When the initial results of the plebiscite reached Europe, Maximilian gave his commitment to accept the throne of Mexico, subject to certain conditions that were negotiated with Napoleon. Napoleon then was anxious that he take up his position as quickly as possible, so France’s commitment could be reduced. But the Emperor had been criticised for pressuring Maximilian, and accused of wanting him to take responsibility for a situation which he knew was out of hand, and in which he no longer wanted to be involved. Much of the criticism was based on the validity of the plebiscite in Mexico, which Émile Ollivier challenged. He had information claiming that if the army found notables in a town or village who were prepared to accept municipal functions, they would install them and make them declare their agreement with the vote for a monarchy. If no Mexican notables were found, the local administration was given to the French military, who then threatened any important persons they could find with expulsion from Mexico if they did not vote for the empire. Another method was to count the total population of an area as the number of adherents to the monarchy.\(^1\) Although Ollivier does not cite his source for this information, in view of General du Barail’s comments it is quite possible that individuals in the army may have conducted the vote in such a manner. But this was not at the bidding of Napoleon.

Bazaine did, however, write to Napoleon admitting that the votes ‘were not the result of universal suffrage’, adding:

Mais ce n’est pas moins l’expression de la grande majorité des États délivrés, car l’élément indien qui habite les campagnes suit toujours l’élément mexicain qui habite les centres principaux. La masse indienne n’a jamais été sincèrement consulté par aucun parti, et le prétexte en
est simple: on les regarde comme des gens sans raison. Pour les amener gente de razón [sic], il faudrait changer par un coup de baguette l’organisation sociale du pays. Comment établir des listes électorales quand ici l’état civil n’existe pas? Tout en étant convaincu que les actes d’adhésion représentent l’opinion des gens de raison du Mexique, et que l’Archeduc peut sans remords s’appuyer sur cette manifestation, je n’en ai pas moins fait préparer un plébiscite et n’ai point le moindre doute sur le vote.2

[But it is nevertheless the manifestation of the great majority of the freed states, for the Indians who inhabit the countryside always follow the Mexicans who inhabit the major centres. The Indian population has never really been consulted by any party, and the reason is simple: they are regarded as men who cannot reason. To help them become reasoning men would need the wave of a wand to change the social organisation of the country. How can electoral lists be established when a civil state does not exist here? While I am convinced that the votes collected represent the opinion of the men of reason in Mexico, and that the Archduke can rely on this manifestation without any compunction, I will nonetheless organise a plebiscite and I have not the least doubt of the vote.]

Napoleon was not happy, as the vote reflected the wishes of only the majority of the States that had been liberated, and he instructed that a proper plebiscite be held. There have been many examples cited to show Napoleon was adamant that the people had to make this choice, and Pierre de la Gorce showed that the sovereignty of the people was the first article in Napoleon’s political creed:

Le peuple peut déléguer l’autorité, mais il garde un droit supérieur, celui de ressaisir et de reprendre ce qu’il a donné. Telle est la doctrine développé dès 1832 dans les Rêveries. Ce que Bonaparte proclame à vingt-quatre ans, il le redira en ses jours de prospérité; et cette reconnaissance du droit populaire sera comme l’hommage du souverain qui gouverne à un souverain plus auguste encore.3

[The people can delegate authority, but they maintain a higher right, that of seizing again and taking back that which they have given. This is the doctrine developed in 1832 in the Rêveries. What Bonaparte proclaimed at the age of twenty four, he will repeat in his days of prosperity; and that recognition of the rights of the people will be like the homage of the governing sovereign to an even more noble sovereign.]