CHAPTER IV

THE MONROE DOCTRINE, ALLIED DOCTRINES, AND INTERVENTION


For many years after the Old World and the New were startled by the Monroe Doctrine no occasion arose which imperatively demanded the application of that doctrine to Hispanic America. Yet from time to time American statesmen expressed their opinions concerning its scope and content. After the middle of the nineteenth century some significant interpretations and applications of that elastic doctrine were made. In this chapter we shall devote some attention to the reactions which those applications produced in Hispanic-American states. A significant case that involved an application of the Monroe Doctrine resulted from the policy which three European powers adopted toward Mexico when the United States was being torn by the Civil War.

It was with an appreciation of historic values that the gifted American cartoonist, Thomas Nast, depicted Napoleon III attired in the discarded clothes of Napoleon I. European intervention in Mexico took its origins from an attempt by France, in conjunction with England and Spain, to enforce the payment of troublesome pecuniary claims. In July, 1861, at the close of a civil war, the Mexican government decided that it would suspend payments on its foreign “debts” for two years. Some of
those debts were exorbitant or fraudulent. The most notorious was the claim of Jeeker and Company for fifteen million dollars which was represented by bonds received for a cash payment of seven hundred and fifty thousand dollars to an ephemeral Mexican government. Apparently both the English and the French Governments had in prospect the ultimate participation by their agents in the collection of Mexico's customs duties.¹

In October, 1861, England, France, and Spain signed a convention by which they agreed to dispatch a joint expedition to America in order to seize some fortresses upon the Mexican coast. This convention stipulated that in the use of coercive measures the contracting parties would neither seek to acquire any territory or special advantage, nor would they interfere in the internal affairs of the government of Mexico.² As she also had claims against Mexico, the United States was invited to join the expedition; but Secretary of State Seward declined to participate in the use of force against a friendly neighbor. He informed the allied governments that the United States had a "deep interest" that no territory should be acquired as the result of intervention in Mexico and that no change should take place which would impair the right of the Mexicans to select their own form of government.³ After capturing Vera Cruz, the English and the Spanish commanders adjusted their respective claims with the Mexican Government and withdrew their soldiers. France declined to make a similar settlement: the course of events amply demonstrated that Napoleon III aimed to supplant the Mexican president, Benito Juárez, by a monarchy supported by French bayonets.

In June, 1863, the invading army captured the city of Mexico. The French commander soon convoked a subservient junta of notables, which decided that a monarchy should be established in Mexico and that Archduke Maximilian of Austria should be invited to occupy the throne. Hence, on September 26, 1863, Secretary Seward instructed the American minister in Paris to inform the French Government that its policy in Mexico was dis-

¹ Bancroft, History of Mexico, vol. vi, pp. 18, 95-98
³ The Present Condition of Mexico, pp. 390, 394, 395.
pleasing to the United States; Seward expressed his opinion that
the Mexican people preferred a republican and domestic govern-
ment to foreign institutions; and he warned France that the
United States would not be likely to neglect such measures as
might be necessary for the safety of a sovereign state. On
April 4, 1864, the House of Representatives adopted a resolu-
tion which declared that it did not accord "with the policy of
the United States to acknowledge any monarchical government
erected on the ruins of any republican government in America
under the auspices of any European Power." In the following
July Maximilian was seated upon the Mexican throne, while
President Juárez had transferred his government to El Paso del
Norte (Juárez).

The United States Government consistently declined to recog-
nize Emperor Maximilian and treated President Juárez as the
head of the true government of Mexico. After General Lee's
soldiers had laid down their arms at Appomattox Court House,
Secretary Seward made stronger and stronger representations to
France against her intervention in Mexico. On November 6,
1865, the American minister in Paris was instructed to inform
the French minister of foreign affairs that the "presence and
operations of a French army in Mexico, and its maintenance of
an authority there, resting upon force and not the free will of
the people of Mexico" was "a cause of serious concern to the
United States." About six weeks later Seward transmitted
the warning that the prosecution by French soldiers of a design
to establish a "foreign monarchy" upon the ruins of a "domes-
tic republican government" in Mexico would inevitably jeop-
ardize the friendly relations which the United States earnestly
desired to cultivate with France. That secretary's insistent
objections to the pressure of French troops in Mexico—which
were probably reenforced by the French Emperor's conviction
that his soldiers might be needed in Europe—ultimately induced

*Message of the President of the United States to Congress at the Commencement of the
First Session of the Thirty-Eighth Congress, pt. 2, pp. 782, 783.
*Message of the President of the United States of March 90, 1866, relating to the Condi-
tion of Affairs in Mexico in answer to a resolution of the House of December 11, 1865, p. 487.
*Ibid., p. 496
Napoleon III to withdraw them completely. The last detachments sailed from Vera Cruz in the spring of 1867. Seward's warnings transmitted through the American minister at Vienna that the United States could not view "with unconcern" Austrian support of Mexico's invaders evidently influenced Austria to discourage the enlistment of volunteers for the support of the hapless Maximilian. In the meantime Republican soldiers decisively defeated Imperialistic soldiers in Mexico. Maximilian, who still remained in Mexico, was captured by the followers of Juárez and court-martialled. He was shot at Querétaro on June 19, 1867. President Juárez soon entered the city of Mexico amid the acclamations of the populace.

Although Secretary Seward did not evoke the Monroe Doctrine by name, yet certain phrases which occur in his dispatches, as well as the logic of the situation, suggest that this doctrine was not altogether unconnected with his opinion that French usurpations in Mexico were a menace to his country. Prominent Mexicans were grateful for the influence thus exerted by their northern neighbor, but they did not forget that the United States had acquired large territories from them in 1848 as the result of a war—an event the consideration of which is excluded from the scope of this volume. Opinions may differ regarding the exact amount of influence which the policy of the United States had upon the French débâcle in Mexico, yet the truth remains that in the eyes of many publicists the Monroe Doctrine had scored a triumph.

French intervention in Mexico precipitated a discussion concerning the Monroe Doctrine in certain countries of Hispanic America. In the Chilean chamber of deputies, on July 30, 1864, when a motion to the effect that Chile would not recognize Maximilian was being discussed, José V. Lastarria introduced a bill containing one article:

The republic of Chile does not recognize as being in conformity with American international law the acts of European intervention in America, or the governments established as a result of such intervention;
even though such action may have been solicited. This republic does not recognize any agreement for a protectorate, a cession, a sale, or whatsoever arrangement that impairs the sovereignty or the independence of an American state in favor of European nations, or which has as its object to establish a form of government antagonistic to the republican, representative form adopted in Spanish America.

In the debates upon this proposal Miguel L. Amunátegui declared that it was the expression of a sentiment which was “deeply rooted in the Chilean heart.” Benjamin Vieúña Mackenna declared that he favored the entire acceptance of Lastarria’s motion. The chamber of deputies approved the bill, only two votes being cast against the proposed declaration.

On April 10, 1896, yielding to persons who desired an expression of opinion about the Monroe Doctrine, the Mexican president said to congress that Mexico could not do less than show herself “the partisan of a doctrine” that condemned as “contrary to the established order any attack of monarchical Europe against the republics of America. . . . The course of our history, especially the struggle of our people to cast off the yoke of an exotic empire of European origin and form and elements—
as shown by the torrents of blood which were spilt in that rude conflict—furnishes testimony to the world of our love for independence and our hatred for all foreign intervention.”

Those remarks were provoked by the Anglo Venezuelan controversy. In 1895 a boundary dispute which had been waged for a half century between the republic of Venezuela and Great Britain about the ownership of valuable territory reached a most acute stage. Expanding from “the establishment of Demerara, Essequibo, and Berinice”—which they had secured by treaty from Holland in 1814—the British had gradually penetrated into territory that was claimed by Venezuela. The British were the heirs of the Dutch, who were considered by the Spaniards as interlopers. At root the controversy was due to a conflict between two different principles concerning the proper basis for territorial claims: the principle, inherited by the

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9 Sesiones del congreso nacional de 1894, p. 352
10 Ibid., p. 356
11 Ibid., pp. 358, 359.
12 As quoted in La época, June 2, 1896
Spanish Americans from Spain, that territorial claims could properly be based upon discovery, exploration, and vague royal grants; and the modern principle which rested territorial claims mainly upon the actual settlement of the disputed territory.

