

**A view of Philadelphia from Anahuac: the Constitution
of the United States of America in the 1823-24 Mexican Constituent Congress.**

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I.

In 1835, Deputy Francisco Manuel Sánchez de Tagle and the Constituent Congress's reorganization committee wrote in the Second Constitutional Law's preface that "a constitution's kindness is always relative; that one which is excellent for a country can be terrible for another; and that [due to this] the one which has managed to survive in the United States of the North [...] transferred to our soil has been a sick and vigor-less plant".¹ This statement along with many others of the same kind were only an echo of what, in the very same Constituent Congress which had approved the Constitutive Act and the Federal Constitution of 1824, had already been criticized by a significant number of deputies. Father Mier had stated it clearly when he told Congress on July 23rd, 1824, that just as "the Spanish Cortes at Cadiz had been criticized for their Anglo-mania, [...] with more reason could we be censured for our North-mania".²

Following this same logic many scholars of Mexico's first constitution have assured that it had essentially been inspired in the Philadelphia Constitution and that its failure was a result of the bad quality of the copy made by Mexican deputies to the Constituent Congress. As time went by, this position became harder to sustain as more and more authors pointed out that the Spanish Constitution of 1812 had had at least as much influence in the Mexican text as the North American one. Emilio O. Rabasa pointed out that the 1824 Constitution was actually the product of a significant effort through which

¹ Comisión de Reorganización. 1835. Segunda Ley Constitucional 1835. In Archivo General de la Nación MSS. Historia, Vol. 560, Cuaderno 29 "Distrito Federal". México: p. 1. All translations are mine.

² Servando Teresa de Mier. 1978. *Ideario Político*. Edited by E. O'Gorman. Primera ed. Caracas: Biblioteca Ayacucho, p. 231.

“those first constituents had managed to transfer to their own situation the most advanced liberal thought of the 18th century and the best of the constitutional theories of their time”.³ Therefore, Rabasa says, we shouldn’t be surprised by the fact that they adopted “the federal government, its means of interaction with the federated States and the ‘checks and balances’ system among federal branches of government” from the Philadelphia Constitution,⁴ and the principles of “sovereignty vested on the nation, [...] popular representation and men’s natural and political rights” form the Spanish model.⁵

Some authors have gone even farther arguing, from a more radical position, that not even the federal system of the 1824 Constitution can be considered the direct result of United States influence. For this authors, the whole idea of the 1824 Constitution being a copy of the American model had simply derived “from the accusations raised by the centralists [...] at a moment in which they were determined to change the system”.⁶ According to Josefina Zoraida Vázquez, “the first Mexican federalism is better understood as Jeffersonian anti-federalism, meaning, the kind of system which would stress state autonomy; it was therefore more radical and paradoxically a lot less center oriented than the American one”.⁷ Thus, the origins of this peculiar style of, “almost confederate”, federalism were to be found not in Philadelphia but in “the insurgent struggle which had

³ Emilio O. Rabasa. 1994. *Historia de las Constituciones mexicanas*. Segunda ed. México: UNAM: Instituto de Investigaciones Jurídicas., p. 10.

⁴ *Ibid.*, p. 13.

⁵ *Ibid.*, p. 15.

⁶ Josefina Zoraida Vázquez. 1999. El contexto histórico del constituyente de 1824. In *México y sus Constituciones*, edited by P. Galeana. México: Fondo de Cultura Económica / Archivo General de la Nación, p. 78. One should not forget that Mexico’s first independent years were the theater of conflict between centralists and federalists. Federalists wanted a State integrated by several internally autonomous and sovereign entities united under a national government in those areas which affected the country as a whole and had to do mainly with war and foreign relations. Centralists, on the other hand, advocated a system which would operate completely under a strong unitary government. The provinces, which under a federal system were to be free and sovereign states, under a centralized regime were considered only as administrative subdivisions of the national government. Needless to say, this situation was unthinkable for the larger, richer and more distant provinces.

⁷ *Ibid.*, p. 79.

shown the towns their strength and [in] the 1812 Constitution [which] had granted them representation in constitutional town councils”.⁸

These controversies brought about several studies regarding the foreign influences which could be identified in the 1824 Constitution. Some of these works have found that various constituent deputies

had worked, with relative assiduity, with both foreign constitutional texts and political writings by those authors which, in those years, enjoyed particular renown [...] [however,] they did not always have access to first-hand editions: some times they worked with translations, and some others they used writings by commentators or publications of popularizing nature.⁹

Unfortunately, these studies concerning the sources which were physically available to members of early 19th century Mexican political elites are, again, not exempt of disagreements.

For example, regarding United States influence in Mexican constitutionalism, the circulation, or lack there-of, of the classical analysis of the American Constitution, *the Federalist Papers*, has been strongly debated. Gustavo R. Velasco, in his foreword to one edition of this work, assures that, in the 19th century, Latin American knowledge of it was very limited since “it was not translated into Portuguese until 1840 and into Spanish until 1868 and 1887 [...] [besides [... both translations] had a rather small print run”.¹⁰ Jesús Reyes Heróles, on the other hand, sustains that translations of loose articles were already circulating in Mexico around 1822. Other authors highlight the fact that besides the problem represented by limited circulation, other issues, like differences between translations and editing techniques of the time, caused some of the original ideas and

⁸ *Ibid.*, pp. 87-88.

⁹ Manuel Ferrer Muñoz and Juan Roberto Luna Carrasco. 1996. *Presencia de doctrinas constitucionales extranjeras en el primer liberalismo mexicano*. Primera ed. México: UNAM: Instituto de Investigaciones Jurídicas., p. 7.

¹⁰ Gustavo R. Velasco. 1943. Prólogo. In *El Federalista*, edited by A. Hamilton, J. Madison and J. Jay. México: Fondo de Cultura Económica, p. xv.

meanings to suffer deformation or depletion. However, Manuel Ferrer Muñoz and Juan R. Luna Carrasco mention that “there were also those who handled the original English version [of the text]: [and they] have been able to confirm the presence of an 1818 North American edition, [...] in Deputy José C. del Valle’s library”.¹¹

Never the less, all these works have a common shortcoming. In one way or another, almost all the authors who have studied the issue, particularly law-scholars, have made the mistake of trying to analyze the influence North American constitutionalism had on the Mexican State’s founders from a modern, contemporary, point of view. Even those studies about the sources through which our first constituents obtained their more or less imperfect knowledge of the Philadelphia Constitution seem to have forgotten the fact that its influence was widely discussed by contemporaries of the 1824 Constitution. And not only by members of the centralist group, but also by the federalists and the Constituent Congress at large, as it can be seen in the preamble to the constitution published on October 4th, 1824, where it was clearly stated that:

The division of states, the installation of their respective legislatures and the erection of a multitude of bodies which have been born in the short period of eleven months, will testify whether Congress has largely fulfilled the towns’ expectations or not, without by that trying to take all the glory of so prosperous principles, and even less that of the original invention of the institutions it has dictated. Happily it had a people docile to the voice of duty, and *a model to imitate in the flourishing Republic of our neighbors to the North*.¹²

The question, therefore, should not be whether the 1824 Constitution was influenced by the Philadelphia Constitution or not. Once we have recognized that the very founders of the Mexican State felt a strong North American influence over the constitutional model they were about to adopt, we are forced to ask ourselves how did these men understand the

¹¹ Ferrer Muñoz and Luna Carrasco. *Presencia de doctrinas extranjeras*, p. 11.

