing Bustamante to order Mier y Teran to leave Texas to confront Moctezuma. When Moctezuma's Tamaulipan forces soundly defeated those led by General Miguel Mier y Teran at the Battle of Tampico on 13 May, which relieved Texas from military threat.<sup>33</sup> A month later, at Turtle Bayou, the Texans passed a resolution adopting the *Plan of Veracruz*. Written by John Austin (no relation to Moses or Stephen), the resolutions reflect the residents of the province's sentiments.<sup>34</sup> The resolution includes the following resolves:

Resolved That we view with feelings of the deepest regret the manner in which the Govt of the Republic of Mexico is administered by the present dynasty [sic] —The repeated violations of the Constitution—the total disregard of the laws—the entire prostration of the civil authority; and the—substitution in its stead of a military despotism, are greivances [sic] of such character, as to arouse the feelings of every freeman, and impel him to resistance.

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<sup>31</sup> Mexico, Galveston, and Texas Land, *The Constitution of the Republic of Mexico*, 78.

<sup>32</sup> Bancroft, *History of the North Mexican States and Texas*, 117-18.

<sup>33</sup> Bustamante, *Voz De La Patria*, vol. vii, 66-67. Bancroft, *History of Mexico: 1824-1861*, 111.

<sup>34</sup> Bancroft, *History of the North Mexican States and Texas*, 125.

Resolved That we view with feelings of the deepest interest, and solicitude, the firm manly resistance, which is made by the highly talented and distinguished Cheiftan [sic] – General Santa Anna, to the numberless encroachments and infractions, which have been made by the present administration, upon the Constitution and laws of our adopted and beloved country.

Resolved That as freemen devoted to a correct interpretation, and enforcement of the Constitution, and laws, according to their true Spirit—We pledge our lives and fortunes in support of the same, and of the distinguished leader who is now so gallantly fighting in defense of civil liberty.<sup>35</sup>

At the time of the drafting of the Turtle Bayou Resolutions, Mexican leadership on both sides of the conflict believed that Texans would use the war as an opportunity to separate from Mexico and join the territory to the United States. Therefore, General Moctezuma sent Colonel José Antonio Mejía, supported by 400 soldiers and six warships, to quash any Texans' aspirations regarding secession. Joined by Stephen F. Austin, who was returning from the state legislature in Saltillo, Mejía's armada arrived at the Brazos River's mouth on 16 June. At which point, a delegation of Texans led by John Austin presented the colonel with the resolutions.

To reinforce their commitment to the Federal Republic and the Constitution, Texans called for all the ayuntamientos to participate in a conference held on 1 October in San Felipe de Austin. Fifty-five delegates from sixteen districts attended the conference. Unfortunately, none were *Tejano* (Hispanic Texans) since the predominately *Tejano* ayuntamientos of San Fernando de Béxar and Victoria did not participate. Led by Stephen Austin, the attendees voted for a series of resolves pledging their support of federalism and Santa Anna's efforts to restore constitutional rule and the "rights and privileges" of Coahuila y Texas as a sovereign state within the Mexican

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<sup>35</sup> "The Turtle Bayou Resolutions," Texas State Library and Archives Commission, last modified March 7, 2016, 1832, accessed December 4, 2020, <https://www.tsl.texas.gov/treasures/republic/turtle/turtle-01.html>. Bancroft, *History of the North Mexican States and Texas*, 124-27.



Republic.<sup>36</sup> The conference never published the resolves since the lack of *Tejano* participation could be interpreted as representing only Texans who had come from the United States.

The uncertainty of the struggle between Santa Anna and Bustamante contributed to the lack of *Tejano* participation. Uncertain of its outcome, *Tejanos* did not want to be seen openly supporting either side.<sup>37</sup> As unfortunate as *Tejanos'* refusal to participate was at the time, the fact that a convention attended only by Anglo-Americans could produce such resolves illustrates how seriously they took the Constitution of 1824, the Federal Republic, and state sovereignty. Satisfied by these pronouncements of loyalty, Colonel Mejía and his soldiers left Texas to join the fight in the south.