As early as 1822 the government of Great Colombia had instructed its agent in London to direct the attention of the British Government to the necessity of determining the boundary line between Colombia and British Guiana, declaring that colonists from Demerara and Bernice had occupied territory upon the banks of the Essequibo River which rightly belonged to it. In 1841, on behalf of the English Government, Robert H. Schomburgk explored Guiana and left boundary marks along the courses of the rivers Amacura and Cuyuni. Through her minister in London, Alejo Fortique, Venezuela protested against this action, and proposed in 1844 that the boundary line should be the Essequibo River. The Fortique and Schomburgk lines represented the extreme pretensions of the contending governments at that juncture. From time to time the chancelleries of those governments proposed various compromise lines. In 1844 Lord Aberdeen proposed a line. Secretary Rojas of Venezuela sketched a line in 1881. And, in the same year, Lord Granville drew a compromise boundary. But the contending parties could make no adjustment. From 1884 to 1886 the British extended their claims beyond the Schomburgk line to include mining lands in the interior. On February 20, 1887, after vainly asking the British to evacuate valuable territory which they had occupied near the Orinoco’s mouth, Venezuela announced that she had suspended diplomatic relations with Great Britain; she protested against the acts of spoliation committed by that government, and declared that she had in vain proposed to submit the controversy to arbitration.

As early as 1884 Venezuela had asked the United States to check the alleged encroachments of the British upon her soil. Subsequently, the Venezuelan minister in Washington appealed

18 Cadena, Anales diplomáticos de Colombia, p. 442.
19 Foreign Relations of the United States, 1894, p. 805.
20 Moore, Digest of International Law, vol. vi, pp. 540, 541.
to Secretary of State Bayard to facilitate the adjustment of the dispute by arbitration, declaring that "the doctrine of the immortal Monroe should possess all the vitality that the alarming circumstances" demanded. In January, 1894, the Venezuelan minister at Washington called attention to the fact that England had refused to arbitrate the controversy and pointedly referred to the declaration of the United States that "the nations of the American continent . . . were not subject to colonization by any European power." From January to July of that year there were published in the Diario de Caracas a series of articles concerning the Guiana boundary which invoked the Monroe Doctrine. In discussing the question as to whether or not that doctrine was applicable to the controversy this journal declared that upon one notable occasion the United States had raised her voice against armed intervention in America thereby frustrating the anti-republican designs of European powers.

The United States opposes the establishment of new colonies upon American soil. The expansion of Demerara at the expense of Venezuela is equivalent to another acquisition of territory by Great Britain; and consequently it is to be condemned. The United States does not permit that the form of government which the American republics have adopted shall be altered. But in this case that is being done. For the districts which are taken from the Venezuelan republic are by that transaction made possessions of monarchical England.

While this discussion was going on in the press of Caracas, a proffer of good offices and a proposal by the United States that the controversy should be submitted to arbitration was declined by Great Britain. In February, 1895, President Cleveland signed a joint resolution favoring friendly arbitration.

On July 20, 1895, Secretary of State Richard Olney sent a trenchant dispatch to the American minister in London in which he protested concerning the extension of British power and influence in derogation of the rights and wishes of Venezuela.

11 Cleveland, The Venezuelan Boundary Controversy, p. 71.
12 Ibid., p. 88.
13 Límites de Guayana, p. 3
14 Diario de Caracas, as quoted in Límites de Guayana, p. 49.
15 Cleveland, pp. 84-89
Olney referred to the Monroe Doctrine by name as applicable to this controversy and gave to that doctrine a most broad interpretation. He declared that the Monroe Doctrine had only one purpose and object: that "no European power or combination of European powers shall forcibly deprive an American state of the right and power of self-government and of shaping for itself its own political fortunes and destinies." After a few months' delay Lord Salisbury replied to assert that Great Britain was neither imposing a "'system' upon Venezuela" nor was she "concerning herself in any way with the nature of the political institutions" under which the Venezuelans might prefer to live. "The disputed frontier of Venezuela has nothing to do with any of the questions dealt with by President Monroe." Salisbury repeated the declaration that, with regard to a certain part of the disputed territory, England would not submit her claims to arbitration. President Cleveland apparently thought that Great Britain viewed the Monroe Doctrine as a "mere plaything." On December 17, 1895, he sent a special message to Congress expounding the view that the extension of boundaries by a European power so as to take possession of the territory of a Hispanic-American state against her will constituted a case under the Monroe Doctrine. He recommended that Congress make an appropriation for a commission to investigate the facts and to report. He said:

When such report is made and accepted, it will in my opinion be the duty of the United States to resist by every means in its power as a willful aggression upon its rights and interests, the appropriation by Great Britain of any lands or the exercise of governmental jurisdiction over any territory which after investigation we have determined of right belongs to Venezuela.

Notice should be taken that he was reported to have said in private conversation that this was "a peace message, the only way to prevent a probable collision between the two nations."
MONROE DOCTRINE AND INTERVENTION

Denounced from some pulpits in the United States, criticized vigorously by certain English journalists, Cleveland's belligerent message was greeted with joy in Venezuela. On March 9, 1896, both houses of the Venezuelan congress adopted a declaration that the President of the United States as the advocate of "the territorial integrity of the independent nations of the New World," had "acquired a special claim to the gratitude of the peoples of this continent"; that by its response to "the noble ideas of the Supreme Magistrate" the Congress of the United States had "opened new and hopeful vistas in a dispute," which had been confined "to the narrow sphere of fruitless discussion with peril to the general interests of the continent"; and that, because of these actions, the supreme magistrates of the United States deserved "in a singular manner, an expression of affection" which embodied "all the grateful sentiments of this republic towards the glorious fatherland of Washington and Monroe!" The Venezuelan congress accordingly resolved to "bestow upon the honorable Congress of the United States of America and upon the most excellent President of that nation, as a special vote of Venezuela, an homage of gratitude for the eminent service which they have rendered to the other independent peoples of the New World, and especially to this people, by the policy of promoting the peaceful and decorous settlement of the boundary controversy with British Guiana in a manner consonant with international justice!"

In the same month that Cleveland's famous message was penned, Congress passed a bill providing for the appointment of a commission "to investigate and report upon the true divisional line between the Republic of Venezuela and British Guiana." A commission of eminent Americans was soon appointed. It selected certain historical experts to search in Dutch and Spanish archives for documents concerning the disputed boundary. By November, 1896, before the commission made its report, England, influenced perhaps by startling events connected with the Transvaal, decided to submit the dispute to

27 Acuerdo del congreso de los Estados Unidos de Venezuela, dictado el 9 de Marzo de 1896, pp. 7-9.
arbitration, stipulating, however, that "adverse holding or prescription during a period of fifty years" should constitute a good title. On February 2, 1897, British and Venezuelan representatives at Washington signed a treaty providing for the choice of arbitrators to determine the boundary line between British Guiana and Venezuela. The arbitrators, chosen by the highest judicial tribunals in England and the United States and presided over by a jurist chosen by themselves, assembled at Paris in January, 1899. A large amount of documentary material and an atlas prepared by the American commission were laid before the arbitrators. On October 3, 1899, those arbitrators announced a decision which partook of the nature of a compromise. England obtained a large portion of the interior territory which was in dispute, while Venezuela's right to a comparatively small but valuable portion of territory at the Orinoco's mouth was confirmed.

We have already noticed the approval of the policy of the United States by the governments of Mexico and Venezuela. Further the Brazilian congress unanimously adopted a motion approving Cleveland's policy. The upper house of that congress sent greetings to the United States Senate about the message of Cleveland, declaring that he had guarded "the dignity, the sovereignty, and the freedom of the American nations."

Prominent newspapers in various countries of Spanish America expressed their approval of Cleveland's policy in no uncertain terms. El ferrocarril of Sonsata in Salvador praised Cleveland and Monroe thus:

Monroe has opened to Cleveland the doors of the temple. In his turn Cleveland, if possible, has conferred greater immortality upon Monroe. The message of Cleveland... has been the complement of American independence; or rather this state paper, which has made effective and practical a saving doctrine that for many years was considered platonic and theoretical, has had the effect of a moral and political victory!22

22 Foreign Relations of the United States, 1896, pp. 254, 256; La Fontaine, Pastorisae internationales, pp. 554-56.
24 Foreign Relations of the United States, 1895, vol. i, pp. 75-78.
MAP SHOWING BOUNDARY DISPUTE BETWEEN VENEZUELA AND GREAT BRITAIN.

