

ognize the authority of the prevailing party without reference to our particular interests and views or to the merits of the original controversy.

But in this, as in every other, occasion, safety is to be found in a rigid adherence to principle.

In the contest between Spain and the revolting colonies we stood aloof and waited not only until the ability of the new states to protect themselves was fully established, but until the danger of their being again subjugated had entirely passed away. Then, and not until then, were they recognized. Such was our course in regard to Mexico herself.

It is true that with regard to Texas, the civil authority of Mexico had been expelled, its invading army defeated, the chief of the republic himself captured, and all present power to control the newly organized government of Texas annihilated with its confines. But, on the other hand, there is, in appearance at least, an immense disparity of physical force on the side of Texas. The Mexican republic, under an ally is allying its forces under a new leader and menacing a fresh invasion to recover its lost domain.

Upon the issue of this threatened invasion, the independence of Texas may be considered as suspended and were there nothing peculiar in the situation of the United States and Texas, our acknowledgements of its independence at such a crisis could scarcely be regarded as consistent with the prudent reserve with which we have hitherto held ourselves bound to treat all similar questions. Thereupon Andrew Jackson proceeded to consider the risk that there might be imputed to the United States motives of selfish interests in view of the former claim on our part to the territory of Texas and of the avowed purpose of the Texans in seeking recognition of independence, as an incident to the incorporation of Texas in the Union, concluding thus:

"Prudence, therefore, seems to dictate that we should stand aloof and maintain our present attitude, if not until Mexico itself or one of the great powers shall recognize the independence of the new government at least until the lapse of time or the course of events shall have proved beyond cavil or dispute the ability of the people of that country to maintain their separate sovereignty and to uphold the government constituted by them. Neither of the contending parties can justly complain of this course. By pursuing it, we are but carrying out the long-established policy of our government, a policy which has secured to us respect and influence abroad and inspired confidence at home."

These are the words of Andrew Jackson. They are evidence that the United States in addition to the test imposed by public law as the condition of the recognition of the independence by a neutral state (to-wit that the revolted state shall "constitute in fact a body of politic, having a government in substance as well as in name, possessed of the elements of stability," and forming de facto "if left to itself a state among nations, reasonably capable of discharging the duties of the state") has imposed for its own governance in dealing with cases like these the further condition that recognition of independent statehood is not due to a revolted dependency until the danger its being again subjugated by the parent state has entirely passed away.

This extreme test was in fact applied in the case of Texas. The congress to whom President Jackson referred the question as "one probably leading to war" and therefore a proper subject for a "previous understanding with that body by whom war can alone be declared, and by whom all the provisions for sustaining its perils must be furnished" left the matter of recognition

of Texas to the discretion of the executive, providing merely for the sending of a diplomatic agent when the president should be satisfied that the republic of Texas had become "an independent state."

It was recognized by President Van Buren, who commissioned a charge d'affairs March 7, 1837, after Mexico had abandoned an attempt to conquer the Texan territory, and then there was at the time no bona fide contest going on between the insurgent province and its former sovereign.

I said in my message of December last: "It is to be seriously considered whether the Cuban insurrection possesses beyond dispute the attributes of statehood, which alone can demand the recognition of belligerency, in its favor."

The same requirement must certainly be no less seriously considered when the graver issue of recognizing independence is in question for no less positive test can be applied to the greater act than to the lesser while on the other hand the influences and consequences of the struggle upon the internal policy of the recognizing state which form important factors when the recognition of belligerency is concerned, are secondary if not rightly eliminable factors when the real question and whether the community claiming recognition is or is not independent beyond peradventure.

