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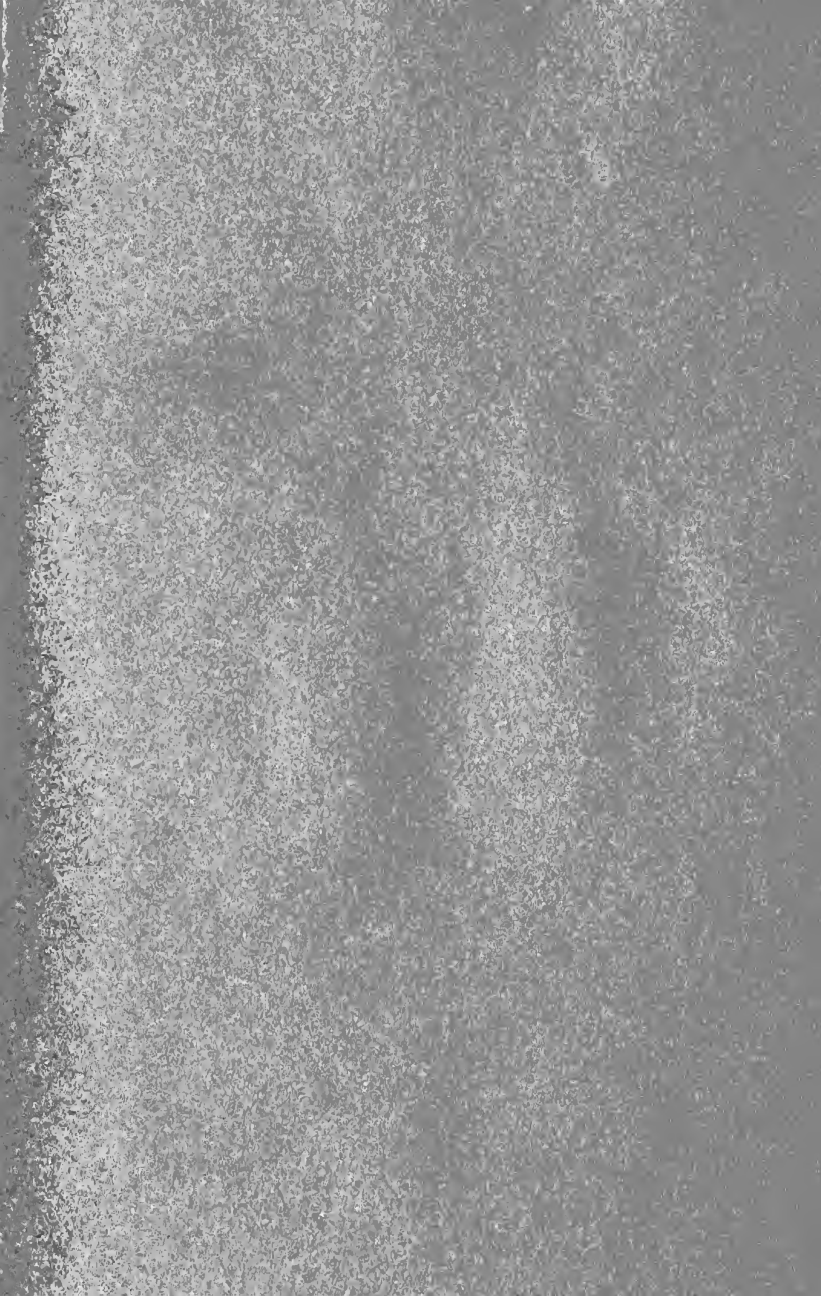
AMERICAN SOLIDARITY

