

Washington, without leaving room for interpretations of good or bad neighborhood policy, that "behind the dollars go the battleships". While in the XVII century, on the contrary, the frigates with their corsairs and buccaneers went first, clearing the way and taking positions. Behind them came the merchandise.

SMUGGLING AND PIRACY CONSIDERED  
A HIGH RANKING PROFESSION

**T**HUS came to an end the XVIIth century, during which France was ruled by Henry IVth, and his wife Mary of Medicis, and his son Louis XIIIth, and his grandson Louis XIVth, until the smallpox put an end to the latter's life in 1715.

And the Seigneur La Ravardiére, appointed nothing less than General Lieutenant of the Guiana, and many knights of Malta, and always Richelieu with them, and later on Mazarin winking at them and urging them on, for the glory of France and of His Majesty "le Roi Soleil".

And a certain Bretigny, who completed the foundation of Cayenne, initiated by La Ravardiére. And the buccaneers who seized Haiti, until Spain ceded that part of Santo Domingo to the King of France, in all of which the English were involved.

And d'Esnambuc, who amicably divided the island of San Cristóbal with the British. And Philippe de Lonvillier de Poincy, who was sent from Paris "with a large guard and court" (Germán Arciniegas: "Biography of the Caribbean") to govern the Martinique, Guadalupe and eight or nine islands more which are still today in the hands of

France. For these arrangements there were no longer to be great difficulties with Spain, since the two branches of the Bourbons who were to govern both countries during the following century, put themselves together to settle, in Madrid or in Versailles, the "small conflicts of the Caribbean". (Family Pact of 1761).

As regards the Netherlands, who had finally attained their independence from Spain, owners of a merchant fleet more powerful than that of France and England, they rather favoured trading on a large scale, whether legal or illegal, always trying to avoid armed conflicts. And, in one way or another, the Dutch began to make themselves at home on the outskirts of the Venezuelan coasts. The already mentioned islands of Curaçao, Aruba and Bonaire, together with Paramaribo and San Eustaquio in the Guiana, fell little by little beneath their power.

Needless to say that the great-greatgrandfathers in ten or more generations of the subjects who with so much affection witnessed the rule of the ex-Queen Wilhelmina, now under the protection of Queen Juliana and her Prince Consort, did not beat about the bush when it meant attacking Spain. When it meant facing that country, in other words, not with smuggled merchandise nor with the fine merchant vessels that filled with their sails the maritime horizon of Amsterdam, but with cannons and shells.

It goes without saying that expeditions of this latter nature could generally count on the support of the British and their well equipped frigates, vessels and major ships. Exactly the same thing that we observe in our days, first with Chamberlain, then with Mr. Churchill, now with the

Labour Party, and with Queen Wilhelmina, and with Queen Juliana, in order to get rid of Indonesian, Greek and even Hebrew "communism", in spite of all that has been discussed and recommended by the United Nations!

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For brief guidance it may be useful, in connection with the Guiana and surrounding islands, to recall some of the more important encounters, that is:

Expedition of the British and Dutch in 1629, sent to the Orinoco on nine large vessels by the afore-mentioned Company of the West Indies. The Spaniards, impotent to resist these forerunners of the twentieth century piracy of Lord Deterding—specialized at present in the suction of oil—set fire themselves to the city of Santo Tomás and retired Orinoco upwards.

Another joint expedition: "The very terrible and frightful" one of 1637, also directed against Santo Tomás, rebuilt with the greatest efforts and sacrifices by the creoles. The attackers plundered and devastated the city in such fashion "that not even cloth remained to shroud the dead. They even made off with the Holy Sacrament, as war booty, those lutheran heretics!" (Mario Briceño Iragorry: "Tapices de Historia Patria".)

Once more we find the Dutch off Santo Tomás in 1640 and the English in 1664, "taking the city by assault and delivering it to the flames". Two years earlier the Dutch had also assaulted the Margarita. The point was not to lose Curaçao and other nearby islands, and for this purpose they even attempted to get a foothold "in the salt mines of the Unare and Cumaná". (Book quoted above). But they were put to flight by the vigour and

dexterity of don Juan de Orpín, Governor of the Province of the Cumanagotos.

Simultaneously the French and English routed each other in Maracaibo, La Guayra, Coro, Trinidad, Puerto Cabello and other regions of the present Venezuelan territory, which will not be recorded in this work in order not to go too far afield from the Guiana. It will be sufficient to mention that among the principal corsairs of the different Majesties the outstanding figures were Mr. Henry Morgan in person, the famous captain Christopher Mings, the bloodthirsty William Jackson, who executed direct orders of Sir Robert Rich, Earl of Warwick, one and all of them unofficial representatives or *delegates*, without written credentials, of His Britannic Majesty.

On behalf of Louis XIV, "involving God in their merciless enterprises with *Te Deums Laudamus*", the most horrible fame was acquired by the members of the brotherhood "Frères de la Coste", by the filibuster and nobleman Montbars the Exterminator, the corsair Francis David Nau, "the Parisian Grandmont de la Mote, called *le Chevalier du Grand Mont*" and even by the very Illustrious Marquis de Maintenon, "authorized by Louis XIV to pillage the ports of America".

As can be observed from these names and those quoted previously, the business of smuggling and piracy was not left to the plebeyans, but constituted an honourable profession which led to the granting of titles of nobility and to Admiralship. In the list figure the best and choicest of those days of audacity and ostentation. The elite, one might say, of European civilization in the XVIIIth century!

THE DUTCH GUIANA IN EXCHANGE FOR WHAT  
TO DAY IS NEW YORK

TOWARDS the end of these bitter struggles transplanted to seas and lands of the new world, Spain and France arrived to occasional understandings, while the Dutch continued with their rivalry and fights against England although, also occasionally, they gave her their co-operation.

Together they had discovered and colonized a goodly part of the territories in the North of the Continent. To such a degree, as far as Holland is concerned, that New Amsterdam—which was later to be New York—and the provinces of New Jersey, Delaware and Pennsylvania originally belonged to her. They passed into the hands of England without any chance of resistance in 1664, when a British fleet of assault appeared suddenly in the waters of the Hudson and the East River, demanding unconditional surrender from Peter Stuyvesant.

Subsequently a peace treaty was signed, under the terms of which the British charitably consoled the Dutch, offering them as a compensation the Colony of Surinam, in exchange for what they had to give up. It must be said that the Government of His Majesty—like Chamberlain from 1935 to 1939 with his apportionments of appeasement—had the kindness to permit Holland to remain in America with part of the Guiana.

On the other hand the English had to fight very hard against France for the possession of Canada, where the Bourbons had built good fortifications at the mouth of the St. Lawrence, as well as in the Southeast "key" territories of the Mississippi and the Louisiana.

