

It is with this view, and not with any wish to place the conduct of the Spanish government in an unfavourable light, that I have introduced them into this sketch. The errors of Spain have brought with them their own punishment. Even during the days of her power, they were chiefly detrimental to her own interests; for, in attempting to exclude foreign trade entirely, she only reduced smuggling to a system, by which the revenue was defrauded, without the interest of the Creoles being materially advanced; since produce could not be exported, where no legal communication could be held.

With regard to the other parts of her Colonial Policy, it must always be recollected, that its spirit was originally mild; the evils which grew out of it, were, perhaps, the inevitable consequence of despotic institutions, transplanted to regions so distant, that there could be no check to the abuse of delegated power. There was no want of excellent laws in the folios in which the code of the Indies was contained; but the facility with which they were evaded, and the constant impunity of those by whom they were infringed, rendered them unavailing. What wonder then, that under such circumstances, a remedy should have been sought in a total change of institutions, or that a system should have been adopted the very opposite to that which had before prevailed?

BOOK II.

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BOOK II.

SECTION I.

EFFECTS PRODUCED BY THE EVENTS OF THE
YEAR 1808 IN THE PENINSULA.

I HAVE endeavoured to give, in the preceding section, a fair and dispassionate view of the system by which the possessions of Spain in the New World were governed, during a period of three centuries. It was not in the nature of things that such a system should be endured any longer than the power to enforce it was retained. There was little mutual affection, and no reciprocity of advantages; so that the question of right, between the Mother country and the Colonies, became, in fact, a question of might; and resistance, on the part of the Creoles, the almost inevitable consequence of a consciousness of strength. It is uncertain, however, how long a disposition to assert their rights might have been

cherished by the more enlightened, without being sufficiently generalized to admit of its being declared, had not the events of the year 1808 favoured its development.

The history of Europe, (and more particularly of the Peninsula,) during this period, is so intimately connected with that of American Independence, that it is impossible to consider them apart, or even to understand the one, without a previous acquaintance with the other. I shall, therefore, not apologize for reminding such of my readers, as may have forgotten the course of Spanish affairs, amidst the endless changes which have since occurred, that, in 1808, the schemes which Napoleon had long cherished for the establishment of his brother on the throne of Spain, were carried into effect. Advantage was taken of the burst of national indignation, by which the ministry of the Prince of Peace was terminated, and of the abdication of Charles IV., which followed the dismissal of his favourite, to entice the whole Royal Family to Bayonne, under pretence of deciding an appeal, preferred by the Ex-king against his son, (the actual monarch,) where, by an act unparalleled in the history of the world, they both renounced the throne, in favour of the family of the Umpire, and consented to live in retirement, upon a stipend assigned to them by his munificence. This act, although supported by a party amongst the Spaniards themselves, (los Afrancesados,) and by the

armies of Napoleon, only served to rouse the spirit of the nation, which substituted, in every province, a popular government for that, by which it thought that its youthful monarch had been betrayed. A Central Junta* was entrusted with the management of affairs, which was followed by a Regency†, and this, again, by a Second,‡ created by the Cortes, which were assembled in the Isla de Leon, in September 1810, *as the only legitimate source of power during the captivity of the sovereign.* By these unexpected events, the form and spirit of the Spanish government were entirely changed: principles, which had been inculcated for ages, were at once exploded; a Constitution, democratic in the extreme, in its theory, was substituted for the Royal Prerogative; the sovereignty of the people was set against the divine rights of Kings; and even religion was deprived of its influence, as a political engine, by the abolition of the Holy Tribunal. That such things could take place in the Peninsula, without producing corresponding effects in its dependencies, was not to be expected; and these effects it is my present object to trace.

It is generally admitted, that the insurrection of Aranjuez, (1808,) which led to the dismissal of the

* Installed 25th September, 1808.

† First Regency, 29th January, 1810. *Vide* Decree of Central Junta of that date. Isla de Leon.

‡ Second Regency 18—29th October, 1810. *Vide* Decree of Cortes of that date.

Prince of Peace, (Godoy,) and to the abdication of Charles IV., gave the first shock to the Royal authority in America. An absolute monarch, compelled to bow before the will of a tumultuous populace, insulted by his subjects, and deserted by his guards, in the very heart of his kingdom, was a sight that could not but tend to diminish those feelings of almost religious awe, with which any thing like opposition to the will of the Sovereign had been previously contemplated.

