

sal, direct, equal, and secret suffrage, shall, by its decision as to the new form of government, express the will of the people.

It is a source of congratulation to the Americans that the United States should have been the first nation to recognize the new government of Russia based upon the consent of the governed, for on March 22, 1917, the Honorable David R. Francis, American Ambassador to Petrograd, formally recognized the provisional government on behalf of the United States.

On April 16, 1816, the great Napoleon is reported by De las Casas to have said, after referring to the perilous situation in which the continent of Europe then was, that "in the present state of things before one hundred years all Europe may be all Cossack or all republican." Let us hope that, whether Cossack or republican, the new Europe will accept the principles of the Declaration of Independence and make them realities.

JAMES BROWN SCOTT.

THE ATTITUDE OF THE UNITED STATES TOWARD POLITICAL DISTURBANCES IN CUBA

THE President of the Republic of Cuba is elected for the period of four years, and presidential elections were held on November 1, 1916. President Menocal was the candidate of the conservative party for reelection. Dr. Alfredo Zayas was the liberal candidate. The election of neither was conceded by the partisans of the other and fraud was freely charged by both parties. The Cuban Government has profited by the experience of the United States in the Hayes-Tilden case by having a Central Commission to which an appeal may be taken in case of contested elections, and an appeal lies in fact and in law from the Central Commission to the Supreme Court of the Island. In case the Supreme Court should not be able to determine the result in a given district or province, it may order a new election in such district or province. This has happened in the case of the Provinces of Santa Clara and Oriente.

Charges were made that the government would not allow the voters freely to cast their ballots in Santa Clara and Oriente and an appeal was made in certain quarters to the United States to send a commission to the Island in order to examine the returns of November first, in order to determine the result of the election. This the United States was unwilling to do, and the United States was also unwilling

to have military pressure exerted by the government in the elections to be held in Santa Clara and Oriente, as it wanted the elections to be free and to express the desires of the Cuban people. The election was held in Santa Clara on the tenth of February, 1917, and resulted in an overwhelming majority for the conservative party. Elections were to have taken place in Oriente on February 20 but before this date the liberals in certain portions of the island, principally in Camaguey and Oriente, resorted to arms.

Some of Zayas' partisans brought pressure upon the United States to intervene, which this country wisely refused to do. In 1906, because of disputed elections, the United States intervened and the liberal party triumphed in the election held during the American occupation. General Miguel Gomez had been the leader of the revolution of 1906 and he was the leader of the revolution of 1917, and his party, if not he himself, would have been the beneficiary if the recent revolution had been successful. President Menocal took vigorous and strong measures to crush the uprising. Gomez himself was captured, and the rebellion broken and elections were set in Oriente. If the United States had not intervened in 1906, the revolution of 1917 would probably not have happened, and, if the United States had intervened in 1917, as it was urged by some liberal leaders to do, the United States would probably have had to intervene whenever a party defeated at the polls or deprived, as it claimed, of its victory by fraud, should resort to revolution and the systematic destruction of life and property.

The attitude of the United States with respect to the uprising in Cuba was set forth in an instruction dated February 10th to the American Minister at Havana, and published in the *New York Times* for February 13, 1917. The text follows:

The Government of the United States, in view of its relations with the Republic of Cuba and on account of the duties which are imposed upon it by the agreement between the two countries, is regarding with no small concern the question of the new elections in Santa Clara province, which it is understood is an effort to carry out the laws providing the machinery for settling election disputes, and upon which laws the constitutional Government must depend. In this case it is understood that the law provides that election disputes be settled by a Central Committee with an appeal to the Supreme Court of Cuba and ultimately, should the dispute remain unsettled, by a re-election to be held in the districts in dispute.

The Government of the United States is confident that both parties are endeavoring to do their utmost to settle their difficulties through the agencies provided

by law and without having recourse to methods which would cause a disturbance throughout the republic, and it would view with gratification the invoking of the constituted judicial methods by the people of Cuba, particularly at the present time when a great portion of the world is embroiled in armed conflict. Such a settlement of their disputes would undoubtedly stand as a fine example before the world as a case where misunderstandings were being adjusted by law instead of by arms.

The Government of the United States, as a friend of the Republic of Cuba, desires to point out that election controversies have not been unknown within its territory, in which party feeling ran at the highest pitch, and wishes to recall to mind that these disputes have always been settled by legal and peaceful means. The most notable case which has occurred in the United States was the Hayes-Tilden controversy, in which the legally established elective machinery finally decided in favor of the candidate who had the minority of the popular vote. This controversy clearly proved that patriotism was elevated by a resort to law rather than by appeal to arms.

The Government of the United States better than any other nation knows the patriotism of the Cuban people, and, mindful of the patriotic deeds done by the Cuban heroes in their struggles for liberty, is confident that the same patriotic spirit will prevail in the settlement of the present electoral difficulty, and that it will be shown by implicit faith in the legal means which have been established for the settlement of such questions.