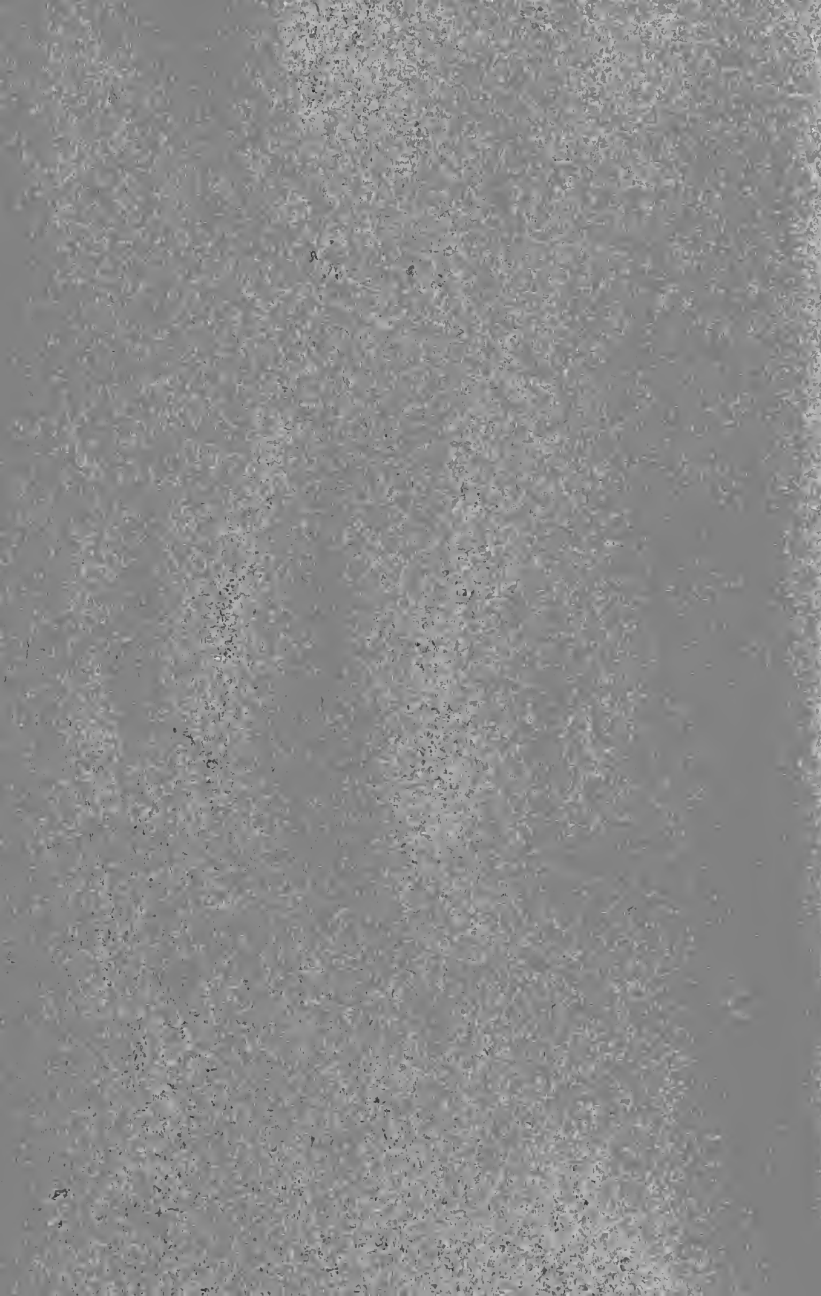
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Brum at the University of Montevideo
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AMERICAN SOLIDARITY

Conference by the President of the Republic of Uruguay, doctor Baltasar Brum at the University of Montevideo on the 21st April 1920.

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American Solidarity

.... United as the nations of the New World are by eternal bonds of democracy and by the same ideals of justice and liberty, the logic of principles and interests, for better securing the efficiency of the former and the free development of the latter, must necessarily determine, in the presence of the events that actually affect the world, a close union of action, so that an attack against any of the countries of America, with violation of the universally recognized precepts of International Law, may constitute an offence to all and provoke in them a common reaction.

(Note sent by the Minister of Foreign Affairs, Dr. Baltasar Brum, to the Brazilian Minister, at Montevideo, on the 12th June 1917).

Gentlemen students:

I have always considered that the Chair of International Law is of an importance worthy of being specially underlined, on account of the transcendental influence on our Foreign Policy, which must result from the tendencies and knowledge with which the spirit and judgment of our youths are impressed in the University.

It is for me, therefore, a real honour to have this talk with you, from here, and I am profoundly grate-

ful to the University Authorities who have furnished me with the opportunity of so doing.

I do not want to let this opportunity pass without expressing a hope that this Chair will render to the country the advantages expected from it, a hope that is rather an auspicious presage founded on the learning and intelligence of your professors, on your noble desires for an extensive preparation so that you may be continually more useful, and on the patriotism of all.