The subsequent invasion of the Peninsula by Napoleon, the captivity of the Monarch, and the abdication of the Old Dynasty at Bayonne, contributed to destroy whatever remained of the *prestige*, which had before attached to the name of Spain, and created an impression, only the more strong, because, to the mass of the people in America, she was still the Spain of the sixteenth century, in whose dominions the sun never set, and whose arms were the terror of the world.

This belief had long been the tutelary angel of the Mother country: with it, she lost her moral force, (the only force capable of compelling the obedience of seventeen million of Transatlantic subjects,) and, from that moment, the loss of the Colonies themselves became inevitable.

It was in vain to struggle against nature, or to attempt to subdue that new spirit, which, within two years after the invasion of the Peninsula, began to appear amongst all classes of the Creoles. Its pro-

gress was both rapid, and irresistible; and, without any previous concert amongst the parties themselves, without even the possibility of foreign interference, a mighty revolution broke out at once, in almost every part of the New World.

A momentary enthusiasm in favour of the Mother country, was, indeed, excited (in 1808) by the resolution of the Spanish people to vindicate their rights, and not tamely to submit to a yoke, which, force and fraud combined, seemed, at first, to render inevitable; but the rapid progress of the French arms, during the year 1809, the weakness and reverses of the Central Junta, its retreat into Andalusia, and the gradual occupation of the whole of that province by the invading army, with the exception of Cadiz, not only checked this favourable disposition, but completed that change in the feelings and opinions of the Creoles, for which the occurrences of the preceding year had prepared the way. They regarded Spain as lost, and degraded almost to the rank of a province of France; and they saw no plea of right, or justice, by which obedience could be exacted from them to the agents of a government, which was itself decried, and disobeyed with impunity at home. The King was the only tie that connected them with Spain; for it was the fundamental principle of Spanish Jurisprudence, with regard to America, to consider what had been acquired there, as rested in the *Crown*, and not in the *State*. In the absence of the Monarch, therefore, the Creoles might, with jus-

tice, assert their right to determine what should be considered as a fit substitute for his authority, (as the Spanish people had done in their own case,) instead of admitting the claims of Provincial Delegates, (representing at best but a fraction of the Royal power, and that in virtue of a most irregular popular election,) to exercise the King's Prerogative, in its fullest extent, in the vast possession of Ultramar.*

Yet such were the pretensions of each, and all of the ephemeral *Juntas*, that started up in the Peninsula. Commissioners from Asturias, and Seville,* (the two first *Juntas* established in the Mother country,) arrived, almost at the same moment, in the Colonies, equally exclusive in their pretensions, and authoritative in their demands. In the impossibility of reconciling their rival claims, the attention of the Creoles was naturally turned to the source from which they emanated, and to the means by which the vacuum in the frame of the government, occasioned by the captivity of the Sovereign, had been filled up in the Peninsula. They saw every where delegates chosen by the people exercising authority under the denomination of *Juntas*; and

* A reference to the history of the year 1808, will show, that the only title by which the first Spanish *Juntas* held their authority, was the nomination of a mob, which, in each of the great cities, called, by acclamation, those persons, in whom it placed confidence, to assume the management of its affairs.

† Each assumed the title of "Junta Soberana de España y de las Indias."

these again, deputing members of their own body to form a Central Junta, which was entrusted with the supreme command. They heard this course not only justified by the sages of the nation, but admired by the world, and pronounced by one whose name they had been taught to respect, (Don Gaspar Jövellänös,) "to be the undeniable and strictly natural right of any nation, placed in circumstances similar to those of Spain."* They applied this doctrine to themselves, and either could not, or would not, understand the soundness of the reasoning, by which a measure, that was allowed to have been productive of the most beneficial results in the Peninsula, could be constructed into absolute treason on the opposite side of the Atlantic.†

Their perception of their own rights was quickened by a deep sense of the grievances under which

* Vide "Defence of Central Junta, by Jovellanos," in which he assumes, as his second undeniable axiom, "That a people, seeing its existence threatened, and knowing that the ministers of that authority, which ought to direct and defend it, are either intimidated or suborned, is necessarily driven to self-defence, and acquires an extraordinary and legitimate right of insurrection."—7th October, 1808.

† It is impossible too strongly to insist upon the fact, that all the proceedings of the American Independents were but a transcript of those which had taken place in the Mother country. They applied to the Cortes, at a later period, the very principles which the Cortes applied to Ferdinand VII.; and refused to submit to that despotism, in the hands of a popular assembly, which was admitted by that assembly to be intolerable, while in the hands of a monarch.