In view of the interest which this Government feels for the future of Cuba as a nation highly advanced in patriotism and social development, it is anxious that all the parties should know that their course is being followed by the United States with the closest observance and in the confident expectation that the means provided for by the Cuban Constitution and the laws enacted for this very purpose will bring as a logical result a satisfactory and peaceable settlement of the present difficulties.

Three days later, on February 13, 1917, the American Minister was instructed to deliver a further statement to the Cuban Government, the text of which was as follows, according to the *New York Times* of February 15, 1917:

The Government of the United States has received with the greatest apprehension the reports which have come to it to the effect that there exists organized revolt against the Government of Cuba in several provinces and that several towns have been seized by insurrectionists.

Reports such as these of insurrection against the constituted government cannot be considered except as of the most serious nature, since the Government of the United States has given its confidence and support only to governments established through legal and constitutional methods.

During the last four years the Government of the United States has clearly and definitely set forth its position in regard to the recognition of governments which have come into power through revolution and other illegal methods, and at this time desires to emphasize its position in regard to the present situation in Cuba.

Its friendship for the Cuban people, which has been shown on repeated occa-

sions, and the duties which are incumbent upon it on account of the agreement between the two countries, force the Government of the United States to make clear its future policy at this time.

In response to these various communications, the Cuban Secretary of State, Dr. Pablo Desvernines, issued a statement of the Cuban attitude, which is in part as follows:

Some erroneous information must have been given to the Government of the United States when it believes it necessary to express to the President (of Cuba) its anxiety with respect to the elections which are to be held in the Province of Santa Clara, and to remind him of the legal dispositions which regulate electoral matters here.

The Government of Cuba surely will do nothing contrary to law and justice. But precisely because of its desire that these laws should be complied with, neither will it permit anyone here to disturb order or to try, by fraud or violence, to alter legal procedure under which elections should be held, and will energetically repress any illegal attempt of this kind, as it is now proceeding, by means of competent tribunals, in a criminal suit begun because of the discovery of a conspiracy seemingly against the life of the President of the Republic.

Finally, the United States considered it advisable, in view of all the circumstances, to restate its position, in order that there might be no doubt or uncertainty in the minds of the Cuban people as to its attitude in the premises. Therefore, on February 20, 1917, Secretary Lansing sent the following instructions to the American Minister:

It is hardly necessary to state that the events of the past week in connection with the revolt against the Government of Cuba have been viewed with the closest scrutiny by the Government of the United States, which government having set forth its attitude in previous statements, in regard to the confidence and support which it gives to constitutional governments and the policy which it has assumed towards the disturbance of peace through revolutionary methods, wishes again to inform the Cuban people as to its present position:

1. The Government of the United States supports and sustains the constitutional government of the Republic of Cuba.

2. The armed revolt against the constitutional government of Cuba is considered by the Government of the United States as a lawless and unconstitutional act and will not be countenanced.

3. The leaders of the revolt will be held responsible for injury to foreign nationals and for destruction of foreign property.

4. The Government of the United States will give careful consideration to its future attitude towards those persons connected with and concerned in the present disturbance of peace in the Republic of Cuba.

From the passages above quoted, it is evident that the United States did not wish to intervene in Cuba and that it did not intend to

allow itself to be forced to intervene because of the misconduct of the rebels. The United States was not indifferent to the situation in Cuba, but it felt that if frauds had been perpetrated they should be detected and punished according to law, and that the resort should be made to law and not an appeal to arms. The United States did not attempt to decide who was or who was not elected, regarding this as an affair of the Cuban people, but, when some of the partisans of the liberal candidate raised the standard of revolt in February, the United States declared itself squarely on the side of the government, because, whether President Menocal was or was not reelected on November 1, 1916, he was the constitutional President of Cuba until the expiration of his term on May 20, 1917, and a revolution against his government before May 20th was a rebellion against a duly constituted and recognized government. By an appeal to arms, the liberals put themselves in the wrong and by force of arms they were put down.

It would have been easy for the United States to intervene had it cherished designs upon the independence of Cuba, and the rebels could easily, had they not been discouraged by the mere destruction of life and property, have afforded the United States a pretense for intervention under the third clause of the Platt Amendment. The United States did not, however, invoke the amendment, and the legitimate government, without armed interference from the United States, proved itself strong enough to put down the rebellion. Because of this fact, it will be easier for Cuba to settle its own differences without calling in the guarantor of its independence, and it will be easier for the United States to refuse to intervene, because it has been shown in 1917 that intervention was unnecessary. The two governments apparently understand one another, and each is as apparently unwilling as the other to invoke the Platt Amendment.¹

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¹ For the origin and purpose of the Platt Amendment, see editorial in this JOURNAL for July, 1914, p. 585.