

**Observations on the Forcible Occupation of the Malvinas,
or Falkland Islands,
by the British Government in 1833.**

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1833.

OBSERVATIONS,
&c, &c.

The international question respecting the sovereignty of these islands, between Great Britain and the provinces of Rio de la Plata, being again brought under discussion, it is of paramount importance that the public should have a clear, and as it were tangible account of them, as well as of the claims of the respective competitors to their permanent and unmolested possession.

The following observations, therefore, being address to no portion of the British people in particular, not to any political creed, but to all who glory in the name of Britain, and are solicitous of conferring additional lustre on her incommensurable influence and imperishable fame, will, it is confidently presumed, meet with that candour, and secure that attention, which the enlightened people of this country never fail to accord, especially where the subject, as in the present case, is momentous, and their honour in abeyance.

The islands constituting the subject of international litigation, are geographically situated between the fifty-first and fifty-third degrees of south latitude, and fifty-seventh and sixty-first degrees of west longitude.

No absolute certainty exists as to the circumnavigator by whom they were originally discovered, and the precise period of that event is equally problematical. Vespucci, Magalhaes, Loiza, Alcozaba, Villalobo, and others, in the Spanish service; Drake, Davies, and Hawkins in the English; and Sabal de Wert and Lemaire in the Dutch; are generally cited as the most probable; although the most plausible historic investigation balances in favour of either Vespucci or Magalhaes.

The first European settlement was, however, effected under the direction of Bougainville, with the sanction of Louis XV, in 1764, by the co-operation of a joint-stock company, incorporated at St. Malo, in Brittany, for that purpose; whence the denomination Iles Malouines, conferred on these islands, commemorative of that event.

But the Spanish government, which was ever tacitly considered as their legitimate proprietor, remonstrated, as might naturally have been anticipated, with the French court, against this extraneous establishment, on a part of its territory; and the French, with that perspicacity which is frequently observable in their public transactions, readily acquiescing in the validity of the anterior right vested in the Spanish nation, and in consideration of a pecuniary indemnity accorded by Spain to the colonists of St. Malo, abandoned that part of the insular territory they had temporarily occupied, and which was considered an appendage to the then vice-royalty of Buenos Ayres.

Subsequently to the establishment of the French colony, the British government, in the year 1766, directed the colonization of Puerto de la Cruzada, otherwise Port Egmont, to be effected; but after various altercations between the courts of London and Madrid, on the subject of this encroachment and occupancy by the British government, the latter relinquished by treaty, in 1774; thus manifestly and irrevocably corroborating the superior validity of the Spanish claims, as had likewise been signally done by the French in 1767.

These islands have thus been considered an integral part of the Spanish, and subsequently of the Buenos-Ayrean territory, from the year 1774 to the present time, both tacitly and publicly, not merely by Great Britain and France but indeed by every other European power; for, had it been otherwise, it is more than probable the Dutch, Danes, Russians, or other people, jealous of maritime importance, or imbued with the spirit of colonization, would have attempted a settlement on them, either antecedently or subsequently to the glorious and victorious struggle for political emancipation from Spanish

domination, which for ever united these Buenos-Ayrean islands with the continental territory as their imprescriptible, indefeasible, and inalienable right.

The several northern people just adverted to, would naturally reflect, that the formal cession and public relinquishment of claim, on the part of the French and British governments, in favour of Spain, the aboriginal possessor, was a substantial and irrefragable argument against their temporary or permanent occupancy and subjugation by another power on any pretext whatever; for the universal opinion throughout Europe and America, and indeed every point of the civilized world is, that they not only belong to, but constitute an integral part of, the Argentine Republic.

Such are the principal facts and inferences connected with this question, in reference to occurrences prior to the long-relinquished and long-forgotten pretensions of the British government, renewed and supported by force of arms in the early part of the present year. Other episodes or appendages connected with these facts have been elsewhere reiterated, and bear upon the subject in a comparatively less degree; but all tend to strengthen the undoubted priority of claim in favour of those from whom the islands have been unjustly wrested.

Had the provinces of Rio de la Plata contained a population commensurate with their extent or exuberant territorial resources, or had the Malvinas – which constitute an integral part of the Buenos-Ayrean state, as before remarked – been adequately fortified, strongly garrisoned, numerously colonized, and consequently prepared to repel the attacks of foreign invaders, is it probable that the presumed agents of the British, or any other government, would have either laid claim to them, or assert that claim by the demonstration of physical force, at a period of profound peace? Or, again, in the event of its pretensions being considered inadmissible, and contested, would not the non-compliance be naturally followed up by the preliminary intimation of hostilities, from the British or other government similarly situated?

