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The roads to parliamentarianism. Models of political inclusion and exclusion between Spain and Mexico, 1810–65[†]

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SUMMARY

The Cadiz courts symbolize the foundational episode of the liberal revolutions that took place in Spain and Latin America, and from this starting point, this article undertakes a comparative analysis of the different roads in political experimentation implemented in Spain and post-independent Mexico, during the first decades of the nineteenth century, in applying and consolidating liberal state models. In this case, emphasis is given to the debate arising around the representation and idea of political inclusion and exclusion put forward by the different legal frameworks in both countries, as essential cornerstones for modulating the different typologies of parliamentarianism, of the electorate and of the parliamentary ideal, where a direct link is underlined between elitism and parliamentary representation.

KEYWORDS

Mexico; Spain; nineteenth century; political representation; parliamentarianism; comparative history

Introduction

For the first generation of Latin American and Spanish liberalism, the experience of the Cadiz courts was an exceptional education for political learning. Discursive, ideological, organizational and institutional elements opened up the stage of defining and developing it, within a generic process aimed at implementing liberal political systems on both sides of the Atlantic. The crises towards the end of the eighteenth century and the start of the early nineteenth century, the staging of the liberal revolutions and the various political ‘experiments’ in post-revolutionary liberalism in Latin America have traditionally been interpreted by placing too much emphasis on external influences. In any case, it would be mistaken to fall into excessive ‘diffusionist’ nervous twitches, as exploration, essays and debate on Mexico do, since the political representation acquired, in the course of its development, visible elements of its own, while displaying important influences from other legal traditions apart from the Spanish, such as from the United States and France.

The process of implementing and consolidating a liberal state model in Mexico during the first two-thirds of the nineteenth century, as occurred in other spheres of Latin America,

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Europe or in Spain itself, was characterized as a gradual testing and political consolidation process, with the particularities of each case. The generic trajectories themselves of the gradual transition from the old to the new regime were added to the itinerary of change involved in the transfer from institutional absolutism to a liberal state model. Furthermore, there is the variable, which should never be underestimated, of national independence recently acquired in 1821. Thus, the consolidation process of the nation-state was to occur alongside and to interact with the implanting of a new political regime.¹ In Spain, the initial liberal tests were to be conditioned by equally complex contexts and evolutionary planes, from the War of Independence itself to the struggle between an idea of declining, belligerent absolutism facing certain rising liberal ideas. In addition to all this, is the unifying link between Mexico – during that period, it was a Vice-Royalty of New Spain – and Spain, which entailed the effective presence of Congress members in the overseas territories in the Spanish Cadiz courts and of the Triennium constitution, where the experience acquired in Cadiz began to have an increasing presence as an outstanding milestone, not only for the first generation of liberalism on the Iberian peninsula, but also for liberalism itself in Latin America.

On the basis of this common learning experience, which involved the active presence of historic actors from both sides of the Atlantic in the Cadiz courts,² comparative lines of analysis can be drawn between Mexico and other republics in Latin America, but more particularly, between Mexico and Spain, where the debate was to unfold around political representation as one of the elements with the greatest impact when it came to defining liberal political cultures in both spheres.³ In this regard, this article puts forward an analysis, with a comparative outlook, as the primary objectives of the mechanisms involved in political inclusion and exclusion put at stake by Mexican and Spanish liberalism during the first half of the nineteenth century,⁴ with particular emphasis on its direct

¹For a selection of the origins of liberalism in Mexico and with reference to specific issues within this process, such as federalism, the definition and institutionalization of the national state or the intellectual construction of the representative concepts, see J. Zoraida (ed.), *La fundación del Estado mexicano* (Mexico City, 1994); J. Zoraida (ed.), *El establecimiento del federalismo en México (1821–1827)* (Mexico City, 2003); A. Ávila, *En nombre de la nación. La formación del gobierno representativo en México* (Madrid, 2002); R. Sordo, 'El Congreso y la formación del Estado-nación en México, 1821–1855', in Zoraida (ed.), *La fundación*, pp. 135–78; R. Sordo, 'El Congreso Nacional: de la autonomía de las provincias al compromiso federal', in Zoraida (ed.), *El establecimiento*, pp. 115–53.

²For the experience, role and contributions of the American Council in the Cadiz Parliament, see M.L. Rieu-Milán, *Los diputados americanos en las Cortes de Cádiz. Igualdad o independencia* (Madrid, 1990); J. Rodríguez, *La revolución gaditana: el papel de los diputados novohispanos en las Cortes de Cádiz* (Mexico City, 2008); M.T. Berruero, *Los diputados americanos en las Cortes de Cádiz, 1810–1813* (Madrid, 1986); M. Chust, *La cuestión nacional americana en las Cortes de Cádiz* (Valencia, 1999); N.L. Benson (ed.), *Mexico and the Spanish Cortes, 1810–1822* (Austin, 1968); G. Butrón (ed.), *Las Españas y las Américas. Los españoles de ambos hemisferios ante la crisis de independencia* (Cadiz, 2012).

³In order to appreciate the more recent debates in Spanish historiography regarding the uses and conceptual meaning of dealing with political cultures, see M. Pérez and M. Sierra (eds), *Culturas políticas: teoría e historia* (Saragossa, 2010). A more recent study gives an in-depth focus on the analysis of the political cultures in Spanish liberalism, in a collection of monographs dealing with this matter: M. Pérez and M. Sierra (eds), *Culturas políticas: teoría e historia* (Saragossa, 2010). M.C. Romeo and M. Sierra (eds), *Las culturas políticas de la España liberal, 1833–1874* (Madrid, 2014); A. Cano, M. Suárez and E. Trejo (eds), *Cultura liberal, México y España. 1860–1930* (Santander, 2010).

⁴Over recent years, interesting lines of collaboration have been established in the Mexican and Spanish scientific community, based on a common point of reference: comparative history of contemporary Mexico and Spain. In this regard, we present a brief selection of the abundance of recent publications emphasizing works on the origins and consolidation of the liberal phase: M. Suárez and T. Pérez (eds), *Los caminos de la ciudadanía. México y España en perspectiva comparada* (Madrid, 2010); Cano, Suárez and Trejo, *Cultura*. Interesting references to comparative analysis regarding the construction of political representation between Mexico and the United States, and Mexico and Spain, are found in E. Pani, 'Ciudadanos, cuerpos, intereses. Las incertidumbres de la representación. Estados Unidos, 1776–1787/México, 1808–1828', *Historia Mexicana* 53, (2003), pp. 65–115; M. Sierra and M.A. Peña, 'La construcción liberal de la representación política: una mirada comparada entre México y España', in N. Fourtané and M. Guiraud (eds), *Emprunts et transferts culturels: Mexique* (Nancy, 2011), pp. 177–98.

link with the parliamentary systems. For this reason, the sudden appearance of the political and legal work generated by the Cadiz courts, with its own exogenous influences,⁵ its nature of acting as an initiatory test besides being a school of political learning and, lastly, the very experiences of the New Spain Congress members in Cadiz and the projections in their biographies, were also taken into account as elements of analysis and debate when it came to constructing a liberal policy and an endogenous representative system in an independent Mexico.

