

## OUR FUTURE POLICY.

## Ex-Secretary Carlisle's Arguments Against Acquiring Outside Territory.

A notable article on the acquirement of new possessions by this government is contributed to Harper's Magazine for October by ex-Secretary John G. Carlisle. He reviews the action of congress immediately preceding the war, and the history of the Monroe doctrine, and then continues:

How can we consistently deny the right of other nations to acquire territory on this continent or in this hemisphere if we at the same time assert our own right to seize provinces and establish governments wherever we may choose? Nations have long lives, and this question is certain to confront us sooner or later if we take the new departure which many of our people now seem to favor.

But even if we were untrammelled by pledges, expressed or implied, or by our past declarations concerning the acquisition of territory in this hemisphere by other nations there are abundant reasons, affecting our own economic and political interests, why we should not repudiate the conservative and safe policy which has made us the most compact, homogeneous, and progressive country in the world, and enter upon an unjustifiable and dangerous contest for dominion and power beyond the natural limits of our state and federal systems of government—a contest in which success would prove to be the greatest calamity that could befall us as a nation.

That our political institutions were not designed for the government of dependent colonies and provinces is a proposition which scarcely admits of discussion. This was intended to be a free republic, composed of self-governing states and intelligent, law-abiding, and liberty-loving people; and no one has ever heretofore supposed that any territory or community could be rightfully governed by the central authority, except for such period as might be necessary to prepare it for admission into the Union upon a footing of perfect equality with each of the other states. The un-American theory that congress or the executive can permanently hold and govern any part of the United States in such manner as it or he may see proper is a necessary feature of the imperialism which now threatens the country; for it is evident that if this theory cannot be practically applied to the proposed additions to our territory, their possession will be a perpetual menace to our institutions. A large majority of the population which the advocates of conquest and annexation propose to incorporate by force into the body of American citizenship—the Chinese, Malays, half-breeds, native pagans and others—are not only wholly unfit to govern themselves, but incapable of be-

ing successfully governed under our free constitution.

If, however, territory is acquired, it must be governed by either direct congressional legislation or by the inhabitants themselves, under such supervision and control as congress can constitutionally exercise. At the close of the war the title to all of the territory actually held in subjection by our military forces will unless otherwise provided by stipulation or treaty, be vested in the United States for all public and political purposes. During the war, and while held by the military authorities, it will be subject to the laws of war, and may be governed accordingly, because it is still enemy's country; and if a *de facto* government has been established by the military authorities during the occupation, and is in existence when peace is concluded, that government may be continued for a reasonable time afterwards, in order that persons and property may be protected until the laws of the new sovereign can be extended over it. This exceptional form of government is justifiable only on the ground of necessity, and consequently it can be rightfully continued only for a sufficient time to enable the new proprietor to establish its own civil authority over the conquest or cession. But this *de facto* military government cannot, after the war is over, exercise any authority inconsistent with the constitution of the United States. There is no room for a military despotism, or for the exercise of arbitrary power by the civil authorities, anywhere within the jurisdiction of the United States in time of peace; and whenever the Philippine Islands, Porto Rico, or other islands shall become part of our territory, their inhabitants will be entitled to all the rights, privileges, and immunities secured to the people by the constitution. While held by the military forces, after the cessation of hostilities, the officials representing the *de facto* government may administer the local affairs and establish rules and regulations for the preservation of peace and order, but the fundamental rights of the people must be respected.

"It cannot be admitted," says the supreme court, in a well-considered case, "that the king of Spain could, by treaty or otherwise, impart to the United States any of his royal prerogatives; and much less can it be admitted that they have capacity to receive or power to exercise them. Every nation acquiring territory, by treaty or otherwise, must hold it subject to the constitution and laws of its own government, and not according to those of the government ceding it."

Whatever power congress possesses to govern a territory, either by direct legislation or by providing a form of local government by the people, is derived

solely from the constitution, and must be exercised in accordance with that instrument. Every territorial official, whether appointed by the president, designated by congress, or elected by the people, must take an oath to support the constitution, and he can perform no valid act inconsistent with its provisions. Under our system no part of our territory or people can be governed by pro-consuls or governors-general, but only by responsible officials, whose powers are regulated and limited, not only by the express provisions of the constitution and laws, but by the recognized principles of civil and religious liberty which constitute the bases of our political institutions. The acquisition of territory does not necessarily confer upon its inhabitants the immediate right of suffrage; but trial by jury, the right to the writ of habeas corpus, freedom of speech, freedom of the press, freedom of conscience in matters of religion, immunity from unreasonable seizures and searches, the right to acquire and enjoy property free from molestation except by due process of law, and all the other personal rights, privileges, and immunities secured to citizens and others within our jurisdiction, must be respected and enforced in conquered and ceded territory as well as elsewhere.

The great mass of the people of the United States as now constituted belong to a race which has been accustomed to the enjoyment of personal liberty and self-government from time immemorial. They are educated in the principles of English and American liberty, and they appreciate the blessings of free government; but the ignorant, degraded and servile races which it is now proposed to absorb into the body politic know absolutely nothing about these principles or the institutions established for their maintenance; and even if they did, they are wholly incapable of appreciating them. All their habits, traditions, experience, and surroundings, especially in the Philippine Islands and the other islands belonging to Spain, are opposed to our theories of government. Not only their political system, but their civilization, their social customs, and their conceptions of right and wrong are wholly different from ours. The sense of individual independence in the conduct of their own private affairs and of responsibility to the community and the state in the conduct of public affairs, has never existed in the minds of these people, and it cannot be imparted to them by a mere change of sovereignty. What they are now they must continue to be for many generations, and the political power which their numbers and the popular character of our institutions will ultimately entitle them to exercise will have a strong tendency to debase our legislation, and may even control the

HOW ORIGINAL TERRITORY MUST BE GOVERNED.

LIBERTY LOVING PEOPLE.