¹² Felipe Tena Ramírez. 2000. *Leyes fundamentales de México*. Vigésimosegunda ed. México: Porrúa, p. 163. Emphasis added.

United States constitutional model. What constitution did they believe they were copying? Only when we have answered these questions will we be able to understand what kind of an influence from the 1787 Constitution of the United States of America did they really experience and maybe then we will acquire a better understanding of the Mexican Federal Constitution of 1824.

II.

Some unforgivable oversight, or some other hidden reason, has caused some of the sources which should have been of obligated consultation for the study of this issue to be practically ignored. As far as I know, nobody has conducted a detailed analysis of the Constituent Congresses debate records, or of the Draft Constitution for that matter, looking for references to the Philadelphia Constitution. In the following pages I offer precisely that: an account of the various appearances of the United States model throughout the discussions of the first constituent moment of independent Mexico.

The two Constituent Congresses which met in Mexico City between 1821 and 1824 went through three key moments regarding the properly constituent function. The first one took place during the sessions of the first Constituent Congress, in the weeks before May 28th, 1823, the day when “the plan for a constitution presented by the special committee in charge of the matter was read for the first time”.¹³ This plan had been discussed and elaborated in Father Mier’s very own house.¹⁴ The second moment already takes place in the second Constituent Congress, between December 3rd, 1823, and February 2nd, 1824. During this period the *Acta Constitutiva de la Federación Mexicana* (Constitutive Act of

¹³ Juan A. Mateos. 1997. Historia parlamentaria de los congresos mexicanos de 1821 a 1857. Facsímil de la edición de 1878. In *Enciclopedia parlamentaria de México*, edited by F. Zertuche Muñoz and F. Remolina Roqueñí. México: Cámara de Diputados, p. 382.

¹⁴ Mier. *Ideario*, p. 331.

the Mexican Federation) was discussed and approved by Congress.¹⁵ The third moment was the discussion of the *Constitución Federal de los Estados Unidos Mexicanos* (Federal Constitution of the Mexican United States), which went on from April to September 1824.¹⁶

Unfortunately the available information for each of these three moments is scarce. Regarding the first one we know, thanks to the records compiled by Juan A. Mateos, that the draft was actually presented to Congress, however, it was never discussed by it “because the convocation [to the new Congress] was arranged as a coup d’état, thus depriving congress of the faculty to constitute the nation”.¹⁷ Obviously there is no record of the discussions held at Fray Servando Teresa de Mier’s¹⁸ house and therefore the only sources we have for this first moment are the draft itself, the long preface that accompanied it and “Doctor Mier’s” particular vote which was published by recommendation of Carlos María de Bustamante.¹⁹

The situation concerning discussions of the Constitutive Act is not much better. Juan A. Mateo’s records report the dates on which the discussion of each Article was held

¹⁵ José Barragán Barragán. 1980. Introducción. In *Actas constitucionales mexicanas (1821-1824)*. México: Instituto de Investigaciones Jurídicas, UNAM.

¹⁶ *Ibid.*

¹⁷ Mier. *Ideario*, p. 331.

¹⁸ José Servando Teresa de Mier Noriega y Guerra was born in Monterrey in 1765 and he joined the Dominican order in 1781. He undertook extensive studies in philosophy and theology becoming a distinguished preacher. In 1794 he pronounced a controversial sermon on the virgin of Guadalupe’s apparition which caused him to be put into prison and sent to Spain. After escaping he traveled widely through Europe and distinguished himself as a dedicated promoter of Hispanic American independence. In 1814, while in London, he prepared, with Francisco Javier Mina, an expedition to liberate Mexico but they were both captured upon landing by the royalist troops and Mier was deported once again. In Havana he managed to free himself and traveled to the United States from where he would return to Mexico to be incarcerated once more due to his strong opposition to Emperor Agustín de Iturbide. In 1823 Mier was elected delegate by the state of Nuevo León to the Constituent Congress where he made himself notorious for promoting a moderate federalism which was tagged as centralist by many of his contemporaries. Between 1824 and 1827, the year of his death, he lived in Palacio Nacional, the government’s residence enjoying a State pension.

¹⁹ Mateos. *Historia parlamentaria.*, p. 382. The full text of the draft and its preface can be found in Mier. *Ideario*, pp. 264-286.

and even that of particularly controversial phrases; in most cases they also indicate the results of the nominal votes taken on the issues but they do not contain any speeches. Thus we only have the Act's preamble, which is not particularly illuminating, the project presented for discussion, the final text as it was approved and a couple of the more significant speeches such as Doctor Mier's famous "Prophecy regarding the Mexican federation", delivered on December 13th during the discussion the Act's fifth Article.²⁰ It is really a pity that we don't have a Journal of Debates for these sessions since it was during these months when the most important debates regarding the form of government and the political organization of our nation were held.

The discussion of the actual constitution is far better documented. Juan A. Mateos reconstructed some of the Journals of Debates from "several collections of newspapers and other materials, which exist among the 'Notes for the History of Mexico', in Mr. Ignacio Ramírez's library".²¹ These Journals were published as an appendix to the second volume of Mateos's *Historia Parlamentaria*. Unfortunately I have only found records for the debates held in April and May which correspond to the first 56 Articles of the Constitutional Project, dealing with the structure and faculties of the legislative branch. It seems that for a reason which escapes me Mateos decided to stop right there, thus depriving

²⁰ See Mateos. *Historia parlamentaria*, p. 605. on. The project, entitled "Acta Constitucional presentada al Soberano Congreso Constituyente por su comisión, el día 20 de noviembre de 1823", including the preamble can be found in Manuel Calvillo. 2003. *La República Federal mexicana. Gestación y nacimiento*. Segunda ed. México: El Colegio de México / El Colegio de San Luis, pp. 831-842. The text as it was finally passed can be seen in several sources. I used Tena Ramírez. *Leyes fundamentales*, p. 154. Doctor Mier's prophecy has been published in Mier. *Ideario*, p. 288.