Cadiz as an Initial Landmark in the Liberal Revolution. Sovereignty, Representation and Liberalism in Terms of the Revolution

In the period between 1809 and 1815 – the time of the restoration of King Ferdinand's absolutism in Latin America – in a practical manner, and in such a short space of time, the revolution of suffrage took place, the revolution that meant the transition from subjects to citizens⁶ and the revolution of the representative system.⁷ In the call to elections for the central junta of 1809, the calls to courts of 1810 and 1813⁸ or the legislative sessions of the parliamentary sessions of 1810–13 and 1813–14 began to be modelled as an out-and-out space for political rehearsal, where some audacious experiments in the representative system occurred, in their operating or regarding the very forms of legislating. For this reason, an important part of the legal productions from the Cadiz courts, particularly the 1812 constitution, became an international reference point,⁹ and can be considered,

⁵For instance, as regards the influences in the Cadiz text of 1812 from the North American constitution of 1787 and from the French constitution of 1791, see A. Ramos (ed.), *La Constitución de 1812. Clave del liberalismo en Andalucía* (Seville, 2012).

⁶Out of the extensive international scholarship, not only in the Latin American sphere, on citizenship and elections in the nineteenth century, the following selection is made: P. Rosanvallon, *Le peuple introuvable: histoire de la représentation démocratique en France* (Paris, 1998); P. Rosanvallon, *La consagración del ciudadano. Historia del sufragio universal en Francia* (Mexico City, 1999); B. Manin, *Los principios del gobierno representativo* (Madrid, 1998); A.S. Kahan, *Liberalism in Nineteenth Century Europe: The Political Culture of Limited Suffrage* (New York, 2003); R. Romanelli (ed.), *How Did They Become Voters? The History of Franchise in Modern European Representation* (The Hague, 1998); T. Hoppen, *Elections, Politics and Society in Ireland, 1832–1885* (Oxford, 1984); P. Tavares, *Legislação Eleitoral Portuguesa. 1820–1926* (Lisbon, 2001); C. Malamud, *Partidos políticos y elecciones en América Latina y la Península Ibérica, 1830–1930* (Madrid, 1995); A. Annino, *Historia de las elecciones en Iberoamérica, siglo XIX* (Buenos Aires, 1995); H. Sabato (ed.), *Ciudadanía política y formación de las naciones* (Buenos Aires, 1999); H. Sabato and A. Lattieri (Eds.), *La vida política en la Argentina del siglo XIX. Armas, votos y voces* (Buenos Aires, 2003).

⁷Mexican and Spanish historiography has also dealt with this type of study in recent years: Pani, 'Ciudadanos', pp. 65–115; E. Pani, '¿La voz de la Nación? Los dilemas de la representación política. México, 1808–1867', *Foro Ibérico Ideas*, foroiber-ideas.cervantesvirtual.com/foro/data/adm41001.doc; E. Pani, 'Misión imposible: la construcción de la representación política en México. 1808–1828', *Journal of Iberian and Latin American Research* 20, (2014), pp. 36–49; R. Sordo, 'Liberalismo, representatividad, derecho al voto y elecciones en la primera mitad del siglo XIX en México', <http://bibliojuridica.org/libros/5/2289/37.pdf>; J.A. Aguilar (ed.), *Las elecciones y el gobierno representativo en México (1810–1910)* (Mexico City, 2011); I. Arroyo, 'Los tránsitos de la representación política en México, 1821–1857', in A. "Aguilar (ed.), *Elecciones*, pp. 55–94; E. Posada, *Elections before Democracy: The History of Elections in Europe and Latin America* (New York, 1996); M. Estrada, *El significado político de la legislación electoral en la España de Isabel II* (Santander, 1999); M. Caballero, 'El derecho de representación: sufragio y leyes electorales', *Ayer* 34, (1999), pp. 41–65; M. Pérez (ed.), *De súbditos a ciudadanos. Una historia de la ciudadanía en España* (Madrid, 2007); M. Sierra, R. Zurita and M.A. Peña, 'Los artífices de la legislación electoral: un aproximación a la teoría del gobierno representativo en España (1845–1870)', *Hispania* 66, (2006), pp. 633–70; M. Sierra, M.A. Peña and R. Zurita, *Elegidos y elegibles. La representación política en la cultura del liberalismo* (Madrid, 2010); J. Varela, 'Propiedad, ciudadanía y sufragio en el constitucionalismo español (1810–1845)', *Historia Constitucional* 6, (2005), pp. 105–24.

⁸Regarding the electoral calls and their putting into practice in the Iberian Peninsula and in Latin America, see Q. Casals, 'Proceso electoral y prosopografía de los diputados de las Cortes extraordinarias de Cádiz (1810–1813)', *Historia Constitucional* 13, (2012), pp. 193–231.

⁹Apart from the cases in Europe in the liberal revolutionary wave of 1820 (Piedmont or the Two Sicilies and Naples), the projection of the Cadiz text, at different paces and degrees in Latin America, can also be termed as important in countries such as Peru, Chile, Argentina or Brazil – indirectly via the Portuguese constitution of 1822. In Mexico, the constitution

within the development of the liberal ideas of the day, as a commitment with a broad and revolutionary liberalizing in terms of the legal models proposed from spheres such as Great Britain, the United States or France, considered as models with a considerable liberalizing of legal and political gradualism.

As regards the presumably revolutionary liberalizing of the call to elections of 1810 and the electoral matter itself, in the Cadiz constitution, Reinaldo Sordo notes that:

the Cadiz system was very generous and almost implied universal male suffrage. But however, it should not be overlooked that the constitution denied citizenship in America to castes and, in general, due to the state of indebtedness, to domestic servants, to those not having a job, a trade or known source of income, or those who had been tried for a criminal offence.¹⁰

In any case, and generally speaking, the electoral pyramid was sustained by a male population aged over 25 with an open house, equivalent to universal male suffrage, but it narrowed towards the top by means of a system of indirect voting in numerous lower courts (parish councils, party councils and province councils) which filtered any revolutionary risk.¹¹ The gradual ascending sequence in the different lower courts for voting managed to reproduce the vertical integration of the social pyramid, under the implicit trust based on which delegates best equipped for the final appointment of the most suitable and virtuous Congress members for performing their duties were to be elected.

The development of the Cadiz sessions demonstrates the preponderance that the Congress members dispensed at the outset of political representation, giving special importance to eligibility where the new system had already established its first principles of social correction, which were to begin to build the foundations of census suffrage from 'income' deriving from 'own assets'.¹² The authors themselves of the *Preliminary Discourse* on the Cadiz constitution were very close to the census theories deriving from the European liberal tradition in stating that 'nothing roots citizens more and makes links than what unites them to the fatherland as territorial property or industry'.¹³ The researchers María Sierra and María Antonia Peña underpinned this argument from a contextual interpretative angle and from the cultural and intellectual evolution itself that the concept 'nation' had taken on at the dawn of the nineteenth century.¹⁴

from Apatzingán of 1814, where Cadiz influences were already noticeable, gave rise to the very text of 1812 at the time of independence, as an interim solution, albeit adopting the full model and text, with the exception of the articles that contravened the independence process. These topics have been given new life and reviewed in the course of the bicentenaries, from the point of view of a synthesis. See A. Ramos (ed.), *La Constitución de Cádiz y su huella en América* (Cadiz, 2011).

