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The "Taking" of Panama

BY THE U. S.

*Two Papers on the Subject by a
Native Colombian*

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A Letter Addressed to the Springfield (Mass.) Union

TO THE EDITOR OF THE SPRINGFIELD UNION:

Sir: As the acquirement by America of the right to dig the Panama canal has been the subject of several articles since Mr. Theodore Roosevelt published in *The Outlook* for October, 1911, an article to enlighten the people of this country about the way that he, as President at that time, acquired that right; and, in as much as his premises and information lack the true history of the situation that confronted this government at the time of that supposed acquisition of rights; and ignores the then existing treaty between this country and Colombia and the obligations contracted by this government, I think that it is right that a Colombian, who has lived here for over 30 years, should undertake to give to the public the facts that Mr. Roosevelt, either willingly or otherwise, has omitted in his article, in order that the American conscience may be enlightened thoroughly on the subject; and that any reparation, belonging by right to Colombia, should be granted without any grudging or reserve, notwithstanding the allegations of one interested in the approval of his acts as President at the time of the supposed acquisition of rights.

For many years previous to 1903, a French company, under the leadership of Mr. De Lesseps, had been trying to build the canal, under especial concessions of Colombia, and had spent several hundreds of millions of dollars without doing any work worth the amount of money spent, and finally had to give it up

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and to sell whatever they had in the Isthmus, represented in work actually done and in tools, machines and appliances to the United States, which then undertook the task of obtaining from Colombia the right to do the work under stipulations contained in a treaty signed in Washington by Mr. John Hay, as secretary of state, and Mr. Thomas Herran, as representative from Colombia. That treaty was submitted to the Colombian Senate under threats of dire consequences if it was not approved at once, which caused, as it was reasonable to expect from an independent and self-respecting body, the result that they refused its approval. It was at that time that Mr. Roosevelt, as President, took the thing in hand, and helped an insurrection in Panama against the constituted authorities of Colombia. This insurrection, bribing the small garrison of Colombian soldiers then existing there, proclaimed its separation from the mother country and the organization of a new republic, which Mr. Roosevelt hastened to recognize at once, ordering at the same time the admirals of the fleet in the Atlantic waters to prevent the arrival of Colombian forces to subjugate the rebels and their debarkation within 50 miles of the territory of the canal. Immediately afterward he entered into a treaty with the new republic, securing for the United States the right to dig the canal, and transferring to this country dominion over a piece of territory on either side of the canal, as projected, where the United States has been since exercising the rights of sovereignty and dominion as owners of the land which now is called the "zone."

This brief story of what passed then is of public knowledge, was related in all the newspapers of the time, and represents the real facts of the case. No-

body could deny its accuracy, not even Mr. Roosevelt, who in his article prides himself on what he did at the time, adding that "it must be a matter of pride to every honest American that the acquisition of the canal was as free from scandal as the public acts of George Washington and Abraham Lincoln," to whose names, as it seems, he wishes to link his own to posterity. I doubt much, however, that those illustrious patriots and wise Presidents, would, if they lived, assume credit for that performance of Mr. Roosevelt, and permit him to link his name to theirs.

Now, in order to understand what the position was of the United States, in its relations to Colombia, at the time Mr. Roosevelt "took" the Department of Panama from its sovereign and owner, I copy the stipulations contained in article 35 of the treaty of peace, amity, navigation and commerce between the United States of America and the Republic of New Granada (called afterward Colombia), dated December 12, 1846, existing in full force at the time: "AND IN ORDER TO SECURE TO THEMSELVES THE TRANQUIL AND CONSTANT ENJOYMENT OF THESE ADVANTAGES, AND AS AN SPECIAL COMPENSATION FOR THE SAID ADVANTAGES AND FOR THE FAVORS THEY HAVE ACQUIRED BY THE 4TH, 5TH, AND 6TH ARTICLES OF THIS TREATY, THE UNITED STATES GUARANTEES POSITIVELY AND EFFICACIOUSLY TO NEW GRANADA (NOW COLOMBIA) BY THE PRESENT STIPULATION, THE PERFECT NEUTRALITY OF THE BEFORE MENTIONED ISTHMUS, WITH THE VIEW THAT THE TRANSIT FROM THE ONE TO THE OTHER SEA MAY NOT BE INTERRUPTED OR EMBARRASSED TO ANY FUTURE TIME WHILE THIS TREATY EXISTS; AND IN CONSEQUENCE THE UNITED STATES ALSO GUARANTEES IN THE SAME MANNER THE RIGHTS OF

SOVEREIGNTY AND PROPERTY WHICH NEW GRANADA HAS AND POSSESSES OVER THE SAID TERRITORY."