²¹ Mateos. *Historia parlamentaria*, p. 3a. Since the edition of Mateos's work published by the Mexican House of Deputies in 1997 printed both the second volume and its appendix in the same book but with separate page numbers, whenever I am citing pages from the appendix I will indicate the page number followed by a letter "a". It should also be said that the appendix was also reproduced in volumes VIII and IX of the *Actas constitucionales mexicanas* without giving any direct credit to Mateos for the compilation. After I finished writing this paper I found out that an additional volume of the *Actas*, number X, had been published a while later containing the June and July debates, unfortunately I have not been able to incorporate its contents into this work.

us of the rest of the process, which, judging by the part we do know, must have been very interesting. We also have the long introduction which was published with the constitution, and both the draft and the final versions of it.²² Discussion during this period was mainly centered on specific and detailed issues: particular faculties of the branches of government and practical matters of constitutional design. Never the less, these debates demonstrate that Mexican constituents actually reflected on specific Articles of the United States Constitution and not just admired their federal republican model, as some authors have suggested.

The May 1823 constitutional plan is actually a project for constitutional bases or a constitutive act. It is a rather interesting document since it represents the final and definite rejection of monarchy as a form of government and the choice of a republican structure instead.²³ Its preface made a point of one of the committee's main goals being that of coming up with a plan which would be adequate to "the current situation [...] of the great society which [was] to be constituted".²⁴ Among the characteristics which were distinctive of the Mexican nation of the time, and which inclined it to adopt a republican form of government, were its having "the United States [for] neighbors, *admir[ing] the velocity of its progresses, and belie[ving] that the cause of them was the free form of its government*".²⁵ Never the less, the committee offered a significantly different constitution

²² The introduction and the final version of the constitution can be found in Tena Ramírez. *Leyes fundamentales*, pp. 161-195. The preliminary project can be located in Calvillo. *La República Federal*, pp. 853-876.. It should be noted that while the title of the final version was "Constitución Federal de los Estados Unidos Mexicanos", in the draft it read "Constitución *Federativa de los Estados Unidos Mexicanos*".

²³ Republic being understood here in its more simple meaning as a form of government, opposed to monarchy, where magistrates are elected or designated by lot from among the citizens and not hereditarily. It should also be mentioned that the monarchical idea was not all together dead from this time on. In 1840, 1845-46 and increasingly in the 1850's it experienced a rebirth which lead to the second, and last, Empire during the better part of the 1860's.

²⁴ Mier. *Ideario*, pp. 264-265.

²⁵ *Ibid.*, p. 265. My italics.

form the one written in Philadelphia. They proposed a unicameral legislature in which states would be represented according to the size of their population, an executive triumvirate elected by the assembly, a Conservative Senate and a federal system which was harshly criticized for being too centralist.

This project, however, offers a good opportunity to see how the American Senate was understood in Mexico, since the creation of a second house was the most divisive issue between committee members. Most of them thought along

Condorcet, Thomas Paine, Sieyes [...] and other publicists [...] that] such an institution [the Senate] owed its origin to peoples which had no other law than the ancient customs by which every mutation or reform was seen with the fear which always follows ignorance [...] They wanted not so much a power which could act, but a power which would stop change...²⁶

This criticism was directed against Senates in general, not particularly the one created in Philadelphia, but the counterargument presented by Mier in his “particular vote” was explicitly referred to it.²⁷ The reason for Mier to cast a particular vote was to reject the idea of a Conservative Senate in favor an American-like one. A Senate of this kind would keep the larger provinces, which were overrepresented in the lower house, from

suffocating the smaller ones and dictating the law [by themselves] in congress. This, startling but necessary, inconvenience of the one house system would be overcome, as it is in the United States of North America, with a second house entitled to revise the laws. Since, in it, every province however small has as many senators as the largest one, we are then equal and no law which could harm us would ever pass.²⁸

²⁶ *Ibid.*, p. 267.

²⁷ It should be mentioned that among the members of the commission Javier Bustamante, Valentín Gómez Farías and Francisco María Lombardo adhered themselves to Mier’s particular vote. Both Bustamante’s and Gómez Farías’s signatures are missing from the commission’s project which might indicate that these individuals opposed it even more strongly than Mier and Lombardo did.

²⁸ Mier. *Ideario*, p. 282.

However, beyond this argument for equality among provinces, Mier continued his allegation in favor of a Senate by highlighting its benefits for constitutional stability due to its role in institutional balance. In Mier's own words:

it is not a second house of nobles or peers [...] which I litigate for, but one like those which the United States and Colombia have [...] I want a second house of senators, who are citizens and nothing more; but who possess certain properties so that they are not so exposed [...] to the temptation of letting themselves be won over by government's promises [...]; citizens who [...] may [...] moderate the first house's young members' impetuosity.²⁹

Farther ahead he specified that by making one house able to revise the other "the very pride of one house comes to be the safeguard against usurpation by the other, and thus the constitution is maintained by the passions working in opposite directions".³⁰

The similarities between these arguments and those made in the United States regarding the same issue are striking. The huge resemblance between Father Mier's vision, which was finally triumphant in the Constitutive Act, and that expressed by the American founding fathers in *The Federalist Papers*, specially in number 62 in which an argument is made for the Senate as a moderator of the representative's passions, is particularly notorious.³¹

Father Mier's familiarity with the American Constitution and political system is not all that surprising. It is well known that Mier lived in Philadelphia for a couple of years and he showed off his knowledge of the United States almost incessantly during his participation in both Constituent Congresses. In the March 30, 1823, session, when Congress was discussing the composition of the Supreme Executive Power, which was to take over the government until the constitution was approved, Mier said: "I am entirely

²⁹ *Ibid.*, p. 283.

³⁰ *Ibid.*, p. 284.

³¹ Alexander Hamilton, James Madison and John Jay. 1961. *The Federalist Papers*. New York: Mentor Books, pp. 376-382.

opposed to not being possible to draw members of the executive power from congress”, assuring, incorrectly that “in the United States they take the president from the delegates of Congress”.³² That same year but already in the second Constituent Congress, on December 13th, while Articles five and six of the Constitutive Act, establishing a popular federal republic whose “constitutive parts are free, sovereign and independent states”,³³ were being discussed Mier delivered his famous prophetic speech. In it Mier referred to the United States again and said: “Sir, by God, since we want to imitate the United States in the federation, let us imitate them as well in the sanity with which they suppressed the sovereign states Article from their second constitution”.³⁴

But let us put Father Mier on the side for now and concentrate in the debates of the Constitution, properly speaking. As I had already mentioned, the regularity with which the American example is quoted and how often we come across direct references to specific Articles of the Philadelphia Constitution during the debates, are striking. We find the evidence as early as the April 1st, 1824, session in which the general discussion on the form of government and the organization of the legislative power was first initiated.

³² Mier. *Ideario*, p. 252. Actually Mier’s statement is only partially false. In the Philadelphia Constitution there is no disposition which prohibits the president to be elected from among the senators and representatives. As a matter of fact it has happened some times. More over in the 1826 election Congress had to elect the president from the four candidates who did not manage to get a majority in the Electoral College, one of which was the very speaker of the House of Representatives. This, however, is not the general rule; the president is not systematically elected from the members of Congress as Mier indicated.

³³ “Acta Constitucional presentada al Soberano Congreso Constituyente por su comisión el día 20 de noviembre de 1823” in Calvillo. *La República Federal*, p. 836.