¹⁰Sordo, 'Liberalismo,' p. 536. The same author details revolutionary tone of the foundations of the universal male suffrage system when enumerating among the defining characteristics of the electoral systems in the Spanish-speaking world, mainly developed from the French revolutionary model: voting considered as a constitutional function and, therefore, regulated by the constitution and by laws; restrictions, more or less important, to be an elector; an indirect system of elections which, in the French case, is in two grades, and for Spain and Mexico, in three instances; property or income as a guarantee for a good election; P. Guenifrey, *La revolución francesa y las elecciones. Democracia y representación a fines del s. XVIII* (Mexico City, 2001), p. 516. Cited in R. Sordo, 'Liberalismo'.

¹¹M. Sierra and M.A. Peña, 'La representación política en el primer liberalismo: herencia y olvido de las Cortes de Cádiz,' in Ramos, *Constitución*, p. 60.

¹²Article 92 of the 1812 Spanish constitution stated that the deputy had an annual proportionate income from his own assets, although article 93 suspended what is indicated in the previous article until the parliament deemed it appropriate. M. Artola and R. Flaquer, *La Constitución de 1812* (Madrid, 2008).

¹³Quote from Sierra and Peña, 'Representación', p. 63.

¹⁴J. Varela, 'El pueblo en el pensamiento constitucional español', *Historia Contemporánea* 28, (2004), pp. 205–34.

In this regard, although Heading III opted for maintaining an indirect universal suffrage, on a very broad base, the constitutional debate helps us to understand that the inspiring principles of census suffrage already densely populated the discourse of parliamentarians and that they were probably not specified in a law due to the exceptional circumstance marked by the war and by the need to attract, around a constitutional text that the greatest adhesion possible ... It was mainly these contextual factors and not an unconditional backing convinced about universal suffrage that moved the parliamentary majority to adopt it.¹⁵

All this led to detailing the debate on the revolutionary nature of the Cadiz work, with particular attention to an ideological production which, from the very historic opportunity of the courts, had already begun to modulate an idea of representation with hints of elitism, reinforcing the exclusion–selection processes which would contribute to the subsequent development of the census representative order. Furthermore, the historic projection of the Cadiz system in the political model of the initial Mexican liberalism, referring to the 1812 constitution as the first standardized text following independence, and the assumption of the indirect election binomial with a universalist basis as a basic framework for the representative system, can be discussed and interpreted from the very experience of the representatives of the Vice-Royalty of New Spain in the Cadiz courts.¹⁶ In addition to this is the data indicating that 22.44 per cent of the representatives of the Vice-Royalty of New Spain in the Spanish courts sat during the legislative sessions of 1810–13 and 1813–14. These representatives would play a leading role throughout their biographical careers in the political front line of independent Mexico, in national parliamentary spheres as well as in the executive.¹⁷

The role in the debates on the constitutional project of the more active New Spain Congress members in parliamentary tasks was a constant. Beyond the discursive lines put forward, beyond the mass support for the constitutional text by the New Spain Congress members, as can be noted in the list of those signing the constitution,¹⁸ or their consideration as a basis for a global Hispanic and revolutionary project, the Cadiz constitution became a reference point for liberalism in Latin America, as previously stated. At the time of Mexican independence, this element is very present in the collective mind, and is associated with the newly acquired status of freedom and progress, in the broadest sense. The road towards consolidating liberalism in Mexico lies in its beginnings, as occurred in other spheres of Latin America, strongly rooted in liberal political culture from the Cadiz tradition, issues such as a representative government or a decentralized notion of state organization were to be present when taking on board the Cadiz text as the first regulatory framework of the independent state, apart from the connections that

¹⁵Sierra and Peña, 'Representación', pp. 69–70.

¹⁶For a sociological/prosopographic analysis of the novo-Hispanic group participating in the parliamentary periods of 1810–13 and 1813–14, see V.M. Núñez, 'Política y representación entre México y España. Cádiz, escuela de aprendizaje político para las elites políticas mexicanas', in G. Butrón and A. Ramos (eds), *Cádiz, escuela política: hombres e ideas más allá de 1814* (Madrid, 2016), pp. 273–321.

¹⁷Núñez, 'Política', pp. 286–90.

¹⁸The New Spain Congress members who were a part of the group of 183 parliamentarians who signed the 1812 constitution on 18 March 1812 were Antonio Joaquín Pérez Martínez, José Simeón de Uría, José Miguel Guridi, José Miguel Gordoia, José Ignacio Beyre, Octaviano Obregón, Juan José Güereña, José Eduardo de Cárdenas, Mariano Mendiola, José María Couto, Máximo Maldonado, Joaquín Maniau, Andrés Savariego, Salvador San Martín, Miguel González Lastiri, José Miguel Ramos Arizpe, José Cayetano de Foncerrada and José María Guitérrez de Terán. *Diario de Sesiones de las Cortes Generales y Extraordinarias* (hereafter, DSCGyE), 19 March 1812. An extract of the parliamentary session can be found at http://www.congreso.es/portal/page/portal/Congreso/Congreso/Hist_Normas/200/H1812_3.

could be established between the Cadiz constitution of 1812 and the Mexican federal constitution of 1824.

To illustrate this, the matter of American representation in the legislative system being defined in the courts and proposed in the constitutional project played a central role in terms of the political debate of the American MPs (*Diputación*) in Cadiz, and was also an important focal point of disagreements among Congress members on the peninsula and representatives overseas. Throughout the nineteenth century, in the entire western world, the representative government formula was a basic cornerstone in the historic construction of liberalism, requiring doctrinal and practical mechanisms with which to modulate the new-founded participation of citizens open to the processes of revolution and national independence. The definition of the concept of representation was a vital element in the engineering implemented by the liberal elites concerned with the instauration of new regimes and states, on both sides of the Atlantic.¹⁹

The representative concepts and definition of political citizenship tabled in the constitutional project of the Cadiz courts entailed one of the most controversial and polemic issues in reference to the representation of the overseas territories in the subsequent ordinary courts, under the political system inaugurated in the 1812 constitution. The lack of equity and equilibrium, from the viewpoint of the American members in general and the New Spain members in particular, became an ideological and doctrinal axis from which to be opposed to the concept of citizenship, as proposed in the constitutional project, by considering the future representation of American territories under the legislative system undermined and worsened.²⁰ This matter became one of the most outstanding and effective battering rams for the group of American members, and began to channel critical positions towards colonial order.

Efforts to consolidate a community with an equalitarian basis between peninsular Spain and overseas Spain, in the new regulatory spaces being created in the Cadiz sessions, were subject to constant vicissitudes. The polemic over the inclusion of castes and indigenous peoples,²¹ who amounted to around 12 million in the Vice-Royalty of New Spain, in citizenship and its repercussion on the undermining of American representation through the demographic count, was one of the most recurring and polemic matters for debate within the demand strategies adopted by the New Spain Congress members.²²

Once the expiry date and even idealization of the Cadiz experience were over, the Spanish and European post-revolutionary liberalism from the 1830s onwards had, via

¹⁹M. Sierra: 'Presentación al número especial Los caminos Iberoamericanos de la Representación', *Journal of Iberian and Latin American Research* 20, (2014), p. 1.

²⁰This is an issue that is analysed in detail in Rieu-Milán, *Diputados*; Rodríguez, *Revolución*; Berruezo, *Diputados*.