These resolutions also reflected their hopes that Antonio Lopez de Santa Anna, who as a self-proclaimed federalist pledged to defend the Constitution, would return the nation to the political situation that the Texans were perfectly "contented with it." Unfortunately, in this, the Texans would be sorely disappointed. After Santa Anna defeated the forces led by Bustamante's Minister of War, José Antonio Facia, at the Battle of Puebla (5 October 1832) and the signing of the Treaty of Zavaleta (23 December), he was elected, to the acclaim of the Texans, president of the Federal Republic (1 March 1833). Thus, temporarily arresting serious calls for secession.

Instead, believing they had established their loyalty, the Texans moved to apply for statehood as promised by the proviso in the decree provisionally uniting Coahuila and Texas as a single state. The fact that Texas' interests were entirely distinct from those of Coahuila and, with minimal representation in the state legislature, were often overlooked, Texans argued that only an independent state legislature could serve Texas' interests. For example, while Coahuila's

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<sup>36</sup> Bancroft, *History of the North Mexican States and Texas*, 126.

<sup>37</sup> Ralph W. Steen, "Convention of 1832," Handbook of Texas Online, Texas State Historical Society, accessed December 4, 2020, <https://www.tshaonline.org/handbook/entries/convention-of-1832>.

geographical position excluded the state from maritime trade, Texas possessed a tremendous natural advantage for developing an extensive commercial business with foreign countries. Additionally, the remoteness of the higher judicial courts in Saltillo resulted in only the wealthy's ability to appeal their cases.

To this end, a second convention of the ayuntamientos assembled in San Felipe de Austin on 1 April 1833 to frame a state constitution and a petition asking the national government to grant Texas statehood. Although the United States Constitution served as a model, the new constitution complied with the requirement that all state constitutions comply with the Constitution of 1824. Therefore, it provided uniquely American rights such as the trial by jury and the habeas corpus; however, it did not include religious freedom provisions.

In the petition for statehood, Texans explained the disadvantages of the current union with Coahuila and the benefits of disunion. Furthermore, to strengthen their claim, the petition recapped how the Second Constituent Congress granted Nuevo Leon, Chihuahua, and Durango statehood.<sup>38</sup> Although Stephen F Austin, William H. Wharton, and J. B. Miller were appointed delegates to proceed to Mexico's city and present the memorial to the supreme government, Austin was the only one to go. As with his first journey to Mexico City, Austin found the capital once again in a state of political chaos and confusion. Austin also realized that Santa Anna's dedication to the Constitution of 1824 equaled Bustamante's. He saw that they both used it to gain power but soon disregarded it upon achieving power.

Still, Vice-President Farias, who was acting president while Santa Anna was recuperating at his hacienda in Veracruz, warmly received Austin and his petition. Unfortunately, the political

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<sup>38</sup> H.K. Yoakum, *History of Texas*, vol. v. 1 (Redfield, NY: Redfield, 1855), 469-82. *The Texas Almanac and Emigrant's Guide to Texas* (Austin, TX: Texas State Historical Society, 1869), 40-50.

turmoil within the capital resulted in a delay of several months before the government could deal with Texas affairs. Frustrated by the delay, Austin communicated to the Vice-President on 1 October that if the government does not address Texas statehood, then the Texans would take matters into their own hands, possibly by violent means if necessary.<sup>39</sup> Although Austin intended to convey the Texans' sentiments, Farias and his ministers regarded it as a threat. The Mexicans' fear of Texas secession increased when a letter Austin wrote the following day to San Antonio de Béjar recommended that the Texas ayuntamientos organize local governments, independent of Coahuila. The ayuntamientos should take these actions even if the national government refused its consent.<sup>40</sup>

Finally, on 5 November, Santa Ana, reclaiming his position as president, convoke a special meeting of the ministers to consider Texas a separation from Coahuila. Austin, representing the Texans, attended the meeting. After much deliberation, the government decided that Texas' population had not reached the level the Constitution required for statehood. The ministers did issue a statement urging Coahuila's government to adopt reforms that addressed some of the Texans' grievances. Further interference, they concluded, would violate Coahuila's right to manage its internal affairs.<sup>41</sup>

Austin, realizing that this was the most his mission would achieve, left the capital on 10 December. Arriving in Saltillo on 3 January 1834, he was, by order of vice president Farias, arrested. Farias, who already considered Austin's warning regarding the Texans taking matters into their own hands at the time as a threat, became alarmed when he obtained a copy of the

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<sup>39</sup> Bancroft, *History of the North Mexican States and Texas*, 136.