No historical data will be given, in this mere sketch, as to how France, in the following century (1754-1760) lost her colonial possessions in the North. For our purpose it will suffice to note that she was obliged to beat a retreat, losing at later dates, due to treaties of bargain and sale between Paris and Washington, what she had still been able to retain.

ENGLISH, GERMANS AND DANES IN THE  
VIRGIN ISLANDS

IT would be a mistake to conclude this survey covering almost two hundred years of armed European conflict, on lands and seas of America, without mentioning that the Scandinavian countries, concretely Denmark, also had her finger in the pie. The pie, in this case, was the business of hunting negroes in the Congo, branding them, weighing them, selling or using them in the island of Saint Thomas, which they were able to occupy without any difficulty. Subsequently the Danes took possession of the Cangrejo, Santa Cruz and San Juan islands pertaining all of them to the group known under the name of Virgin Islands.

In order to do everything *within the law*—the law of the XVIIth century—the Scandinavians in turn, following the custom of the British slave dealers and the Netherland traders, established their own and brand-new limited company: the Danish Company of the West Indies.

The investment proved so profitable that in 1680 the royal shareholders of Copenhagen acquired the partnership of the Grand Elector of Brandenburg, Frederick

William of Hohenzollern. Twenty years later this Grand Elector was to have himself proclaimed almighty King of Prussia, to the Nordic joy of those blond and partly Carolingian people. Carolingian by descendency from Charlemagne, son of Pepin the Short and of Bertha of the large feet!

It was too late, however, when the Germans joined in the banquet of the Antilles, prepared with rum, blood, the sweat of slaves, drums and dances from the centre of Africa, curses of pirates, bubbling pipes and tobacco smoke. In the long run Prussia and Denmark were unable to come to terms, the Germans preferring to withdraw and leave the Virgin Islands freely in the hands of their partners or rivals.

As a result of negotiations already in our times —the American preponderance!—, which started on August 4th, 1916, solemnly ratified on March 31st, 1917, the Danish Virgin Islands changed owners. (House Docs., 65th Congress, 2nd. Session.—Vol. I, 1917-1918). They were sold to the United States for 25 million dollars.

But in the Sotavento part of the aforesaid archipelago, England remained and continues to remain with the Tórtola, Anegada, Virgen Gorda, Van Dyke islands and thirty more, on very friendly terms with Denmark as long as they were Caribbean neighbours.

And in exemplary harmony with the new owner of the same ethnical lineage, English language, similar customs, sun helmets, highballs and ham and eggs!

The negroes, in the meanwhile, privileged subjects of His British Majesty, continue to this very day sweating in

the sugar mills and plantations, drinking rum, beating the tom-tom and dancing the rhythmical dances of their ancestors, until they drop, exhausted, throughout the warm tropical night.

#### MISFORTUNES OF ENGLAND AND SOMETHING MORE ON JAMAICA

ON previous pages a succinct account was given of what England was able to obtain in the course of her continuous warfare against Spain; her ruptures and alliances with the French; her rivalries or her "ententes" with the Netherlands. But it may perhaps be worth while to add to this chapter, also in brief outlines, some notes as to what England was unable to achieve in the XVIIth and beginning of the XVIIIth century.

In order to understand, for instance, how England succeeded in taking possession of Jamaica, it is of interest to point out the misfortunes suffered by a strong nucleus of Puritans who believed it possible to find Paradise on earth in the Providence and San Andrés islands, facing the coast of Panama.

This British group was under the patronage of the Earls of Warwick and of Holland, the former having already been mentioned as protector —some years later— of Morgan, Jackson and so many other buccaneers. From Massachusetts the expedition set sail on board the "Seaflower", accompanied by a certain Mr. Elfrith, a smuggler acquainted with the region, in the capacity of technician, counsellor and steward.

The British Crown, as did likewise the Puritans whose

mouths were watering from Mr. Elfrith's descriptions, thought that once those islands had been taken it would be easy to conquer Central America, from Yucatán to the Darién.

They arrived, established themselves, became acclimatized and even built their small bungalows; and once installed the settlers began to send for their wives, together with such slaves as their means permitted them to acquire.

The first years elapsed peaceably for the noble Puritans, with the Tortoise Island as a supply station—for which reason they called it the island of the Porks—and with that of San Andrés as a small supplementary paradise.

So safe did the business appear to be that the enterprise organized by Warwick and Holland, a stock company as prescribed by the rules, increased its capital several times, sold thousands of shares and could even permit itself the luxury of offering—for the near future—substantial dividends.

And nobody was doubting any longer that the success was complete when Great Britain, from Providence, decided to "deal a blow to the Catholics" by taking from them the Central American Isthmus. And if the Crown hesitated they alone, the well equipped and fortified Puritans, would organize on that strategic territory "an independent republic, under its own flag!"

But it came about that Spain, as soon as she was in condition to face the English in those latitudes, with ships launched from Cartagena and Panama, dispelled their dreams and illusions. The confident and industrious Puritans, in less time than it takes to say Jack Robinson, found

themselves obliged to go back to Massachusetts, with their wives, their slaves and the great number of bibles which they used to read daily.

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This severe blow, similar to that suffered some decades later by the Scotch of Patterson and Erskine—with their other famous colony in the Darién—produced such a sensation in London, and such a British desire to "punish the Spaniards, those Catholic dogs", that *the enemies of the Pope* decided to constitute a new and more powerful company.

It was then that Oliver Cromwell issued categorical instructions to "pulverize Spain in America, preferably in Santo Domingo or Puerto Rico". Subsequently the English were to assault Cartagena, Panama and other cities of the mainland, without neglecting on their way to take the ports of Havana and Santiago de Cuba.

Later on this ambitious plan was to be put into practice by the barbarous Morgan, at least as far as destruction and pillages are concerned. But what was to be done by the future great pirate could not be carried out by the 2,500 Englishmen of this expedition who, on 38 vessels, under the orders of Admiral William Penn and General Robert Venables sailed with great pomp from Plymouth, towards the middle of the century.

The soldiers of Cromwell did indeed attack Santo Domingo, the number of invaders having been increased by more than four thousand adventurers from Barbados and other neighbouring islands.

God save the King from what happened there! So great

were the losses suffered by the subjects of His Majesty, "badly commanded and in open hostility one against the other" that if the Spanish Governor, Count Peñalva, "had disposed of one thousand soldiers instead of barely a few hundred, not a single Englishman would have remained alive".

And it is thus that this new defeat of the British gave rise to the conquest of Jamaica. With their troops cut to pieces Admiral Penn and General Venables boarded their ships in all haste. And as they could not well return to London without risking execution at the hands of Cromwell, they saved their heads thanks to the fortunate idea of swooping down on the above-mentioned island of the West Indies.

Its territory was only inhabited by a few Spaniards, and the garrison maintained there by the Madrid Government was insufficient to protect them. Consequently the English disembarked, with that great mass of buccannars who were soon to turn Jamaica into their headquarters in the Caribbean.