²¹The debate over American representation was to be a constant throughout the Cadiz sessions, an issue that commenced in the second session of the parliament and that was to be taken up again on several occasions. As regards the acknowledgement of the castes from Africa and the indigenous peoples, the New Spain Congress members in particular led the defence for rights that turned out to be beneficial for American representation. Members such as Simeón de Uría, Ramos Arizpe, Beye de Cisneros or Guridi y Alcocer delivered spirited debates in favour of this demand, which, in certain aspects, went beyond the pure interest of rethinking American representation, and even the member of Congress Guridi y Alcocer put forward the abolition of slavery in Spanish America from an indigenous-orientated discourse. DSCGyE, 4 September 1811, p. 1.762; DSCGyE, 6 September 1811, p. 1.789; DSCGyE, 10 September 1811, p. 1.809. These are topics covered in Rodríguez, *Revolución*.

²²This demand referenced in the debates held in the Cadiz Parliament, in reality, did not fall on fallow ground, by including the castes in citizenship from the Convocation of Parliament of the Provisional Governmental Junta, the first legal text in electoral matters in independent Mexico. Sordo, 'Liberalismo', pp. 539–40. In fact, no Mexican law was to formally resort to ethnic criterion in order to exclude the vote. Pani, 'Voz'.

the direct voting system, found a basic electoral mechanism that would make it possible to marry order to freedom, by introducing an element of ‘order’ in the electoral process that implicitly included the substitution of universality by the census-based limitation of the status of the elector.²³ By means of this strategy, constitutionalism and Spanish post-revolutionary electoral law rectified the Cadiz electoral set-up, to finally fit it with the European census-orientated tradition, leaving active the combination of universality and indirect procedure exclusively in the Latin American field. The different paces and models of reference involved in the learning process of modern politics and in the intellectual and cultural construction of a representative system on both sides of the Atlantic, with particular emphasis on Mexico and Spain, apparently took visibly different roads, differences that can be described in detail through the electoral engineering operations implemented around figures such as the elector and the eligible, with significant changes in Mexico itself in the 1830s.

Electors and Eligible. The owner as a Model Citizen and the Elite as the Ideal Parliamentary Representative?

Generally speaking, the implementation of liberalism in the Atlantic world necessarily involved a rethink of assumptions on which to ground law to govern in the new liberal states, redefining the links between the governors and the governed. To do so, the application of central concepts in the search for these new relationships, and equilibriums such as legitimacy or sovereignty, exerted a decisive influence when it came to modulating the multifaceted ideological, conceptual and cultural possibilities of liberal political representation which, broadly speaking, on both sides of the Atlantic, moved towards the possibility of boosting a very basic idea, even in such a historic period of changes, vicissitudes and uncertainties: to make possible the legitimate governing of the many by the few.²⁴

This was already defining the new liberal policy and the way of understanding representation as an exercise in minorities with an elitist nature,²⁵ which involved the implementation, in this complex process, of inclusive elements as well as elements of exclusion, each with different degrees and paces, depending on the field, on each contextual framework. Political debate, publishing or parliamentary discourse became important elements when it came to analysing the construction of liberal political representation, as a complex work of political engineering in the long term. A further element of basic analysis should be added to this: legal production surrounding representation, i.e. constitutions and electoral laws.²⁶ With particular attention to this latter source, we set out to contribute some basic elements to the debate regarding the construction of the idea of the active citizen with

²³Sierra and Peña, ‘Representación’, p. 74.

²⁴Pani, ‘Ciudadanos’, p. 66.

²⁵The tension between democracy and elitism became one of the central explanatory axes on which liberalism was historically built, all this arising from the figure of the eligible, of the ideal political representative, in the construction of nineteenth-century liberal political culture. This is one of the central hypotheses on which the work of the following is based: Sierra, Peña and Zurita, *Elegidos*. Also see Sierra and Peña, ‘Construcción’, p. 181.

²⁶For Mexican legislative texts on the electoral issue, see M. Dublán and J.M. Lozano, *Legislación mexicana o colección completa de las disposiciones legislativas expedidas desde la Independencia*, vol. 1 (Mexico City, 1876); A. García, *Legislación electoral mexicana 1812–1977* (Mexico City, 1978). See also P. González (ed.), *Las elecciones en México: evolución y perspectivas* (Mexico City, 1985); J. Valenzuela, *Legislación electoral mexicana. Cambios y continuidades* (Mexico City, 1992). On Mexican constitutionalism, see F. Tena, *Leyes fundamentales de México 1808–1991* (Mexico City, 1991);

political rights in Mexico, within the process of searching for an efficient representative system, with reference to how it evolved towards political exclusion in the new system or how the ideal of the political representative was modulated in Mexico and, finally, to establish lines of analysis around the influences, parallels and potential differentiating frameworks in terms of Spanish liberalism, from a comparative point of view.

As a framework of reference, Tables 1 and 2 diagrammatically show the Mexican (1821–55) and the Spanish (1812–65) electoral systems, under some very basic premises of analysis: systems of election, electors and eligibles – the passive vote. In the case of Mexico, and in this aspect, notable parallels with the case of Spain are noted. The debate surrounding what should be political representation was to be, generally speaking, focused on two points: the definition of a citizen, as a historic subject who is a protagonist in modern politics and how the same should lend voice to the sovereign nation, and the construction of the concept itself of representation and its set-up on a practical scale. Mexican historiography, as with its European counterpart, over the past few years, has involved itself in the analysis of matters concerning the construction of citizenship and the conceding the right to vote in its different modalities.²⁷

Regarding the model for constructing Mexican citizenship, it should be noted that, in this period of consolidation of the liberal model, the legal scenario became especially complex where, apart from the aforementioned profusion of legislation and of political regimes, there was an alternation from difficult federal law equilibriums and the laws themselves of the states/departments in the extensive Mexican geography, where the limits on competences, in electoral matters, began to swing in two directions between these instances, during a historical period involving a succession of federal republics, centralist republics, the personal dictatorships of Santa Anna or the attempt to set up Iturbide as emperor.²⁸ As significant cases, following independence and with the first constitutions of the newly created states/departments, there were states – the vast majority – while others that did not initially include literacy as the minimum entry requirement for the electoral body whereas, on the other hand, there were cases such as that of the State of Querétaro, which initially turned down the right to vote to the secular clergy. All this led to certain differences in the regulations, besides the logical consequence of the territorial, political and administrative structure in the country.²⁹

The model of citizenship was defined in Mexico as a positive right, i.e. the result of the wish of the political community, in contrast to the thesis of considering it as a natural right; a debate extremely present in the different theories and liberal traditions since the eighteenth and a fair part of the nineteenth centuries.³⁰ This was no obstacle to taking a model of citizenship tending towards universalism as a reference, in the exercise of building the modern liberal state, with a visible protagonism, at the outset, from veteran

P. Galeana (ed.), *México y sus constituciones* (Mexico City, 2008); and C. Garriga (ed.), *Historia y Constitución, trayectos del constitucionalismo hispano* (Mexico City, 2010).

²⁷ Sierra and Peña, 'Construcción', p. 181; Pani, 'Ciudadanos'; Pani, 'Voz'; Sordo, 'Liberalismo'.