Such would have been the regular and universally-acknowledged mode of proceeding; and they who are still unacquainted with the deplorable circumstances attending this important transaction, will be surprised to learn, that, on the fifth of January, in the present year (1833), the second of British regeneration, and the eighteenth of Buenos-Ayrean independence, the crew of the British sloop-of-war *Clio*, commanded by Captain Onslow, by superior orders emanating from Admiral Baker, late commander-in-chief on the South American station, in compliance with instructions communicated to him from his government, unceremoniously and forcibly took possession of the Malvinas, tore down the glorious standard of liberty which floated on its rightful pinnacles, compelled the ship-of-war *Sarandi*, belonging to the republic, and stationed off the islands, to depart, and expelled the garrison and colonists; who arrived at Buenos Ayres on the fifteenth of the same month, to narrate this unprovoked and unexampled infringement of the rights of nations to their astonished and almost incredulous countrymen!

It is scarcely possible to imagine the degree of indignation that would be manifested by the people of England, should the French, in time of profound peace, and in the hour of political delirium, attempt the capture of the islands of Guernsey and Jersey; or the Spaniards operate a descent for the recovery of Gibraltar; or the Knights of Malta, aided by foreign potentates, surprise their lost island. For, however such attempts might be hailed with joy and congratulation by some individuals, still the general voice of disapprobation and execration would be raised against those who had thus infringed and violated every principle of recognized international law. Yet has the British ministry, or those whose authority was professedly delegated therefrom, been placed in a similar category, both in a moral and political point of view, by this unprecedented and unprovoked aggression in the Malvinas.

If the possession of these islands is comparatively or absolutely unimportant, why risk reputation, and sacrifice national faith, to usurp and secure them? If, again, they are really profitable to British commerce, which the most competent judges pronounce to be very questionable, is not national integrity the best and surest foundation for general stability and individual prosperity? By what other talismanic charm is the famed fabric of British supremacy cemented, than its presumed incorruptibility? Is that adamant basis, on which it is imagined to repose, any thing less than the hitherto-supposed political impeccability of its guardians and constructors? By this ever-to-be-deplored transaction, the heretofore glorious edifice is rendered insecure; its sentinels slumber, or are regardless of the object of their mission; its approaches are laid open and unprotected; its foundation-stones are loosened; its most admirable materials become pervious to the fury of the elements; the night-bird hovering around may shortly claim its tottering walls and shapeless fragments for its dilapidated habitation; and the goddess of Justice, who presided at its erection, for ever abandon it; whilst its premature annihilation will be unaccompanied with that heart-felt sympathy, which is the accustomed need of noble actions, unrequited worth, and undeserved misfortune!

Hasten, then, to revise your proceedings, and repair the deleterious effects of your precipitation ! – you, who have thus unwarily sounded the tocsin of alarm, now vibrating through the most distant regions, and announced to an astonished world the symptomatic decrepitude of Britannia, once so stately and so radiant !. If this ill-advised step has been precipitated – as its authors must unquestionably, on adequate reflection, acknowledge it to be – let them not procrastinate to accede to the wishes of the British public, by the unhesitating and instantaneous relinquishment of these islands, on the shoals of which the British character will otherwise be irrevocably wrecked !

As a question of geographical circumscription, the citizens of Rio de la Plata would have as available a title to the Isle of Man, or even to Ireland, as the government of Great Britain to the Malvinas, or any other integral portion of the Argentine territory.

As a question, again, of assumed right, no civilized state could, conformably with well-defined and long-established international usage, enforce an imaginary or even apparently indisputable right, either by premature violence, or recur to artifice for its substantiation. Violence has, in the case before us, been resorted to; and it appears, from the declaration of the British Minister, regularly accredited and resident at Buenos Ayres, that even he has received no communication from his government on the subject of this memorable invasion of a vulnerable part of the territory of the republic; or, in other words, that he had no instructions, no official cognizance of it; which fact is as extraordinary as important; for a clear and unblemished title is very rarely attempted to be substantiated through indirect and tortuous channels; consequently the advisers of the British government, occult parties in the transaction, have demonstrated, in the most palpable and unequivocal manner, their internal conviction of the frangibility of their assumptions, and the complete invalidity of their claims at the bar of impartial justice, by the unwarrantable and antinational expedients they have resorted to, to enforce them.

