

of the civilization of the States and the development of their security will promote a corresponding expansion of the Law of Nations, commensurate with the present evolution of the municipal jurisprudence; and responsibility will then be founded upon a more practical basis, in order to achieve in the end, throughout the world, the assumption of inter-State risks. The main reason for the expansion of international law along these lines, is the great disparity between municipal and international law. The evolution of the law along these lines should be uniform. The blunders of public organs should be governed by the same principles, both within the State and among the States. At this time, of course, this problem is in a state of evolution, and it could not very well be rendered into code form with radical solutions. The authorities are divided on this point, and it has been only just recently that the trend of international usage has gradually dissipated the former extremely subjective doctrine. Also, there are certain relationships in which responsibility arises entirely independent from every subjective element. There are certain acts which cannot very well be classed as acts of the State, but quite properly similar to them, on account of having been performed by its agents while exceeding their legal authority, or improperly using their office or the means thereof; and these cases are deemed to entail objective responsibility, inasmuch as the preservation of peace among the nations of the world requires such guaranty from the State. This is the view adopted by some of the authorities. Others recognize responsibility only in cases of negligence in general, or certain of its forms. Finally, other authorities deem that the essence of international obligations, which are merely rules of international conduct, imply the conception of culpability in their breach, and makes its separate consideration utterly immaterial. These various views tend to show that the international sphere is at present in a stage of evolution which demands the utmost tact in the task of rendering its juridical principles into code form.