We have already seen on previous pages how it was to become the best organized centre, the main lair of the pirates who, throughout the remainder of the century, and with the official support of the Crown, were to mercilessly devastate the Spanish-American new world.

#### HOUNDS TO HUNT NEGROES AND CROMWELL'S BIBLES TO CONVERT CATHOLICS

**N**OBLE England, however, was desirous of purifying so many villains. The author of the "Biography of

the Caribbean" explains how Cromwell "inspired by religious fervour", conceived the idea of turning Jamaica "into the Protestant lamp of our America".

In order to achieve such religious ends with that human material, frankly estranged from all spiritual habits, the same book alludes to a famous Decree of the English Governor, dated August 14th, 1656, wherein he commanded the distribution of 1,700 bibles among the soldiers.

And Arciniegas transcribes another Edict of the said authority, issued on the 16th of August, 1659, possibly dedicated to the memory of Oliver Cromwell deceased a few months earlier, reading: "That from the funds of the Treasury 20 pounds sterling be paid to John Hay, representing the value of fifteen hounds supplied for hunting negroes".

As can be observed, the Holy Scriptures and the *slave-trading practices* went hand in hand among the cultured civilizers of Great Britain. But not negro slave-trading alone! Orders were given by the Prime Minister in person, when he was still alive, as a measure of salvation, to round up vagabonds and prostitutes in England itself for the purpose of deporting them to Jamaica and Barbados. "There the owners of the plantations would be permitted to buy and use them for five years, it being understood that the term vagabond comprised prostitutes, Catholic priests and those young men and girls who should have the misfortune to profess such an abominable religion".

The main hunting of white slaves was carried out among the Irish, and even among respectable ladies and gentlemen of Scotland, for rebelling against the regime of London. The owners of the plantations would pay in both

islands up to 1,500 pounds of sugar per head, "particularly in the case of pretty and well-favoured young girls".

Thus English life came to the island of Jamaica, discovered by Columbus in 1494, colonized by Spaniards since 1509 and assaulted by buccaneers of Great Britain a century and a half after its discovery.

Thus it was born and began to grow, to such a degree that "from 1645 to 1667 the population of negroes had increased from 5,680 to 82,323" (book quoted above), undoubtedly because it was cheaper and easier to buy African slaves than "white vagabonds, priests or Catholic prostitutes".

The racial proportion continues to be the same, since in 1948 Jamaica has 1,350,000 inhabitants whereof scarcely 15,000 —officials and landowners in their majority— belong to what the Fuehrer Hitler called the superior race.

It is logical to imagine the superhuman efforts made by Spain to recover the 4,450 square miles which form the territory of Jamaica, when seeing above all that the great enemy power had turned it into a centre of pirate operations against the Spanish Empire.

But the old catholic monarchy was unable to recuperate this important island of the Antilles and was finally obliged to cede it to England in 1670. That year a new peace treaty was signed (Treaty of Godolphin) one of the many closed by Madrid and London today, only to renew hostilities tomorrow, open or cloaked, in Europe, America or in the midst of the ocean furrowed by the laden galleons of the Spanish power.

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While the English succeeded in making themselves the

masters of Jamaica, as well as, more to the North, of the Bahamas or Lucayas, whose island of San Salvador was the first American soil on which Columbus set foot (1492); and while they also succeeded in seizing, among other strategic positions, the afore-mentioned part of the Virgin Islands, of no avail, on the other hand, were their fights to gain a foothold on the mainland, colonized by Spain or Portugal.

And even less in the great cities of the interior situated on the plateaux of the Andes, whose civilization, material and spiritual strength were sufficient, in those times, to resist the onslaughts, however violent, of the pirates of any enemy power!

As it is not possible to include in these notes more than a brief outline of the interminable warfare waged by England against Spain, sufficient be it to indicate that when the Honourable Mr. Morgan died in 1688, and the situation of his already aged corsairs was consequently weakened, the destructive force of the British in the ports and waters of this new world gradually waned.

Therefore at the beginning of the XVIIIth century, and notwithstanding the naval supremacy of England, since the long-distant days when the Invincible Armada was sunk (1588: a little over a century), the British once more suffered serious reverses in different points of Spanish America, as will be reported in the following chapter.

CHAPTER IV

HOW THE SPANISH-AMERICAN  
CONSCIENCE BEGAN  
TO BE FORMED



THE CREOLE AND THE MESTIZO WERE ALREADY  
FIGHTING FOR THEIR OWN IN THE LANDS  
OF THE NEW WORLD

THE explanation of this phenomenon seems to be so clear that neither complicated interpretations nor precise data are necessary for the purpose of realizing what happened. In reality the fight was no longer carried on by Spain only. Gone was the folly of Charles II the Bewitched, fortunately deceased in 1700, which had reached the degree of proposing the splitting up of the Spanish Empire among the enemy nations. Nor were the close family ties between the two Bourbon branches, the French and the Spanish, to constitute any longer a decisive factor for the disposal of these American lands, in accordance with their treaties and mutual convenience.

The situation had changed. Now battles were being fought, and bravely, on their own behalf by the new countries which were beginning to take shape on this side of the ocean. Or, to be more concrete: by the creoles, the half-breeds and inclusively strong nuclei of mulattos and converted natives, social states in which a precise sense of cohesion and mutual assistance was beginning to prevail.

The protoplasm or germ, one might say, of Hispanic-Americanism —future thesis of Bolívar and of all our best

men— today as yesterday susceptible to close understanding with the encouraging and optimistic *good neighborhood Panamericanism*; but firmly opposed to the contemporary Drakes and Morgans of the Anglosaxon domination, in spite of all that has been said to the contrary by false politicians or certain so-called statesmen who, winking slyly at each other, attempt to mislead the faint-hearted, even the American State Department itself!

With this new vision of what was their own our ancestors defended not only the metropolis but, above all, their cities, their villages, their patrimony, their churches, their missions; their royal and pontifical universities, of which there were already several; their faculties of Theology, Canon Law, Latin and Rhetorics; their seminaries and primary schools; their Grammar of Nebrija, finally, symbol of a language, a culture and a race: this civilizing handbook which reached our shores in print with the first caravels of Columbus and the brothers Pinzon.

In other words, the terrible epoch of the arquebus, armors, swords and bloodthirsty hounds employed by the Conquistadores as beasts of prey against the rebel Indians, had passed and given way to a new Spain in America: that of Miranda, Bolívar, Bello, Caldas, San Martín, the learned Valle, Nariño, Carrera, O'Higgins, Freyre, Rivadavia, Hidalgo, Artigas, Morelos, Sucre and other great men of our glorious generation of 1810.

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To this respect Mario Briceño Iragorry, in his "Tapices de Historia Patria" writes sentences such as these: "Once prepared militarily the vigour developed by the creoles as a result of so much fighting, opposed itself gloriously to

the enemy. In 1703, 1739 and 1743 La Guayra was able to resist the fleets of England and the Netherlands; and when the British Commodore Knowles attacked that city on March 2nd of the last-mentioned year its inhabitants, far from losing heart at the sight of the enemy, vied with each other in the fulfilment of their duty".