I think, my students friends, that the teaching of this subject—so as to carry out successfully its vast program,—should not be limited to history of international law and to the study of the doctrines dogmatized by eminent writers, but rather that it is necessary to fertilize both with ample comments on our foreign policy in the past, in the present and in the future, in which comparisons may be drawn, advantages and inconveniences pointed out, and the precedents and lawful standards be compared with the conditions existing in our own position.

In this manner really advantageous preparation for the discharge of diplomatic duties would be completed, familiarising those who will represent the country in the future, with the important problems relative to our foreign policy, and accustoming them to resolve the same in accordance with their personal criterion which will harmonize the fundamental principles of justice with the interests confided them, and isolating them from the sugges-

tions of Internationalists who often theorize under an obsession inclining to the conveniences of their countries rather than to the generous idealisms which should regulate the harmonious life of humanity.

In accordance with this point of view I am going to guide my conversation towards our politics in America, showing you the fundamental lines of the conduct which, in my judgment should be adopted by our country in the face of present day important questions.

I cannot assure you that these standards will immediately be consecrated practically, since it is necessary to bear in mind that sometimes insurmountable difficulties arise, created at determined moments by powerful interests, moral or material, which must be respected, but I have the conviction that in the future the standards that I adhere to will outweigh all minor inconveniences and will make it possible for the American Continent, free from partisan hatred and pernicious race prejudice, to be capable of having influence to attenuate the arrogant rivalries that now ruin the European countries and jeopardize the well being of the world.

I believe even more, — I believe that America will be able, through her democracy and her idealism, placed at the disposal of a broadminded solidarity and of a convenient organization, to contribute to the restoration of the oppressed races to the full exercise of their sovereignty.

Let the efforts of all be directed towards the realization of Canning's prophecy, that the New World would re-establish the equilibrium in the Old, and let us do this full of optimism without permitting the cold ironical smiles of the sceptics to paralyze our efforts when they accuse us of being visionaries or utopians.

Let us have confidence in the future supported by deep-rooted faith in the justice and the strength of the ideal and we will then go onward triumphantly, because the healthy optimism with which we exercise our own forces is already half of the victory won.

In this dissertation I am going to refer succinctly to six themes closely related to our country's policy, and the ideas which I put forth I give to you for your young and generous spirits to meditate on.

The themes are: I) Panamericanism, II) The Monroe Doctrine and American Solidarity, III) Monetary Claims, IV) Nationality by Birth and by Origin, V) Interamerican Conflicts, VI) American League.

I

PAN-AMERICANISM

Although I have always considered that we should not do without the action of the United States in matters of interest to the American Continent, I am now

more than ever convinced of this, since I have seen that country, abandoning its policy of political isolation, in which it had lived till 1917, go forth to war, with its blood and its wealth, moved by its noble ideal, to defend the rights of all peoples and among them the independence and territorial integrity of the American countries, over which hung a cloud of danger if Germany, victor over Europe and without further control, should desire to extend her supremacy over the whole world, an aspiration which formed part of her vast imperialistic plans.

On the other hand many American countries, among them Uruguay, were in agreement with the attitude of the United States, which would make it incomprehensible that, without any reasonable motive to invoke, they should exclude it afterwards from forming part of any organization of the great American Family. Besides this the similarity of the form of our Government and of our ideals of justice and democracy with those of our great Northern Sister, are powerful factors which must tend to strengthen those bonds of solidarity.

Although in the past its policy may have been unjust and harsh with some of the Latin countries, that fact should not now constitute an obstacle to a closer friendship, because like many Latin American nations against whom identical reproaches could be formulated, the large majority of the North American people are inclined to-day towards a policy of justice and friendliness in regard to the Nations of

the Continent, and it is the duty of all to contribute their efforts along these lines instead of attempting to hinder through a policy based on the memory alone of previous grievances. It must be recognized that nations as well as men enjoy the right of evolution towards Goodness.

If the powerful nation of the north decides to carry on a policy of justice and equality with its American Sisters it should be our duty to cooperate with her intentions—even though it were only as a reminder that many times the good manners of the weaker curb the violent temper and impulses of the stronger—and not hinder her with an aggravating isolation which would be not only unjust but also pernicious to common interests.

This conduct could not be justified inasmuch as the stand taken by the United States is not antagonistic to any of the Latin American Republics, nor contradictory to their moral and material interests. It could only be provoked by incomprehensible prejudices in America, where all races have joined and incorporated into one, linked together by ties of love. That conduct moreover, which would contain an unjust moral aggression, would certainly not stimulate in our brothers of the North, the clear-sightedness of the reasons of justice and honor with which idealism often checks the passions provoked by material interests. It would violate a moral law which presses us to a brotherly union of all, and the case of Germany devastating Bel-

gium should always remind us what the violation of moral laws costs, even to the powerful.