³⁴ Mier. *Ideario*, pp. 295-296. This time, Mier’s reference is more accurate since effectively the states are not designated sovereign in the Philadelphia Constitution, as they were in the Articles of Confederation. This was precisely what motivated the opposed interpretations of American federalism which contributed to draw that nation into its Civil War. The “cooperative” interpretation suggested the states had surrendered their sovereignty thus becoming subordinate associates of the federation; the “dual” interpretation sustained that states continued to be sovereign and could thus withdraw from the federal pact.

Congressman Manuel Crescencio Rejón,³⁵ a member of the commission which elaborated the Draft Constitution answered Carlos María de Bustamante's objections by saying:

Mr. Bustamante and all those who have read the Constitution of the United States should know very well that all we are offering to this Congress for deliberation is taken form that same Constitution, with one or another reform, according to the circumstances of our peoples.³⁶

This generated a reaction from deputy José María de Llave who criticized the commission for its lack of attachment to the United States Constitution since

over there, those wise legislators, [...] tried to organize the legislative power starting by the foundations of the building, this is, by the elections and the elements from which it should be composed; but we have equivocally perverted this order: we have begun by the attributions which both houses are to have.³⁷

Both Rejón and Llave were, at least partially, right. A comparative reading of the Draft Constitution and the American Constitution shows that effectively the resemblance between both texts is considerable. Table 1, at the end of this paper, shows the correspondence between the first 56 Articles of the Draft, those of the constitution as it was finally passed, and those of the Philadelphia Constitution. Thanks to the legislative techniques inherited from Cadiz, the committee members managed to turn the first Article of the American Constitution into 53 Articles. Never the less, many of them were literal translations from the American founding fathers' text. This certainly supports Rejón's argument. On the other hand, the Draft Constitution presented first those Articles which came from section seven of the first Article of the American Constitution, followed by

³⁵ Manuel Crescencio García Rejón y Alcalá was born in Yucatán in 1799. He represented his home province in the first Constituent Congress where he was notorious for his exacerbated republicanism. In the second Congress he was one of the leaders of the federalist group. Through out the rest of his life he excelled in the realm of international relations. He served as minister plenipotentiary to the republics of the south and the Brazilian Empire, later on, from 1844 to 1846, as foreign minister, he was characterized by his concern for American expansionism. He died in 1849 having published serious critiques against the Guadalupe-Hidalgo treaties and their unconstitutionality.

³⁶ Mateos. *Historia parlamentaria.*, p. 15a.

³⁷ *Ibid.*, p. 16a.

those of sections eight, five and six, leaving sections two, three and four at the end. This is exactly what Llave criticized. But let us return to the debates.

In the next day's session, Mr. Llave criticized the preface to the constitution, particularly its use of the expression "We the people of the Mexican United States".³⁸

According to Llave,

the United States were indeed able to write *We, the people*. Why? Because in the United States, they have some attributions which Your Sovereignty has not granted the people at large. The first attribution the United States have, is that they can and must by law, have the right to ratify the Constitution established by the general Congress; however, when Your Sovereignty determined and sanctioned, so to speak, the constitutive act, You did not ask all the States of the federated Republic for their express consent.³⁹

Again, Mr. Rejón rebutted this allegation with the following words:

it has been said that the United States used «We, the people,» because truly, it was the states who made the constitution, sanctioned the laws or decrees enacted by the general Congress. The previous speaker is gravely mistaken, unless he means that the gathering of all legislatures is the people; because it is them and not it, which makes use of this right.⁴⁰

Several days later, on April 9th, Manuel Rejón mentioned the Philadelphia Constitution again, this time as a counterexample. While the third Article of the Draft, which established the separation of powers in executive, legislative and judicial, was being discussed, representative José María Covarrubias had considered it "superfluous to mention de judicial power in this Article, since it was only an emanation of the Executive, or of this and the legislative".⁴¹ Rejón responded by saying that "if by any chance, the judicial power were organized just as it is in the Spanish Constitution or in that of the United States of the North, then it could be said that the judicial power was an emanation of the legislative and

³⁸ See "Constitución Federativa de los Estados Unidos Mexicanos. Proyecto de la comisión de Constitución del Congreso" in Calvillo. *La República Federal*, p. 855.

³⁹ Mateos. *Historia parlamentaria.*, p. 20a.

⁴⁰ *Ibid.*, p. 22a.

⁴¹ *Ibid.*, p. 86a.

the executive”,⁴² since in the United States it is the president who nominates Supreme Court justices subject to ratification by the Senate. In the committee’s proposal, instead, two thirds of the states legislatures would be responsible for electing members to the Supreme Court.

In the April 13th session, upon initiation of discussion on Article six, which established that “formation of the laws may begin in both houses indistinctly, except for those dealing with contributions and taxes, which can only have their origin in the House of representatives”,⁴³ Rejón defended the project from those who criticized its second part, that which allowed only the lower house the right to initiate revenue laws. Mr. Rejón’s argument was made in the following terms:

I appeal only to the result of experience in the United States. It should not be said that the committee frequently appeals to the model which we have proposed because after having procured, with reasons, the Article’s result we appeal to the United States experience, in which [taxation laws must be initiated in the lower house and] the people is not too loaded with contributions.⁴⁴

On the next day, Valentín Gómez Farías⁴⁵ continued the Article’s defense highlighting the importance of having the house which was directly elected by the people approve taxation laws first. He again referred to the North American example: “The United States did it this way, as it can be seen in the following Article of their constitution (he read).⁴⁶ The Senate,

⁴² *Ibid.*

⁴³ Calvillo. *La República Federal*, p. 856.

⁴⁴ Mateos. *Historia parlamentaria.*, p. 113a.

⁴⁵ José María Valentín Gómez de la Vara y Martínez Farías was born in Guadalajara in 1871. He studied medicine and from his early youth he showed a keen interest in the political ideas of major treatise writers, especially French ones. In 1820 he was president of Aguascalientes’s town council and later that year he was elected by Zacatecas to be a deputy in the Constituent Congress where he distinguished himself as one of the most radical members of the federalist wing. Between 1825 and 1830 he was a senator for the state of Jalisco. In 1833 he served shortly as treasury secretary before being elected vice-president at the time when Santa Anna was becoming president. From 1833 to 1834 he became interim president on various occasions which represented the first serious attempts to curtail ecclesiastical fueros and to disentail Church properties.

