

**INTERNATIONALISM,  
AND PRIZE ESSAYS ON  
INTERNATIONAL LAW**

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Internationalism, and prize essays on international law by Arturo De Marcoartu & A. P. Sprague & Paul Lacombe

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**ARTURO DE MARCOARTU & A. P. SPRAGUE & PAUL LACOMBE**

**INTERNATIONALISM,  
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# INTERNATIONALISM.

BY

HIS EXCELLENCY DON ARTURO DE MARCOARTU,

EX-DEPUTY TO THE CORTES;

AND

Prize Essays

ON

## INTERNATIONAL LAW,

By A. P. SPRAGUE, Esq.,

COUNSELLOR OF LAW IN THE UNITED STATES,

AND

M. PAUL LACOMBE.

ADVOCATE IN FRANCE.

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## DEDICATION.

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TO THE RIGHT HONOURABLE

THE SPEAKER OF THE HOUSE OF COMMONS.

SIR,

I cannot with Montesquieu assert that I have come to this great country—which at the present moment anticipates the discussion of all problems affecting the moral and material well-being of the nations most advanced in civilization—only “to think,” but “to study.”

I have striven to learn the opinions most esteemed and promulgated by the National Association for the Promotion of Social Science, by means of a competition, in which twenty-nine authors of Europe and America have taken part, for the solution of the problem embodied in the following terms:—

*“In what way ought an International Assembly to be constituted for the formation of a Code of Public International Law; and what ought to be the leading principles on which such a Code should be framed.”*

On account of the interest of the best works presented at the competition which emanated from the United States and France, countries united so closely with Great Britain, the first by the ties of kindred, and the other by near neighbourhood, I venture to hope you will give me leave to dedicate to you the two Memoirs to which the Social Science Association has allotted



the Premium, and my own more unworthy lines as an introduction to precede them, concerning the constitution of an International Assembly, the framing of an International Code, the right of declaring War, and the expediency of Arbitration.

It is the best form in which I am able to give expression to the sentiments of admiration and respect I feel towards the House of Representatives of this country that has acquired the greatest experience in the pacific path of reform, which has been the first to adopt the principle of International Arbitration, and has bequeathed to future history the moral and solemn example of a magnanimous submission to three decisions by arbitrators whose awards were pronounced in a sense adverse to her own national pretensions, at Geneva, at Berlin, and at Paris.

I have the honour to be, Sir,

Your most obedient Servant,

ARTURO DE MARCOARTU.

BRIGHTON, *January* 25, 1876.

# INTERNATIONALISM.

BY

HIS EXCELLENCY

DON ARTURO DE MARCOARTU,

EX-DEPUTY TO THE CORTES.

## SUMMARY.



## I.

*Codification of the Law of Nations—International Representative Assembly and Supreme International Courts.*

Cause of Agglomerations of Territory and Erroneous Ideas as to the Political Happiness of the Individual—European Confederation of Henry IV.—Holy Alliance—European Equilibrium—Principles of Nationalities and of Natural Frontiers—Dream of a Federation of Peoples—Gradual Approximation of the Reciprocal Rights of Rulers and Individuals—Modern Internationalism—Each State holds different views on International Law—Two Methods for Codifying the Relations between Nations—Amphictyonic League—Panama Congress—European Congress proposed by Napoleon III.—International Representative Assembly nominated by the Executive, Legislative, and Judicial Powers of the State—Supreme International Court—Public efforts towards promoting the Codification of the Law of Nations—Parliamentary Conferences.

## II.

*Right of Declaring War.*

The Head of a Representative Country disposes of the Lives of his Subjects in declaring War—The Autonomy of the Individual and of the National Sovereignty do not exist in International Questions—The Representative System exists in no country for the settlement of International Conflicts—Right of War by the French Charters of the last Century, the constitution of the United States and the new French Constitution—The French People were adverse to the late Franco-German War—Declaration of War by the Chambers and Veto by Plebiscite.