The difference in language is not a hindrance to the close relations of peoples, as we have seen in Europe where very different races became allied in common defence. What is required for international harmony is similarity of ideals and co-ordination of interests, and it is indisputable that our ideals are the same as those of the United States and that our interests do not in any way exclude theirs.

The Pan-American policy is purely continental and does not interfere in any way with our good understanding with Spain, Portugal, England, France, Italy, or the other European countries with whom we can maintain the most cordial political relations and the closest of economic ties, granted that they show due respect to our personality.

Pan-Americanism implies the equality of all sovereignties, large or small, the assurance that no country will attempt to diminish the possessions of others and that those who have lost any possessions will have them rightly returned to them. It is, in short; an exponent of deep brotherly sentiment, and of a just aspiration for the material and moral aggrandizement of all the peoples of America.

II

THE MONROE DOCTRINE AND AMERICAN SOLIDARITY

It can be affirmed that the European conquests in America were, until now obstructed by the influence of the Monroe Doctrine. No power has existed in Europe during the nineteenth or beginning of this century strong enough to annex American territories at the cost of a war with the United States. I do not want to say that some of them were not stronger than this country, but that, owing to the existing rivalries between the nations of the Old World, not one would have ventured to provoke the United States because the situation that would arise from this would have been taken advantage of by its traditional enemies.

Under those conditions, such conquests would have been rather difficult, bloody and costly, and owing to this fact European countries looking for expansion have preferred to satisfy their ambitions or necessities with the aid of easier solutions offered them, by the almost indefensive territories of Asia, Africa and Oceania, which also possess great natural wealth.

In this way the Monroe Doctrine has constituted on the whole an efficacious safeguard to the territorial integrity of many American countries. And it acquired a new meaning and constituted a momen-

tary force during the Pan-German propaganda activity based on the military preparations of Germany which gave a glimpse of the possibility of this nation in the case of a victorious war in Europe that would annul the power of its rivals and leave it free from cares in this respect—reaching out to effect the conquest of the rich American soil, without fear, then, of the power of the country of Washington.

The German Peril, to the territorial integrity of Latin America, already planned in 1914 and in 1917 was accentuated in 1918, during the German offensive of March and April, and the entrance of the United States in the war came to have in this manner the meaning of and anticipated application of the Monroe Doctrine, taking effect not only in its own defense, but also in that of all the American countries threatened by the ambitions of pan-germanism.

Uruguay understood and appreciated the gravity of that historic hour and did not hesitate in joining North America.

Owing to the State in which the European countries remain after the war, it may be said that fear of invasion by them in America, has been removed for many years.

But, is that sufficient reason for us to take no interest in the future, and turn away from the Monroe Doctrine, with the pretext that now it is unnecessary?

I think not. I believe that to-day, more than

ever, we should reveal our foresight, searching for formulae that may assure for ever, peace and the full independence of American countries.

To attain this it is necessary to intensify and fan into a flame our sentiments of solidarity.

The Monroe Doctrine is the only permanent mark of solidarity of one American country to the others of the Continent. And I say this because it is the only one that has lived through a century, whilst the others formulated by other countries, only responded to the political needs of the historic moment and never were considered by the following generations, as of enough importance for them to feel obliged to use them as outstanding rules for an exterior policy.

It is alleged that the Monroe Doctrine only responds to the personal interests of the United States, and that in a certain way it is vexatious for the nations of America, because it constitutes something like a protectorate over them.

I consider that it is not reasonable to inquire if generous acts benefit or not the country that realizes them. They may enclose, as they generally do, an interested finality, even though it were only of a moral order, without losing its intrinsic value for that reason. All that should be considered, therefore, is the good they produce.

In accordance with the Monroe Doctrine, if an over-sea country had the intention of conquering a coun-

try in America, this country would count on help and support from the country of Washington.

Is this not beneficial for all concerned? Is it not a practical and efficacious proof of true solidarity?

It has been affirmed by the enemies of the Monroe Doctrine that the attitude of the United States might injure the susceptibility of the country threatened, finding itself protected without even having asked for such aid; but apart from the fact that such a statement is devoid of all seriousness, the inconveniences pointed out would be obviated if the American countries made a similar declaration to Monroe's, binding themselves to intervene in favor of any of them, including the United States, in case they should be engaged at war with an oversea country in defense of their rights.

