

Cortés de Cádiz. (2003). The Political Constitution of the Spanish Monarchy: Promulgated in Cádiz, the nineteenth day of March, 1812. Alicante: Biblioteca Virtual Miguel de Cervantes.

The General and Extraordinary Cortes of the Spanish Nation, well convinced; after the most minute examination and mature deliberation, that the ancient fundamental laws of this Monarchy, aided by every precaution and authority, which can enable and insure their being permanently established and thoroughly carried into effect, are perfectly calculated to fulfil the grand object of promoting the glory, prosperity and welfare of the Spanish Nation; decree the following Political Constitution for the well governing and right administration of the State.

Chapter I. Of the Spanish Nation and Spaniards

Article 1.- The Spanish nation is the re-union of all the Spaniards of both hemispheres.

Article 2.- The Spanish nation is free and independent, and neither is nor can be the property of any family or person.

Article 3.- Sovereignty belongs to the nation, consequently it exclusively possesses the right of establishing its fundamental laws.

Article 4.- The nation is obliged, by wise and just laws, to protect the liberty, property and all other legitimate rights, of every individual which composes it.

Article 5.- Of those who are Spaniards, and lawfully considered as such:

1. All free-men, born and bred up in the Spanish dominions, and their sons;
2. Foreigners who may have obtained letters of naturalization from the Cortes;
3. Those who, without it, have resided ten years in any village in Spain, and acquired thereby a right of vicinity;
4. The slaves who receive their freedom in the Spanish dominions.

[...]

Chapter II. Of the Spanish Territory, Religion, Government and Rights of Citizenship

Article 12.- The religion of the Spanish nation is, and ever shall be, the Catholic Apostolic Roman and only true faith; the State shall, by wise and just laws, protect it and prevent the exercise of any other.

Article 13.- The object of Governments is the welfare of nations; as is the happiness of the individuals who compose them, that of all political societies.

Article 14.- The Government of the Spanish nation is a moderate, hereditary monarchy.

Article 15.- The power of making laws is in the Cortes, with the King.

Article 16.- The power of executing, the laws is in the King.

[...]

Chapter III. Of the Cortes

Article 27.- The Cortes is the junction of all the deputies who represent the nation, named by the citizens in the manner hereafter to be explained.

Article 28.- The basis of national representation is the same in both hemispheres.

Article 29.- This basis is, the people composed of those inhabitants who, by both lines, are natives of the Spanish dominions; of those who have letters of citizenship from the Cortes; as also those who are comprehended in Article 21.

Article 31.- For every seventy thousand souls of population, consisting of those expressed in Article 29, shall be sent one deputy to the Cortes.

Article 34.- For the election of deputies to the Cortes, juntas shall be held in the parishes, cities and provinces.

Article 35.- The parish electoral juntas shall be composed of all the citizens, residents within the bounds of the respective parishes, among whom shall be included the secular clergy.

[...]

Chapter IV. Of the King

Article 168.- The King's person is sacred and inviolable; neither is he responsible for any thing.

Article 169.- The King shall be styled, his Catholic Majesty.

Article 170.- The exclusive power of enforcing and rendering the laws effective resides in the King, whose authority extends to whatever may conduce to the interior good regulation, and exterior security and defence of the State, consistently with the laws and the Constitution.

Article 171.- In addition to the prerogative of sanctioning and promulgating the laws, the King possesses many other rights and powers; such as:

1. Publishing such decrees, directions and instructions, as may appear likely to contribute to the due execution of the laws;

2. Taking care that justice may be promptly and effectually administered throughout the kingdom;
3. To declare war and make and ratify peace; laying, afterwards, authentic documents of the same before the Cortes;
4. To nominate, by and with the assistance of the council of State, all civil and criminal magistrates;
5. To appoint all civil and military officers;

[...]

Article 172.- The restrictions upon the regal authority are as follows:

1. The King, under no pretext whatsoever, can prevent the meeting of the Cortes, at the times or under the circumstances, directed by the Constitution; nor suspend nor dissolve them; nor, in any way whatsoever, check nor embarrass their deliberations. Those who are guilty of advising him to, or assisting him in any of these acts, shall be punished as traitors;
2. The King shall not leave the kingdom, without the consent of the Cortes; and, in case of so doing, shall be considered to have abdicated the throne;
3. The King cannot renounce, yield, deliver up, or make over, to any other person, the royal authority, or any of its prerogatives;
4. If, under any pretence whatsoever, he may wish to abdicate the throne in favour of the lawful heir, he cannot do it without the consent of the Cortes; he cannot grant, yield up, or exchange, any city, town, village, or part of the Spanish territory, however, small it may be;
5. He cannot make any offensive or defensive alliance, or special treaty of alliance or commerce, with any foreign power, without the consent of the Cortes;

[...]

Article 173.- On the King's accession to the throne, or, if he should be under age, when his Government begins, he shall make oath before the Cortes according to the following form: I, N., by the grace of God and the Constitution of the Spanish Monarchy, King of all Spain, do swear before God and the holy Evangelists, that I will defend and preserve the Catholic Apostolic Roman Religion, without permitting the exercise of any other, throughout the kingdom: that I will observe, and cause to be observed, the laws and political constitution of the Spanish monarchy, doing and acting, in all things, only for their good and benefit; that I will not make over, yield or dismember any part of the kingdom; that I will never exact contributions, money or any other thing, without it shall have been decreed by the Cortes; that

I will respect private property and, above all, the civil liberty of the nation and rights of every individual; and if, to what I have now sworn, or any part of it, I should be found to act contrary, such act shall be null, void and not be obeyed. If thus I do, may God reward and protect me, if not, may it be at my own peril.

Chapter IX. Of Public Education

Article 366.- Introductory schools shall be established in every town throughout the kingdom, in which children shall be taught to read, write and cypher, the catechism of the Roman Catholic Religion, and a brief exposition of natural and civil duties and obligations.

Article 367.- Measures shall also be immediately taken to found a competent number of universities and other establishments, for the promotion of literature and the fine arts.

Article 368.- The plan of general instruction shall be the same, throughout the kingdom; the Constitution of the monarchy shall be expounded in all the universities, and in the literary establishments where divinity and politics are taught.

Article 369.- A committee shall be formed of persons of known judgment and learning, to which, under the authority of the Government, shall be intrusted the direction and inspection of public education.

Article 370.- The Cortes, by means of special decrees and plans, shall regulate the important object of public education.

Article 371.- Every Spaniard possesses liberty to write, print and publish, his political ideas, without any previous licence, permission or revision, under the restrictions and responsibility established by law.