

A FEDERATION OF CENTRAL AMERICA

Guatemala, Honduras, Salvador and Costa Rica to Unite.

Articles of the Proposed Constitution—Former Attempts and Their Failure—Local Autonomy Provided For.

The Legation of Guatemala, Washington, D. C., June 22.—The following article, entitled, "The Federation of Central America," written by Philip Marshall Brown, who spent many years in the diplomatic service of the United States and is well known as an authority on international law, is published in the latest issue of the quarterly, "The American Journal of International Law," The Federation of Central America.

At a time when the spirit of nationalism is disrupting ancient empires and rendering more difficult the task of international organization, it is a great relief to find a group of nations abandoning their separate existence to form one united nation. It is a special pleasure to witness this happy event on the Western Hemisphere, whose interests have been too much ignored in the past ideal for international unity.

The recent decision of Guatemala, Honduras, Salvador, and Costa Rica to join the Federation of Central America is of considerable interest and importance. The failure of Nicaragua to join the Federation is most lamentable, but there is reason to believe that her entrance into the union is only delayed by certain diplomatic complications which should be speedily removed.

The constitution of the federation has many features suggesting the American institution. An even larger degree of local sovereignty is left to the separate states, as is disclosed in Articles III and IV, reading as follows:

Article III.—In so far as it may be consistent with the Federal Constitution, each state will preserve its autonomy and independence in the handling and directing of its domestic affairs and all powers not vested in the Federation by the Federal Constitution.

Article IV.—So long as the Federal government, through diplomatic action, shall not have obtained the modification, denunciation or substitution of the treaties in force between the states of the federation and foreign nations, each state shall respect and continue faithfully to observe the treaties that bind it to any one foreign nation or more to the full extent implied in the existing agreements.

The purpose of Article IV may be to cover the peculiar case of Nicaragua, which finds itself compromised by the van-Chamorro Treaty of 1916, whereby the United States gained important privileges, including the right to construct an inter-oceanic canal and to maintain a naval base in the Gulf of Fonseca. It may also cover the special obligations assumed by the United States toward the actual government of Nicaragua, with regard to financial intervention in the domestic affairs of the country.

The provision in the constitution of the Federation regarding the executive strongly suggests the Swiss model—in that: "The executive power shall be exercised by a federal council composed of delegates elected by the people." It is understood that the chairmanship of this council will rotate from year to year among the states comprising the federation—a solution most conducive of harmony.

Provision is made for the creation of a federal district—a most delicate and difficult problem. In view of the fact that by the Treaty of Washington in 1807 Honduras was neutralized as a kind of buffer state, it would seem logical that it should either form the federal district as a whole or part of its territory.

Regarding the question of finances, the federal constitution provides: "The federal government will administer the national public finances, which will be different from those of the states." It is not clear from this provision just what arrangements will be made to cover the foreign indebtedness of the separate states—which, in the case of Honduras has been estimated at some twelve millions of dollars.

The separation of the five republics of Central America has been quite as absurd as if Rhode Island and the other New England States had attempted to exist as independent sovereign nations. Costa Rica, with an area of 23,000 square miles, has a population of less than 200,000. The total population of the five republics is about five million, that is to say, a third of that of Mexico, with about a fifth of its area.

The disturbances and dissensions in Central America have long caused the United States great embarrassment, and compelled repeated intervention. At the present moment American marines are actually stationed in Managua, the capital of Nicaragua. Owing to the problem of an interoceanic canal, and to the Monroe Doctrine, the relations of these countries with European nations have caused great concern. For a good more than half a century the United States and Great Britain were embroiled and snarled in their relations over the question of an interoceanic canal. The momentary Clayton-Bulwer Treaty contained a momentous breach of the Monroe Doctrine, and the United States did not regain its liberty of action until the Hay-Pauncefote Treaty finally extinguished in 1901 the right of British intervention in Central American affairs.

The original union of the five Spanish provinces of Guatemala, Salvador, Honduras, Nicaragua and Costa Rica, at the time of their revolt from Spain, was really of a perfunctory nature. They had been isolated from each other and enjoyed a large degree of autonomy. They gravitated politically to Madrid rather than to Guatemala, the seat of the Real Audiencia, and were actually presented by official deputies in the Cortes of 1812. The union did not rest on a realization of intimate interests and needs. It dragged on a precarious existence until 1839, when the heroic Morazan lost his life in a supreme effort to hold it together by the sheer compulsion of arms.

Repeated efforts have been made to restore the union. Guatemala, Honduras, Salvador, and Nicaragua maintained a quasi union from 1843 until 1848. In 1850, and again in 1895, Honduras, Salvador, and Nicaragua proclaimed this union, but in both instances the attempt failed because it

savored of a political alliance directed against their neighbors, Guatemala and Costa Rica. General Rufino Barrios, the distinguished Guatemalteco, made a bold attempt in 1885 to restore the union and lost his life in his patriotic endeavor. The United States was the host of a conference of the five republics, held in Washington in 1907, to consider their mutual interests. The restoration of the union was eloquently urged by some of the delegates but, owing to adverse political conditions in Central America, seemed out of question at that time. The foundations were laid by this conference, however, for advantageous understandings concerning such matters as currency, commercial relations, intercommunications and citizenship laws. A Central American Court of Justice was established at Cartago, in Costa Rica, which seemed to give promise of great results. Unfortunately, the political and diplomatic standing of the judges did not permit the court to function as a strictly judicial tribunal. The work of the Washington Conference, however, may be said to have constituted a great step in advance toward the goal of reunion.

The desire for the restoration of the union is undoubtedly a popular desire in so far as there has been any real opportunity for an expression of public opinion on the subject. There has long existed among the well-to-do and better educated a strong sentiment in favor of the union. In recent years numerous organizations have been formed to bring it about. A group of students have recently made a passionate appeal to the United States to facilitate the union by withdrawing the marines from Nicaragua. Honduras still uses as its official seal the infelicitous symbol of the union—five flaming volcanoes. And several of the constitutions of these republics expressly provide that their independence is to be deemed temporary in character pending the restoration of the union.

The reasons why the union could not be maintained or easily revived are readily understood. First of all, their inaccessibility. No direct rail communication yet exists between any two of them, though, in the case of Salvador, a connection with the Caribbean port of Puerto Barrios in Guatemala is an urgent necessity. Travel between these countries is mainly by mule across high mountains and swift rivers, or by steamers along coasts ill provided with good harbors. The completion of an adequate system of railroads connecting all the republics and forming links in the grandiose scheme for a Pan-American railway is an imperative reason for the restoration of the union. The task of railroad construction is quite beyond their individual initiative and resources.

These obstacles, namely, inaccessibility, factional intrigues, and a disinclination for a too exacting political partnership, are evidently not now regarded as seriously as in former years. This is due primarily to the consciousness of a genuine community of interests among the five republics. They speak the same language and love the same literature. They possess poets of high rank. They profess the same religious faith—if they profess any at all—and refer to each other as coreligionaries. They have the same customs and traditions. They have the same political instincts. What is of special importance, they have the same fear of foreign intervention.

The step just taken by the four states of Central America may prove an inspiring precedent for many other nations to follow.

PHILIP MARSHALL BROWN.

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