LEGEND

- Schomberg Line, 1840
- Porte Line 1844
- Aberdeen Line 1844
- Royal Line, 1841
- Grenville Line, 1881
- Extreme British Claim, 1896
- Line Drawn by Mixed Commission

Scale of Miles.
In Guayaquil, Ecuador, *El tiempo* published an article entitled "International Questions," declaring that the attitude assumed by the United States in the boundary dispute had profoundly affected the minds of Spanish Americans: "Every person now feels that the saving Doctrine of Monroe will cease to be a purely speculative principle or a principle of merely historic value, as it has been designated, and that it will become a formula of our public international law."

On January 4, 1896, *La época* of Bogotá published an editorial entitled "The Practice of the Monroe Doctrine," asserting that England by an abuse of force had attempted to make herself the judge of the dispute. "Confronted by such a display of force and such scandalous injustice the land of Washington has shocked Europe by constituting herself,—in the name of justice and the New World, an arbitrator between the strong nation and the weak nation for the adjudication of the controversy." On January 9 *El heraldo* of the same city contained an editorial which expressed the following sentiments: "Admirable is the rôle which the Great Republic founded by the virtuous Washington plays in the Guiana controversy! By the side of Washington there will figure honorably in history Monroe and Cleveland, his worthy successors."

On January 13, 1896, the *Diario de Caracas*, the official organ of the Venezuelan Government, declared:

Propitious winds now blow from one extreme of the continent to the other. The right of preservation prevails over every other consideration; and the Monroe Doctrine, based upon this right which is vital for individuals and for organizations, now assumes the character of a formidable principle—it is a formula that will preserve the existence of our incipient democracies.

On February 7 that journal made this comment:

President Monroe furnished a formula in the celebrated message that bears his name; Cleveland and the United States congress have amplified it in connection with our dispute with England, and eventually there is spreading from the Hudson River to Cape Horn the conception of a grand American alliance as the most expeditious and

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imperative measure for the salvation of the rights and the sovereignties of our young republics.

It is within the bounds of truth to say that the foreign policy of the United States evoked more approbation in Hispanic America in 1895 and 1896 than at any other time since the days of President Monroe.

The war between the United States and Spain in 1898, which was caused by the intervention of the American Government to end the deplorable conditions that existed in Cuba, was significant for many reasons. Here such reasons only will be noticed as have a relation to our general theme. The close of that war marked the end of Spanish rule in the New World. Porto Rico, Guam, and the Philippines passed under the control of the United States, while Cuba was eventually given freedom under the tutelage of that government. The acquisition of insular possessions forced the United States to take a deeper interest in the West Indies and in Isthmian communications. As Spanish law was deeply rooted in Porto Rico, there soon occurred on that island a curious blending of Spanish and North American legal ideas. The civilization of the United States was engrafted upon a Spanish-American trunk. An important precedent was established in 1901 in the Platt Amendment defining the future relations between the United States and Cuba; for this amendment stipulated that Cuba should not incur excessive debts and that the United States should have the "right to intervene in that island" to preserve Cuban independence, and to maintain "a government adequate for the protection of life, property, and individual liberty."

About four years after the Cuban republic was launched intervention became necessary. In August, 1906, after the reelection of President Estrada Palma, a revolt took place against his government. President Roosevelt accordingly decided to send Secretary of War Taft and Assistant Secretary of State Bacon


"Statutes at Large of the United States, vol. XXXI, pp. 897, 898"
to Habana to reconcile the contending factions. This mission failed in its purpose; for the president resigned, and the Cuban congress adjourned without filling the vacancy. Hence Taft proclaimed a provisional government to restore order, peace, and confidence, and to reestablish a permanent Cuban government. Soon afterwards the duties of provisional governor were assumed by Charles E. Magoon and United States troops were stationed in Cuba. On December 3, 1906, President Roosevelt declared in his message to Congress that it was "absolutely out of the question that the Island should continue independent," if the "insurrectionary habit" should become confirmed. During the occupation by the United States, which lasted about two years, a good peace was maintained in the island, public improvements were introduced into several towns and cities, and the criminal and electoral laws were revised. In his message to Congress on December 3, 1907, Roosevelt declared that peace and prosperity had been restored to Cuba. On November 24, 1908, a general election was held; members of a new congress were chosen; and General José Miguel Gómez was elected president. Early in the following year the Cuban congress assembled, the government was soon entrusted to Cuban officials, and the army of occupation was withdrawn. The guardianship of the United States had been amply justified.

Just as the industrial history of Hispanic America is in some part the story of its exploitation by foreigners, so is its diplomacy in considerable part an account of foreign claims. No more striking illustration of that statement can be found than the claims urged by European nations against Venezuela in 1902–1903. At that time ten foreign nations made demands upon the Venezuelan Government for the payment of debts due to their citizens.

Of those nations England and Germany may serve as examples. On December 7, 1902, the English minister at Caracas addressed to the Venezuelan secretary of foreign relations a note expressing the dissatisfaction of his government with Venezuela's atti-

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**Footnotes:**

48 Ibid., 1907, pt. 1, p. lxiv.
tude toward the payment of claims presented by England. The English minister declared that those claims had arisen largely because of civil wars in Venezuela, because of the maltreatment or unjust imprisonment of English subjects and interference with English commerce, and because of an adjustment of Venezuela's external debt. He expressed the hope that Venezuela would yield to the demands and not compel his government to take steps to obtain satisfaction. He added that the English government had been informed of the claims of the German Government against Venezuela, and "that these two governments had agreed to act jointly in order to obtain an adjustment of all their claims."33

On December 7 the German minister at Caracas also addressed a note to the Venezuelan Government expressing his dissatisfaction at its attitude toward claims presented by his government. He expressed the hope that Venezuela "would satisfy the just demands of Germany" and would not compel his government to see that those claims were satisfied. He also mentioned the agreement for joint action between England and Germany.40 It appears that, after inditing those notes, the two protesting ministers proceeded to La Guaira and embarked on vessels of their respective squadrons which were stationed there.41

On December 11, 1901, the German ambassador at Washington left at the State Department a memorandum concerning his government's claims against Venezuela. His memorandum explained that there were unpaid claims due to a German company because of engagements undertaken by Venezuela in connection with the construction of a railway amounting to six million bolivares; and that there were other claims against Venezuela arising from injuries to German citizens during the civil wars which had raged in that country amounting to two million bolivares. The German ambassador declared that the policy of Venezuela, which had decreed that those claims should be passed upon by a Venezuelan commission, was "a frivolous attempt to

33 *Venezuela ante el conflicto con las potencias aliadas*, vol. 1, p. 22.
avoid just obligations." He served notice that it was Germany’s intention to take coercive measures against Venezuela and to employ a pacific blockade which would affect neutral vessels. But his memorandum stated that “under no circumstances” would the Imperial government consider “the acquisition or the permanent occupation of Venezuelan territory.” In his reply, five days later, Secretary of State Hay referred to the fact that the German ambassador upon his recent return from Berlin had conveyed the assurance of the German Emperor to the government of the United States that the Imperial government had no intention to make even the smallest acquisition of territory on the South American continent or the islands adjacent. Secretary Hay said that, in view of this assurance and of the declarations in the memorandum, the President did not regard himself as “called upon to enter into the consideration of the claims in question.” On November 13, 1902, the English ambassador at Washington had informed Hay of his government’s intention to use coercive measures against Venezuela for the collection of claims. Hay’s response was “that the United States Government, although they regretted that European powers should use force against Central and South American countries, could not object to their taking steps to obtain redress for injuries suffered by their subjects, provided that no acquisition of territory was contemplated.”