The above-quoted historian then goes on to explain how it was possible to achieve that "glorious victory over a British fleet formed by 19 vessels". And connecting, as can be imagined, such a splendid event with the colonial methods of Spain and England, notwithstanding all that has been proved as regards the cruelty of the first "conquistadores" and "encomenderos", he adds:

"They (the English) came to plunder our treasures and steal the ingots which the galleons carried to the metropolis. Their intention was to destroy, not to create, but their acts furnished the creoles with an adequate occasion to sharpen their civic conscience. From the blows of steel against steel arose the differential notion of nationality, and above the bitterness of battle soared, as a symbol of the future, the ideal of the new Fatherland".

"Subsequently —he ends— that vigour and that conscience opposed themselves, with glory and success, to the metropolis itself and its absorbing system, in order to build up the future in a world of liberty and democracy".

This new Hispanic-American conscience explains, likewise, the simultaneous English defeats, when the expeditions of Admiral Vernon (1739-1741) were shattered by the heroism of Cartagena de Indias and, again, of La Guayra; and the final disasters of Admiral George Anson, whose battleships, which were cruising in the Pacific at about

the same time, had to content themselves with attacking the Vessel or "Nao" from China and robbing Spain of the valuable cargo consigned to the Port of Acapulco.

## NEW BRITISH "TACTICS"

FROM then onwards England resorted to "new tactics", the essential purpose of which was to protect and extend her own colonies in North America, and the security of her key positions in the rest of the world. She was thus to attack France, as already mentioned, in Canada and Louisiana, availing herself of her military force, as she had already done with Holland.

And as regards Spain, to return to our subject, the "new tactics" in question could already be observed at the Peace Treaty of Aachen (1748), to the tenor of which certain concessions granted to England by the Peace Treaty of Utrecht (1713) were ratified. Here in Utrecht the English asked for "tolerance" on behalf of their industrious compatriots, who were cutting wood in Belice without the permission of Spain.

Among said ratified concessions we should quote the surrender of Minorca to Great Britain, her sovereignty over the Rock of Gibraltar and the free traffic of negroes with Spanish America, which continued to be a splendid business for all kinds of enterprises. (José Luis Mendoza: "England and her Agreements on Belice".—Foreign Affairs, Guatemala, 1942.)

The Peace Treaty of Aachen was to be followed by that of Versailles in 1783 after the independence of the North American colonies, where London spoke once more of "British Honduras" or Belice (See Chapter V.), recog-

nizing that territory to be Spanish, and returning Campeche, Florida and the island of Minorca to Spain "against the definitive cession of Gibraltar to Great Britain". (Luis Alberto Sánchez: "Breve Historia de América".)

COLONIAL POSSESSIONS AT THE OUTBREAK  
OF THE WAR OF INDEPENDENCE

AND throughout all the XVIIIth century until the dawn of the XIXth, on the eve of our Hispanic-American independence, a long series of protocols and agreements were signed—the sanctity of treaties!— which permitted England to keep in her power and exhibit, when the occasion should arise, titles of possession to the islands of San Cristóbal, Barbados, Montserrat, Antigua, Jamaica, Bahamas, San Jorge and, finally, Trinidad, discovered by Columbus on the 31st of July of 1498 and colonized, during three long centuries, by Spaniards: England seized this island in 1797 and it was definitely relinquished to her by the Madrid Government in 1802. (Treaty of Amiens.)

Apart from these islands England exhibited moreover brand-new titles to the best part of the Guiana, without forgetting Raleigh's so sought-after El Dorado; but she was only installed *de facto* in Belice without, up to then, the British having anything to do with the Malvinas or the Antarctica, neither *de facto nor de jure*, as will be seen from the explanations contained in following chapters.

France, in turn, still held in Spanish America the islands of Martinique, Guadalupe, Tortuga and other minor Antilles; Haiti, which was ceded to her by Spain (Treaty of Ryswick, 1697), and declared its independence in 1804; and her very discussed portion of the Guiana, which the

French had occupied at the beginning of the XVIIIth century, and where they founded Cayenne which was later to become an infernal penitentiary.

Profiting of the years of the French Revolution the English seized all the coast, until France was able to recover what she considered to be her property by means of long negotiations, so that her criminals could continue to enjoy the delights of the so-called Devil's Island.

As far as Denmark was concerned, she continued holding in the XIXth century her part of the Virgin Islands which, as already explained, were purchased by the United States in 1917.

And as for Holland, her inheritance was and continues to be Curaçao, of which she finally succeeded in taking possession in 1634, "not without her corsairs having to fight first against the forces organized to defend said territory by the Governor Núñez Meleán" (Briceño Iragorry, book quoted above); the neighboring islands of Bonaire and Aruba, from which general don Ruy Fernández de Fuenmayor evicted the invaders in 1641, but which the Dutch recuperated again and hold to this day; and, finally, their region of the Guiana.

It is needless to recall that the first Dutch settlers, supported by traders and buccaneers had arrived to this Venezuelan territory before the British and the French (1581), and had established what they christened with the name of Surinam Colony, under the patronage of the Netherlands Company of the West Indies.

They founded the city of Stabroack on the banks of the Esequivo; and so rapidly did they obtain astounding harvests, riches and wellbeing with their work, that they

were also beset by the British pirates and the English Government itself, desirous to increase its territory. They suffered, moreover, long wars and unrest caused by uprisals of slaves and rebel natives for more or less a hundred years.

While the Netherlands fought against the negros "maches" with their rifles—as in 1948 and 1949 they do with tanks and machine-guns in Indonesia—the British decided to step aside. But we have already recounted on previous pages in what a gracious manner Great Britain deigned to cede the Surinam to Holland, in exchange for what today is New York!

#### ONCE AGAIN THE EL DORADO LEGEND, FOR THE BENEFIT OF ENGLAND

IT was to have been supposed that, when Venezuela became independent, this would be followed, as it actually was, by a protracted period of disputes and arbitrations throughout the entire XIXth century, until the enormous Guiana territory became divided as it is today. To end this chapter it will be sufficient to insist on the fact that England, with her famous "new tactics", and the sanctity of treaties, succeeded in having herself indentured with the richest, most flourishing and strategical portion of that so extensive littoral, with ample outlets onto the sea and the joint dominion of the mouths of the Orinoco, well safeguarded, besides, because the English had been able to install themselves on the island of Trinidad.

Through all this stalked the ghost of Sir Walter Raleigh, searching ever for the treasures of El Dorado, in such a manner that what the English nobleman had not been able to place in the hands of his *Great Chieftainess Eli-*

zabeth, was to be enjoyed during her long reign of 63 years (1838-1901), by the extraordinary and always very well advised Queen Victoria.