⁴⁶ It is a shame that the secretary or reporter did not consider the Article read by Gómez Farías worthy of being contained in the records.

thus, will not have initiative on these laws, but it will have [the right of] revision, as with all other [bills] being initiated in the first house”.⁴⁷

However, it was not only deputies Llave, Rejón and Gómez Farías who had a vast knowledge of the Philadelphia Constitution and the United States political practice. When the second section of Article seven of the Draft, which established that the executive power should only have the right to propose laws to the House of Deputies, was being discussed, on April 29th, Congressman Juan de Dios Cañedo⁴⁸ referred to the United States once more. He said: “I do not have any notice, of the ministers ever going to the second house, nor have I seen them do it in the United States”.⁴⁹ Later in that same session,

Mr. Mier and Mr. Bustamante (don Carlos) were of the opinion that, once initiative of laws had been granted to both Houses, there was no reason for the government to direct specifically its own [projects] to the House of representatives. The first one added that there seemed to be no other reason for this besides imitation of the United States example, where it had been established only in imitation of its old metropolis, England; but that a monarchy with a house of men of certain rank is not the same thing as a popular republic.⁵⁰

On May 4th, during the debates of Article 14, which dealt with the attributions of Congress, and particularly those of its first fraction which entitled it to “promote general welfare and enlightenment by granting exclusive rights, for limited time, to authors of important writings or inventions useful to the Republic”,⁵¹ representative Santos Vélez

⁴⁷ Mateos. *Historia parlamentaria.*, p. 137a. Gómez Farías’s reference is completely accurate. The passage which he is most likely to have referred to is Article first, section seven, first paragraph which clearly states that “All bills for raising Revenue shall originate in the House of Representatives; but the Senate may propose or concur with Amendments as on other Bills”. (*The Declaration of Independence / The Constitution of the United States of America*. Washington, D.C.: United States Information Agency, p. 16.).

⁴⁸ Juan de Dios Cañedo was born in Guadalajara in 1786. He was a deputy to the Spanish Cortes in 1813 and he strongly argued in favor the American cause from Madrid. He returned to Mexico on time to participate in the 1824 Constituent Congress. In 1828 he served as foreign affairs secretary, he later became ambassador to Brazil, Peru and Chile only to be called back as secretary in 1839. He was murdered in Mexico City in 1850.

⁴⁹ Mateos. *Historia parlamentaria.*, p. 260a.

⁵⁰ *Ibid.*, p. 261a. This time, Mier was wrong again. In the United States the government has no direct initiative in either house of Congress; it can only introduce its projects through a member of the Legislative branch.

⁵¹ Calvillo. *La República Federal*, p. 857.

advised: “let us, then, imitate in this matter, as we have done in so many others, the example of the United States, whose constitution includes an Article almost textually identical to the one being discussed”.⁵² Vélez was rather discrete in saying that the Article in the Philadelphia Constitution and the one in the draft were “almost textually identical”. In fact, they are identical. The North American Constitution in its first Article, section eight, eighth paragraph reads that Congress has the authority to “promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries”;⁵³ even the writing is practically the same.

Discussion of Article 14 and its 25 fractions, setting out the attributions of the general Congress, was one of the longest and toughest. References to the United States Constitution, which had started—as we have seen—as early as fraction one, can be found all over the debate. One of the most striking references was made by Mr. Cañedo during the discussion of fraction 12 which allowed Congress to “grant letters of reprisal and to designate sea and land captures as good or bad”.⁵⁴ Cañedo pointed out, accurately, that “in one Article of the Constitution of the United States this attribution was granted”.⁵⁵ Precisely, the eleventh paragraph of section eight of the first Article establishes that Congress shall have power to “grant letters of Marque and Reprisal, and make Rules concerning Captures on Land and Water”.⁵⁶ But Cañedo went even further by stating that he had “had the satisfaction of reading its discussion and that no representative had come across this kind of objections because they did not have so much pensiveness, and so their

⁵² Mateos. *Historia parlamentaria*, p. 282a.

⁵³ *Constitution of the United States*. p. 17.

⁵⁴ Calvillo. *La República Federal*, p. 857.

⁵⁵ Mateos. *Historia parlamentaria*, p. 331a.

⁵⁶ *Constitution of the United States*. p. 17.

constitution reads categorically: grant letters of reprisal”.⁵⁷ What is really striking is not just the fact that Cañedo had read the Philadelphia Convention debates,⁵⁸ but that he considered its members worth imitating. United States founding fathers had admitted the attribution without wasting time in unfounded apprehensions regarding whether there “could be legislative matter in granting letters of reprisal or not [... simply taking for granted that] what congress should do was to enable and give bases for these and those individuals to grant them”,⁵⁹ an issue in which Cañedo’s co-legislators were, apparently, failing.

Once again, during the discussion of fraction 21 which authorized Congress to grant the president extraordinary powers in case of “rebellion or invasion”, we find references to the Philadelphia Constitution. Congressman Juan Cayetano Portugal⁶⁰ initiated the discussion by criticizing the Article in the following terms:

In a federal Constitution this Article is a very dislikable trait of centralism. Only form a Constitution such as Colombia’s, whose republic is central and indivisible, could it have been copied from, as it in fact is. In the constitution of the United States of the North there is nothing that resembles it, nor could there be, because in a federative republic the general Congress and government have no attributions regarding the people or subjects of the various Estates [...] the [...] citizens are subjects of independent states, and if they could fall within the jurisdiction of the general powers, State independence would only be nominal.⁶¹

⁵⁷ Mateos. *Historia parlamentaria.*, p. 331a.

⁵⁸ Assuming that he did, actually, read them. I was unable to consult Madison’s diary to corroborate Cañedo’s statement.

⁵⁹ Mateos. *Historia parlamentaria.*, p. 331a.

⁶⁰ Juan Cayetano Gómez-Portugal y Solís was born in 1783 in a small town in Michoacán province. He studied and was ordained in Guadalajara’s conciliar seminar. In 1813 he was elected deputy to the Spanish Cortes. In 1821 he became member of Guadalajara’s Consulting and Auxiliary Board, a year later he joined Jalisco’s Provincial Deputation and in 1823 he was designated to the Constituent Congress. During the next three legislatures he was a deputy for Michoacán and in 1830 he was elected senator for Jalisco. In 1831 he was designated Bishop of Valladolid. During Santa Anna’s presidency he served as minister of justice and ecclesiastical matters, position which he resigned from shortly afterwards. He died in April 1850 and that same May a communication from the Vatican was received notifying he would be made Cardinal in the next council, he would have been the first American-born priest to reach this dignity.

⁶¹ Mateos. *Historia parlamentaria.*, p. 336a.