In this manner did the United States receive the decision of England and Germany to take forcible measures against Venezuela. On December 9, 1902, President Castro was informed by a telegram from La Guaira that, by the aid of men from an English frigate, Captain Eckermann commanding the frigate Panther of the German navy had seized four Venezuelan vessels by force. Castro at once issued a proclamation to his compatriots indignantly announcing that the insolent feet of foreigners had profaned the sacred soil of the fatherland. On December 10, 1902, López Baralt, the Venezuelan secretary of

43 Moore, Digest of International Law, vol. vi, pp. 580–89.
44 Ibid., p. 590.
46 Venezuela ante el conflicto con las potencias aliadas, vol. i, pp. 5–9, 40, 43.
47 Ibid., p. 6.
foreign relations, addressed to the states friendly to Venezuela that did not have legations in Caracas a formal protest affirming that English and German warships which had been anchored at La Guaira had "committed an act of aggression against Venezuela which was contrary to the most elementary customs of civilized nations." The Venezuelan secretary averred that there were "no antecedents" to justify the act; for the diplomatic representatives of England and Germany had just addressed to the Venezuelan government a special communication in regard to the controversy, "without setting a limit to the time within which the reply should be made." He declared that after this reply was dispatched, "but before it had reached its destination and hence without knowledge of its scope or content, those diplomats set military forces into operation in a manner manifestly hostile to Venezuela. After having seized Venezuela's war vessels that were anchored in the harbor of La Guaira... various bands of armed soldiers had disembarked." 47 Using as a pretext an alleged insult offered to the Union Jack, on December 13, 1902, the English frigate *Charybdis* and the German frigate *Vineta* bombarded forts at Puerto Cabello and captured the castle commanding that port. 48 President Castro immediately issued a proclamation denouncing this bombardment which had taken place without any of the formalities customary in such cases. 49 On December 15 Venezuela's secretary of foreign relations addressed to the states friendly to Venezuela which did not have legations at Caracas a solemn protest against those "successive violations of international law that were extremely perilous for international life." 50

The apparent desire of Germany to establish its so-called pacific blockade of Venezuela's coast was thwarted, for the United States made a diplomatic protest against any extension of the doctrine of pacific blockade which would affect neutrals. A formal blockade was announced by England and Germany on December 20, 1902: that announcement established a status of belligerency. 51 Two days later, by order of the Emperor, the

47 *Ibid.*, pp. 41-42
50 Moore, *Digest of International Law*, vol. vii, pp. 140, 141.
German commodore announced a blockade of Puerto Cabello and Maracaibo. Italian war vessels subsequently joined the blockading squadron.

The aggressions of the associated powers caused much agitation in Venezuela. Newspaper articles were printed denouncing the policy of Germany and her associates. Tomás Michelena stigmatized them as “filibusters, pirates, and buccaneers.” Prominent Venezuelan writers expressed the opinion that a confederation of American states should be formed for armed protection against European aggression. Manuel C. Urbaneja, a former Venezuelan secretary of foreign relations, expressed the hope that a congress of delegates might be assembled in Panamá to consider the formation of a league of Spanish-American states as well as to discuss the relations between those states and Europe. He expressed doubt concerning the applicability of the Monroe Doctrine to infractions of international law. That doctrine, he maintained, was merely a principle of the foreign policy of the United States, the application of which depended upon the exigencies of her policy.

But other Venezuelan writers manifested their intentions to rely upon that doctrine. General Francisco Tosta García expressed the opinion that the United States Government could not view, with arms folded, the European aggressions in South America. That government could not abandon the cardinal principle of her policy and allow Venezuela to be sacrificed in this hour of proof. Aristides Tellería expressed his opinion that the unexpected aggressions of European powers against Venezuela should be considered as nothing else than a crucial test of the Monroe Doctrine by old nations which were jealous of the expanding power of the Colossus of the North. In an article in *El constitucional* entitled “The Doctrine of Monroe and Teuton Pride” General Bermúdez asked if the pride of Germany had tried “to play a trick upon the Doctrine of Monroe,” or if forcible intervention was “merely a move of Jewish avarice upon the part of the kaiser.” Another writer ironically interpreted the affair in these words:

118 HISPANIC-AMERICAN RELATIONS

— Venecuela ante el conflicto con las potencias aliadas, vol. 11, p. 381.
— Ibid., pp. 129, 130.
— Ibid., pp. 120, 120.
— Ibid., p. 143.
— Ibid., p. 245.
After great preliminary labors by Imperial diplomacy in order to lull the suspicions of the United States... assured of the humiliating cooperation of England, Germany bombarded Puerto Cabello in an Homeric combat in which only one man was wounded, a German, and one war vessel damaged, the Vineta; and the blockade of the Venezuelan coasts was divided between uncle and nephew.... History will say that in the first adventure undertaken by the kaiser he was defeated, and that the check given to his marines at the entrance to Lake Maracaibo was followed by the slap administered to his diplomats at Washington.67

In the meantime diplomats of the United States were attempting to promote the adjustment of the dispute by peaceful means. That government shortly announced that Venezuela had requested it to transmit an offer of mediation to Berlin and London.51 For this purpose the Venezuelan Government conferred full powers upon the United States minister at Caracas, Herbert W. Bowen.59 According to the biographer of John Hay, who had access to inedited manuscripts, it was not until after President Roosevelt had vigorously threatened to send Admiral Dewey's fleet to the coast of Venezuela to end the blockade, that the German Emperor yielded to the proposal to arbitrate.69

Certain it is that, after Minister Bowen had negotiated with the blockading powers on behalf of Venezuela, on February 13, 1903, the blockade was raised. At the same time tentative agreements were reached between Venezuela and each of those powers by which the Venezuelan Government recognized in principle the justice of the claims and by which the powers agreed to submit their claims to mixed commissions. Shortly afterward similar protocols were signed between Venezuela, on the one hand, and the United States, Mexico, France, Holland, Belgium, Norway and Sweden, and Spain, on the other hand. As the blockading powers demanded that their claims should be paid first, while Venezuela proposed to treat all her creditors alike, by mutual consent the demand for preferential treatment

67 Ibid., pp. 292, 293.
68 Moore, Digest of International Law, vol. vi, p. 590.
69 Venezuela ante el conflicto con las potencias aliadas, vol. i, pp. 100, 103.
was referred to the Hague Tribunal. In accordance with the protocols, in June, 1903, ten mixed commissions sat at Caracas to adjudicate the claims, commissions which reduced the aggregate amount due the ten powers to about one-fifth of their original claims. The United States received over two and a quarter million dollars on behalf of the claims of her citizens against Venezuela. On February 22, 1904, the Hague Tribunal decided that the three blockading powers were entitled to preferential treatment, declaring that after 1901 the Venezuelan Government had categorically refused to submit its controversy with England and Germany to arbitration and that during the diplomatic negotiations Venezuela had always made a distinction between "the allied powers" and "the neutral or pacific powers." In a message to congress in 1904 President Castro thus expressed his appreciation of the policy of the United States:

We should remember, as a proof of that harmony and cordiality, the interest which the President and the people of the American Union showed toward Venezuela in the unfortunate days of our international disturbance. The good offices of the First Magistrate of that friendly nation were interposed more than once to obtain a pacific solution and avoid the action which was then threatened against us.

More significant perhaps than the results achieved by the arbitration of the claims against Venezuela were the reactions produced by the attempt of European powers to collect by force. One reaction was President Roosevelt's categorical declaration in his annual message of December, 1901, that the coercion of a Hispanic-American state was not contrary to the Monroe Doctrine, provided that such punishment did "not take the form of the acquisition of territory by any non-American power." A year later Roosevelt declared that each state should "maintain order within its own borders," and "discharge its just obligations

"Foreign Relations of the United States, 1904, p. 871, Latane, America as a World Power, p. 275.
"Foreign Relations of the United States, 1904, pp. 871, 872."
to foreigners.” He said that when this was done they could rest assured “that, be they strong or weak, they have nothing to dread from outside interference.”

These statements, as well as the blockade of Venezuela because of her failure to pay certain claims, some of which were based upon obligations assumed by the Venezuelan state, provoked the enunciation of the Drago Doctrine, which may be designated a South American corollary of the Monroe Doctrine. The Drago Doctrine was, in the main, a restatement of the Calvo Doctrine which should first be understood. In his treatise on international law, the third edition of which was published in 1880, Carlos Calvo, an eminent Argentine publicist, declared that “according to strict international right the recovery of debts and the pursuit of private claims does not justify *de plano* the armed intervention of governments, and, since European states invariably follow this rule in their reciprocal relations, there is no reason why they should not impose it upon themselves in their relations with the nations of the New World.” This Argentine publicist denied the responsibility of states for injuries suffered by foreigners in internal disturbances; for to admit the principle of indemnity in such cases, said Calvo, “would be to create an exorbitant and fatal privilege essentially favorable to powerful states and injurious to weaker nations, and to establish an unjustifiable equality between citizens and foreigners.” He declared that to sanction such a doctrine would be to countenance an attack upon the territorial jurisdiction of a state,—“a constituent element of national independence.”