²⁸ A succession of several state models followed on from each other: the Regency (1821–22), First Empire (1822–23), Supreme Executive Power (1823–24), Second Federal (1824–35), First Centralist Republic (1835–41), First Santa Anna Dictatorship (1841–43), Second Centralist Republic (1844–46), Second Federal Republic (1846–53), Second Dictatorship of Santa Anna (1853–55) and the Constituent Congress (1855). And, as in Spain, there were several constitutional texts: the Apatztingan constitution (1814), the Cadiz constitution of 1812 (1821), the Mexican federal constitution (1824), seven laws (1836), organic bases (1843), reform laws (1847) and the constitution of 1857.

²⁹ Pani, 'Ciudadanos', pp. 89–90.

³⁰ Sordo, 'Liberalismo', p. 532.

Table 1 Electoral Systems. Mexico

Electoral law/regulation	Election system	Electors	Eligible
Call to courts of the Provisional Governmental Junta (*)	<ul style="list-style-type: none"> • Indirect election • Five instances 	<ul style="list-style-type: none"> • ‘Citizens of all classes and castes, besides resident foreigners’ • No economic requirements • 18 years of age in the first instance of election 	<ul style="list-style-type: none"> • ‘The elected should be persons addicted to independence, with services rendered to the same, with good conduct and instruction’. • A quota is reserved for various classes (clergy, militia, judiciary, entrepreneurial activities ...) • With no economic requirements • 25 years of age
Electoral law of 17 June 1823 (*)	<ul style="list-style-type: none"> • Indirect election • Three instances 	<ul style="list-style-type: none"> • No economic requirements • 18 years of age in the first instance of election • 25 or 21 years of age for those married as from the second instance of voting 	<ul style="list-style-type: none"> • No economic requirements • 25 years of age
Federal Constitution of 1824 First Federal Republic (*)	<ul style="list-style-type: none"> • Defined by the constitutions of each state in the Federation • For the Federal District electoral law of 12 June 1823 • Excepting any minimum alteration, the Cadiz model of indirect election is followed in several instances 	<ul style="list-style-type: none"> • Defined by the constitutions of each state in the Federation • As a general rule, the Cadiz model is followed: citizens with full rights and with no economic requirements • 25 years of age as from the second instance of voting 	<ul style="list-style-type: none"> • In order to be an MP: 1,000 pesos in annual income, or real estate valued at a minimum of 8,000 pesos • 25 years of age • In order to be a senator: 1,000 pesos in annual income or real estate valued at a minimum of 8,000 pesos • 30 years of age
Seven laws Constitution Electoral law of 30 November 1836 First Centralist Republic	<ul style="list-style-type: none"> • Indirect election • Three instances 	<ul style="list-style-type: none"> • 100 pesos in annual income. From the first instance of voting • 25 years of age 	<ul style="list-style-type: none"> • In order to be an MP: 1,500 pesos of annual income • 30 years of age • In order to be a senator: 2,500 pesos in annual income • 35 years of age

(Continued)

Table 1 Continued.

Electoral law/regulation	Election system	Electors	Eligible
Organic bases of 1843 Second Centralist Republic	<ul style="list-style-type: none"> • Indirect election • Three instances 	<ul style="list-style-type: none"> • For the instance of basic voting: • 200 pesos in annual income • 21 years of age (single) • 18 years of age (married) • For the first instance of voting: • 200 pesos of annual income • 25 years of age • For the second instance of voting: • 500 pesos of annual income • 25 years of age 	<ul style="list-style-type: none"> • In order to be an MP: 1,200 pesos of annual income • 30 years of age • In order to be a senator: 2,000 pesos of annual income • 35 years of age
Extraordinary call of 27 January 1846	<ul style="list-style-type: none"> • Election by class: owners, traders, miners, industrialists, literary professions, magistrates, public administrators, military and ecclesiastics • Hybrid election • Direct and indirect model. Two instances 	<ul style="list-style-type: none"> • Depended on each state and on each class • As a general rule, economic requirements were tightened by demanding a substantial tax burden to be able to vote • No economic requirements • 18 years of age in the first instance of election • 25 or 21 years of age for those married as from the second instance of voting 	<ul style="list-style-type: none"> • Depended on each state and on each class • As a general rule, economic requirements were tightened by demanding a substantial tax burden to be able to vote • Fixed quotas for certain classes, e.g. 20 parliamentary seats for the ecclesiastical class
Second Federal Republic (1846–53) Return to electoral law of 17 June 1823 (*) Reforms Act of 1847 Electoral law of 3 June 1847 Second Federal Republic	<ul style="list-style-type: none"> • Indirect election • Three instances • Indirect election, with the possibility of direct system (not put into practice) 	<ul style="list-style-type: none"> • No economic requirements 	<ul style="list-style-type: none"> • No economic requirements • 25 years of age • In order to be an MP: no economic requirements • 25 years of age • In order to be a senator: no economic requirements • Have held high-level positions in the states • 30 years of age
Call to Constituent Congress of 17 October 1855	<ul style="list-style-type: none"> • Indirect election • Three instances 	<ul style="list-style-type: none"> • No economic requirements • Clergy excluded • 18 years of age at the first instance of election • 21 years of age at the second instance of election • 25 years of age at the third instance of election 	<ul style="list-style-type: none"> • No economic requirements 'Hold capital (physical or moral), or honest industry producing for the same sufficient to subsist' • Clergy excluded • 25 years of age

Compiled by the author.

(*) Regulations following the Cadiz model.

Sources: Dublán and Lozano, *Legislación*; García, *Legislación*.

Table 2 Electoral Systems. Spain

Electoral law/ regulation	Election system	Electors	Eligible
Call to elections 1810 Constitution of 1812	<ul style="list-style-type: none"> • Indirect election • Three instances 	<ul style="list-style-type: none"> • No specific economic requirements • Articles 92 and 93 of the Constitution • 25 years of age 	<ul style="list-style-type: none"> • No specific economic requirements • 'An annual income provided by own real estate'. Art. 92 of the Constitution • 25 years of age
R.D.(*) 20 May 1834	<ul style="list-style-type: none"> • Indirect election • Two instances 	<ul style="list-style-type: none"> • Be an owner with 6,000 reales of annual income. Party Junta and Provincial Junta • 25 years of age. Party Junta and Provincial Junta (**) 	<ul style="list-style-type: none"> • Income of 12,000 reales • 30 years of age
R.D. 24 May 1836	Direct election	<ul style="list-style-type: none"> • 200 senior taxpayers per MP • Capacities • 25 years of age 	<ul style="list-style-type: none"> • 9,000 reales of income or 500 reales in tax • 25 years of age
Law of 20 July 1837	Direct election	<ul style="list-style-type: none"> • 200 reales in tax; annual income of 1,500 reales; payment as tenant or sharecropper of 3,000 reales; owner of two yokes; inhabit accommodation with value of between 400 and 2,500 reales, depending on the municipal district • 25 years of age 	<ul style="list-style-type: none"> • In order to be an MP: 1,500 reales of income or 200 reales in tax • In order to be a senator: 30,000 reales of income or 3,000 reales in tax • 25 years of age
Law of 18 March 1846	Direct election	<ul style="list-style-type: none"> • 400 reales in tax • 200 reales and capacities • 25 years of age 	<ul style="list-style-type: none"> • 12,000 reales of income or 1,000 reales in tax • 25 years of age
Law of 18 July 1865	Direct election	<ul style="list-style-type: none"> • 200 reales in tax • Capacities • Employees by royal appointment with a salary of at least 8,000 reales • 25 years of age 	<ul style="list-style-type: none"> • Be a taxpayer • 25 years of age

Compiled by the author.