It seems to me and to all candid readers of the above stipulation, that the act of Mr. Roosevelt, no matter how ingeniously interpreted or presented, could not be defended before the light of justice and of fair treatment of one nation toward the other, and that he trespassed and outraged the rights of Colombia in a manner that only the strength and power of the United States could have permitted toward a weak and unprotected country, who had trusted in her good faith and power to defend and protect her rights. It seems also incredible that the nation that had solemnly promised the guarantee of the dominion and sovereignty over the Isthmus of Panama to Colombia, should have been the first and only one that had violated that guarantee and promise, but that is the true history of the case.

The people of this country had not been informed at the time of the existence of the treaty, and of its solemn promises, engaged in by the United States, and have thus far remained silent and passive to the undertakings of their President and for that reason I have copied the principal stipulation of those contained in that treaty, hoping that public opinion, although late, will manifest itself through its proper channels, in rebuke of an act of the most scandalous violation of public engagements and promises ever executed by any power.

There is no excuse for this act, either in the importance of the work to be undertaken, or in the fact that Colombia was not in a position to undertake it herself, after the failure of the French company, because the opening of the canal was a work of years

and a few months of waiting was of no importance. If instead of sending that treaty to Bogota through a Charge d'Affairs, accompanied with a threat, the business had been intrusted to a competent and accomplished diplomat, I have no doubt that the Senate and the executive of Colombia would have given it all their attention, and very likely agreed to terms and executed that treaty, or a similar one, based on the terms proposed. But it was presented as an ultimatum, in military fashion, in the belief that a weak and comparatively small nation had no right to discuss or oppose the will of a powerful one, and that it was her duty to obey commands at once, and without any modification or change.

This contemptuous treatment of Colombia had no justification whatever, coming from the usually polite state department of Washington, but the course followed by the President afterward was a logical pursuance of the same, abusing and treating a friendly nation as if she were a nation of bandits, a name that he had used in his article to confirm this inference.

In the same number of *The Outlook* where Mr. Roosevelt's article is published, there is another article that very likely is of his own pen, where he congratulates the people of this country for the great achievement of the construction of the canal, but it seems to me rather premature to go on in that vein before it has been finished, tested and found to work all right. It should not be forgotten that the majority of the engineers, consulted as to its construction, was of the opinion that a level canal was preferable, but the President thought better of a lock one, which is to be opened for navigation next year. In this respect

there are some doubts yet which should be counted before entering into the field of congratulations, etc.

In the first place nobody knows yet how that big lake which is to be made out of the waters of the Chagres River, confined within the limits of the Andes Cordillera that crosses the Isthmus, will work in the tropical rainy season, and whether those waters, generally turbulent and riotous, could be made to work smoothly, without wiping out at some time or other the locks of the canal and the artificial masonry made to contain them within the limits of the lake. This test is very important and before it is made it is rather foolish and premature to go into raptures about the great work. The other point that also seems to have been forgotten is the danger of earthquakes, which in the Andes Cordillera are of frequent occurrence, and might in a few minutes destroy the usefulness of the canal; but these are incidental points which in the hurry of the construction have been set aside as was the ownership of the land and the formal engagement of this government to protect and guarantee the dominion and sovereignty of Colombia over the Isthmus of Panama.

I am, dear sir,

Yours very truly,

A NATIVE COLOMBIAN.

Springfield, February 8, 1912.

Reply to Strictures made by the Editor of the American Review of Reviews.