On December 29, 1902, in a note to García Mérou, Argentina’s minister in Washington, Luis M. Drago, the Argentine secretary of foreign relations, formulated the doctrine which bears his name. That secretary purposely omitted from the purview of his doctrine claims arising from revolts and wars. In his own words, Drago presented “some considerations with reference to the forcible collection of the public debt suggested by the events which have taken place.” He declared that with regard to

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63 Moore, *Digest of International Law*, vol. vi, p. 594.
64 Calvo, *Le droit international*, vol. i, p. 308.
loans made to a foreign state, a capitalist necessarily considered
the attendant circumstances which would affect repayment and
made the terms correspondingly hard. With emphasis he main-
tained that proceedings could not properly be instituted against
a sovereign state: a state was bound to meet her obligations;
but she had the right "to choose the manner and the time of
payment." The cardinal principle which he enunciated was
that the public debt of a Hispanic-American nation could "not
occasion armed intervention nor even the actual occupation of
the territory of American nations by a European power."68
Evidently the Argentine Government feared that forcible inter-
vention for the collection of public debts might lead to the sub-
version of Spanish-American governments by European mon-
archies.69

As compared with the original Monroe Doctrine, the Calvo
and Drago Doctrines were much narrower. Both collateral
doctrines were protests against certain practices which had been
pursued by European nations in the collection of debts in His-
panic America. In his treatise Calvo argued against the use of
force by those nations to collect private debts. Drago's famous
note was an official protest against armed intervention by Euro-
pean nations for the collection of debts incurred by a Hispanic-
American state.70

What was the attitude of the United States Government
toward Drago's note? In Secretary Hay's response, dated
February 17, 1903, he did not express either "assent to or dis-
sent from the propositions ably set forth" in that note and
stated that "the general position of the Government of the
United States in the matter" had been "indicated in recent
messages of the President," referring specifically to the annual
messages of 1901 and 1902.71 But on December 5, 1905, in his
message to Congress President Roosevelt took the view that
attempts of foreign nations to collect by force contract debts

68 Foreign Relations of the United States, 1903, pp. 1-5.
69 See further, Drago, "State Loans in their Relation to International Policy," in
70 Hershey, "The Calvo and Drago Doctrines," in American Journal of International
Law, vol. 1, p. 31.
71 Moore, Digest of International Law, vol. vi, pp. 603, 604.
which were due by Hispanic-American republics to citizens of the collecting nations would embarrass the United States as the result might be the permanent acquisition of American territory. He expressed the desire that "all foreign governments would take the same view" as the United States government and would refuse "to enforce such contractual obligations" on behalf of their citizens "by an appeal to arms."72

In connection with these statements should be noticed the President's significant declaration in the previous year. On December 6, 1904, in his message to Congress, Roosevelt said:

Chronic wrongdoing, or an impotence which results in a general loosening of the ties of civilized society, may in America, as elsewhere, ultimately require intervention by some civilized nation, and, in the Western Hemisphere, the adherence of the United States to the Monroe Doctrine may force the United States, however reluctantly, in flagrant cases of such wrongdoing or impotence, to the exercise of an international police power.73

That declaration, which was designated the "Roosevelt Corollary of the Monroe Doctrine," soon beckoned logical statesmen into endless vistas of diplomatic action.

The first state to invite the application of this corollary was a Caribbean republic. Revolts, dictatorships, peculation, and anarchy had reduced the Dominican Republic to a condition of chronic and apparently hopeless bankruptcy. In September, 1904, the Dominican debt was estimated at a little over thirty-two million dollars. Over one-half of the indebtedness was held by citizens of Belgium, England, France, Germany, and Spain, while a relatively small part of it was held by citizens of the United States. The Dominican annual revenue was estimated at one million eight hundred and fifty thousand dollars, while the annual expenditures, including payments on the indebtedness and arrearages, amounted to three million nine hundred thousand dollars.74 Early in 1905 fears were entertained in the city of Santo Domingo that an attempt might be

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72 Foreign Relations of the United States, 1905, p. xxiv.
73 Moore, Digest of International Law, vol. vi, pp. 596, 597.
74 Foreign Relations of the United States, 1905, p. 392.
made to collect the debts by force. It seemed possible that European creditor nations might seize Dominican ports to administer the customs:—the forcible collection of debts might lead to the occupation of territory for an indefinite period. Secretary Hay cabled Minister Dawson in the city of Santo Domingo instructing him to ascertain the sentiments of the Dominican Government with regard to aid from the United States. To this inquiry that government made a favorable response.

After negotiations by Minister Dawson and Captain Dillingham for Secretary Hay and by Secretaries Sánchez and Velásquez for the Dominican Republic, a protocol was signed in February, 1905. This protocol provided that the United States Government should adjust all debts of the Dominican Government and should fix the amount of outstanding claims. The United States should take charge of all custom houses of the insolvent government; she should deliver to the Dominican Republic forty-five per cent of the customs receipts for the payment of current expenses. With the remaining revenue the United States was to meet the expenses of customs administration, as well as those payments which might be due of the interest and principal of the Dominican debt. There should be no vital changes in duties and taxes without the consent of the United States. That government was to furnish such other assistance as might be proper to restore the credit, maintain the order, and promote the welfare of the Dominican Republic.

That protocol, however, was not ratified by the Senate. But an informal arrangement embodying the main fiscal provisions of the protocol was sanctioned by Roosevelt. In championing that executive agreement Sr. Velásquez, Dominican secretary of commerce, aptly declared that if his nation did not pay her creditors there would come a day on which, "tired of waiting and pleading, the European governments will occupy our ens-

14 Foreign Relations of the United States, 1905, pp 208, 355, 357, 358.
15 Ibid., pp. 289, 300
17 Foreign Relations of the United States, 1905, pp. 365, 366
toms houses to get those debts and perhaps part of our territory. If that time should come, the American Government will either have to back down in its foreign policy, confessing that the Monroe Doctrine is a laughable phantasm, or undertake a war with powerful nations, or pay those debts, or guarantee their payment, charging itself with their collection.\textsuperscript{79,80}

President Roosevelt put the executive agreement into force early in April, 1905. George R. Colton was placed in charge of the administration of Dominican customs, with the right to choose his own subordinates.\textsuperscript{80} On July 1, 1905, Minister Dawson summarized the results of the new system as follows: active plotting against the Dominican Government had ceased; abandoned plantations had been again placed under cultivation; the Dominican Republic had more money than ever before; she was not compelled to make any more short time loans; she was no longer in danger of seizure by foreign powers; and she could negotiate equitable terms for the liquidation of her indebtedness.\textsuperscript{81} In his annual message to the Dominican congress on February 27, 1906, speaking of the operation of the \textit{modus vivendi}, President Cáceres said: “Peculation and extraordinary military expenditures have been the bottomless pits in which the nation’s wealth has disappeared. To chaos has succeeded regularity. During the last year our receipts have covered the appropriations made by the law of public expenditures, and on December 31, 1905, the deposit in the National Bank of New York amounted to $815,027.13 gold—a sum destined to the payment of the interest and amortization of our debts.”\textsuperscript{82}

The general improvement in conditions in the Dominican Republic under the \textit{modus vivendi} reinforced sentiment in the United States in favor of a more permanent arrangement. On February 8, 1907, a convention was signed providing for “the Assistance of the United States in the Collection and Application of the Customs Revenues of the Dominican Republic.”\textsuperscript{83}
This treaty, proclaimed on July 25, provided, in brief, that the Government of the United States should administer the customs of the Dominican Republic through officials appointed by its President for the service of her debt as adjusted and bonded by it. The article in the proposed treaty of 1905 which authorized the United States to furnish that republic such further assistance as might be necessary, interpreted to mean a virtual protectorate, was not included in this treaty.

The results of the administration of Dominican customs by the United States benefited that republic greatly. Although revolutions have not ceased, yet the republic has been relatively quiet. Customs receipts during the first year of the modus vivendi amounted to more than two and one-half million dollars, the largest receipts that had been recorded in Dominican history, an amount which exceeded the receipts for the preceding year by six hundred and fifty thousand dollars. Between 1905 and 1914 imports into the Dominican Republic more than doubled, while the exports increased about one-half. The methods used in the collection of the revenue were improved: smuggling evidently decreased. Certain public utilities, as telephones and electric light, were widely introduced, and harbors have been improved. The Dominican debt was much reduced by payments from the customs revenues and also through the readjustments promoted by a restored credit. By the action of their government those creditors who were citizens of the United States received the same treatment as citizens of the European nations which threatened to intervene. Intervention by European nations was made unnecessary, while the territorial integrity of the Dominican Republic was preserved. More recently, however, the military occupation of that republic by the United States forces has deprived her of political autonomy.