But not only Raleigh haunted that spot. "The history of the litigations between Spain and Venezuela —as Enrique Bernardo Nuñez assures us in "Orinoco"— is an endless procession of ghosts, from Columbus, Alonso de Ojeda and other discoverers, down to the most obscure Dutch and Spanish captains. Pope Alexander VI., Emperor Charles V., King Philipp IV., Charles II. the Bewitched, Queen Anne of Great Britain and King Philipp V.; ambassadors, ministers, pirates, traders, chroniclers, missionaries; all came forth to give evidence in favour of Venezuela or of Great Britain, as the case might be".

And even the Monroe Doctrine! As soon, however, as Uncle Sam poked his nose into the matter, amidst mountains of maps, thousands of folios, and illumined drawings of the Lake Parima, and the legendary city of Manoa, and El Dorado with all its legends, the juriconsults began to get nervous and the Admiralty to feel that the "inheritance of Elizabeth" was slipping through their fingers.

But the powerful sovereign, Queen Victoria, announced in Parliament that a settlement would shortly be reached on "the insignificant dispute that has arisen with the United States on account of the boundaries of Guiana and Venezuela". This was on February 12th, 1896. After a very few years, on the 3rd of October of 1899, "the insignificant dispute" was indeed settled and in a way really acceptable to Her Majesty! The British dominions in the Guiana had expanded to such a degree—miracles of arbitration! —that the Orinoco and El Dorado, with all

their dreams and legends and emeralds, and with the fantastic treasure of the Incas, were finally placed beneath the shadow and the imperial seal of the British flag.

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Territorial concessions were made there by Guzmán Blanco to a North American enterprise, in the candid hope of thereby moderating the British pretensions and enabling Washington to take a firmer tone with London. A matter of *equilibrium* which, as in the case of the oil concessions in favour of the Standard Oil group or the Royal Dutch Company —English-speaking organizations, both, with community of stock and interests— only resulted in double exploitation and a terrible *lack of equilibrium* for Spanish America!

In the long run the contractors of the United States, Cyrenius Fitzgerald, George Turnbull and company, in whose name and defense the so hackneyed Monroe Doctrine was waved aloft, turned out to be subjects, admirers or instruments of Great Britain. The problem, consequently, was very easy to solve: the transfer of "rights".

And this was done, for the sum of 150 thousand pounds sterling —for the benefit of foreign trusts counting on El Dorado!— wherewith England extended her Guiana "from a point at the mouth of the Orinoco, eastward of Punta Barima to the mountains of Roraima and the even more distant ones of Paracaima".

To be just, however, it must be added that as early as 1841 Lord Aberdeen had stipulated "among the conditions to grant Venezuela this or that territorial concession, the promise of protecting against any oppression the Indian tribes living there".

The kindness of England, always humanitarian and generous, who did not vacillate but requested protection for "the natives", and offered Venezuela "some concessions" on her own territory!

But it might occur that comments such as those outlined above, be considered or criticized as lacking seriousness. For the worthy jurists who are specialized in these matters, the correct thing to do would be to confine oneself to dealing strictly with problems of such imperial nature. This was the case, for instance, of the First Secretary of the British Embassy in Mexico who, when replying to an article published in "El Universal" (November 15th, 1948), stated the following in a style so plain, so simple and so *juridical* that it does not allow for discussion:

"The frontier of British Guiana with Venezuela, was established on the 3rd of October, 1899, by an arbitrary decision. It was demarcated by a mixed commission of boundaries between 1901 and 1905, and slightly rectified by an agreement between the British and Venezuelan Governments in 1932".

Nothing more natural, from the point of view and according to the mentality of the subjects of His British Majesty, could be encountered in any other part of the planet. But as our excursion through other "dominions" of England in America has to be completed before we find ourselves at the Conference of Bogota, the moment has arrived to make a change of route and scenery. Let us then depart from the Guiana and betake ourselves to Belice.

## CHAPTER V

### THE CLAIM OF GUATEMALA ON THE BELICE TERRITORY

IN THE MIDDLE OF THE XXTH CENTURY SPANISH  
AMERICA REJECTS BRITISH PIRATICAL DOMINIUM

IT is lamentable that, in the height of the twentieth century and in spite of all that has been said and preached against aggressions, arrogance of the powerful and right of conquest, Great Britain should still attempt to fall back on her old systems of the XVIth and XVIIth centuries, already outlined in former chapters.

To accept in America the thesis of *British dominion by piracy*, and to accept it as a contemporary principle of International Law, would be equal to making an enormous leap backwards. It would be the same as if, from the Inter American Conferences and the San Francisco Charter, one were to recede into the truculent times of the corsairs or buccaneers of His Majesty, with the skull and two long crossbones on the black flag that they used as an emblem.

In place of the inspired and splendid heroes of the American Independence who gave battle, not to that of the Spanish motherland which was spiritual and generous, but to the no longer tolerable absolutism, slavery and colonial oppression; in place of our statesmen and juriconsults of the following years who thoroughly have

stated the cases of Belice, the Antilles, Guayana, the Malvinas, the Antartica and so many other extracontinental "possessions" in our Hemisphere; instead of all this which in the light of international law represents culture and civilization, it would seem as if England prefers her knights, the favourites of the Court throughout its different phases: old Whetstone, Sir William and Sir John Hawkins, Thomas Cavendish, Sir Francis Drake, Admiral Mings, Sir Mansfield and the never too greatly extolled and right honourable Henry Morgan, who died almost in the odor of sanctity, surrounded by authorities and high officials, on the island of Jamaica which was under his command.

Pirates were they, every one of them, by stubbornness and tradition. Highwaymen of Santo Domingo, Havana, Santiago de Cuba, Yucatán, Campeche, San Juan de Ulúa, Central América, Portobelo, Panama, Cartagena, Maracaibo and of the most important ports and cities of the Southernmost part of this Hemisphere, both on the Atlantic and on the Pacific, as previously explained.

Thus it happens that Britain's Labourites of today, those of Mr. Attlee and Mr. Bevin, quite as if they had been followers of Cromwell, the master of diplomacy d'Israeli, Churchill or the Chamberlain of Munich, consider themselves linked to the deeds and destruction wrought by their pirates. And as a proof of authentic democracy and Western civilization, they threaten us with battleships and naval forces in our own Central American waters.

#### WHAT ENGLAND WANTS TO SUBMIT TO THE INTERNATIONAL COURT

IT could be argued that the foregoing assertions are exaggerated, since recently the Government of Great Britain, replying to a note of the Foreign Office of Guatemala wherein the arbitration of the United States was proposed (July 15th, 1948), stated that it was "not in a position" to accept this suggestion, although maintaining its previous offer to accept "the jurisdiction of The International Court of The Hague". (October 26th, 1948).

