The Constitution of 1824 and Why if Mattered to Texas

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The short reign of Emperor Agustín Iturbide (May 19, 1822 – March 19, 1823) provided a bridge in Mexico's history between 300 years of Spanish rule and the formation of the first Mexican federal republic. Events had moved very quickly following independence in 1821, the urgency of the situation pushing Mexico's political class to make important decisions, sometimes without much time for deliberation. By 1823, however, it had become apparent that the monarchy as a form of government had fallen out of favor for the moment. Mexico prepared to join the world as one of its newly emerging republics.

Prior to abdicating, Iturbide reconvened the congress that he had dismissed earlier. That body, which had been charged with producing a new constitution, was soon to be replaced by a new congress at the demand of officials throughout Mexico's provinces. Before it disbanded, the old congress produced a basic plan of government which it passed on to its successor. Following these recommendations, a new constitution took form. Although many Americans believed then, and still believe now, that Mexicans modeled their constitution on the United States Constitution, it actually was derived from the Spanish Constitution of 1812.

The Constitution of 1824 established Mexico as a federal republic. Oddly, much of Mexico's political class still favored some form of centralism but were powerless to resist the demand for a federal system emanating from the provincial assemblies. These bodies had first been recognized as deserving control over their own affairs by the Spanish Cortez of 1812. The Spanish constitution adopted later that year officially give them representation in the halls of government. The provinces claimed that sovereignty had reverted back to them when Iturbide dismissed congress. General Antonio López de Santa Anna reinforced that notion since his Plan

of San Luis Potosi contended that the province of Vera Cruz would be in charge of its own territory until congress reconvened. Officials in other provinces followed suit and announced their autonomy. Facing mounting resistance from the provinces, the political class accepted what seemed to be the inevitable push for a federation in the hope of restoring civic order and public trust.

Congress ratified the Constitution of 1824 on October 4, 1824. The document's first article reiterated two of the promises of the Plan de Iguala: independence from Spain and the adoption and protect of the Catholicism as the state religion. Article II stated that Mexico was a federal republic, implying power would be shared between the national government and the states. In addition, Article II designated eighteen former provinces as states, each with its own executive, legislative, and judicial branch, an arrangement that mirrored the national plan. The chief executive of the nation held the title "President." A vice president, elected at the same time as the president, would serve should the chief executive become ill or otherwise unable to fulfill his duties. A bicameral congress was composed of a Chamber of Deputies and a Senate. The state legislature elected national officials. Members of the executive branch served four year terms.

Reflecting the fear that rulers like the just deposed Iturbide tended to usurp power, the document left a fair amount of autonomy to the states. One might consider the Constitution of 1824 similar to United States' first constitution, the Articles of Confederation. While praised at the time of its adoption, the constitution almost guaranteed continued conflict between those in the Mexican political class who truly wanted a federated republic and those who still favored a strong central government.

The adoption of the Constitution of 1824 affected Texas' future. Most provinces wanted to be elevated to the status of states, but two lacked significant populations to warrant the designation: Coahuila and Texas. Erasmos Seguín had been sent to Mexico City as Texas' sole delegate with instructions to obtained statehood for the province, if possible. Coahuila had the powerful José Miguel Ramos Arizpe, one of the key authors of the constitution, as its representative. Fearing that Coahuila might be designated a territory, Ramos Arizpe, pushed to unite the two former provinces into one state called Coahuila y Tejas. The capital of the new state, Saltillo, happened to be Arizpe's hometown.

Seguín objected to the pairing of the two provinces, contended that Texas would prefer to be a territory rather than the junior partner in the twin state. Arizpe, however, strategically had linked the issue of colonization to Texas future by introducing an article that gave the national government control over the public land of territories. Conversely, a state retained ownership of the public land within its borders, a fact which allowed states to establish their own laws regarding sales and settlement. Faced with the prospect of losing control of its public lands, Seguín and the provisional government consented to the union. Texas, however, could apply for separate statehood once the population reached the required level. Thus, two important facts must be understood about this point in Texas' history: (1) Texas wanted separate statehood within the Mexican federal republic, and (2) colonization offered the quickest way to achieve that goal.

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