

## **Document 6.1: The Treaty of Córdoba**

Art. 1: This American nation is sovereign and independent and will henceforth be called the Mexican Empire.

Art. 2: The government of the empire will be a moderate constitutional monarchy.

Art. 3: As provided in Article 4 of the Plan of Iguala, the throne will be offered first to Fernando VII, the Catholic King of Spain. If he declines, then it will be offered to his brother the infante Don Carlos; if he declines, then to the infante Francisco de Paula; if he declines then to Carlos Luis, Spanish infante, former heir to Tuscany, and now to Lucca. If he declines, the throne will be offered to the person the Cortes designates.

Art. 4: The emperor will locate his court in Mexico City, which will serve as the capital of the Empire.

[Art. 5 details how the treaty is to be presented to the Spanish Cortes and the infantes.]

Art. 6: In keeping with the spirit of the Plan of Iguala, a junta made up of the leading men of the empire will be designated immediately. Their selection should be based on their virtues, profession, fortune, authority, ideas, and high public esteem. Their number will be sufficient to ensure prudence in exercising the powers provided in the following articles.

Art. 7: The junta described in the previous article will be named the Provisional Governing Junta.

Art. 8: Given the advantage of having a person of his stature playing an active role in the government, Lt. Gen. Juan O'Donojú will be a member of the junta ...

Art. 9: Members of the Provisional Governing Junta will select its president. They are free to select either a Junta member or a non-member. If no individual receives a majority of the votes in the first round of voting, the two persons receiving the most votes will compete in a second round of voting.

Art. 10: After its first meeting, the Provisional Governing Junta will inform the public of its goals and priorities and provide details as to how the members of the Cortes will be elected.

Art. 11: Following the election of its president, the Provisional Governing Junta will name a three-man regency selected from either its members or non-members. The regency will govern until a monarch is crowned.

Art. 12: Once the Provisional Junta is constituted, it will govern on an interim basis according to existing law, provided such law is not contrary to the Plan of Iguala. Existing laws will remain in force until the Cortes drafts a Constitution.

Art. 13. The regency, as soon as it is named, will convoke a Cortes, whose method of selection will be determined by the Provisional Governing Junta. It will govern in accordance with Article 24 of the Plan of Iguala.

Art. 14. Executive power will be vested in the regency, while legislature power will be vested in the Cortes. However since it will be some time until the Cortes meets, in order to avoid these two powers being vested in the same body, the Junta will exercise legislative power. This will allow

necessary legislation to be enacted before the Cortes meets. After that the junta will play an auxiliary, consultative role.

Art. 15: All people belonging to a society that has changed its system of government or which has passed from one power to another enjoy a natural right to move and take their wealth with them. There is no reason to deprive them of liberty, unless they have contracted a debt to the society to which they belong. This debt may result from a crime or from another cause recognized by legal authorities. Europeans living in New Spain and Americans living on the Peninsula will be free to remain as citizens of either nation. They are also free to request their passport, which may not be denied them. They can leave within a specified time, taking with them their family and their goods. However they will be subject to any laws governing exports which have been established.

Art. 16: Military men and public officials who are known opponents of Mexican Independence will not be offered the option provided in Article 15. They will leave the empire with their effects, on the terms that the regency establishes, paying the export duties mentioned in the previous article.

Art. 17: The Spanish troops occupying the capital prevent implementation of this treaty. The commander-in-chief of the imperial army has more than enough resources to overcome them by force. However he prefers, as does the Mexican nation, not to remove them forcibly. These valiant, loyal Spanish troops cannot maintain themselves under the new regime. Don Juan O'Donojú has offered to use his authority to withdraw these troops, who can surrender honorably, without shedding blood.

**Document 6.2:** The September 28, 1821 Declaration of Independence

The oppression, which the Mexican nation has suffered for 300 years without being able to act freely or express itself, ends today.

The heroic efforts of its sons have concluded. The eternally memorable undertaking of a genius who is beyond all praise and admiration, acting for the love and glory of his country, has been completed. This undertaking, began in Iguala, was completed by surmounting almost insuperable obstacles. The rights, granted by the Author of Nature and which are recognized as inalienable and sacred by the civilized nations of the world have been restored throughout the North [of Spanish America]. The nation is now free to constitute itself in the manner which maximizes its well-being. Its representatives can make known their programs and ideas and employ their precious talents. It is now free to form the government which will best ensure its well-being. The Supreme Imperial Junta solemnly declares *that Mexico is a sovereign nation and independent of Old Spain*. In the future its ties with the mother country will be limited to close friendship whose terms will be established by treaty. Mexico will establish amicable relations with other powers on the basis of mutual respect. It will now constitute itself according the provisions of the Plan of Iguala and the Treaty of Córdoba, wisely established by the commander of the Imperial Army of Three Guarantees. In short, it will resolutely sustain, sacrificing the property and lives of its citizens (if it proves necessary), the solemn declaration` made in the capital of the Empire on September 28, 1821, the first day of Mexican independence.