

**POLITICAL PAPERS; I. THE
WAR WITH SPAIN. II. THE
VENEZUELAN DISPUTE**

Published @ 2017 Trieste Publishing Pty Ltd

ISBN 9780649199037

Political papers; I. The war with Spain. II. The Venezuelan dispute by Theodore Marburg

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THEODORE MARBURG

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BY

THEODORE MARBURG.

Reprinted from *The Baltimore American*.

BALTIMORE:
JOHN MURPHY & CO.
1898.

I

THE WAR WITH SPAIN.

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THE WAR WITH SPAIN.¹

[May 1, 2, 8, 1898.]

I.

*Intervention—The Law and the Practice—
America Must Act Alone.*

THE past few months have witnessed a conflict of emotions in the breast of the people. A traditional policy and a wholesome horror of war have been drawing them in one direction, whilst indignation at inhuman acts impelled them in another. Those who felt the justice of America's position and at the same time valued the President's noble attempt to enforce that position without resort to war, realized that to

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give utterance to their thoughts could only serve to encourage the war spirit and further hamper the President. Now that war has begun, it is important to examine candidly the principles involved.

The assertion most commonly heard is that we have no right to interfere in the internal affairs of another nation.

A fundamental rule of international law is that the independence of a state must be respected. Its laws must be presumed to be fit and their execution just, and the state must be allowed to accomplish the fulfillment of its own destiny free from outside interference.

Few writers on international law have failed, however, to recognize exceptions to this rule, and some of the greatest among them include among these exceptions interference on grounds of humanity.

HEFTER recognizes it, and VATTTEL says, "If the prince, by attacking the fundamental laws of the country, gives his people legitimate

ground for resistance, if tyranny becomes insupportable and rouses the nation to rebellion, any power has a right to succor the oppressed people if they solicit its aid."

Prof. ARNTZ is of the opinion that interference is justified "when a government, even though acting quite within the limits of its sovereignty, violates the laws of humanity, either by measures hostile to the interests of other states, or by excessive injustice or cruelty which seriously attack our morals and our civilization."

"The right of intervention must be recognized because no matter how much the rights of sovereignty and of independence are to be respected, there is one thing even more entitled to respect and that is the right of humanity and of human society, which must not be outraged."

WOOLSEY asserts that interference is justified when crimes are committed by a government against its subjects.