The Doctrine of Monroe when used to justify intervention
alarmed the publicists of Hispanic America. In 1905 a Venezuelan writer, Domingo B. Castillo thus voiced his fears:

According to the latest interpretation given to the elastic Monroe Doctrine, the New World is the property of the United States. . . . The new interpreters of Monroecism entertain with respect to South America a vast evolutionary project,—remote in its realization and uncertain in its results, but nevertheless they cherish it. And they move toward the realization of their ideal with the tenacity of their race without considering the rights of another race or the violence that would be necessary to consummate their colossal ambitions. In the face of these facts, it is the duty of South American governments and statesmen to consider the magnitude of the peril that threatens us. . . . In a shameful manner the United States dreams of her national aggrandizement and believes that she can execute her plans without obstacles by the aid of the Platt Amendment which is fastened upon Cuba by virtue of the law of conquest. That law is the useful formula of the colonial policy of the United States. The Dominican Republic has just succumbed to it and by such a singular event the government of that republic has been placed under the authority of a foreign power.93

While the United States was preventing forcible intervention by European nations in the Dominican Republic, in conjunction with certain nations of Hispanic America she was exercising an influence upon the Peace Conference at The Hague. At the First Hague Conference in 1899 New World interests were represented only by delegates from Mexico and the United States. In 1907 delegates appeared from all the important American states. The tentative program for that conference, prepared by the chancellor of Russia, mentioned that the United States Government had reserved the right of submitting a proposal “to observe some limitations upon the use of force for the collection of ordinary public debts arising out of contracts.”94

On behalf of the United States General Porter presented to the Conference a proposition that when there were contractual debts owing from one nation to the citizens of another nation, the powers represented would agree “not to have recourse to

93 Castillo, Venezuela y el Monroecismo, pp. 5, 6.
armed force for the collection of such contractual debts.” This agreement was not to be operative, however, when the debtor state declined an offer of arbitration, or failed to comply with an arbitral award, or made a compromise impossible. While the main principle embodied in the Porter proposition was approved by many delegates, yet there were some delegates who thought that it was too radical, and others who thought that it was unduly conservative. Drago, who was a delegate from Argentina, made three objections to the project: that it did not limit the arbitration of debts arising from ordinary contracts exclusively to cases in which the courts of the debtor country had refused to dispense justice; that it seemed to include public debts as subject to arbitration; and that it did not absolutely exclude the use of force or the occupation of American soil as the result of disputes concerning public debts. Upon one or another of his objections Drago secured support from delegates of Hispanic-American states. Pérez Triana of Colombia took a more extreme position than Drago, arguing that military aggression should not be employed in case of any pecuniary dispute under any circumstances whatsoever. But the prominent Brazilian publicist, Ruy Barbosa, opposed those arguments. This publicist maintained that Drago’s Doctrine was “the theory of the abuse of sovereignty”; and that “by making a high appeal to the Monroe Doctrine,” it would compromise that doctrine.

The Porter proposition was finally approved by thirty-nine delegations. Among the Spanish-American republics which voted affirmatively nine made reservations about its interpretation. Through the joint action of the United States and some Spanish-American nations a formal disapproval of military aggression for the collection of certain contractual debts was thus inscribed upon the records of the Second Hague Conference.

In 1907 a South American diplomat formulated a new doctrine
—not altogether unrelated to the Monroe Doctrine—which was
destined to be of some influence in Hispanic America. The
diplomat who thus made his name famous in international life
was Carlos R. Tobar, who had represented Ecuador as minister
at various capitals and had also served as secretary of foreign
affairs for that republic.

From Barcelona, on March 15, 1907, Carlos R. Tobar addressed
an open letter to the Bolivian consul at Brussels. In that letter
Tobar expressed satisfaction at the conditions existing in the
Hispanic-American nations. He was pleased that Bolivia was
no longer suffering from militarism; that the rulers of Brazil had
a desire to progress peacefully which was in proportion to the
size of her territory; that the cosmopolitan Argentine people
were ruled not by the sword but by intelligence and talent; that
Chileans had always refused to elect barrack room soldiers to
the presidency; that Peru, chastened by adversity, had begun to
advance marvellously; and that, in a reaction from the throes of
revolution, Colombia was directing her energies into the arts of
peace. With regard to the other states of Hispanic America,
he declared that, except a few unfortunate nations, they were
happy; for intelligence was being substituted for force. "Happy,
a thousand times happy! They begin to occupy themselves
with a future which is not obscured by the barbarous smoke of
powder!"57

Tobar said that Europe and the United States no longer viewed
with disdain peoples who had previously been characterized as
ungovernable. Various matters concerning the progress and
culture of the Hispanic-American peoples had been discussed in
sessions of Pan-American congresses. At none of those meet-
ings, however, had there been considered a topic of cardinal
importance for those nations; unfortunately there had not been
presented for the sanction of a Pan-American congress a doc-
trine which would put an end to revolutions in Hispanic Amer-
ica. The Ecuadorian diplomat formulated his doctrine in the
following words:

57 As quoted by Garcia, "Estudio sobre la doctrina Tobar," in Trabajos del cuarto
HISPANIC–AMERICAN RELATIONS

The American republics, for the good name and credit of them all, if not because of humanitarian and "altruistic" considerations, ought to intervene, at least in a mediatory and indirect manner, in the internal dissensions of the republics of the continent. Such intervention could at least refuse recognition to de facto governments that had been established by revolutions against the constitutional regime.98

This publicist argued that the doctrine of intervention was not without some support from eminent writers upon international law. He maintained that wise philanthropists were using all the resources of science to check tuberculosis, to secure the protection of women and children, and to promote the welfare of the farmer and the laborer. In the sanguinary conflicts of nation against nation, said Tobar, the artist could find themes for pictures and statues; but in the struggles between brothers the philosopher could find only such degrading practices as espionage and vengeance. He asked why a peace conference at The Hague or a Pan–American congress should not consider the means of preventing internecine war. In particular, he declared, were the leading Hispanic-American republics interested in bringing to an end the scandals which had provoked certain persons to apply to Spanish America the adjectives "ungovernable," "revolutionary," and "savage."99

Tobar's proposal that the American republics should adopt a policy of joint intervention in order to check internal dissensions naturally provoked discussion. In particular was it criticized as being Utopian, and as containing a threat against the independence and sovereignty of Hispanic-American states.100 It embodied a doctrine, however, that had already been expressed in a milder form by other Spanish-American publicists.101 The applicability of this doctrine to certain republics was recognized in the very year that Tobar's letter was published. For circumstances affording a chance to apply the so-called Tobar Doctrine arose in stormy Central America.

A war which broke out between Nicaragua and Salvador before Tobar formulated that doctrine was ended largely by the

99 Ibid., pp 328, 329
100 Ibid., p. 329
101 International American Conference, vol. iv, p. 178; Torres Caicedo, Unión latinoamericana, pp 131, 152
good offices of Mexico and the United States. In April, 1907, the belligerents signed a convention which provided that, pending the adoption of a general arbitration treaty by the Central American nations, differences arising between them should be settled by the arbitration of the Presidents of Mexico and the United States. Thus the principle that it was the duty of the United States to preserve peace in Central America was apparently sanctioned by Nicaragua. Shortly afterwards, in view of threatened war between Nicaragua and Salvador, Presidents Díaz and Roosevelt proposed a Peace Conference of all the states of Central America. A preliminary meeting of the ministers of the Central American states and representatives of the United States and Mexico was held at Washington in September, 1907. At that meeting the Central American republics agreed to send delegates to a conference at Washington in order to discuss the measures which were necessary to adjust any differences that existed between those republics and to conclude “a Treaty which shall define their general relations.”

Accordingly, an invitation to attend such a conference was soon extended to the republics of Central America by Presidents Díaz and Roosevelt. Each of the five republics accepted the invitation and appointed delegates. In November and December, 1907, those delegates, as well as representatives of Mexico and the United States, assembled at Washington. They were called to order by Secretary of State Elihu Root, who made an address suggesting the need of “some practical methods” by which to execute agreements. Several conventions were arranged concerning peace and amity, extradition, communications, and future conferences; while other conventions made provision for a Central American court of justice, a pedagogical institute, and a Central American bureau.