<sup>40</sup> Stephen F. Austin, "Austin to Thomas F. McKinney," in *The Austin Papers*, ed. Eugene Barker, vol. 3 (Austin: University of Texas, 1927), 11.

<sup>41</sup> *Legislación Mexicana: Ó, Colección Completa De Las Disposiciones Legislativas Expedidas Desde La Independencia De La República*, vol. ii, 637.

letter Austin wrote to the ayuntamiento of San Antonio. These two actions, Farias determined, were treasonous, and he promptly issued an order for Austin's arrest. The Comandante-General in Saltillo sent Austin back to Mexico City where, starting on 13 February 1834, he would remain, without ever receiving a trial, a prisoner for the next nineteen months.

During this time, the military garrison of Cuernavaca declared in favor of the *Plan of Cuernavaca*. The soldiers revolted against the Congress, the state legislatures, and those who strove to reform the Church and the Army. Santa Anna took over the leadership of the movement and called for the dissolving of the national Congress and most state legislatures. In response, San Luis Potosi, Michoacán, Yucatán, Puebla, and Jalisco, rose in opposition. However, Santa Anna brutally oppressed them in a series of military campaigns during June, July, and August 1834.<sup>42</sup>

Still, Austin remained hopeful that Santa Anna, who portrayed himself sympathetic to Texas' cause, would grant it statehood. On 5 October, Santa Anna convoked another meeting to discuss Texas statehood. Although still imprisoned, Santa Anna allowed Austin to represent the Texans. Lorenzo Zavala, four secretaries of state, representatives from Coahuila y Texas' state legislature, and three Army generals also participated in the deliberations. After three hours of discussion, Santa Anna determined that not only was Texas to remain united with Coahuila, but that an army corps, numbering 4,000 and comprised of infantry, cavalry, and artillery sent to Bexar. To Texans, this proved that Santa Anna wanted to occupy Texas with enough military force to subdue any federalist desires they may have. Thus, rather than being a state, or even a

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<sup>42</sup> Josefina Zoraida Vazquez, "La Crisis Y Los Partidos Politicos, 1833-1846," in *América Latina: Dallo Stato Coloniale Allo Stato Nazione*, ed. Antonio Annino, vol. 2 (Milan: Franco Angeli, 1987), 557-72.

part of a sovereign state, Texas became a province of the national government ruled from Mexico City.

By this time, it had become evident that the powers in Mexico City intended to establish a centralist form of government. As noted, the Federalists' attempts in several states to oppose the centralists were violently oppressed. Still, Coahuila y Texas resolved to adhere to the Constitution of 1824. The sentiment of Coahuila y Texas differed little than those reflected in a protest initially issued by the now disposed legislature of Zacatecas, Citing the 47, 48, 49, and 50<sup>th</sup> articles of the federal Constitution, which clearly defined the powers of the general Congress, the Zacatecas proclaimed to:

protest, in the most solemn manner, that, having been received into the Confederation by virtue of the fundamental compact, and on the principles therein established, it does not, nor ever will, acknowledge the acts emanating from the general Congress which are not in strict conformity with the express tenor of the above cited articles; nor will it admit other forms of the Constitution than those made in the manner therein prescribed; on the contrary, it will view as an attempt against its sovereignty every major in opposition to these legal dispositions.<sup>43</sup>

Meanwhile, General Martin Perfecto de Cos, Comandante-General of the Eastern Internal Provinces' military region, received orders to take action against Coahuila y Texas. Cos regarded maintaining a permanent local militia as an indication of a meditated insurrection and threatened to put down by force the "criminal acts" of "revolutionists."<sup>44</sup> Under threat of military action, the state legislature voted on 21 April to adjourn. "Thus close forever," says Yoakam, "on 21 April 1835, the legislature of Coahuila y Texas."<sup>45</sup>

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<sup>43</sup> William Kennedy, *Texas: Rise, Progress, and Prospects of the Republic of Texas* (London: R. Hastings, 1841), Vol ii, 85-87. Henry S. Foote, *Advance of the Anglo-Americans to the South-West* (Philadelphia: Thomas, Cowperthwait & Co., 1841), vol. ii, 57. *Coleccion De Decretos Y Ordenes Del Congreso Constitucional De Mexico*, vol. v. 1 (Imprenta del gobierno, 1831), 48-53.

<sup>44</sup> Vicente Filisola, *Memorias Para La Historia De La Guerra De Tejas* (Mexico: Ignacio Complido, 1849), vol. ii, 111-13.

