

mountains, but soon left them to return to the coast, there to join the royal garrison in the fortress of Callao. The surrender of that fortress, soon after, to the American arms, may be regarded as the termination of the war in that quarter.

When the people of Peru found themselves by this event, free to express their will, they must unequivocally expressed in favour of independence, and with a unanimity and enthusiasm which have not been exceeded.

The revolution in Mexico has been somewhat different in its character and progress, from the revolutions in the other Spanish American Provinces, and its result, in respect to the organization of its internal government, has also, not been precisely the same. Independence, however, has been as emphatically declared, and as practically established, since the 24th of August last, by the "Mexican Empire," as ever it has been by the republics of the south, and her geographical situation, her population and her resources, eminently qualify her to maintain the independence which she has thus declared, and now actually enjoys.

Such are the facts which have occupied the attention of your committee, and which in their opinion, irresistibly prove, that the nations of Mexico, Colombia, Buenos Ayres, Peru, and Chili, in Spanish America, are in fact independent.

It now remains for your committee to examine the right and the expediency, on the part of the United States, for recognizing the independence which those nations have thus declared.

In this examination it cannot be necessary to inquire into the right of the people of Spanish America, to dissolve the political bands which have connected them with another, and to assume, among the powers of the earth, that separate and equal station to which the laws of nature and of nature's God entitle them. "The right to change the political institutions of the state has indeed, been exercised equally by Spain and by her colonies; and for us to deny the people of Spanish America the right to independence, on the principles which alone sanction it here, would be virtually to renounce our own.

The political right of a nation to acknowledge its independence, is that of a free citizen, does not depend on its justice, but on its actual establishment. To justify such a recognition, by us, it is necessary only to show, as is already sufficiently shown, that the people of Spanish America are, within their respective limits, exclusively sovereign, and thus, in fact, independent.

The government possessing and exercising the power of making war, the United States is common with all nations, have the right of contesting the terms of mutual peace and intercourse.

Who is the rightful sovereign of a country, is not an inquiry permitted to foreign nations, to whom it is competent only to "rest with or oppose to that be."

There is no difference in opinion, on this point, among the writers on public law, and no diversity, with respect to it, in the practice of civilized nations. It is not necessary here, to cite authority for a doctrine familiar to all who paid the slightest attention to the subject, nor to go back, for its practical illustration, to the civil wars between the houses of York and Lancaster. Long since, the chiefs of those conflicting houses, alternately triumphed and ruled, and were alternately obeyed at home and recognized abroad, according as they successively exercised the power, without demonstrating the right—monarchies have become commonwealths, or republics, and powerful monarchs have been recognized by foreign nations, in preference to legitimate and powerless pretenders.

Modern history is replete with instances in point. Have we not, indeed, within the brief period of our own remembrance, beheld governments vary their forms and change their rulers according to the prevailing power or passion of the moment, & doing so in virtue of the principle now in question, without materially and lastingly affecting their relations with other governments? Have we not seen the emperors and kings of yesterday, receive, on the thrones of exiled sovereigns, who claimed the right to reign there, the friendly emissaries of other powers, which, in those exiled sovereigns had sought an asylum—and have we not seen to-day those emperors and kings, thus courted and recognised yesterday, ret of their sceptres, and from a mere change of circumstances, not of right, treated as usurpers by their successors, who in their turn have been acknowledged and caressed by the same foreign powers?

The peace of the world, and the independence of every member of the great political family, require that each should be the exclusive judge of its own internal proceedings, and that the fact alone should be regarded by foreign nations. "Even when civil war breaks the bonds of society and of government, or at least suspends their force and effect, it gives birth in the nation to two independent parties who regard each other as enemies, and acknowledge no common judge." It is of necessity, therefore, that these two parties should be considered by foreign states, as two distinct and independent nations. To consider or treat them otherwise, would be to interfere in their domestic concerns, to deny them the right to manage their own affairs in their own way, and to violate the essential attributes of their respective sovereignty. For a nation to be entitled, in respect to foreign states, to the enjoyment of these attributes—and to figure directly in the great political society, it is sufficient that it is really sovereign and independent; that is, that it governs itself by its own authority & laws.