Mr. Albert Shaw, Editor of the "Review of Reviews," in its issue of last March, referring to the grievance entertained by the Republic of Colombia on account of the "taking" of the Department of Panama by the then President, Mr. Theodore Roosevelt, makes the following commentaries, upon the accuracy of which, I, as a native Colombian, take the liberty of dissenting:

First: That when the change of plans was decided upon, and the Hay-Herran treaty was negotiated in Washington, this was the most auspicious thing that had happened to Colombia in its entire history. That this change of plans was so fortunate for the people of my native land and promised such inestimable benefits, that when the treaty referred to above failed of ratification in Bogota, it was universally believed in this country that corrupt influences had been at work contrary to the best interests of Colombia and of mankind.

Second: That the people of the United States felt that Panama was fully justified in breaking away from Colombia and in accepting the protection of the United States.

Third: That the justification of what President Roosevelt did at the time was "clear," and that it has in any case been made "complete" by the hundreds of millions spent in constructing the canal, and above all,

by the triumph of America over tropical disease, this being the greatest boon conferred upon the world in a hundred years.

Fourth: That Colombia could not have made such use of Panama, but that she will derive for many generations to come great benefit from the Canal.

Fifth: That Colombia is a United States neighbor, that her pride has been hurt, and her people have a real and sincere sense of grievance that should claim the consideration of the people of the United States who have never for a moment meant to do anything which would not greatly benefit the people of Colombia, and that the United States ought not to open the Panama Canal without having first done everything to restore good relations with her.

Sixth: That the proposals of the representatives of Colombia that her claims should be arbitrated "are not feasible," because of the policy of the United States in promptly recognizing the Republic of Panama was within her rights as a Sovereign Power, and because all great Powers make alliances and assume positions that offend other Powers, but that these are not matters that can be arbitrated.

Seventh: That no American ought to consider himself competent to discuss the circumstances under which the United States recognized the Republic of Panama, and took possession of the canal zone if he is not familiar with the chapter that deals with that subject in Colonel Roosevelt's autobiography recently published.

Eighth: That the policy of the United States—withstanding the opinion of certain Americans who profess high ethical standards—who refer to the American policy of that period as discreditable, and

as something for which reparation and apology ought to be made, *was most commendable*, because Colombia at that time had no government except an arbitrary dictatorship, with no Colombian Congress in session for several years, and that the people of Panama would have been imbeciles if they had not withdrawn from Colombia at that time.

Ninth: That the opening of the Panama Canal ought to be celebrated in an atmosphere of international good will, etc., etc.

The above extracts taken from the article entitled "Progress of the World," in the said "Review of Reviews," were undoubtedly written under an erroneous impression or incomplete information regarding many facts that the editor of that magazine did not know, and I, as a native Colombian, feel that in order that the American people's judgment shall not be confused on that subject, take the liberty of addressing to them the following remarks, which I hope may aid to the enlightenment of the matter:

First: When the Panama route was adopted, and the Hay-Herran Treaty was signed at Washington, the United States Charge 'd Affairs at Bogota was instructed by the Secretary of State at Washington to push its approval by the Colombian Senate, adding that if it was not approved, without any change, the most awful consequences would be the result. This threat by one of the signers of the treaty was the principal cause of its non-approval by the Colombian Senate, and it is clear that no body of self respecting citizens could have acted otherwise in view of that unprovoked insult.

The assumption by the "Review of Reviews" that "corrupt" influences had acted in the refusal of Colom-

bia to approve the treaty has no justification of any kind, and it is the first time that we hear of such a charge.

Second: The people of the United States had no time to think that the Panamenos were justified in breaking away from Colombia, as the insurrection that started in Panama through the bribing of the Colombian garrison there had no sooner proclaimed its independence than the President of the United States had recognized the new Republic and I am sure that the majority of the people of Panama, and I may say the ninety-nine and nine-tenths of them, had no idea of their breaking the links that united them to Colombia, and it was a surprise to them to hear that a new government had been established and had been recognized by the United States.

