

THE REVOLUTION IN PORTUGAL AND INTERNATIONAL LAW.

The revolution in Portugal irresistibly directs attention to some leading principles of public international law. It is the privilege of every State to adopt any form of government it deems best suited to its internal wants and conditions, and its identity is never lost so long as its corporate existence is preserved. While that is preserved no internal revolution can diminish any of its rights or discharge it from any of its obligations. Neither a change in the person of its ruler nor a complete transformation in the internal organization of its government can affect the treaties or public debts of a State so long as the corporate identity remains. It can be safely assumed that the corporate identity of Portugal has not been affected by the revolution. How, then, does Portugal stand in her relations with other sovereign States? All States are forced in their actual dealings with each other to accept the doctrine that the government *de facto* must finally be recognized. Dr. Hannis Taylor, the eminent United States jurist and former Minister Plenipotentiary to Spain, writes: "Even in monarchical countries, in which ideas of legitimacy and Divine right are at the root of State institutions, while there is a greater prejudice against the acceptance of a new régime founded on revolution, it is practically impossible for their administrators to hold out against accomplished facts. While the European governments refused to recognize the French Republic of 1792 because of its instability and objectionable character, they found it convenient to recognize successively the revolutionary governments of Louis Philippe in 1830, of the Republic in 1848, and of the Empire in 1852": Taylor's *International Public Law*, p. 196. The recognition of the government *de facto* of Portugal very clearly falls within the application of the doctrine thus expounded and illustrated.

The effect of the revolutionary change in the person of its ruler in Portugal on the status of diplomatic agents may be thus outlined. If after a Minister, as in the case of the Portuguese