It would seem, therefore, that London has decided to forget the conquests of her buccaneers, since she even offers to respect the verdict of the World Court of Justice. And her bowing down to the principles of modern law should appear to us as a really moving act of contrition when we read in the same document that England, moreover, explains her position as one of loyal adherence to the third paragraph, article 36 of the Charter of the United Nations.

The Guatemalan Foreign Office answered this note three days later (October 29th, 1948) regretting that the British Government "should close the door to any agreement with Guatemala, and should not be willing to resort to one of the pacific means consecrated by International Law for the solution of conflicts of this nature".

Further to this the Guatemalan Foreign Office adds that it does not oppose "to that which has been established by the Charter of the United Nations, and neither does it oppose itself to the International Court of Justice being acquainted with this dispute and issuing its binding verdict.



Adhering to the letter and spirit of the San Francisco Charter the Government of Guatemala, on accepting the appeal to the Court proposes that both parties should agree to amplify the Tribunal faculties, to the effect that the judges might proceed *ex aequo et bono*; and to attain it the Government bases itself precisely on article 38 (2) of the Statutes of the Court, which form an integral part of the Charter".

"This proposition—which was also rejected by the Government of Great Britain—was not the result of any caprice or arbitrariness on the part of the Guatemalan Government, nor did it anticipate whether the verdict of the Court based on strictly juridical principles would be favourable to it or not, but was inspired solely by the necessity of furnishing the International Court all the material and all the freedom of action indispensable for the meting out of full justice".

\* \* \*

In subsequent paragraphs the note of the Guatemalan Foreign Office is even more categorical still, in asserting that the divergency of criterion which exists between Guatemala and England on this point, "has constituted an unsurmountable obstacle to submitting the case to the decision of the Court, *creating the blind alley* wherein the negotiations are held up".

"As an effort intending precisely to extricate the problem from this *blind alley*, the Government of Guatemala suggested the arbitration of the United States Government, whose friendly intervention might have reconciled, in *some* manner, the different points of view of the parties and

might even, possibly, have smoothed the way towards the International Court of Justice".

"The resort of arbitration—continues the Guatemalan Foreign Office—would by no means contradict the principles of the Charter but, on the contrary, is perfectly compatible with it, as stipulated in article 33".

"The Government of Guatemala, after the repeated failure of its negotiations—thus ends the note of October 29th—declines all responsibility for the unpleasant and objectionable tension which, much to its regret, exists in the relations between Guatemala and Great Britain, due to the unyielding attitude of the British Government, inasmuch as this attitude constitutes a great obstacle to international co-operation and harmony which, at present, are more than ever indispensable."

From the notes of the two Governments one comes to the conclusion that what England wants—a matter which the British propaganda does not explain—is to submit to the International Court solely and exclusively one aspect of Guatemala's claim: that connected with the juridical title to the Belice territory, according to the unlawful Treaty of April 30th, 1859, and *only from that Agreement onwards* "to solve the legal questions which may have arisen from the same".

Guatemala, on the other hand, has insistently proposed—before and after having suggested the arbitration of the U. S. A. Government—that the International Court of the Hague examine the historical, geographical and political antecedents of Belice, in accordance with the already quoted formula *ex aequo et bono*.

AS TO HOW A SIMPLE CONCESSION BECOMES,  
FOR THE ENGLISH, A SOVEREIGN DOMINION

TO this ample formula of Guatemala, England opposes herself because she knows that its acceptance would stir up the history of the buccaneer Peter Wallace, who set an example in the Orinoco and other regions of South America together with our already well-known hero, the daring bohemian Oxford graduate, Sir Walter Raleigh. Friend Wallace and his most notable and able captains of piracy established themselves, towards 1606, in the Belice of today, attracted by its wealth in precious woods which attained high prices in the European markets.

The Spanish Crown, through the authorities of Yucatan and Guatemala, repeatedly expelled the buccaneers and destroyed their settlements. But as Englishmen will never take no for an answer, phlegmatic as they are by nature, again and again bands of the old corsairs, avid of the tropics facing the Caribbean sea, swooped down on this generous new territory.

Years have gone by, many years, and neither in the Treaty of Godolphin of 1670 between England and Spain, nor in the list additional to this treaty (1672), nor in any document dealing with "property and sovereignty of lands, provinces, islands and dominions of Great Britain situated in the West Indies, or in any other part of America", have the names of Belice or British Honduras ever been mentioned.

(As a source of information we have at hand the well known book, already quoted, written by José Luis Mendoza: "England and her Agreements on Belice", Guatemala,

1942. This volume has ample documentation, judgments and very valuable interpretations that give us full light on this lawsuit and its antecedents.)

It was only in 1713 —it seems necessary to insist upon it— that lord Lexington, in the name of England and when negotiating the Treaty of Utrecht, asked Spain for "tolerance towards the British subjects who were cutting wood in Belice". Although this permit was refused by Spain this did not suffice to discourage the subjects of His British Majesty who, without turning a hair, continued felling trees and exploiting the wealth in dyes of the Campeche logwood. After half a century (Treaty of Paris, 1763, article 17), they at last obtained the coveted permit.

And more years passed until, in 1783 (Treaty of Versailles) and 1786 (London Agreement), the Madrid Government confirmed to the hardworking and selfless descendants of the Drakes and Morgans *the mere concession of usufruct* granted 20 years before, limited to not more than 6,000 square kilometers: first, between the Hondo and Belice rivers; afterwards, between the Hondo and Sibun rivers. Naturally this permission to cut woods did not imply in the least a cession of sovereignty nor of private property of any part of the territory to the grantees since, as already stated, the covenant was nothing more nor less than a simple license of usufruct.

In subsequent negotiations Spain always maintained her sovereignty over Belice and so categorically that the English Parliament, in 1817 and 1819, admitted unhesitatingly that Belice "was not comprised within the boundaries or dominions of His Majesty". It must be noted

that we are now already on the eve of the independence whereby the new American states assumed sovereignty, in virtue of the principle *utti possidetis juris*, over the territorial confines of the Spanish dominions.

When Central America became independent in 1821, the same year of the independence of Mexico according to the Plan of Iguala; and when its provinces confederated in 1824 after having formed part of the Empire of Iturbide, England attempted in vain to obtain the territorial cession of what today figures on the maps under the name of British Honduras. The firm attitude of the Federal authorities, as well as of the local Government of Guatemala after the defeat of Morazán and the actual dissolution of the Federation in 1839, served as a pretext to England to refuse recognition to the Unionist Central American regime and to exert pressure, subsequently on Guatemala, with which country she finally established relations in 1847. The English, in the meantime, endeavoured to extend the territorial license granted to them by Spain in 1783 and 1786, from 6,000 to 22,270 square kilometers.