(*) R.D stands for Royal Decree.

(**) Certain economic prescriptions for certain cases among electors in the Provincial Junta, e.g. 3,000 reales from factory turnover for owner-manufacturers or a salary of 6,000 reales for employees by royal appointment.

Sources: Pérez, *Súbditos*; Estrada, *Significado*; N. Araque, *Las elecciones en el reinado de Isabel II: la Cámara Baja* (Madrid, 2008); Sierra, Peña and Zurita, *Elegidos*.

members of the Cadiz courts; in particular, José Miguel Ramos Arizpe, considered the 'father of Mexican federalism',³¹ and one of the authors of the Mexican Federal Constitution of 1824, and José Miguel Guridi y Alcocer. In common with the Cadiz courts, where the context of war and the role of the 'liberal people' against the French invader bore an influence when it came to planning an electoral system with a universalist-based tendency, during the initial stage of Mexican independence, the context of the decisive collaboration of the lower classes weighed on the politicians who drafted the first electoral systems, in the process of gaining independence and of fighting against the vice-royal authorities. By way of an open hypothesis, various questions could be raised: did the frustrating experiences of the American and New Spain Congress in the Cadiz courts, and even in those of the Triennium, exert any influence in questions such as representation, in the design of the first electoral regulations in Latin America and in Mexico? To what

³¹For details on Arizpe, see F.J. Rodríguez, 'José Miguel Ramos Arizpe, de súbdito a ciudadano. Documentos, 1808-1822', in A.J. Gullón and A. Gutiérrez (eds), *La Constitución gaditana de 1812 y sus repercusiones en América* (Cadiz, 2012), pp. 441-50.

extent did these historical actors, along with their life trajectories, exert any influence? And to what extent did these experiences exert any influence?³²

Such farsightedness regarding the conception of citizenship closely linked to the Cadiz model found its counterweight, as occurred in other Latin American countries, in the indirect election system albeit to different extents,³³ which already constituted, via several filters, an initial exercise in political exclusion. If we turn to the legislation between 1821 and 1836 and between 1847 and 1855³⁴ – periods dominated in particular by federalist and pure liberal politics – there were no openly economic requirements to access citizenship, although in the language of the laws themselves, links were frequently established between citizenship and economic independence. Erika Pani openly puts forward social correction, which in practice led to the indirect system:

In this manner, a broader male vote was established, set up locally and a system of indirect elections ... Nevertheless, all the elections in Mexico were to be indirect, varying in requirements, especially as regards property, for each of the election fields. So the people's community did not draw together equal individuals: almost all could take part in the process, but the voices of some weighed more heavily than those of others.³⁵

Between 1836 and 1846, the period predominated by centralist and conservative theses in Mexican national politics, the census-based system was implemented through economic requirements, as occurred parallel to this in the 1830s in Spain, where both countries followed a conception of the citizen based on property and economic quality and, to a lesser extent, on the level of training and intellectual capacities, as a guarantee of the correct working order of the system through electors supposedly equipped to choose in favour of the common good, a conception solidly established in the Europe of the day, which, in the case of Spain, was to be a reference in its post-revolutionary representative model, whereas for the case of Mexico, it was to be a trial run within a period where the universalist tendency prevailed.³⁶

Albeit in a rigid, schematic manner, the binomials of a census-based system/direct election and universal male suffrage/indirect election appeared as recurring models in post-revolutionary Atlantic liberalism, the case of Mexico provides the innovative notion of

³²Furthermore, it should be added that politicians who were not such veterans as those mentioned, attended the Spanish Courts of the Constitutional Triennium, such as Lucas Alamán, who took on a leading role in the debates on citizenship or representation and as legislator in independent Mexico. See the following bibliography for an overall view of the political activities of these personages and their biographies: M. Urquijo (ed.), *Diccionario Biográfico de los Parlamentarios Españoles. Cortes de Cádiz, 1810–1814*, 3 vols (Madrid, 2010); M. Urquijo (ed.), *Diccionario Biográfico de los Parlamentarios Españoles. 1820–1854* (Madrid, 2010) [CD-ROM]. With regard to the hypothesis of life experiences in the process, see M. Sierra, 'Los artifices de la representación parlamentaria: desarrollos biográficos entre España y América en la época de las independencias', in R. Sánchez and E. Erausquin, *España y América en el Bicentenario de la Independencia. Miradas sobre lo extranjero y lo extraño* (Seville, 2011), pp. 141–62.

³³Depending on each regulatory framework in force, indirect elections in the period were to occur in three degrees, in two degrees and even in five instances. From the outset, Mexican laws put certain distances between the Cadiz model by replacing the parishes – as a territorial and social segmentation of a religious order – with the section and municipal district as spatial units for the organization of scrutiny. Sierra and Peña, 'Construcción', p. 188.

³⁴The 1857 constitution, with considerable stability in the second half of the nineteenth century, continued in this defining line of Mexican citizenship. Sordo, 'Liberalismo'.

³⁵Pani, 'Ciudadanos', pp. 91 and 99.

³⁶According to the thesis put forward by Reynaldo Sordo, both federalists and centralists believed in the people's constitutional representative system; only the pro-monarchic options of the 1840s denied the system of the people as the base, arguing therefore that the ideological differences were deep-rooted, at the same time pointing out that while the federalists, at all times, remained faithful to the basis of the system inherited from the Cadiz courts, the conservative centralists set out to rationalize it and to reform it, unsuccessfully, by introducing issues into the political debate such as suffrage. Sordo, 'Liberalismo', pp. 563–4.

combining, as if it were a hybrid, at several levels, the census-based perspective and the indirect election model,³⁷ and even of applying the economic requirements for access to the electoral body, depending on the voting instance in the system. During this stage, diverse scales of demand were noted: the 100 pesos of income required in 1836; in the regulation of 1843, the economic requirements were tightened to the extent that the suffrage instances moved ahead, particularly for the third instance an income of 500 pesos per annum was required, or in the run-up to the 1847 call where the economic requirements increased, as a general rule, although this matter was left to the expense of what was to be legislated by each departmental state.³⁸

Both in federalist and in centralist regulations, the age at which it was possible to exercise citizenship was, as a general rule, set at 20 to 25, and in certain cases, the minimum age would increase in terms of how the voting instances progressed in the system. It should be noted that in the Call for the Provisional Governmental Junta for the first voting filter, the citizenship was set at 18 years of age. Also, it was a common guideline in Mexican electoral law of the time to tighten up the age requirement for single people where, in this case, being the head of a family and providing for it involved a guarantee in terms of citizenship.³⁹ This brings us to a conception of the elector inseparable from his/her parental group, making him/her a spokesperson for the interests of an economic and social cell: the family.⁴⁰

The elector and the eligible – the parliamentarian, within the family unit in turn links up with the immediate, social environment and with the community which, logically, takes on important connections in terms of the territorial dimension of political representation and of the very use of that political citizenship.⁴¹ In any case, the Mexican researcher Erika Pani weaves the territorial concept within the profile of the ideal Mexican citizen, based on her analysis of liberal political representation in Mexico:

The good citizen was the ‘good’ man, the father of the family, solid and solvent, ‘known’ as such by the members of his community. In turn, the Mexicans structured the political community locally, around the ‘good man’, known as such by his neighbours and, through indirect elections, the social hierarchies were maintained.⁴²

The ideal profile of the citizen with full political rights in Spain and in Europe is more directly linked with ownership in its broadest sense and with economic quality, to different extents, although the centralist tests of the 1830s and 1840s in Mexico restricted political participation through ownership or an income through work or profession which, occasionally, could be reflected in tax burdens, i.e. the good citizen was one who

³⁷Only in the extraordinary call of 1846 was the possibility tabled to hold direct elections under certain assumptions such as socio-professional profiles. In practice, these direct elections barely managed to take place. García, *Legislación*, pp. 92–110.