<sup>45</sup> Yoakum, *History of Texas*, vol. i, 335-36.

Adjournment of the state legislature left Texas without any form of government, which forced upon the Texans the choice between submitting to Santa Ana and the rule of the governor appointed by him or establish a government of their own. Cos, recognizing the situation, attempted to dispel the Texans' fears with a conciliatory circular, dated 12 June, which claimed that "justice and paternal regard" guided the government's intention towards Texas. This attempt to allay fears failed when the Texans learned of a dispatch informing Cos that a strong military force was on its way to Texas.<sup>46</sup> The Texans' fears increased as fugitives fleeing from Santa Anna's oppression of the other states sought refuge in Texas, including the former governor of Mexico, Lorenzo de Zavala. Agustin Viesca, former governor of the state, exhorted for the "citizens of Texas, arouse yourselves, or sleep forever! Your dearest interests, your liberty, your property—nay, your very existence— depend upon the fickle will of your direst enemies. Your destruction is resolved upon, and nothing but that firmness and energy peculiar to true Republicans can save you"<sup>47</sup>

After his victory over Zacatecas, Santa Anna returned to Mexico City, where he ordered Stephen Austin's release from imprisonment, hoping that Austin would help restore order in Texas.<sup>48</sup> Upon returning to Texas in early September, Austin found the Anglo-Americans "all disorganized, all in anarchy, and threatened with immediate hostilities."<sup>49</sup> On 8 September addressed in Brazoria a large assembly of Texans.<sup>50</sup> After explaining his conduct while in Mexico and discussing Texas' position, he recognized that war was almost inevitable. He concluded with a toast in which he declared "the constitutional rights and the security and peace

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<sup>46</sup> Filisola, *Memorias Para La Historia*, vol ii, 127.

<sup>47</sup> Bancroft, *History of the North Mexican States and Texas*, 158.

<sup>48</sup> Yoakum, *History of Texas*, vol i, 340.

<sup>49</sup> Foote, *Advance of the Anglo-Saxons*, vol. ii, 60.

<sup>50</sup> Stephen F. Austin, "Speech of Colonel Austin Delivered on the 8th of September, 1835," in *The Austin Papers*, ed. Eugene Barker, vol. 3 (Austin, TX: University of Texas, 1927), 117.

of Texas—they ought to be maintained; and, jeopardize as they are now, they demand a general consultation of the people."<sup>51</sup>

By this time, word arrived that Cos, with a large reinforcement, was on his way to Béjar intending to break up the Anglo-American settlements in Texas. This news spurred Texans into action, and they started making preparations for the imminent conflict. On 19 September, Austin issued a circular, recommending that every district organize its militia and raise volunteer regiments to defend their rights as guaranteed by the Constitution of 1824.<sup>52</sup> The circular concluded by stating that, as conciliatory measures with Cos and the military at Béjar were hopeless, "War is our only resource there was no other remedy. We must defend our rights, ourselves, and our country by force of arms." Throughout Santa Anna's first presidency, the "free and sovereign" states of Jalisco, Zacatecas, San Luis Potosi, Guanajuato, Michoacán, Yucatán, and Pueblo rose in defense of Mexican federalism and the Constitution of 1824 and all ruthlessly crushed. Now, it was Texas' turn.

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<sup>51</sup> Kennedy, *Texas: Rise, Progress, and Prospects*, vol ii, 97-102. Foote, *Advance of the Anglo-Saxons*, vol ii. 60-65.

<sup>52</sup> H.S. Thrall, *A History of Texas* (New York: University Publishing Company, 1885), 502. Foote, *Advance of the Anglo-Saxons*, vol ii, 66-67.

## Chapter 6

### Conclusion

The history of Mexican federalism and the First Republic's rise and fall significantly impacts how the histories of succeeding events are understood since it provides historical content to those histories. The traditional narrative, which virtually ignores this part of Mexican history while focusing on that of the United States, fails to provide such a context. An example of this is Stephen F. Austin's admission that his "object has always been to fill up Texas with a north American population" while also declaring his "fidelity to Mexico." These comments, seen through the viewpoint of the traditional narrative, seem hypocritical and disingenuous. Even his comment that a Texas "fully Americanized under the Mexican flag would be the thing in effect, and ultimate result, as coming under the United States Flag," appear dubious.<sup>1</sup> After all, how could the nation of Mexico contain an Americanized state?