Mr. Portugal's remark was accurate. There was no similar attribution in the United States and indeed every individual was only a citizen of the State he was born in and not of the federation until the fourteenth amendment was passed in 1868. Never the less, this attribution could also be defended using the United State's example as Carlos María de Bustamante did immediately after Mr. Portugal's speech. According to Mr. Bustamante,⁶² including this attribution was the "key which locks and fastens the federation's safety", since it was a guarantee that, in case of a war on national territory, the federal government would not face the problems "general Washington" —the only member of the Philadelphia Convention to be mentioned by name in the debates— had to deal with "when the United States of America fought with the greatest vigor to release themselves from the English yoke".⁶³

Another moment in which Mexican legislators gave proof of their vast knowledge of the Philadelphia Constitution took place during the discussion of Article 15 of the Draft, which gave each house the right to qualify its own elections. The first speaker, Congressman Juan Ignacio Godoy, recognized that this Article was also to be found in the United States Constitution (Article one, section five, first paragraph), but he judged it inconvenient for the Mexican nation due to the different evolution of government in both countries. According to Godoy:

North Americans, when they made their revolution, had already gotten a government with many years of existence [...] The United States government was

⁶² Carlos María de Bustamante was born in Oaxaca in 1774 and he was, doubtlessly, one of the most important men in Mexico's first years of independent life, besides being its most prolific chronicler. Mr. Bustamante started his political life early in the century taking up a vacant place in Guadalajara's Audiencia which he renounced shortly after. He participated actively in the Independence revolution alongside José María Morelos and he was a member of the Chilpancingo Congress. After being incarcerated and managing to escape several times he was elected by Oaxaca to the first Constituent Congress which he even presided. During the second Congress he distinguished himself for his strong anti-federalism. He died in 1848 having spent most of his life in Congress.

⁶³ Mateos. *Historia parlamentaria.*, p. 336a.

the same as England's in as much as it is possible for a colony regarding its metropolis [...] North Americans excluded the royal power, and they only perfected or better organized the other elements, but in their system there can always be felt a bit of the old aristocratic power [...] The Mexican nation is placed in circumstances all together different: it tries to created a completely new government without keeping any ancient trait [...] the Mexican nation has been through all forms [of government], and it has only found the simple popular one suitable [...] we shouldn't want to adapt this nation precisely to the United States; we should not want to make it go backwards and lose all the benefits it has gained and kept with so much work and sacrifice. The Mexican nation, due to its peculiar circumstances and to the course of events, has achieved three or four advantages, which though accidental and local, are very notable and helpful and have not been achieved by the United States: let us, then, make the best of these advantages [...] let us take forward, with its due energy and consequence, the popular spring.⁶⁴

Allowing the Senate to qualify its own elections amounted, in Godoy's eyes, to opening the door for an aristocratic principle to find its way into our simple popular system. This wasn't a problem in the United States because of the nature of its constitution. However, not everyone agreed with Godoy. Congressman José María Becerra believed that

the senate would not get the preponderance feared, nor would it threat, as it has been said, the Federation. The committee is proud of having presented it depurated of those judicial attributions, which it has in the United States, where they, however, have had nothing to fear from it, neither for their freedom, nor for their system of government.⁶⁵

Later on, Gómez Farías insisted on supporting the Article by quoting the one in the Philadelphia Constitution:

I am a federalist and therefore I approve of the Article under discussion: it is very in accordance with the principles we have adopted and in substance it is the same as the one in the constitution of the United States which we have set ourselves as model. *The first Article of the fifth section [sic] of the said constitution* reads as follows: (he read) «*each house will be the judge of the elections, votes and qualifications of its own members, etc.*» I see no reason what-so-ever for us not to follow our mentors in this part.⁶⁶

⁶⁴ *Ibid.*, p. 351a.

⁶⁵ *Ibid.*, p. 353a.

⁶⁶ *Ibid.* Emphasis added.

The Article was finally approved in terms very similar to those offered by Gómez Farías as a translation of the Philadelphia Constitution.

During discussion of Article 32 of the Draft Constitution, which set the number of representatives at one for every 100,000 inhabitants, the United States were mentioned again. Congressman José Agustín Paz urged the Constituent Congress to follow our northern neighbor's example "who had, even at the time when it formed its first constitution, gone beyond twice the number which the committee is suggesting now for ordinary legislatures".⁶⁷ Congressman Tomás Vargas responded with these words: "It has been said that the United States indicated the basis of 40,000 souls: it is true; but we should not want to follow this guide in everything and for us 60 representatives are enough".⁶⁸ Vargas was just slightly wrong. The third paragraph in section two of Article one of the United States Constitution does in fact establish a base number except it is not 40,000, but 30,000.

It is then certain that the members of the Mexican 1823-24 Constituent Congress knew the Philadelphia Constitution fairly well. Doubtlessly, their knowledge of that nation's every-day political practice was not so thorough, never the less the results of this inquiry are astonishing: Mexican constituents thought they were adopting a very similar constitution to the one drafted at Philadelphia because they were indeed doing so. The references to the American model made during the debates demonstrate that the founders of the Mexican State had a rather accurate idea of what made up the United States political system. A comparative analysis of the Draft Constitution and the Constitution of the United States shows the magnitude of the similarities between both texts.

⁶⁷ *Ibid.*, p. 384a.

⁶⁸ *Ibid.*

III.

Table 1 shows the first 56 Articles of the Draft Constitution broken down by fractions, as they were presented for discussion in Congress, along with the results of the debate on each legislative piece, its equivalent in the final 1824 Constitution and in the Philadelphia Constitution, if there is one. Once broken down, the Articles constitute 97 legislative pieces. Forty-six of them, 47.5%, have an equivalent in the Philadelphia Constitution. From these 46 legislative pieces, 35 —36% of the total— are almost literal translations of the United States text. Twenty were approved directly from the Draft Constitution. Therefore, it is not entirely shocking that, if 20.5% of the first 65 Articles of the Draft Constitution had been practically copied from the Philadelphia Constitution —without taking into consideration some other pieces which had small alterations which did not significantly affect the Articles idea— and made it to the 1824 Constitution, the members of the Constituent Congress should have felt influenced by that text.⁶⁹

From the 97 legislative pieces presented only 47 were discussed between April and May 1824.⁷⁰ During debate on 11 of these pieces (23%) arguments related to the United States Constitution or political system were used. But only 7 out these 11 pieces had been taken from the Philadelphia Constitution. This means that the example of the United States was considered important even in the case of Articles which did not come from that nation's constitution. A very notorious case is the already mentioned one dealing with extraordinary powers for emergency situations.

⁶⁹ The calculations are based on the results presented in Table 1. It is important to mention that maybe a larger part of the 1824 Constitution was based in the Philadelphia one since I only counted for Articles which were approved directly. Those which were returned to the committee and later on approved and those whose discussion was suspended or postponed, even if they finally made it into the constitution, were not considered.

⁷⁰ The rest was suspended, withdrawn, or approved without discussion.