Third: Although the digging of the Canal to connect by a short-water route the Atlantic with the Pacific Ocean was a very desirable achievement to the world at large, I do not see in what way it could justify the act of President Roosevelt in helping the insurrection that brought about the separation of Panama from the mother country and the taking away of the land without compensation, nor do I see how the millions spent in digging the Canal can make "complete" that justification, nor even the boon conferred upon humanity by controlling tropical disease in that region.

Fourth: It is true that Colombia alone could not at any time have undertaken the digging of the Canal, but I do not see the benefits that she will derive from it "for many generations to come," outside of the shortening of the distance to communicate with this country and with Europe and the Orient, benefits that are common to all other countries situated in the same

or different positions. Some sixty or more years ago when the Panama Railroad was opened to the service of the international commerce of the world, the opinion was advanced that the then Republic of New Granada, now Colombia, would benefit immensely from that route; but the fact was that she saw the trains crossing from one side of the Isthmus to the other carrying merchandise to and from the people of the Pacific and of the Atlantic Oceans without leaving the slightest trace of its transit to benefit the people of Colombia or even of Panama. It should not be forgotten in this connection that it is the energy and work of the people that make their prosperity, and that if new transit routes bring them nearer to each other they do not gain more than the cheapening of the transportation charges, which by themselves do not make prosperity. When the Canal is opened Colombia will see the ships of the world pass through it, carrying to their destination the merchandise and products of the different countries south and north of her, but it is doubtful whether they will leave anything to benefit Colombia that may outweigh the actual traffic that is carried over the Panama Railroad for her possessions on the Pacific and the Atlantic Coasts.

Fifth: The feeling expressed in this paragraph, and the wishes entertained that the United States should not open the Panama Canal before restoring to a good understanding her relations with Colombia, are to be commended as being generous and just, if by them is meant the desirability of satisfying her just claims for the injury caused her by the loss of one of her richest provinces and of the *Reversionary rights* belonging to her in the contracts existing at the time with the Panama Railroad Company and with the French company that undertook and failed to build the

Canal. Those rights which the writer of that article ignores, represent values of great consideration, that cannot be set aside by the United States without compensation and should be studied by writers trying to influence public opinion.

Sixth: I do not understand why the proposals of the representatives of Colombia that her claims should be arbitrated, if not satisfied, *are not feasible*, because of the United States having recognized the Republic of Panama. Precisely on account of that precipitate recognition her responsibility for the injury done to Colombia is more pressing and clear and if as a great Power her offenses should be condoned, the code of morality governing the nations of the world should be made over, declaring that the weak Powers have no redress against the powerful ones, whose offenses are not matters that can be arbitrated.

Seventh: I am also at a loss to understand why no American can consider himself competent to discuss the circumstances under which the United States recognized the Republic of Panama and took possession of the Canal zone if he has not read the chapter that deals with that subject in Colonel Roosevelt's autobiography. I have not read that chapter, but I am sure that whatever the Colonel says, any American, and by that matter any man of any nationality can very well call things by their names and apply to the "taking" of Panama the severe blame that corresponds to the man who being the President of this Great Republic, which by a solemn treaty guaranteed the sovereignty of Colombia over the territory of Panama, did deliberately and brazenly break that promise, a most scandalous proceeding that still sounds

discreditable to the ears of decent and respectable people of this country and of the world.

Eighth: That Colombia at the time of the "taking" of Panama had no government, except an arbitrary dictatorship, is news to all the world. It is well known that Mr. Jose Manuel Marroquin was then the Constitutional President of Colombia and that he transmitted to the Senate, in session at the time, the text of the Hay-Herran Treaty, which having been rejected by that body, was followed by the bribing of the Panama garrison, and the proclamation of the independence of that department, which was constituted into a Republic that Mr. Roosevelt hastened to recognize 48 hours after its foundation.

Ninth: It is also to be commended as right and proper that the opening of the Panama Canal should be celebrated in an atmosphere of international goodwill; but to accomplish that, it is paramount that the claims of the old owner of the lands through which it has been built, should be thoroughly satisfied without leaving behind any trace of the scandal that brought about the ownership of the United States of that piece of territory, which was "taken" from Colombia by treason and by an abuse of power which no mere words can ever justify.

M. CAMACHO ROLDAN.

Yonkers, May 21, 1914.

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