#### CLAYTON-BULWER TREATY

AS Great Britain was establishing settlements, not only in Guatemala but also in other Central American regions, principally in the Nicaraguan Mosquitia, with a view to a future inter-oceanic canal connection, the United States began to be uneasy. The two powers then decided to draw up the famous Clayton-Bulwer Treaty of 1850, whereby Washington and London obliged themselves not to "occupy, colonize, fortify or exercise dominion what-

soever in Nicaragua, Costa Rica, the coast of Mosquitia or any other part of Central America".

England presented a reservation on Belice and its tributaries, which gave rise to a lengthy debate in the American Congress. Several senators pointed out that England had no rights of dominion on Belice, only those of an usufructuary nature. This was also the opinion of the White House and the State Department, but in order to solve the difficulties between the two powers, they started to negotiate an interpretation or explanation of the Treaty of 1850, signed on the 17th of October, 1856.

It is curious to observe that the Secretary of State Mr. Marcy, in his instructions to his plenipotentiary—as proved by W. R. Manning in his "Diplomatic Correspondence of the United States"—defended the rights of Guatemala to Belice, denying the same to Great Britain. This notwithstanding, on signing the new Dallas-Clarendon Treaty mentioned above (October 17th, 1856), Mr. Marcy himself agreed to England's keeping Belice. And not the 6,000 square kilometers of the original concession, but the 22,270 which the subjects of His Britanic Majesty had appropriated subsequently: from the Hondo river to the Sarstun!

Thus Guatemala in 1856—the same year as the first filibuster invasion of William Walker in Central America—was subjected to a treatment similar to that inflicted on Checoslovakia in 1938. Behind her back and in spite of the protests of the since deceased President Benes, the democrats of appeasement, Chamberlain and Daladier, in criminal connivance with Hitler and Mussolini, on agreeing

in Munich to the delivery of the Sudet territory into the hands of the totalitarian régime of Berlin, decreed the dismemberment of that country, without even permitting the Benes Government to take part in the deliberations.

Behind the back of Guatemala likewise, behind the back of Central America, the two great Anglosaxon powers disposed of a territory with which they had nothing to do, just as if the lands of the Isthmus had been ownerless.

#### THE ANGLO-Guatemalan TREATY OF 1859

UNDER these conditions, due to lack of vision and firmness of her rulers or else, possibly, in order to avoid further incursions of Great Britain into Belice, Guatemala had no choice but to join in signing the Convention of April 30th, 1859. In this protocol the afore-mentioned boundaries between the Hondo and Sarstun rivers were fixed, thereby circumventing the prohibitions of the Clayton-Bulwer Treaty. And, better than nothing, if only on paper, Guatemala obtained a compensatory clause whereby England undertook the solemn obligation to construct a route of communication between the capital of the Republic and the Atlantic.

Great Britain, of course, with the title of ownership in her possession, never complied with this clause. Faced with the claims of the Guatemala Foreign Office, London began to bargain, going as far as to make confidential investigations (July 24th, 1862) in order to ascertain whether Guatemala "would find tempting the amount of 25,000 pounds sterling, as the only and final compensation, exonerating the British Government from the commitment

entered into as per article seven of the Treaty of 1859". (Compensatory clause).

Once more the years went by with notes to and from Guatemala to England and England to Guatemala, until, in 1939, the Government of Guatemala, due to Great Britain's non fulfilment of her only obligation and after innumerable proposals and counterproposals, declared the so often mentioned Treaty of 1859 to be non-valid and extinct.

And we now come to the second World War during which Guatemala suspended her claims and proposals of arbitration, in order to relieve England transitorily of the preoccupation inherent in this conflict. A conflict unrelated to the tremendous fight of the great democratic powers on behalf of justice, liberty, respect of the weak nations, the dignity of the human being and the ineffable Atlantic Charter!

What happened to Guatemala as a result of her noble gesture toward the English will be related further on. So a respite will be granted to the author for the purpose of turning his attention to other so-called possessions, which Great Britain asserts to hold in the geograpy of Spanish America.

CHAPTER VI

SITUATION OF THE MALVINA  
ISLANDS

AS TO HOW AN ENGLISHMAN NAMED  
THE MALVINAS, FALKLAND ISLANDS

**I**N the same way as the Belice territory, the Archipelago of the Malvinas (16,532 square kilometers) was under undisputed Spanish dominion during the Colonial period, in accordance with the famous bull of the Pope Alexander the Sixth, ratified by the Treaty of Tordesillas of 1493; and according to the universally accepted principle of *utti possidetis juris*, it became under undisputed Argentine sovereignty since the 25th of May of 1810, date on which the great republic of the South proclaimed its independence.

The English have based their alleged dominion in the Archipelago on grounds of discovery and possession. The historical truth, however, shows that the first Englishman to approach the islands was the explorer John Davies in 1592. But 75 years earlier, in 1517, they had already been discovered by the intrepid navigator Juan Sebastián Elcano, companion of don Hernando de Magallanes.

Magallanes himself visited the Archipelago in 1519, and prior to Elcano and don Hernando they had already been mentioned by the Florentine Amerigo Vespuccio, after having sailed various seas of the continent which was to bear his

name. Throughout the sixteenth century the islands were visited by other valiant Spanish navigators, such as Carvajal and Ladrilleros, in 1524; Francisco de Loaiza in 1525; Simón de Alcozalia in 1535; Alfonso de Camargo in 1540; Juan Fernández Ladrillero in 1557; Pedro Sarmiento de Gamboa, in 1579 and 1583.

Speaking of colonization it is logical to assume that it was not possible for Spain, who in the space of a few decades had become mistress of the largest empire in the history of the world, to populate and organize immediately such heterogeneous and distant lands like those of the Archipelago under dispute which, at that time, were known under the generical name of Magallanes Islands. This explains that, as the years went by, explorers of other nationalities —Dutch, English, French—, successively “rediscovered” the Archipelago and changed its name.

Thus it came about that, in 1592, the afore-mentioned Britisher John Davies was to be found in those latitudes. One of the corsairs Hawkins also passed by there, in 1594. At the beginning of the XVIIth century they were visited by hardy and peaceable sailors of the Netherlands. And during the remainder of the century one does not know for sure of any other Britisher except John Strong, who anchored his brigantine on the coast of one of the larger islands, in 1690. After having made some explorations and ignoring, probably, that others had already been there before him, he baptized the whole Archipelago with the name of Falkland Islands.

## FRANCE RECOGNIZED THE SOVEREIGNTY OF SPAIN OVER THE ARCHIPELAGO

IT is easily understandable that the mere fact of baptism or “re-baptism”, without legal grounds of discovery or possession, did not seem sufficient to Great Britain to claim sovereignty over the lands visited by the navigator Strong. Possibly England thought —this may be assumed— that the voyage of this subject of the Crown was a trip of pleasure and tourism around those seas.

A trip like that of so many other English-speaking tourists in our times, who like traveling round the world with their pipes in their mouths, and to whom it never occurs to establish dominion over these distant countries or islands where, today, they only take aim at the natives with their modern cameras!