The last mentioned convention stipulated that the five repub-

138 Ibid., p. 638. On the joint mediation of the United States and Mexico in Central America in 1906, see p. 153, infra
140 Ibid., pp. 1337-39.
141 Ibid., pp. 1345-58.
lics should establish a bureau composed of one delegate from each republic, the expenses to be borne equally by the signatory powers. This bureau was to promote the interests of Central America: peace, education, commerce, and agriculture; as well as to encourage uniform civil, criminal, and commercial legislation. It was to maintain an organ of publicity; and it was also to serve as a medium of intelligence.107

Article I of the treaty of peace and amity declared that one of the first duties of the contracting parties was "the maintenance of peace"; that they bound themselves to preserve harmony; and that they would decide in the Central American court of justice any difficulties which might arise between them. Another article provided that the citizens of each state were to enjoy the same civil rights as citizens in the other states and were to be exempt from loans, extraordinary contributions, and forced military service. When properly authenticated, public instruments executed in one republic were to be valid in the others. To encourage coastwise commerce among the five republics, each of them agreed to promote a national merchant marine. It was stipulated that the territory of Honduras should be absolutely neutral. Revolutionary chieftains should not be allowed to live in regions adjacent to a country whose peace they might disturb.108 A supplementary convention provided that the five governments should promote a reform by which their presidents could not be reelected. This convention also stipulated that no republic should recognize any government that came into existence by revolution until the freely elected representatives of the people should constitutionally reorganize the country. No Central American government should intervene in favor of either of the contending parties in a republic which was torn by civil war.109

The convention respecting a Central American court of justice declared that the five republics had established that court in order to avoid appeals to force. A permanent tribunal should be established at Cartago in Costa Rica composed of one judge

108 Ibid., pp. 1346-60.
109 Ibid., pp. 1350, 1351.
from each state, to hold office for five years. That tribunal was to have jurisdiction over controversies concerning which the respective chancelleries could not agree. It was to take cognizance of controversies between a citizen of a Central American state and the government of another state. It was also to consider disputes submitted by common consent of the contracting governments, as well as cases submitted by special agreement between a contracting state and a foreign state. The contracting republics agreed to enforce the court’s decrees.\textsuperscript{110} Delegates from Honduras and Nicaragua urged that such a court was not enough to satisfy the desires of the Central American people and that a more intimate relationship was desirable. A Honduran delegate avowed that the union of the five states into one federal republic was necessary. But delegates from other states held that a Central American republic was little more than a noble aspiration.\textsuperscript{111}

In the convention supplementary to the general treaty of peace and amity the delegates of the contracting republics made important provisions about their international relations. Article I of this convention provided that the contracting governments should not recognize any other government that might “come into power in any of the five Republics in consequence of a coup d’état, or of a revolution against the recognized Government, so long as the representatives of the people, freely elected,” had not reorganized that nation in a constitutional manner. There was a stipulation in the second article that in case a civil war broke out in any Central American state no other republic should intervene either for or against the government of the distracted republic. The third article recommended that the republics of Central America should endeavor to procure a constitutional reform by prohibiting the reelection of the president and by promoting the practice of alternation in office.\textsuperscript{112} Whether they were aware of it or not, in the first of those articles—as well as in certain articles of the general treaty—the

\textsuperscript{110} \textit{Ibid.}, pp. 1351, 1357

\textsuperscript{111} \textit{Foreign Relations of the United States}, 1907, pt. ii, pp. 670–72.

Central Americans had embodied the essential principle of the Tobar Doctrine.\textsuperscript{118}

The Peace Conference of 1907 seemed to form a bright page in the annals of Central America. On May 25, 1908, in the presence of commissioners from Mexico and the United States, the court of justice was inaugurated at Cartago.\textsuperscript{114} With funds furnished by Andrew Carnegie, a beautiful "temple of peace" was erected for its use. Not only was this court significant because of the broad powers assigned to it as an arbiter, but also because it constituted a definite step toward unity—the true solution for many Central American ills. In December, 1908, this court rendered a verdict in a case where the allegation was made that Guatemala and Salvador were instigating a revolution in Honduras.\textsuperscript{115} The attitude of the court evidently was not without influence in checking interference by one or more states in the affairs of a neighbor; but despite the extraordinary jurisdiction which it at times exercised revolutions in Central America did not cease.\textsuperscript{116}

In February, 1909, President José Santos Zelaya, the dictator of Nicaragua, promoted a filibustering expedition against Salvador. To promote the observance of the conventions of 1907 the United States Government sent warships to Central America. A formidable revolt broke out in Nicaragua in October, 1909; and in December of that year Secretary of State Knox handed the Nicaraguan chargé at Washington his passports, declaring that Zelaya had kept Central America in turmoil, that he had flagrantly violated the provisions of the Washington conventions, and had sought to discredit "those sacred international obligations" to the disadvantage of other Central American governments which had attempted to observe them.\textsuperscript{117}

When General Madriz, who succeeded Zelaya, passed from power, the government of Nicaragua, profiting by the example of the Dominican Republic, appealed to the United States for advice about its fiscal and political reorganization. In October,

\textsuperscript{118}García, "Estudio sobre la doctrina Tobar," \textit{loc. cit.}, vol. xx, pp. 330, 381.
\textsuperscript{114}World Peace Foundation, pamphlet series, vol. vii, no 1, \textit{The New Pan Americanism}, pt. iii, pp. 131-
\textsuperscript{116}Ibid., pp. 130, 187.  "Ibid., pp 187-194
\textsuperscript{117}Foreign Relations of the United States, 1909, p. 455.
1910, an agreement was reached between the United States and Nicaragua which provided for a constitutional convention that was to elect Provisional President Estrada as president. This agreement also provided that Nicaragua should take steps to rehabilitate her finances; she was to negotiate a loan that should be secured by her customs duties. Unliquidated claims against the Central American republic should be adjusted in accordance with a plan to be concerted by the United States and Nicaragua.\textsuperscript{118}

By a decree of March 9, 1911, provision was made for the establishment of the Nicaraguan Mixed Claims Commission. The commission was composed of one Nicaraguan and two citizens of the United States, Judge Otto Schoenrich of the district court of Mayaguez, Porto Rico, being designated its president by the State Department at Washington. This commission held regular sessions at Managua from the beginning of 1912 until February, 1915. It early decided upon equitable rules to determine the amount and validity of the claims, which arose from losses suffered during wars or from losses that resulted because of the failure of the Nicaraguan Government to adhere to concessions and contracts which were sometimes unconstitutional. The claims against that government amounted to $13,808,161; but the commission awarded to the claimants only $1,840,432.31.\textsuperscript{119}

In the meantime an attempt was made to initiate the financial supervision of the United States in Central America, as it had been established in the Dominican Republic. On January 10, 1911, Secretary Knox signed a loan convention with Honduras, and on June 6 following he signed a similar treaty with Nicaragua. In brief, the Nicaraguan treaty provided for the refunding of the national debt of Nicaragua and for a loan to that republic by United States bankers which was to be secured by her customs receipts. The collection of Nicaraguan customs was to be supervised by a collector general selected from a list approved by the President of the United States. If circum-

\textsuperscript{118} Ibid., 1910, pp 763-66

stances should demand, that government was to furnish the requisite protection. Secretary Knox justified this policy in an address, declaring that the peace and prosperity of Central America and the Caribbean zone, where "the malady of revolutions and financial collapse" was most acute, were of "paramount interest" to the United States. "It would not be sane," said he, "to uphold a great policy like the Monroe Doctrine and to repudiate its necessary corollaries and neglect the sensible measures which reason dictates as safeguards." However, the Nicaraguan and Honduran treaties, embodying what has been called "dollar diplomacy," both failed of ratification in the United States Senate.

Honduras sought another remedy for her financial ills; but Nicaragua turned the supervision of her customs over to a collector who was selected by the United States according to an arrangement which resembled that of 1905 with the Dominican Republic. On August 5, 1914, a treaty was signed by Nicaragua and the United States which promoted the financial rehabilitation of that Central American republic. The United States Government agreed to pay Nicaragua three million dollars, the expenditure of which it was to supervise. In return the United States was granted the exclusive right to construct and maintain an interoceanic canal across Nicaragua, and she was conceded a lease of Great and Little Corn Islands, near the eastern terminus of the Panamá Canal. Because of objections which had been made to this treaty by Costa Rica, Honduras, and Salvador, when ratifying it on February 18, 1916, the United States Senate adopted a declaration that no provision therein was intended to affect any existing right of any of these states.