The people of Spanish America do not, obviously, so govern themselves, and the right of the United States to recognize the governments, which they have instituted, is incontestable. A doubt of the expediency of such a recognition, can be suggested only by the apprehension that it may injuriously affect our peaceful and friendly relations with the nations of the other hemisphere.

Can such an apprehension be well founded?

Have not all those nations practically sanctioned, within the last thirty years, the very principle on which we now propose to act, or have they ever complained of one another, or of us, for acting on that principle?

No nation of Europe, excepting Spain herself, has hitherto opposed force to the independence of Spanish America. Some of those nations have not only constantly maintained commercial and friendly intercourse with them in every stage of the revolution, but indirectly and efficiently, though not avowedly, aided them in the

prosecution of their great object. To those of the acknowledgment, by the United States, of the attainment of that object, must be ascribed.

To the other nations of Europe, who have regarded the events occurring in Spanish America, not only without interference, but with apparent indifference such an acknowledgment ought not to be offensive.

The nations who have thus respectively favoured or opposed, the Spanish American people, during their active struggle for independence, cannot, it is believed regard with dissatisfaction the formal recognition of that independence, by a nation, which, while that struggle lasted, has religiously observed, towards both the conflicting parties, all the duties of neutrality. Your committee are, therefore, of opinion, that we have a right, on this occasion, confidently to expect, from what those nations have done or foreborne to do during the various fortunes of the civil war which has terminated, that they will frankly approve the course of policy which the U. States may now think proper to adopt in relation to the successful party in that war. It is surely cannot be reasonably apprehended, that nations who have thus been the tranquil spectators, the apparent well-wishers, not the efficient supporters, of this party; and who have not made the faintest attempt to arrest its progress, or to prevent its success, should be displeased with a third party, which, owing to that success, have thus been virtually permitted, or impliedly approved, in acquiring the undisputed and exclusive control of the countries in which they are established. It is therefore, on the consistency, as well as on the justice, of these nations of Europe, that we may confidently rely, that the simple recognition, on the part of the United States, of the necessary effect of what has already been done, will not be considered as a just cause of complaint against them; while the interested and immediate agents, who have been directly and actively engaged in producing that effect, have not been opposed or censured.

Your committee, therefore, instead of sectionally apprehending that the recognition by the United States of the independence of Spanish America, will be unacceptable to these nations, are not without hope that they may practically approve it, by severally adopting a similar measure. It is not, indeed, unreasonable to suppose, that those governments have, like those of the United States, the evidence of facts, which might not only suffice to justify them, under the laws and usage of nations, but to satisfy Spain herself that nothing has been prematurely done, or which could justly offend her feelings or be considered as inconsistent with her rights. As their motives for not having hitherto recognized the independence of Spanish America, may be supposed to have been analogous to our own, it is permitted to presume that the facts and reasons which have prevailed on us no longer to hesitate, will, confirmed as they are by our example, have a like influence on them.

No nation can entertain a more sincere deference for the feelings of Spain or take a more lively interest in her welfare, than the United States. It is to this deference, too evident to be doubted or misunderstood, that ought to be ascribed the hesitation of this government, until now, to yield to the claims of Spanish America, although these claims were in perfect accordance with our own principles, feelings and interests. Having thus in haste to act, even the hazard of having our principles and feelings misunderstood on this side of the Atlantic, we have, as your committee believe, given at once satisfactory proof of our disinterestedness and moderation—and of our scrupulous respect to the principle which leaves the political institutions of every foreign state to be directed by its own view of its own rights and interests.

Your committee have been particularly anxious to show, in a manner satisfactory to Spain herself, that the measure which this government now proposes to adopt, has been considered with the most respectful attention both in relation to her rights and to her feelings.

It is not on the laws and usages of nations, or on the practice of Spain herself, that your committee have relied for your justification towards her.

The fact that for the last three years she has not sent a single company of troops against her transatlantic colonies, has not been used as evidence of her actual independence, or of her want of power to oppose it. This fact, explained as it is by the public acts of Spain herself, is regarded by your committee as evidence only of her policy.