Such a declaration, incorporated in the international obligations of each country would create a situation of great dignity, placing them on a footing of perfect moral equality with the United States. Its practical application would be this: if Uruguay, for example was attacked by a European country, the United States and the rest of the American countries would intervene in its defense, and if the country attacked were the United States, Uruguay with its brother-countries of the Continent would join in action against the unjust aggressor.

In this manner, the Monroe Doctrine proclaimed as a standard of foreign policy of the United States, would become a defensive alliance between all the

American countries, founded on a deep sentiment of solidarity with mutual obligations and reciprocal advantages for all concerned.

The Doctrine has been criticised because it has not served to avoid the interamerican imperialism, or European interventions for the purpose of obtaining compulsory payment of their credits, or substituting the republican government by the monarchical.

But such criticism cannot be formulated unless by those who ignore the reach of Monroe's declaration, which was no other than that of preventing territorial expansion of Europe in America, for reasons connected with the security of his own country and sentiments of solidarity and sympathy with the new nations of the Continent.

It has nothing to do with the interamerican conflicts of boundaries, the fruit generally of the lack of accuracy of these during the first days of their freedom, the existence of immense unexplored regions almost uninhabited and unowned that did not interest the nominal sovereignties until the penetration of neighbouring settlers disclosed in them new wealth and denounced acts of invasion of their dominions, acts that seldom were not based on more or less sound foundations.

If the Monroe Doctrine had a sufficient scope to decide these misunderstandings, in which frequently it is not possible to discern which party acts in a spirit of conquest and which bases itself on legal reasons, it would have converted the United States into

arbiter of the countries of America something on the lines of an annoying tutor with intervention in all their matters, and would regulate the relations between all, which besides being inadmissible, would raise against itself the greatest resistance and hatred.

It would have been absurd for the nation of Washington to have adopted such an attitude, taking upon itself responsibilities which would hinder its own development and endanger its own independence. Monroe was, therefore, farseeing, in occupying himself solely in preventing European conquests, leaving matters concerning interamerican boundaries to be settled by the interested countries themselves, in a way they should consider most in conformity with their rights.

The defense against inter-american imperialism should not be looked for in the Monroe Doctrine, but rather in a new idea: that of American solidarity, the immediate consequence of which should be mutual respect among the countries of the Continent.

For reasons similar to those explained, the Monroe Doctrine could neither have been invoked against oversea nations who might attempt to collect by force the payment of debts of American countries always provided that these countries gave an assurance that they would make no attempt against their territorial integrity or independence, because otherwise the United States would appear as mixing themselves in their internal affairs. Apart from this, to remove the possibility that the collection of cre-

dits should give a pretext for territorial connections the United States hastened, on various occasions, to facilitate the solution of conflicts by offering their good and efficient offices.

Such questions, however, have not been aimed at by the Monroe Doctrine, but by Drago's which appeared almost a century later.

Neither does it affect the Monroe Doctrine that the countries of America on their own account or encouraged by European nations, should substitute the Republican form of Government for a monarchical government, provided they always retain their independence, and Monroe could not have claimed to have mixed himself up in this without attempting against the sovereignty of the countries, much more so, since at the time of his declaration one of the countries, Brazil, had adopted the monarchical form, and another, Mexico, had just finished trying the same system. Monroe, as Madison's minister, limited himself to declaring that «The United States would, be pleased to see the emancipation, of her sister countries of the south, under a liberal constitution», but did not go nor could have gone, any further. The principle of American solidarity which should be based on the constitution of a continental league is more ample, as will be seen, than the Monroe Doctrine, because it will not only defend the countries of America against the foreign invaders but also against any imperialistic tendencies which might arise amongst themselves.