The answer to that question is that, when Austin wrote these comments, each state was sovereign within itself. Therefore, under Mexican federalism, an Americanized Texas could be part of a Hispanized Mexico as long its laws and Constitution complied with those of the First Republic. For this reason, the proposed Texas State Constitution of 1827 excluded any mention of religious liberty, even though the drafters modeled it on that of the United States. Such a clause contradicted the recognition that Catholicism was the religion of Mexico. In this sense, Mexican federalism created a situation in which Texas had a similar status to that which Canadian federalism provides a French Quebec within a more anglicized Canada.<sup>2</sup>

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<sup>1</sup> Steven F. Austin, *The Austin Papers*, vol. 3, 3 vols., ed. Eugene Barker (Austin, TX: University of Texas Press, 1927), 101-03.

<sup>2</sup> Timothy E. Anna, "Early Mexican Federalism and the Multiple Origins of Nationhood," *National Identities* 1, no. 2 (July 01 1999), 137.



Unfortunately, the new order created by the Constitution of 1835, which turned the states into departments of the central government, eliminated Americanized Texas's prospect within Mexico. This situation left the Texans with the choice between independence or remaining under an authoritarian central government that looked upon them as outsiders who desired to take Texas from Mexico. As Austin noted, under such conditions, "the great law of nature—self-preservation" made a choice inevitable. For many Texans, their only hope laid with the restoration of the Constitution of 1824. Thus, the Texans became the last defenders of the federal republic and Mexican federalism's last bastion. As Austen noted to his cousin, "the state of public feeling in Texas" is "to avoid all collision with Mexico," but that the people must also "be also ready to repel attacks should they come." Unfortunately, "the violent political convulsions of Mexico" and the resultant new order created a situation in which an Americanized Texas could not exist within the nation of Mexico.

Nevertheless, even as late as October 1835, "the people of Texas seem to oppose a separation from Mexico." The "1824" emblazoned on the Dimmitt flag and its variations demonstrate that they still held out hope for the restoration of the ideas and principles embedded in that document. If not for all of the nation, at least for Texas. Likewise, the single star Dodson flag appears to acknowledge that Texas was the last of Mexico's territory not conquered by the new Central Republic. It is important to note that Texans rejected several other flags that promoted independence at the time of their appearance since Texans deemed such sentiment as "premature."<sup>3</sup> As Santa Anna brutally suppressed Jalisco, Zacatecas, San Luis Potosi,

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<sup>3</sup> Charles A. Spain, "Flags of the Texas Revolution," Handbook of Texas Online, Texas State Historical Society, accessed 9 December, 2020, <https://www.tshaonline.org/handbook/entries/flags-of-the-texas-revolution>.

Guanajuato, Michoacán, Yucatán, and Pueblo, it reduced the Texans' hope for a conciliatory outcome and made Texas "ripe" for rebellion.<sup>4</sup>

With this abandonment of the political arrangement that allowed an Americanized Texas to exist within a Hispanicized Mexico, the Texans felt justified in declaring their independence, and many Mexicans agreed. As noted in the previous chapter, Mexican historian Justo Sierra supported Texas's right to secede since the Santa Anna regime completely abandoned the Constitution that bound it to Mexico. Nor would other Mexicans not attempt to reestablish the federalist republic, even if they had to do so independent of Mexico. In 1840, Coahuila, Nuevo Leon, and Tamaulipas declared their independence and united to form the short-lived Republic of the Rio Grande. Mexico City reacted quickly and subdued the rebellious states.<sup>5</sup> The Republic of Yucatán realized a greater degree of success when on 12 February 1840, Yucatan forces seized Valladolid's city and declared the re-establishment of the Constitution of 1824. Although the central government in Mexico City declared war on the state, Yucatan remained an independent republic for several years. Only after several unsuccessful attempts to become part of the United States did it rejoin Mexico in 1848.<sup>6</sup>

This new understanding of the Texas Revolt challenges the traditional historiography regarding the Mexican-American War (1846-1847), which started when the United States voted to allow Texas to join the union as a state. Even though the Republic of Texas received recognition from most of Europe's nations, Mexico never recognized it as an independent

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<sup>4</sup> Steven F. Austin, *The Austin Papers*, vol. 3, 3 vols., ed. Eugene Barker (Austin, TX: University of Texas Press, 1927), 101-03.