Mr. Strong's visit having begun and ended in 1690, we now enter the XVIIIth century without the slightest symptom of the British Government having claimed, or attempted to claim titles of sovereignty over these islands. Instead, it was the French sailors of Saint Malo, headed by the navigator and geographer Frézier, who at the beginning of said century (1714) landed on the Archipelago and christened it with the name of “Isles Neuves”.

Another half century went by without an English settlement having appeared at any point. What we do find in the Archipelago, however, is a small French colony organized in 1764 by the navigator of that nationality, Louis Antoine de Bougainville. His maps already show the name of Isles Malouines, a derivation of Saint Malo, which



later on was castillianized into the present denomination of Malvina Islands.

And here we do have proofs of the Spanish sovereignty over the Archipelago, at the time when the first international problem arose, even though not between Madrid and London but between the kings of Spain and France. The energetic attitude adopted by Charles III, insisting that the French evacuate their settlement unduly founded on territory of the Spanish crown, induced Louis XV to order Bougainville to abandon the Malvinas.

#### ARMED CLASH WITH ENGLAND

AND at last, about the same time, comes the collision with the English, an incident which can be summed up in a few lines: following Bougainville, in 1765, the southern seas had also been sailed by the Commodore and great gentleman John Byron, grandfather of the later inspired poet, lord of a family ennobled by Charles I, and hero, in turn, of extraordinary adventures, George Gordon Noel Byron. The old Byron landed at the port of La Croisade; and in the wake of the commodore an English frigate, well manned with troops, arrived shortly afterwards to the Malvinas.

If the protests of Charles III had induced the French to evacuate the colony of the Bougainville company the English, on the other hand, remained firmly entrenched and well at their ease at Port Egmond, it being necessary for Spain to bombard and defeat them with the fire of five frigates. The armed clashes continued from 1769 to 1771,

in which year Great Britain sent reinforcements to her men stationed there.

Shortly afterwards, however, England herself agreed to the evacuation and restitution of the islands to the Spaniards, recognizing the sovereign rights of Spain throughout those territories. Since then there were no more disputes with England during the rest of the century, nor during the American revolution of independence, nor when the Malvinas, which had been Spanish territory, came under the rule of the United Provinces of the River Plate.

Those were hard days for all our America where, following the death or loss of influence of the great founders of her autonomy, there surged a wave of hatreds, ambitions and of continuous armed encounters between Montagues and Capulets. Argentina was not able to avoid that period of anarchy, the terrible struggle of the capital and provinces becoming worse due to the outbreak of the Brazilian war (1826-1828).

But in spite of the uprisings, the rebellions and the disputes between Unitarians and Federals, the new republic took charge of the settlements and administration of the Malvinas, where it was at least able to send a small garrison and a few hundred settlers, finally setting up a Governor at Port Soledad on June 10th, 1829.

The Chargé d'affaires of Great Britain, whose Government had recognized the emancipation of the United Provinces since 1825, protested on November 19th, 1829 against the appointment of Argentine authorities to the Falkland Islands, asserting alleged sovereign rights of the British Crown to the same. Added to the English note



came exaggerated and intemperate claims of some other European powers, "victims of the civil war".

CONFLICT WITH THE UNITED STATES IN 1831,  
OF WHICH THE BRITISH TOOK ADVANTAGE

WE have now reached 1831, with the dictator Rosas in power. And it is well known to those who have made a study of our turbulent Spanish-American history, that the bold and fearless gaucho don Juan Manuel was not the man to let himself be intimidated by claims from abroad, not even when faced with a situation as critical as the blockade of the Argentine ports and the assault of the island of Martin Garcia by the French.

The trouble for Rosas, the trouble for his newly-born country—in the concrete case of the Malvina Islands—did not lie only in these demands and incidents, but in the conflict with the United States in 1831, caused by three American schooners violating the Argentine fishing laws. The situation went from bad to worse when the commander of an American battleship took the law into his own hands, made the garrison of Puerto Soledad prisoners, claimed the surrender of the Governor don Luis Vernet, and with the sailors of Washington's noble fatherland, at his orders, destroyed the city.

The consummated deed of violence was followed by an exchange of strong notes between the Buenos Aires Government and the Chargé d'affaires of the United States, Mr. Francis Baylies. This American official even discussed the right of the Argentine régime to appoint civil and military governors of the Malvinas whereby—in his own English language—he encouraged the British.

As a result of this mutual challenge between the North and South of the Continent, not only did Consul Slacum and the diplomat Baylies have to leave the country; not only were the relations between Washington and Buenos Aires very cool during a long time but, when all was said and done, England reaped the benefit of the situation.

Great Britain did indeed profit from these circumstances; she profited also, due to the isolation and distance of the Archipelago, whose settlers had remained almost abandoned to their own efforts; and in January 1833 a large and well equipped fleet of His Majesty suddenly swooped down on the Malvinas, landing with cannons, rifles and fixed bayonets. The foreign naval troops took the Argentine officers and soldiers prisoners, and expelled the River Plate citizens who inhabited the islands considering them "invaders" of British sovereignty.

The protests of the Buenos Aires Government through its Minister in London, don Manuel Moreno, were of no avail. Neither could anything be obtained by new and constant claims throughout the XIXth century, nor throughout the years so far elapsed of this prosperous and super-civilized one. Since that far-off date, since 1833, solely and exclusively by right of force, the English are installed on what they persist in calling the Falkland Islands.

\* \* \*

But these historical antecedents and these protests have served the Government of Buenos Aires to re-assert, in a manner that admits no discussion, its rights to the Malvina Islands. In the same fashion, as will be seen in the following chapter, the Argentine Republic "is sure that

her just aspirations to the demarcation corresponding to her in the antarctic zone—as well as those of Chile—are based on immovable international principles”.

To this respect the autohorities of the Plata maintain that with regard to the Malvinas “there are no doubts nor can there be any, inasmuch as England seized them, and from illegal procedures no legal titles can be derived”. As regards the antarctic region, the Argentine Republic is indeed willing to discuss the complete problem at a Conference with the countries that might be able to exhibit valid titles to the austral regions, but *not on the basis of mere expeditions*” which cannot resist a juridical analysis and wich are beyond the scope of International Law”.

To solve the situations created by Great Britain's attitude, the Government of General Perón has established the “Antarctic and Malvinas Division”, the legal proofs of which are to be submitted to the Havana Conference, in accordance with the resolution adopted at Bogota. “At that Confernece the Argentine Nation —Perón has stated—will jealousy defend her territorial sovereignty; and throughout the peaceful discussion of her rights, will express her firm decision not to admit a modification of her legitimate titles to her part of the Antarctica”.

These declarations are strengthened by the historical, geographical and legal points of view expounded in the following pages, which also reproduce some speeches and refutations to British propaganda in Bogota itself.

## CHAPTER VII

### THE CASE OF THE ANTARCTICA