The fundamental idea of the Monroe Doctrine is not in reality a North American creation nor the exclusive idea of Monroe. Before he had formulated it it had been adopted, as a standard of Government, by the Leaders of the time of the emancipation. Artigas, por exemple, proclaimed that the tricolor flag of the Banda Oriental, would consider the enemy of any other state of America as an enemy of its own. Egana, the Chilean, proposed in the year eleven the union of Americans against extracontinental enemies; and in each American country and by each of their national heroes, there are similar declarations, which are fundamentally the same as the Monroe Doctrine, and those declarations were not platonic as they were strong enough to gather together nearly all the warriors of America on the highest points of the Andes, and there with cyclopic efforts secured the emancipation of all. Thus it is that Zorrilla de San Martin is right when he says «It can be said, without fear of contradiction, that the variously interpreted Monroe Doctrine, was in the thought, and above all in the actions of Artigas, long before the celebrated message of the Anglo-American President, but it was much clearer in its consequences. It was not with Artigas a political doctrine or an internal law with international projections, but a natural law of all the American countries to which the founder of the Uruguayan nation adjusted his actions. He did not dictate that law, he obeyed it.»

That principle, therefore, which is not only of the

United States as we have seen, but also ours, is in reality an inspiration inherent of all the countries of America. It was the inspirator of the action of our Chancery during the great war reflected by the decree of June 18, 1917 which proclaimed that the standard of our foreign policy should be «that the offence inflicted on the rights of one country of the continent should be taken as such by all and provoke in them a uniform and common reaction», and resolved that as long as it was not adopted by the countries of America we should not treat as belligerents those brothers, who, in defence of their rights, should be at war with nations of other continents. I judge, therefore, that there does not exist any motive, material or moral, which should counsel us to repudiate the principle of Monroe, but which, on the other hand, for evident reasons of American solidarity and convenience, we should consider it as a national postulate and amplify it further in accordance with the formula which includes not only the annexation of territories by Europe but also all offences of the rights set forth in our decree of the 18th. of June 1917. (*)

(*)

Montevideo, 18 of June 1917.

Considering: That in various communications the Government of Uruguay has proclaimed the principle of American solidarity as the regulator of its international politics, understanding that any contravention of the rights of a country of the Continent should be so considered by all and provoke in them a uniform and common reaction; That in the hopes of seeing the realization of a determination in that respect between the nations of America, which may make possible the practical and efficient application of

We ought, likewise, to aim at the idea of all the Columbian nations setting forth a like declaration and incorporating it in their international obligations.

What superior Authority will then decide each case if the action of an extracontinental nation is or is not against the rights of Americans?

In my opinion this Authority should be the American League, which President Wilson proposed organizing, and which served as a basis for his project on the League of Nations with which it could

said ideals, the Government has adopted an attitude of expectation as to its action, though signifying in each case its sympathy towards the continental countries which have found themselves obliged to abandon neutrality:

Considering: That until such an agreement is created, Uruguay, without contradicting its feelings and convictions, could not deal with the American countries which in the defence of their rights should find themselves engaged in an international war as belligerents;

Considering: That the Honourable Senate is also of the opinion,
The President of the Republic, with the full concurrence of his Ministers,

DETERMINES:

First: To declare that no American country which, in the defense of its rights, should be in a state of war with nations of other continents, shall be dealt with as a belligerent.

Second: To direct that no dispositions in opposition to the present resolution be carried into effect.

Third: Let it be communicated, published, etc.

VIERA.

BALTASAR BRUM.

ARTURO GAYE.

PABLO VARZI (hijo).

FEDERICO R. VIDIELLA.

RODOLFO MEZZERA.

JUSTINO JIMÉNEZ DE ARÉCHAGA.

SANTIAGO RIVAS.

co-exist, without any difficulty, as it it would simply be a district assembly with similar views.

If the League of Nations were duly organized, the American League would inform it of any offence inflicted on any of its associates, and if its remonstrances were not justly attended, it would inform all the Columbian countries, in order to bring against the aggressor « a uniform and common bearing ».

If the League of Nations were not organized then the formation of the American League would be even of more vital importance for the welfare of our Continent. I will further on speak of the work which the League would have to do in the event of any inter-american conflicts arising.

III

MONETARY CLAIMS

American Countries have enjoyed territorial independence but not always an absolute sovereignty, because the larger nations often curtailed same by way of monetary claims in favor of their citizens which instead of taking their claims to the local courts, in accordance with the laws of the country, went to the Legations of their countries, soliciting diplomatic help, without even alleging a refusal of justice. In this way special privileges were granted to the foreigners, in prejudice of the natives, something similar, in the bottom if not in the form, to the Regime of Capitu-

lations established in some African and Asiatic countries:

From the Ministry of Foreign Affairs I wrestled tenaciously against that arbitrary tendency and was at last able to obtain justice to our rights in treaties which were signed with France, England and Italy.