Moreover, according to the laws of Great Britain, and of every nation professing even the primary germs of civilization, when one individual has obtained possession of an object asserted to be the property of another, the claimant is expected and required, for its recovery, to proceed by legal investigation, arbitration, or amicable adjustment, and by no other measures. It is on this principle of mutual security, that international law is framed, that negotiations are carried on, that mediation is practised; for, were it otherwise, the weak would be constantly exposed to the caprice of the powerful, and the insatiable voracity of ambition ever find a plausible pretext for the subversion and immolation of the unoffending. But it is not the object of this document to impugn the moral intentions of the present ministry in this mysterious transaction; which, having a more gigantic and glorious task to fulfil, by the consolidation of indispensable ameliorations at home, than ever fell to the lot of the Executive at any preceding period, remitted that scrupulous indagation which the importance of the subject demanded, by prematurely and hastily acceding to the insinuations and suggestions of certain misinformed or interested individuals, who, upon erroneous premises, proposed an act of injustice, which no government could on mature reflection approve, but which it was unguardedly influenced to sanction.

Notwithstanding this political dilemma, the government most certainly will not permit its reputation to be thus tarnished, by withholding a territory which has been in the undisputed and undisturbed possession of the Spanish and Buenos-Ayorean governments during an uninterrupted period of fifty-nine years! This momentous circumstance cannot be disregarded even at the tribunal of power, which acts both as party and judge in its own interests, more especially when the vagueness and ambiguity of the original British claim is considered.

Again – it cannot be too often repeated – that, had not the pretensions been slender, they would most probably have been made available half a century ago. It is therefore presumable, that they have been resuscitated at this late period, rather in contemplation of some imaginary or real advantage inherent in the possession of the islands, than from any solid title to them. It must however, be acknowledged to be particularly sinister, that this direct outrage on the principles and moral spirit of the Reform Bill should have been committed at an epoch, when nations, as by universal consent, are beginning to feel and confess, that the manifestation of mutual forbearance, and generous sentiments is the most effectual means to allay animosity, secure reciprocal esteem, and engender permanent prosperity.

Let it not moreover be forgotten, that the most sacred and peculiar mission of the present age, is to unite the various nations of the universe in the bonds of amity ; to teach them to sympathize with and respect each other ; consequently, conduct of an opposite tendency will necessary encounter present disapprobation and ulterior discomfiture.

Independently of this, it is of the utmost importance to Great Britain to cultivate a good understanding with the Argentine

Republic. International hatred, rancour, and distrust, are the natural concomitants of violence and injustice and may lead to deplorable results; inasmuch as the other South American governments, alarmed at the extraordinary occupation of the Malvinas, and regarding the unjustifiable manner in which it was effectuated with abhorrence, may be induced to impose such restriction on commercial intercourse, by future enactments, as will prove highly unfavourable to the development of British speculation.

It requires little perspicacity to foresee, and little political information to be convinced, that the states of South America may eventually prove the most advantageous and inexhaustible mart for British industry of any portion of the universe and therefore to have inflicted so profound a wound on one of the most important of these illustrious nations, is, independently of other considerations, the most impolitic measure ever adopted by an enlightened government.

This unpropitious event is still more to be deplored, when we consider that the people of South America, participating in, and inheriting the noblest qualities of the Spanish nation – as honour, and incorruptible integrity – either indigenous in, or transplanted to, a congenial soil, fertilized by a propitious clime, and animated by a brilliant sun, are naturally rendered more sensible to the shafts of injustice ; and are, at the same time, infinitely benevolent, disposed to excuse unmerited aggression, and illimitably generous in their friendships and sympathies, which are communicated in one of the noblest and most majestic idioms ever uttered in any age or by any nation.

But never let it be forgotten, that the illustrious South Americans have acquired the immortal glory of redeeming the honour of the human race, and establishing a renown far more transcendent than was ever conferred on the best exertions of the ancient or modern world ; for, whilst the puerilities and absurdities of Gothic barbarism are still held sacred in the nineteenth century in benighted Europe, enchained by prejudice and political superstition, the transatlantic freemen achieved those signal victories which forever secured their well-merited independence ! Their consummate and admirable prudence protected them from the substitution of one tyranny for another, as is almost invariably done by less talented people; but, on the contrary, the imprescriptible rights of humanity were made the eternal touchstone of their glorious political institutions ; and, consequently, one of the brightest pages in the history of man is reserved for those who have thus entitled themselves to the respect and esteem of the highly-minded and virtuous of every nation.

And surely the British Lion has not degenerated, as his triumphant struggle against domestic usurpation last year abundantly verified; his moral vigour has not relaxed, nor his magnanimity become questionable or diminished ; but, animated by that noble indignation against oppression, and by that inexhaustible generosity which has been his predominating characteristics in every age since he was called into existence, will spurn the unhallowed suggestions of those who would endeavour to implant an indelible stain upon his reputation, by the deliberate perpetration of injustice ; or should he unhappily, as in the present instance, be unwarily induced into error, will doubtless accelerate its reparation, by instantaneously restoring the Malvinas to their legitimate government ; thereby cementing that glorious union, which will henceforth irradiate the uninterrupted and reciprocally-advantageous intercourse between the population of both states.