³⁸García, *Legislación*. In the Spanish electoral system of the day, under the progressive law of 1837, the requirement was for 200 reales of fleece and under the moderate law of 1846, the requirement was for 400 reales of fleece. Estrada, *Significado*. Furthermore, Reynaldo Sordo argues that the electoral processes under the centralist legislation worked more calmly and with fewer signs of corruption for several reasons, basically because of the implementation of more rational measures in the different elements of the practical working order of the electoral processes: censuses, setting up of polling stations, written and signed tickets; Sordo, ‘Liberalismo’, p. 553.

³⁹García, *Legislación*.

⁴⁰Sierra and Peña, ‘Representación’, p. 71.

⁴¹As regards the territorial dimension of representation in the Mexico in the second half of the nineteenth century, see M. Carmagnani and A. Hernández, ‘La ciudadanía orgánica Mexicana, 1850–1910’, in Sabato, *Ciudadanía*, pp. 371–404.

⁴²Pani, ‘Ciudadanos’, pp. 91 and 104.

contributed to the state's economic burdens.⁴³ Beyond the periods of the political predominance of some groups in Mexico, a requirement became evident throughout this period which, in a subjective manner, referred to an 'honest way of living',⁴⁴ with clear economic connotations. What is more, during the period of the implementation and consolidation of Mexican liberalism, the question of suffrage did not arouse a particularly profound political debate. This debate focused more on defining which administrative instance should represent the elected politicians in the new system. On the other hand, the requirements were to increase when it came to establishing the conditions in Mexico and Spain, although once again to different extents.

As regards the figure of the eligible, this subject who could, potentially, become a representative in the system and who could form a part of the exclusive group of the country's parliamentarian elite, has been dealt with by the researchers Sierra and Peña, in a comparative analysis. In this case, the ideal of the eligible was roughly designed following a series of common traits: 'the eligible as head of family, the eligible as a territorialized subject, the eligible owner, the eligible cultured and virtuous person'.⁴⁵ The idea of the 'government of the best'⁴⁶ may summarize these requirements as a whole regarding the elected to represent the nation or the principle of social distinction of the eligible as a guarantee of 'good government',⁴⁷ an idea that was first formulated in British, North American and French liberalism, until it became consolidated in post-revolutionary liberalism and European doctrine. The principle of social excellence legitimized, in the last instance, the artefact of political representation by constructing forms of indicating and justifying the 'best', apart from developing a social mindset presided over by new aristocracies of material or cultural productivity.⁴⁸

The analytical possibilities around the figure of the eligible in the construction of the concept of liberal representation and, assuming the depth of the debates involved in the debates arising around this frontline actor in the system, lead us to focus our attention on the economic outlook of this complex problem, both from the viewpoint of economic quality and as a central element in the construction of the ideal figure of the eligible in liberal societies as well as from the angle of proposing functional representation models, particularly the two tests put forward in Mexico in 1821 and 1846, respectively.

In the case of Mexico, the universalist basis of the electoral body – although with an indirect elective system – was no impediment, in its electoral legislation, to giving the eligible principles in accordance with the elitist, selective spirit involved in liberalism, as also occurred, but with an even greater intensity, in Spain and Europe. Depositing representation and the executive government in the hands of the 'best' became one of the essential premises of liberalism and a central element of its ideological and institutional construction.⁴⁹ This generic principle was associated with economic quality and ownership, a process in which Mexican and Spanish electoral laws, with slight differences, were to

⁴³Sordo, 'Liberalismo'. The call to elections of 1846, the most conservative of the period, in particular demanded important tax burdens for taking part in elections by classes. Pani, 'Voz'.

⁴⁴Pani, 'Ciudadanos'; Sordo, 'Liberalismo'.

⁴⁵Sierra and Peña, 'Construcción', pp. 185–98. For a monographic treatment of the Spanish case, see Sierra, Peña and Zurita, *Elegidos*.

⁴⁶Pani, 'Ciudadanos'.

⁴⁷Pani, 'Ciudadanos'.

⁴⁸Sierra and Peña, 'Construcción', p. 184.

⁴⁹Sierra and Peña, 'Construcción', pp. 192–3.

find certain parallels. Economic quality, or rather, economic independence, was articulated as one of the key elements of the liberal political mindset where the representative had to be an economically well-off person as a guarantee of independence in the exercise of political positions.

The Mexican electoral regulations echo such principles, and in the call of 1821, the requirements for the passive electorate, on the other hand, were resolved in the moral and political arena, by requiring ‘the elect to be persons supporting independence, with services rendered to it, of right conduct and instruction’.⁵⁰ Nor did economic requirements appear for the eligible in the electoral regulation of June 1823, although in these first regulations there was already the requirement for a minimum age marked by maturity.⁵¹ In the heat of the debate on the federal constitution project, the matter of economic requirements for the passive electorate, under the spotlight now in the different proposals put forward, fluctuated from 1,000 pesos in annual income to 2,000 pesos. The MP Juan de Dios Cañedo, a veteran New Spain representative in the Spanish courts, proposed in a private vote that specific economic requirements should not be included, however taking as a reference the economic independence of the representative, who had to ‘be owner of real estate or have an income or industry known to be the source of his subsistence’.⁵²

The tendency in the seven laws of 1836, the organic bases of 1843 and the extraordinary call of January 1846 – periods in which centralist and ‘monarchist’ policies prevailed – headed towards a tightening of the economic requirements for the eligible: in 1836, it was 1,500 pesos in annual income to be an MP, and 2,500 pesos to be a senator; in 1843, 1,200 pesos for the lower chamber and 2,000 for the senate. And finally, in the complex call of January 1846, where a functional parliamentary representation was put forward with an important regulatory margin for the states/departments, as a general rule the economic requirements linked to the administrative burdens were ostensibly tightened. In this case, the sustaining of the state became a central element in the profile of the figure of the eligible.⁵³ The electoral regulations of the Second Federal Republic and the call to the constituent courts of 1855 went back to the census-based tendency in terms of the passive vote, as occurred with the active electorate, by not applying any specific pecuniary requirements although the undercurrent of the argument of economic

⁵⁰García, *Legislación*.