I am convinced that with example given by those great powers no other will try to re-establish the old practices. If the regime of claims is lowering for those that suffer it, it is, in reality, inconvenient for those that put it in practice, because they arouse, against their capital investments, and their subjects, such deep suspicions, that they end by damaging their commercial relations.

In the interests of one and another it is necessary, therefore, that those monetary claims disappear from America for all time, and to that end, nothing would be more efficacious, once the Concert of America is organized, than to refuse to recognize the rights of the Powers, to substract any ordinary case from the national jurisdiction, reporting it to the League, should such an attempt be made, so that it might take, by common accord the appropriate retaliations.

Also, the treaties of commerce with the countries that endeavoured to violate that rule, might be denounced, and the signing with them of others containing the clause of the « preferred nation » be refused, as long as they did not renounce the diplomatic claims presented to the belittlement of national justice.

The economic situation of the countries of America, producers of indispensable articles for European Industries, would permit of the successful adoption of this measure. The definite realization of such an object would complete the work of our liberators, because thanks to it, independence would be really complete and effective, sovereignty would be free of the humiliation which some great Powers have been accustomed to impose on it.

IV

NATIONALITY OF ORIGIN AND OF BIRTH

Another matter which should be resolved by the American Concert is that of the recognition of the nationality of the place of birth for the sons of European subjects, unless they, on reaching majority, and living in the country of origin, should express their desire to adopt the nationality of their parents. This matter which is of vital importance to America, can be resolved in the sense indicated, benefitting in fact the European Nations. Experience shows as a matter of fact that those born in America, save rare exceptions, adopt the nationality of birth and as they are considered deserters, as the occasion arises, by the nation of origin, they frequently abstain from visiting her, which conspires against her commercial ties, which they are obliged to create with other countries. In this way European nations lose many of

the commercial and moral advantages that would accrue to them from the fact of having in American countries large numbers of descendants of their subjects, and in exchange for this enormous prejudice they only are able to obtain the military aid of a small number of these.

It is to the advantage of those nations to maintain the affection of their descendants and stimulate their close ties with them, which is translated into ample relations of all classes and in a powerful economic assistance, as has occurred in the Great War, and not to conspire against those ties, for the sake of obtaining an insignificant military assistance.

Under the Constitution the irregularity of the standing of those who, being in the country of their origin, elect her citizenship, could be easily corrected, by establishing that those who made such a choice would be exempt from military service at the place of their birth.

V

INTERAMERICAN CONFLICTS

The foregoing principles should be accepted by all the countries of the American League in order that this League might efficiently solve any questions which might arise amongst them. No intervention of other countries, in internal questions, should be admitted, unless, determining beforehand that

there was no material interest in the matter, two thirds of the associated countries decide to intervene. There are still important questions of boundaries which embarrass many American countries, and even though these countries have already joined the League of Nations, which morally binds them to accept its mediation, I believe that once the American League is organized and has shown the honesty of its procedures, it would always be possible to find satisfactory ways to arrange any differences that might arise amongst sister countries.

VI

AMERICAN LEAGUE

The organization of this League is in my opinion a logical sequence to the Versailles Treaty of Peace, which in recognizing and expressly accepting the Monroe Doctrine, seems to be desirous of limiting its sphere of action as far as American affairs are concerned.

On the other hand the Supreme Counsel of the League of Nations is formed, principally, by the delegates of the Great Powers, having been excluded from it nearly all the American countries. These countries need therefore organize a powerful organization that will look after their interests in the decisions arrived at by the League of Nations, and that organization can be no other than the Ameri-

can League, based on the absolute equality of all the associate countries.

The American League would therefore have the following double purpose: Occupying itself with the conflicts with the extra-continental countries, and besides, of those that might arise amongst the associate countries.

The first purpose would greatly benefit the countries of the League by means of a powerful organization, which would act in the interests of their rights. As far as the second is concerned the harmonious and just action of the American League would avoid European intervention in our affairs.