The last troops collected at Cadiz in 1819, which were destined to suppress the revolutionary movements of Spanish America, not only rejected that service, but joined in the revolution, which has since proved successful in Spain itself. The declaration of the leaders in that revolution was, that Spanish America had a right to be free, and that Spain should be free. Although the constitution, which was re-established by that revolution, guaranteed the integrity of the Spanish dominions, yet the principles on which that constitution was founded, seem to discountenance the employment of force for the accomplishment of that object in contempt of the equal rights and declared will of the American portion of the Spanish people. The conduct of the government organized under that constitution, has uniformly been in this respect, in conformity to those principles. Since its existence there has not been even a proposal by that government to employ force for the subjugation of the American provinces, but merely recommendations of conciliatory measures for their pacification.

The answer of the Cortes on the 10th July 1820, to the address of the King, furnishes conclusive proof of this policy.

"The intimate union," says this answer, "of the Cortes with your Majesty—their establishment in the general and faithful performance of promised duties, the levelling of all pre-empt, will facilitate the pacification of the ultra marine provinces, which are in a state of agitation and dissension. The Cortes on its part will omit no opportunity to propose and adopt measures necessary for the observance of the constitution and restoration of tranquillity in those countries to the end that the Spain of both worlds may thus form a single and happy family."

Although the ultra marine provinces are not here encouraged to expect absolute independence, yet they are no longer treated as vassal colonies or treated with subjugation, but are actually recognized as brothers in the great constitutional and free family of Spain.

A report made to the Cortes on the 24th of July 1821, by a committee appointed by that body, not only manifestly corroborates the policy above stated, but sufficiently intimates the recognition of the independence of Spanish America by Spain herself, had nearly been the measure recommended by that committee.

That report avers that tranquillity is not sufficient even if it should extend throughout America, with a prospect of permanent peace, but that it falls short of the wishes of the friends of humanity.

In speaking of the measure recommended by the Cortes it says, "that measure was not only warmly approved by the committee, but first entirely assented to by the ministers, with whom it had been discussed, and failed only to be proposed to the Cortes by these ministers having, on account of peculiar occurrences, suspended their judgment." It speaks of this measure as indicative of a new and glorious resolution, that it was demanded by America, and that from the part of the Peninsula—that from Spain might reap advantages which otherwise she could never expect—and that the ties of kindred and the uniformity of religion with commercial relations, and those emanating from free institutions, would be the surest pledge of mutual harmony and close union.

Your committee do not feel themselves authorized to say positively, what that measure was, but they do not hesitate to declare their entire conviction that no measure short of a full recognition of unconditional independence, could have deserved the character, nor been capable of producing the effects ascribed to it.

It is therefore, sufficiently manifest that Spain far from wishing to call into action her means for prosecuting hostilities against the people of Spanish America, has renounced even the feelings of an enemy towards them, and but for peculiar occurrences had been prepared nearly a year ago, to consent to their independence.

She has not only, by her discontinuance of employment of force to restore tranquillity to Spanish America, but she has declared that even universal and permanent tranquillity there, falls short of the wishes of the friends of humanity."

While she appeals to "the ties of kindred," she undoubtedly feels them—and if she has not abandoned her desire of a more extensive constitutional union, and equal commercial intercourse, with her former colonies, as between provinces of the same empire, a union and an intercourse which intervening Andes and oceans seem to render highly inconvenient, if not utterly impracticable, she evidently refers to the accomplishment of this desire to the laws of nations, and to the congenial and kindred feelings of the people of those colonies and thus substantially acknowledges their independence.

Whatever may be the policy of Spain, however, in respect to her former American colonies, our recognition of their independence can neither affect her rights, nor impair her means, in the accomplishment of that policy. We cannot for this be justly accused of aiding in the attainment of an independence which has already been established without our assistance. Besides, our recognition must necessarily be co-existent only with the fact on which it is founded, and cannot survive it. While the nations of Spanish America are actually independent, it is simple to speak the truth, and to say, "We cannot for this be justly accused of aiding in the attainment of an independence which has already been established without our assistance. Besides, our recognition must necessarily be co-existent only with the fact on which it is founded, and cannot survive it. 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