<sup>5</sup> Milton Lindheim, "The Republic of the Rio Grande," W.M. Morrison, 1964, accessed 9 December, 2020, <http://www.sonsofdewittcolony.org/riogrande2.htm>. Justin H. Smith, "La Republica De Rio Grande," *The American Historical Review* 25, no. 4 (1920): 660-75.

<sup>6</sup> Justo Sierra, *The Political Evolution of the Mexican People* (Austin, TX: University of Texas Press, 1969), Book 3, Part 1, chap. 3, Kindle.

nation.<sup>7</sup> When Texas sent an emissary in 1839 to negotiate a peace treaty with Mexico, the government in Mexico City refused to meet with him.<sup>8</sup> Texas did enter an alliance with the federalist Republic of Yucatán and supported Coahuila, Nuevo Leon, and Tamaulipas's efforts to establish the Republic of the Rio Grande.<sup>9</sup>

The constant threat of Mexican invasion and the fragile financial situation required that the Texas Republic “must and ought” become “a part of the United States.” As Sierra noted, “If our [Mexican] statesmen had been wise enough to see the...secession as legal...the ensuing war with its aftermath of shame and ruin could have been averted.”<sup>10</sup> Observations such as these, supported by the First Republic's history, clearly blames the Mexican-American War on Mexico's centralist government more than any American plan to steal the territory. Does this imply that the United States did not covet the Mexican territory east of the Mississippi and north of the Rio Grande? No, of course not. However, the history does challenge the classical historiography that Mexico City governed a uniform and united nation until foreign-inspired federalism divided and weakened it to the point that made it incapable of protecting its outlying territories.

Furthermore, it challenges the argument that the settling of Anglo-Americans in Texas and its subsequent Americanization plan for the United States to steal land from Mexico. As Fehrenbach notes, such notions had more roots in the Mexican elite's xenophobia than in reality.<sup>11</sup> The action of Texans, including Stephen F. Austin, seem to support the claim. They also

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<sup>7</sup> T. R. Fehrenbach, *Lone Star: A History of Texas and the Texans* (Boston, MA: Da Capo Press, 2000), 262.

<sup>8</sup> Fehrenbach, *Lone Star*, 258.

<sup>9</sup> Fehrenbach, *Lone Star*, 259.

<sup>10</sup> Sierra, Book 3, Part 1, Chap. 3, Kindle.

<sup>11</sup> Fehrenbach, *Lone Star*, 181.

show that the United States' actions regarding Texas, especially during the Polk administration (1845-1849), derived from political necessity and opportunism rather than a blatant land grab.

This history impacts on the understanding of the United States annexation of New Mexico, Arizona, California, and Mexico's far north territory requires further study. How Mexico developed and if its abandonment of federalism impacts the rest of Mexican history also requires more examination. One example is the Caudillismo that plagued Mexico throughout the latter half of the 19<sup>th</sup> century and the first decades of the 20<sup>th</sup>. Were Caudillos purely local warlords who profited from banditry, or were they, as Timothy Anna writes, defenders of Mexican federalism? If they are defenders of Mexican federalism, then what about the resistance to Mexico City currently taking place in states such as Chiapas and Guerrero? Are the drug cartels of Sinaloa and Michoacán and Jalisco—with their private armies—nothing more than drug rings, or do they use the money from narcotrafficking as a means for their states to achieve some degree of independence from a center that profits at the provinces' expense?

More significantly, what lessons can Mexico's experience with federalism provide the rest of the world? As Anna notes, all three North American nations established their unique form of federalism, which allowed the government to adapt to the various interests of people living in a large and vastly diversified nation.<sup>12</sup> The United States and Canada still retain some form of federalism. However, both nations have experienced a movement towards a more centralized national government. No longer do their states and provinces have the autonomy they once did.

Nevertheless, while these countries have become more uniformed and administratively united, their citizens have become more politically divided. Political divisions between states and provinces are more pronounced as one section imposes its will on the whole. Could this be the

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<sup>12</sup>Timothy E. Anna, *Forging Mexico: 1821-1835* (Lincoln, Nebraska: University of Nebraska, 1998), 3.

result of the move away from federalism? Does Mexico's history serve as a warning to the United States and Canada if they both continue on the path to centralization?

A more in-depth comparative study of all three North American republics' history may provide the answers to these questions.

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