We can then say, without doubt, that the United States example played a significant role in the formation of independent Mexico's first constitutional system. Contrary to what many authors have stated, Mexican constitutionalists did have a profound knowledge of the United States constitutional text and it did influence not only the organization of the Mexican federal State but also the organization of the legislative branch as a whole and probably other areas. A comparative analysis of every Article of the Draft Constitution and the Constitution of the United States is an important task that is still pending. However, I believe Lucas Alamán was wrong when he assured that "the constitutive act [of the Mexican federation] came to be a translation of the constitution of the United States of the North [and the constitution] a monstrous graft of the United States one on the Cadiz one form 1812".⁷¹ In fact, more so than the Constitutive Act, the Draft Constitution itself is practically a translation of the United State's Constitution, not mounted on the Cadiz one, but disguised as it thanks to the legislative techniques inherited from continental law and "with one or another reform, according to the circumstances of our peoples".⁷² The members of the Mexican Constituent Congress were convinced that they had taken the Philadelphia Constitution and corrected it to create a supreme law which was even better than the one they had used as a model. Regardless of how the 1824 Constitution performed in practice, in theory its creators might have had reason to justify their beliefs.⁷³

Yet as notorious as the similarities between the two texts are, there are important differences between them. The omissions in the Mexican version of the American political

⁷¹ Lucas Alamán. 1986 [1853]. *Historia de Méjico desde los primeros movimientos que prepararon su independencia en el año de 1808 hasta la época presente*. 5 vols. Vol. 5. México: Libros del Bachiller Sansón Carrasco, p. 447.

⁷² Mateos. *Historia parlamentaria*, p. 15a.

⁷³ Even though I did not count how many mentions each foreign constitution received throughout the debates, it is clear the American is the one most often cited. In any case, a analysis similar to this one but regarding the Cadiz Constitution would certainly be very useful.

system are significant. Particularly striking is the Mexican silence regarding two subjects which Americans hold dearly. The first one has to do with tolerance and civil liberties. For starters, the third Article of the Mexican Constitution —second of the Draft— states that “the Mexican nation’s religion is and shall perpetually be the Roman, Catholic, Apostolic one. The nation protects it with wise and fair laws, and prohibits the practice of any other”.⁷⁴ This is diametrically opposed to what’s stated in the first amendment to the Philadelphia Constitution according to which “Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof”.⁷⁵ The same first amendment goes on to prohibit any law which “abridg[es] the freedom of speech, or of the press, or the right to the people peaceably to assemble”.⁷⁶ However, during the debates of the Mexican Constituent Congress, when Article 14’s first attribution was being discussed, Lorenzo de Zavala⁷⁷ argued against the general Congress being responsible for regulating freedom of the press on the grounds that

it is undeniable that there might be cases in which passions in one state might get altered to the point where they can not be contained by laws common to all, and in this case I think that State Congresses in use of those attributions may suspend, restrict or modify freedom of the press, according to the usefulness and necessity in which they find themselves.⁷⁸

Mr. Zavala’s opinion found resonance with other congressmen and the fraction was returned to the committee. It is odd how in this case, as in the discussion of Article two,

⁷⁴ Tena Ramírez. *Leyes fundamentales*, p. 168.

⁷⁵ *Constitution of the United States*. p. 28.

⁷⁶ *Ibid.*

⁷⁷ Manuel Lorenzo Justiniano de Zavala y Sáenz was born in 1788 near Mérida. He participated actively in Yucatán’s political life between 1808 and 1820. In 1821 he was designated deputy to the Spanish Cortes. He participated in both Constituent Congresses where he stood out for his incessant support of the federal system. Between 1824 and 27 he served as senator for the state of Yucatán, later on he was interim governor of the state of Mexico and finance minister during Vicente Guerrero’s presidency. From 1830 to 1833 he lived in exile in the United States before been designated ambassador to France during Santa Anna’s presidency. When Santa Anna became dictator Zavala renounced his position and returned to the United States from where he went over to Texas and became that republic’s first vice-president.

⁷⁸ Mateos. *Historia parlamentaria.*, p. 294a.

Mexican constituent congressmen completely forgot about their “mentors” opinion and what was stated in their “model”.

The second great silence has to do with the United States founding fathers. While up north James Madison, Alexander Hamilton, Thomas Jefferson⁷⁹ and company received all sorts of honors, in the Mexican Congress they were never even mentioned. As a matter of fact, the only American citizen whose name was mentioned during the debates was George Washington,⁸⁰ yet he is only recognized as a liberator, as commander of the United States troops and as author of their independence.

Finally, there’s still one question to be answered: why were Mexican constitutionalists so interested in imitating the United States? The committee which held sessions in Father Mier’s house during the first Constituent Congress had already offered a partial answer when it pointed out that the Mexican nation looked towards its northern neighbor and “admire[d] the speed of its progresses, [...] believ[ing] that the free from of its government [was] the cause producing them”.⁸¹ Maybe because the information they received from the former British colonies was incomplete, Mexican elites imagined that in the United States “there existed peace, order, an anti-military regime, an exemplary relation

⁷⁹ James Madison represented the state of Virginia in the Philadelphia Convention. He is regarded as the father of the constitution since it was fundamentally based on a plan elaborated and defended by him. As a congressman in the first legislature he participated in the elaboration of the “Bill of Rights”; he was state secretary during Jefferson’s first presidency and co-founder, again with Jefferson, of the Republican Party (today’s Democratic Party); in 1809 he became the fourth president of the United States. Alexander Hamilton participated in the Revolutionary War of the United States in George Washington’s general staff; he was a delegate to the Philadelphia Convention for the state of New York and he wrote the *Federalist Papers*, alongside Madison and John Jay, to support ratification of the constitution in his home state; during Washington’s presidency he became the first treasury secretary. Thomas Jefferson was the author of the United States “Declaration of Independence”; during the Philadelphia Convention he served as ambassador to France; in 1796 he was elected vice-president during John Adams’s administration despite his belonging to a different party; in 1801 he became the third president of the United States.

⁸⁰ This can be explained, probably, because of the identification made, back then, between Washington and Hidalgo as military leaders and liberating heroes. The culturalist explanation of Latin American fascination with “caudillos” and strong-men clearly offers a justification for this fact although as an explanation it is, perhaps, a bit simplistic.

⁸¹ Mier. *Ideario*, p. 265.

between the Church and the State, an astonishing material and technical development, a relative economic equality, elementary education for all, etc.” Experimenting admiration for a society with those characteristics was logical, specially when “the opposite ones existed” in México.⁸² Many members of the political elite of the time were convinced that the particular values and political ideals incarnated in American institutions were the principal cause of so much wellbeing and so they should be imitated.

Within this climate of general enthusiasm towards the United States only a few of the most distinguished individuals, and particularly those who had traveled to that country,

noticed the differences between the two peoples, and were able to point out that blind imitation of the United States institutions would not be sufficient to solve the problems faced by Hispanic America. Never the less, [...] they thought there was much to be learned from that nation’s experience,⁸³

and that certain institution could, in fact, be imitated. Unfortunately we know very little about how these men, and society at large, understood the United States in the years before the 1847 Mexican-American War. The role played by the ideas associated with that nation in Mexican founders’ imaginary still waits to be unveiled and only when we have finally reconstructed it will we be able to fully understand the process through which the institution of the United States Constitution were adapted and modified to become those of the Mexican 1824 Federal Constitution.

⁸² Victoria Lerner. 1995. Ensayo sobre la evolución de las ideas y actitudes de los liberales mexicanos hacia EU durante el siglo XIX. In *Estados Unidos desde América Latina. Sociedad, política y cultura.*, edited by V. A. Arriaga Weiss and A. R. Suárez Argüello. México: CIDE / El Colegio de México / Instituto Dr. J. Ma. L. Mora, p. 60.