In recent years the United States Government has pursued a policy of interposition toward certain Hispanic-American republics. That government sent a special commission to promote the pacification of the Dominican Republic. Intervention by the United States in Nicaragua precipitated the down-

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112 See further, Munro, The Five Republics of Central America, pp. 258-62.
113 Congressional Record, vol. lxxi, pp. 2770, 2771
114 Annual Report, Dominican Customs Receivership, 1913, pp. 27, 28.
fall of President Zelaya. In Honduras, the United States, cooperating with England, landed marines who occupied territory and secured the establishment of an orderly government. The policy of forcible intervention or military occupation adopted by the government of the United States toward Central America and the Dominican Republic is not in accordance with the commonly accepted principle of the equality of sovereign states.

What was popularly viewed as a new application or interpretation of the elastic Monroe Doctrine was made during the administration of President Taft. In 1911 the creditors of a United States company which had secured from Mexico a large tract of land on Magdalena Bay upon the western coast of Lower California tried to sell its rights to certain Japanese subjects. There were persons who suspected that the Mikado's government designed to secure a foothold in Magdalena Bay. Senator Lodge felt keenly upon the subject. He introduced into the Senate and that body adopted on August 2, 1912, by a vote of 51 to 4, a resolution as follows:

That when any harbor or other place in the American continents is so situated that the occupation thereof for naval or military purposes might threaten the communication or the safety of the United States, the government of the United States could not see, without grave concern, the possession of such harbor or other place by any corporation or association which has such a relation to another government, not American, as to give that government practical power of control for naval or military purposes.

Thus the Senate placed itself on record as being opposed to the acquisition of a naval station upon the coast of Hispanic America by an Asiatic power.

The continued application of the Monroe Doctrine to cases concerning which Monroe could scarcely have dreamed, naturally provoked fresh apprehensions among South American thinkers. Two illustrations must here suffice. In 1912 a Peruvian litera-

The Monroe Doctrine has undergone essential transformations: it has passed successively from the defensive to intervention and thence to the offensive. . . . Interventions have become more frequent with the expansion of frontiers: the United States has recently intervened . . . at Panamá to develop a province and to construct a canal; in Cuba, under cover of the Platt Amendment, to maintain order in the interior; in Santo Domingo to supervise the customhouses; in Venezuela, and in Central America, to impose upon these nations, torn by intestine disorders, the political and financial tutelage of the Imperial democracy. . . . The Monroe Doctrine takes an aggressive form with Mr Roosevelt, the politician of the "big stick" and intervention à outrance.128

It should be noticed that García Calderón tends to confuse the Monroe Doctrine with the Hispanic-American policy of the United States, a tendency from which indeed some writers in the United States have not been altogether free.

A few years later in an address to citizens of the United States a Brazilian diplomat and historian, Manoel de Oliveira Lima, interestingly expressed his views about intervention and the Monroe Doctrine, as follows:

Intervention always implies protection even when it takes place in opposition to the designs of a third party. With or without reason, our people see in intervention a road leading to annexation. Are the Hispanic-American countries doing an injustice to the United States by displaying these jealousies? If you continue to annex isles near the Caribbean Sea and to take possession of canal zones as you have done in the last twenty years, how can you abstain from securing land upon the northern coast of South America? . . . The Isthmus having disappeared, you may make a jump for the other side of the Caribbean and take a seat at the head of our table. Will not Hispanic-American cooperation some day be necessary to check so great an expansive force, or, in other words, to honor a guest who has thus crept into our house? . . . Cooperation would possess the great advantage of uniting dismembered forces under the same management; and the small nations of America, which by virtue of their own forces are unable to

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offer a suitable resistance, would secure the protection that was necessary to their proper existence. . . . The small nations of the New World simply desire the same treatment which is deemed just and honest toward the small European nations: they are the Belgians, the Montenegro, and the Servias of our continent, although indeed without the political progress of the first, or the picturesque history of the second, or the tragic memories of the third,—for if dictators have been assassinated in Hispanic America, yet their wives have been spared.  

When Woodrow Wilson became President, Mexico was in the throes of revolution. Francisco I. Madero had led a successful revolution against the Mexican Government, and the enforced resignation of President Díaz had been followed by a deluge. A counter-revolution led by a nephew of the ex-president and by General Huerta, a disciple of Díaz, deposed President Madero and, shortly afterwards, the deposed president was assassinated.  

Huerta, who had proclaimed himself provisional president, became, in reality, a dictator. On March 4, 1913, a serious problem confronted President Wilson. Should Huerta's government be recognized? Wilson's government decided to refuse recognition largely because Huerta was suspected of having connived at Madero's murder. Thus the test which President Wilson applied to the government of Huerta was not that of the expediency of recognition, or that of the existence of a _de facto_ government, but that of the morality of governmental officials. The recognition of President Huerta by other nations did not affect the decision of Wilson's government to pursue a policy of "watchful waiting."  

The failure of the United States to recognize Huerta naturally encouraged his enemies. In northern Mexico the forces of the constitutional party led by General Carranza and Francisco Villa gained in strength. After the United States ambassador to Mexico resigned, that government sent there a special agent, John Lind, who proposed to Huerta an adjustment involving a pledge by the latter that he would not become a candidate for election as president. This proposal Huerta disdainfully re-

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140 Fish, _American Diplomacy_, pp. 484, 485.
Mexico was torn by dissensions between his friends and his enemies. Property belonging to foreign capitalists was wantonly destroyed. Many citizens of the United States and citizens of European nations lost their lives. Warships of certain European powers hovered about the Mexican Gulf. There were rumors of the intervention of European powers for the protection of their citizens residing in the distracted republic. Prominent nations of South America beheld the specter of intervention by the United States in Mexico with its logical sequel of annexation. Under such circumstances any policy adopted by the United States Government was destined to provoke dissatisfaction. A crisis was precipitated because of an affront to United States sailors at Tampico.

For that affront Admiral Mayo promptly demanded an apology from Huerta in the form of a salute to the flag of the United States. This was refused. Marines from American warships consequently took possession of Vera Cruz, Congress by joint resolution disclaiming any intention to make war upon the Mexican people. Amid the indignation of certain Mexicans, the A B C powers, Argentina, Brazil, and Chile, proposed to mediate in the differences between the United States and Mexico. That proposal was accepted by both parties. On May 20, 1914, ministers of the mediators at Washington signed a protocol providing for the establishment of a provisional government in Mexico. Soon afterwards Huerta resigned, and General Carranza became the ruler. Nevertheless, civil war soon broke out again between Mexican factions. In September, 1915, diplomatic representatives of six Hispanic-American states at Washington recommended that Carranza's government should be recognized. Such recognition was soon accorded by the United States and by several other American republics.

Relations between the United States and her southern neighbor were soon complicated again because of Villa's jealousy of Carranza. After a party of bandits led by Villa had in March, 1916,
stealthily crossed the border and attacked Columbus, New Mexico, the Government of the United States decided to send a military force in pursuit of Villa's followers. Carranza's government objected to this policy, especially after a second "punitive expedition" crossed the border in pursuit of the elusive Villa.135

No satisfactory solution of the Mexican problem had been found. This imbroglio had, however, afforded the A B C powers an opportunity to mediate between Mexico and the United States. Huerta had been forced out. The United States had tried to avoid injuring the susceptibilities of South American peoples. At some cost she had refrained from adopting a policy of forcible intervention in Mexico.

As contrasted with those years when the foundations of diplomatic intercourse were being laid between the United States and the Hispanic-American nations, the period extending from 1861 to the present day was marked by the application of the Monroe Doctrine to disputes arising under circumstances that were more or less different from the historic circumstances which provoked that doctrine. While greeting with applause the application of the Monroe Doctrine to cases in which the forcible intervention of European powers threatened to deprive a Hispanic-American state of her territory or her political autonomy, Hispanic-American publicists and writers have occasionally been inclined to resent the exercise of an authority by the United States which was obviously not in strict accordance with the original Doctrine. Three Hispanic-American diplomats, Calvo, Drago, and Tobar, proposed doctrines which may be considered as collateral to the Doctrine of Monroe.

During this period the United States Government intervened in Cuba. Intervention in that island was significant because it established a precedent with regard to the attitude of the United States toward the affairs of a Hispanic-American nation. Adherence to the Roosevelt Corollary of the Monroe Doctrine led to intervention by the United States in the affairs of the Dominican Republic. A policy of fiscal intervention, which Secre-

tary Knox viewed as not unrelated to the Monroe Doctrine, has also been applied in recent years to Central America. During the present century the United States has developed a special interest in Nicaragua, Panamá, Cuba, and the republics upon the island of Santo Domingo, an interest which has induced careful students to declare that she exercises a protectorate over those nations. That relation has been viewed with increasing concern by some statesmen of Hispanic America.