Nor from the standpoint of expediency do I think it would be wise or prudent for this government to recognize at the present time the independence of the so-called Cuban republic. Such recognition is not necessary in order to enable the United States to intervene and pacify the island. To commit this country now to the recognition of any particular government in Cuba might subject us to embarrassing conditions of international obligation so recognized. In case of intervention our conduct will be subject to the approval or disapproval of such government. We would be required to submit to its direction and to assume to it the mere relation of a friendly ally. When it shall appear thereafter that there is within the island a government capable of performing the duties and discharge the functions of a nation and having as a matter of fact, the proper forms and attributes of nationality, such government can be promptly and readily recognized and the relations and interests of the United States with such nation adjusted.

There remain the alternative forms of intervention to end the war, either as an impartial neutral by imposing a rational compromise between the contestants, or as the active ally of the one party or the other.

As to the first, it is not to be forgotten that during the last few months the relation of the United States has virtually been one of friendly intervention in many ways, each not of itself conclusive, but all tending to the exertion of a potential influence toward an ultimate pacific result, just and honorable to all interests concerned. The spirit of all our acts hitherto has been an earnest, unselfish desire for peace and prosperity in Cuba, untarnished by differences between the United States and Spain and unstained by the blood of American citizens.

The forcible intervention of the United States as a neutral to stop the war according to the dictates of humanity and following the historical precedents where neighboring states have interfered to check the hopeless sacrifice of life by internecine conflicts beyond their borders is justifiable on national grounds. It involves, however, hostile constraint upon both the parties to the contest as well as to enforce a truce as to guide the eventual settlement.

The grounds for such intervention may be briefly summarized as follows:

First—In the cause of humanity and to put an end to the barbarities, bloodshed, starvation and horrible miseries now existing there, and which the parties to the conflict are either unable or unwilling to stop or mitigate. It is no answer to say this is all in another country, belonging to another nation and is therefore none of our business. It is expressly our duty, for it is right at our door.

Second—We owe it to our citizens in Cuba to afford them that protection and indemnity for life and property which no government there can or will afford, and to that end terminate the conditions that deprive them of legal protection.

Third—The right to intervene may be justified by the very serious injury to the commerce, trade and business of our people and by the wanton destruction of property and devastation of the island.

Fourth—And which is of the utmost importance, the present condition of affairs in Cuba is a constant menace to our peace, and entails upon this government an enormous expense. With such a conflict waged for years in an island so near us and with which our people have such trade and business relations—when the lives and liberty of our citizens are in constant danger and their property destroyed and themselves ruined—where our trading vessels are liable to seizure and are seized at our very door, by warships of a foreign nation, the expeditions of filibustering that we are powerless to prevent altogether, and the irritating questions and entanglements thus arising—all these and others that I need not mention, with the resulting strained relations, are a constant menace to our peace and compel us to keep on a semi-war footing with that nation with which we are at peace.

These elements of danger and disorder already pointed out have been strikingly illustrated by a tragic event which has deeply and justly moved the American people. I have already transmitted to Congress the report of the naval court of inquiry on the destruction of the battleship Maine in the harbor of Havana during the night of the 15th of February. The destruction of that noble vessel has filled the national heart with inexpressible horror. Two hundred and fifty-eight brave sailors and marines, and two officers of our navy, reposing in the fancied security of a friendly harbor, have been hurled to death—grief and want brought to their homes and sorrow to the nation.

The naval court of inquiry which, it is needless to say, commands the unqualified confidence of the government, was unanimous in its conclusion that the destruction of the Maine was caused by an exterior explosion, that of a submarine mine. It did not assume to place the responsibility. That remains to be fixed. In any event the destruction of the Maine, by whatever exterior cause, is a patent and impressive proof of a state of things in Cuba that is intolerable. That condition is thus shown to be such that the Spanish government cannot assure safety and security to a vessel of the American navy in the harbor of Havana on a mission of peace, and rightfully there.

Further referring in this connection to recent diplomatic correspondence, a dispatch from our minister to Spain, of the 26th ultimo, contained the statement that the Spanish minister for foreign affairs, assured him positively that Spain will do all that the highest honor and justice requires in the matter of the Maine. The reply above referred to of the 31st ultimo, also contained an expression of the readiness of Spain to submit to arbitration all