⁸³ José de Onís. 1952. *The United States as Seen by Spanish American Writers*. Nueva York: Hispanic Institute in the United States, p. 25.

Table 1. Correspondence of Draft Constitution Articles to Articles of the Mexican 1824 Federal Constitution and the Constitution of the United States of America.

Draft Constitution.	Results of the debate.	1824 Federal Constitution.	United States Constitution.
1	Returned to committee.	1 and 2	--
2	Approved.	3	--
3	Approved.	4 and 6	--
4	Approved.	7	1 sec. 1
5		49 alt.	--
Frac. 1	Approved.	49 frac. 1	--
Frac. 2	Approved.	49 frac. 2 alt.	--
Frac. 3	Approved without Discussion.	49 frac. 3	--
Frac. 4	Approved without Discussion	49 frac. 4	--
6	Approved	51	1 sec. 7 par. 1
7		52	--
Frac. 1	Returned to committee.	41	--
Frac. 2	Approved.	52 frac. 1	--
Frac. 3	Suspended.	52 frac. 2 alt.	--
8	Approved	53	--
9	Approved without discussion	55	1 sec. 7 par. 2
10	?	56	1 sec. 7 par. 2
11	Returned to committee.	58, 59, 60, 61, 62, 63 alts.	--
12	Approved.	57	1 sec. 7 par. 2
13	Returned to committee.	64 alt.	--
14		50 alt.	1 sec. 8
Frac. 1	Returned to committee.	50 frac. 1 alt.	1. sec. 8 par. 8
Frac. 2	Approved.	50 frac. 3	--
Frac. 3	Approved.	50 frac. 5	--
Frac. 4	Returned to committee.	50 fracs. 4, 6 and 7 alts.	4 sec. 3 par. 1
Frac. 5	Approved	50 frac. 8	1 sec. 8 par. 1
Frac. 6	Approved without discussion.	50 frac. 9	1 sec. 8 par. 2
Frac. 7	Approved without discussion.	50 frac. 10	--

Frac. 8	Approved without discussion.	50 frac. 11	1 sec. 8 par. 3
Frac. 9	Approved without discussion.	50 frac. 15	1 sec. 8 par. 5
Frac. 10	Approved.	50 frac. 14 alt.	--
Frac. 11	Approved.	50 frac. 16	1 sec. 8 par 11(alt.)
Frac. 12	Returned to committee.	50 frac. 17	1 sec. 8 par 11 (alt.)
Frac. 13	Approved without discussion.	50 frac. 18	1 sec. 8 par 12 (alt.)
Frac. 14	Approved without discussion.	50 frac. 19	1 sec. 8 par 16
Frac. 15	Approved without discussion.	50 frac. 13	--
Frac. 16	Approved without discussion.	50 frac. 20	--
Frac. 17	Approved without discussion.	50 frac. 21	--
Frac. 18	Approved without discussion.	50 frac. 22	--
Frac. 19	Approved without discussion.	50 frac. 23	--
Frac. 20	Approved without discussion.	50 frac. 26 and 27	1 sec. 8 par. 4
Frac. 21	Withdrawn.	--	--
Frac. 22	Approved without discussion.	50 frac. 25 alt.	--
Frac. 23	Suspended.	50 frac. 28	1 sec. 8 par. 17 (alt.)
Frac. 24	Approved.	50 frac. 29	--
Frac. 25	Returned to committee.	50 frac. 31 alt.	1 sec. 8 par. 18
15	Approved.	35	1 sec. 5 par. 1
16	Withdrawsn	--	--
17	Approved/Discarded.	36	1 sec. 5 par. 1
18	Approved.	34 alt.	1 sec. 5 par. 2 (alt.)
19	Suspended.	--	--
20	Approved without discussion.	37	--
21	Suspended.	--	--
22	Suspended.	--	1. sec. 6 par. 1
23	Suspended.	--	--
24	Suspended.	--	--
25	Suspended.	42 alt.	1. sec. 6 par. 1
26	Approved/Discarded.	45 alt.	1. sec. 6 par. 1
27	Approved.	8	1 sec. 2 par. 1
28	Approved.	9	1 sec. 2 par. 1 (alt.)
29	Discarded.	--	--
30	Approved.	--	--
31	Suspended.	--	--
32	Approved/Discarded.	10 and 11 alt.	1 sec. 2 par. 3 (alt.)
33	Suspended.	12 alt.	1 sec. 2 par. 3 (alt.)

34	Approved.	13	-- (1 sec.2 par.4)
35		19	1 sec. 2 par. 2
Frac. 1	Approved.	19 frac. 1	1 sec. 2 par. 2
Frac. 2	Suspended.	19 frac. 2 alt.	1 sec. 2 par. 2
Frac. 3	Returned to committee.	--	--
36	Suspended.	20 alt.	--
37	Approved.	22 alt.	--
38		23	--
Frac. 1	Approved without discussion.	23 frac. 1	--
Frac. 2	Approved without discussion.	23 frac. 2	--
Frac. 3	Approved without discussion.	23 frac. 3	--
Frac. 4	Approved without discussion.	23 frac. 4	--
Frac. 5	Approved without discussion.	23 frac. 6	--
Frac. 6	Approved without discussion.	23 frac. 6	--
39		38, 39 alts.	1 sec. 2 par. 5
Frac. 1	Returned to committee.	38 frac. 1 and 2	--
Frac. 2	Suspended.	38 frac. 3 alt.	--
Frac. 3	Suspended.	38 frac. 4 alt.	--
40	Suspended	--	1 sec. 2 par. 5
41	?	--	1 sec. 2 par. 5
42	Approved	25	1 sec. 3 par. 1 and par. 2
43	Approved / Returned to committee.	--	--
44	Returned to committee.	26 alt.	1 sec. 3 par. 2 (alt).
45	Approved / Returned to committee.	27	1 sec. 3 par. 2 (alt).
46		28 alt.	1 sec. 3 par. 3
Frac. 1	Approved without discussion.	28	1 sec. 3 par. 3
Frac. 2	Approved without discussion.	--	1 sec. 3 par. 3
Frac. 3	Returned to committee.	--	--
Frac. 4	Withdrawn.	--	--
47	Approved.	30	--
48	Suspended.	29 alt.	--
49	Returned to committee.	--	1 sec. 3 par. 4 and par. 5
50	Withdrawn.	38, 39.	1 sec. 3. par. 6
51	Withdrawn.	40	1 sec. 3 par. 7
52	Withdrawn.	--	--
53	Approved without	67	1 sec. 4 par. 2

	discussion.		
54	Approved.	69	--
55	Approved without discussion	70	--
56	Approved without discussion.	71	--

Alt. Indicates the Draft Constitution Article is an altered version of the corresponding one.

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