Summing up my conclusions, in order to bring this talk to an end. I believe that American politics should be founded on the following bases:

a) All American countries will consider as a direct offence that which might be inflicted, by extra-continental nations, to the rights of any of them, originating the offence therefore a uniform and common retaliation.

b) Without prejudice to an adherence to the League of Nations, an American League should be formed on the basis of absolute equality of all the associate countries.

c) No question, which, according to the laws of the country, should be judged by its judges or courts, can be taken out of its national jurisdictions by way

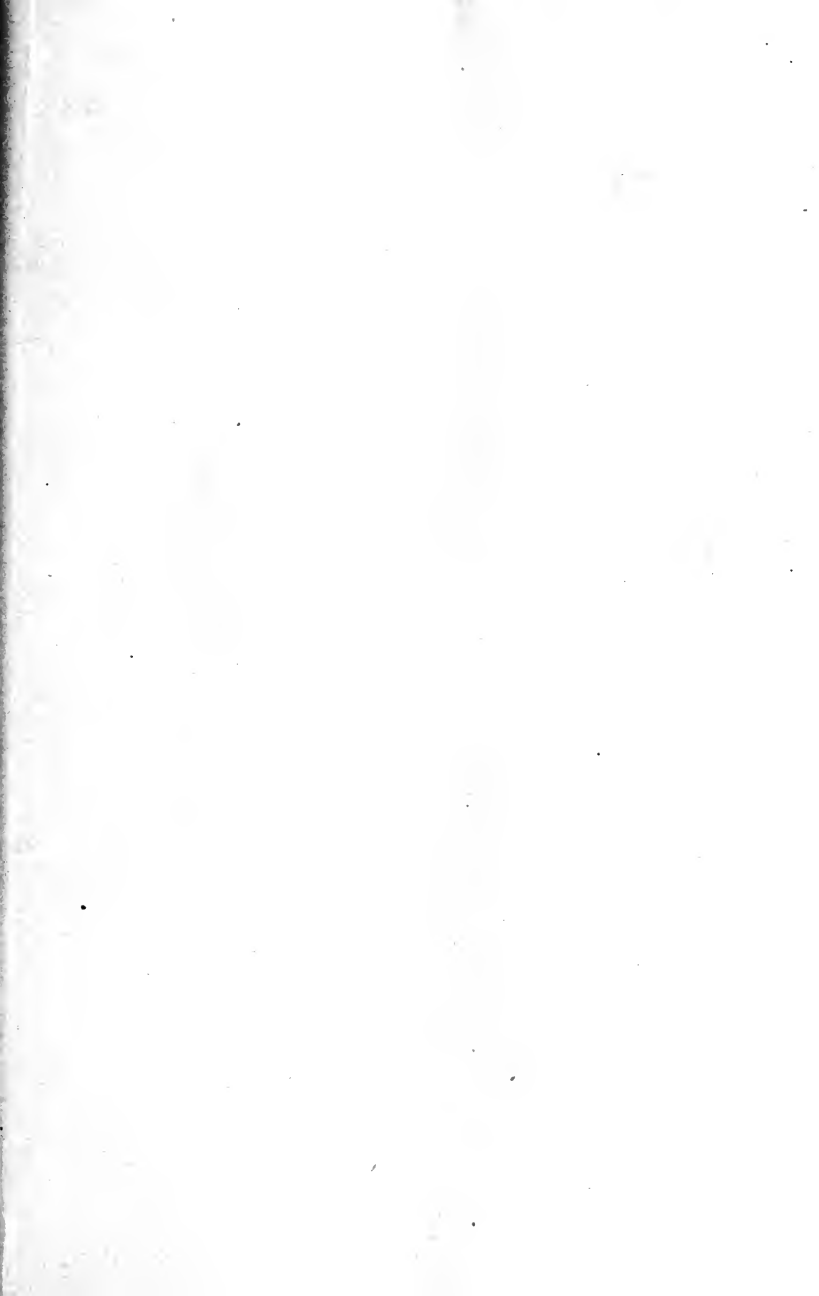
of diplomatic appeals and these would only be admitted in case of flagrant injustice.

d) Any son of a foreigner born in the American Continent will be considered a citizen of the country he is born in, excepting, the case where having attained majority and finding himself in the country of his parents he should chose to belong to this country.

e) All controversies, of any nature whatsoever, and which for any reason might arise amongst American countries should be submitted to the arbitration of the League, when these can not be solved directly by friendly mediation.

f) Should any American country have any controversy with the League of Nations it can ask for the cooperation of the American League.

Such are in my opinion the bases of a proper foreign policy which would make of America a force capable of weighing in the destinies of the World. The triumph of its ideals of justice and democracy will in the future insure small countries from being victims as they have been in the past, of the gross injustice of the larger nations.







8