⁵¹In 1821 and 1823, the minimum age of 25 was established for being an MP, and 30 years of age for being a senator, since the federal constitution of 1824. Since that time in the Mexican two-chamber political systems, it became the norm to require a higher age for the higher chamber. Subsequent regulations made this requirement tougher, in the laws of 1836, 1843 and 1846, by raising the age to 30 for the lower chamber and to 35 for the senate. Conversely, in the regulations of the Second Federal Republic and in the call of 1855, there was a return to 25 as the minimum age. The level of 25 years of age was to be the reference in Spanish electoral law, with the exception of the call of the Royal Statute, where it was raised to 30. García, *Legislación*; Estrada, *Significado*. Maturity associated with the family nucleus via the additional requirements for single and economic independence became references in the ideal of the eligible.

⁵²*Historia Parlamentaria de los Congresos Mexicanos*, 21 May 1824, p. 784 and 27 June 1824, p. 822. In Sierra and Peña, ‘Construcción’, p. 184.

⁵³In the electoral laws of the Spanish liberal post-revolutionary period – the regulations of 1837, 1846 and 1865 – the census-based principles of European doctrine were strongly rooted, with special links between the French doctrinaire model and moderate legal production. In this case, the requirements for the lower chamber were set at between 200 reales of fleece in the progressive law of 1837, 400 reales under the moderate regulation of 1846 and, in 1865, reverting back, under the unionist political dominion, to the figure of 200 reales. Estrada, *Significado*. In the Europe of the time, for example in France, 200 francs were required as contribution, depending on the district, under the law of 1831; in Belgium, from 20 to 80 florins, depending on the municipal district in 1831; in England, an income higher than £50 in 1832; in Piedmont, from 20 to 50 lire, depending on the province, in 1848; in Portugal, 1,000 reales of annual liquid income in 1852. Sierra, Peña and Zurita, *Elegidos*; Tavares, *Legislação*.

independence continued to be present; in 1855, the call in its article 56 specified that to be an MP, there was a requirement to 'have a (physical or moral) capital, or honest industry that produced for him with which to subsist'.⁵⁴ This rhetoric, albeit without any specific requirements, was to be continued in the subsequent electoral organic law of 1857, a regulation with considerable continuity, although it was reformed on several occasions in the course of the second half of the nineteenth century in Mexico.

Furthermore, corporate traditions, when it was a matter of understanding society and as a way of marrying tradition and modernity in representation, unfolded from Mexican independence itself and also exerted an influence on the eligible. In this sense, Agustín de Iturbide presented an initial proposal of functional or corporate parliamentarianism, involving counterpoising the model of the Cadiz tradition, based on a single parliament, a system with two chambers: one chamber representing the people and the other representing the institutions.⁵⁵ The very call to courts of the Provisional Governmental Junta posed a hybrid system where the MPs had to be elected in terms of previously established public quotas, depending on the characteristics of each state or province, which implied reserving parliamentarian seats for socio-professional quotas.⁵⁶ From the concept of 'descriptive political representation'⁵⁷ where, in theory, representation had to be the true reflection of the people from which it emanated, it was interpreted that the parliament had to reflect the reality of the social and economic make-up of the country where each body or group must be represented. Bodies or groups – from an elitist viewpoint – that were recognized as being 'the most useful for society and for the nation'⁵⁸ and which, logically, must be represented in parliament.

In the mid-nineteenth century, not even the legitimizing value that introduced into parliament a functional representation, with a historicist vein linking the old with the new, had been discarded by post-revolutionary liberalism from among its legitimizing possibilities. Along this elitist line of doctrine, the call to the extraordinary congress of 1846⁵⁹ put forward an idea of parliamentarianism based on a corporate chamber made up of MPs specifically representing the various economic and professional sectors in the country: rustic and urban property, agricultural industry, commerce, mining, industry, literary professions, judiciary, clergy and army. These bodies were ascribed representation quotas, depending on each Mexican state/department, which indirectly dealt with another problem inherent to the construction of representation in Mexico: the tensions between the central and territorial bodies (states/departments). Finally, these functional tests were to have a very limited historical run.

⁵⁴García, *Legislación*, p. 150.

⁵⁵In revolutionary and post-revolutionary Mexico, two chamber political systems prevailed, as yet another element that distanced it from the Cadiz tradition. Only the constitutions of Apatzingán (insurgent of 1814), of Cadiz and of 1857 established two-chamber political systems. The other Mexican legal frameworks, both federalist and centralist, adopted a two-chamber system with a lower chamber (of MPs) and a higher chamber (senate). The aim was, on the one hand, to create a conservative chamber that would review and curb any excessively audacious hypothetical impulses from the lower chamber while, on the other, it was to establish a second chamber based on a model of representation in which other dimensions would be the priority – territorial, corporate, interests, balance of powers. Pani, 'Voz'.

⁵⁶See the analysis in Sierra and Peña on this matter: Sierra and Peña, 'Construcción', pp. 182–3.

⁵⁷Pani, 'Ciudadanos'.

⁵⁸Pani, 'Ciudadanos'.

⁵⁹García, *Legislación*, pp. 93–110.

Conclusion

The development and consolidation of liberalism in Mexico and in Spain should be interpreted from objective point of view, especially because there was a risk of making a stereotyped association, in different degrees, of these cases with anomalous and vacillating models of development, as opposed to cases tending towards a more placid liberalism with a more linear development, thus encouraging reductionist views without the necessary contribution of contextual interpretation. According to Erika Pani, the ‘traps’ involved in analytical paradigms such as ‘modernity’ undoubtedly rest on an interpretative outlook. In this regard, the strategy aimed at a comparative analysis can give us new interpretative elements and issues for debate as it makes it possible to discover patterns and question ‘models’, ‘innovations’ and ‘survivals’, ‘deviations’ and ‘exceptions’. In short, it involves a history that tends towards the narrative of loose ends, raising more questions than answers, leading to its indubitable historiographic interest.⁶⁰

Debates regarding political representation and the Mexican and Spanish electoral models, in their respective processes of defining liberal political representation, show elements in common and others with a greater diversity with the specificity of each case. In the Spanish case, especially in its post-revolutionary period and highly imbued by the theories of European liberal doctrine, the adoption of the census-based system was to be a reference throughout the nineteenth century. In the Mexican case, with enormous wealth and originality in terms of the variety of systems tested, this should undoubtedly be analysed from its points of encounter and of distancing itself from the Cadiz legal tradition, where the universalist basis corrected through the indirect election system unfolded as a majority reference. A theme such as projection of the New Spain MPs present in the Cadiz courts in the politics of independent Mexico and their hypothetical influence in its initial representative models, enriches a historiographical debate already in itself complex. The definition of the ideal of the eligible, of the parliamentarian representative, in the Mexican and Spanish models, is based on substantial features in economic and patrimonial quality as a mark of a representative system in which the leading actors could act as a group like an elite.

Lastly, the results of this research are necessarily left open. There are central aspects within the complex process of constructing liberal political representation that have been omitted from this study and that will be developed in the future. Such aspects include the conception of territoriality and the ascription to the community of the political representative in developing the regulations regarding Mexican representation, the nature of mandate – delegative or imperative – and even, by means of a *mezzo termine* – the material culture of the vote, the ways of carrying out and organizing an election, cultural perception around the representative exercise of the parties involved and, needless to say, of the parties excluded (men outside citizenship, and women), and the political and practical implications of exclusion. In this regard, a systematic comparison of the two national experiences still needs to be researched which covers all the elements mentioned to arrive at an overall explanation of the elements that coincide and diverge, without overlooking failures.

⁶⁰Pani, ‘Ciudadanos’, p. 106.

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