## Belizean Studies Volume 23, No. 1/2, September 2001 In This Issue : Why the Spanish Did Not Settle Belize **Belize at Two: Keeping Its Appointments With History** The Impact of the Anglo-Guatemalan Dispute on the Internal Politics of Belize A Selected Bibliography on the Belize-**Guatemalan** Issue and More . . . A Publication of St. John's College, Belize City, Belize, C.A.

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Articles submitted should be unpublished. We require a hard copy of each manuscript, a copy done in Word 97 or a later version and a 100 - 150 word abstract outlining its contents. All texts should be double-spaced and printed on 8 1/2 by 11-inch paper on one side only with 1 1/2-inch margins, with each page clearly numbered. They should have a maximum length of 20 to 35 pages. Manuscripts are reviewed by the editorial committee and specialized readers. Maps, tables, and other illustrative materials must be given titles and numbered consecutively and be submitted cameraready on separate pages. The preferred format for papers, citations, references, and bibliography is the Manual of the American Psychological Association (APA).

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Dear Reader:

With this issue, Belizean Studies resumes publication after a five-year lapse. Ten years ago the journal dedicated an entire issue to Belize - Guatemala relations because both countries appeared on the brink of a major breakthrough. Today, Belize and Guatemala are once again attempting to find that elusive 'final resolution' to Guatemala's claim of almost half of Belize's territory. Two facilitators, Sir Shridath Ramphal for Belize and Dr. Paul Reichler for Guatemala. are spearheading the current bilateral facilitation process, with the Organization of American States as Witness of Honor. According to a recent Government of Belize press release, by 15 December 2001 the facilitators will present proposals to the parties for a comprehensive, definitive, honorable and permanent solution to the territorial differendum, including maritime delimitations, and a development finance plan that would benefit the neighboring local communities in Guatemala and Belize.

Belizeans, perhaps more so than in the past, need to become cognizant not only of the history of Guatemala's claim and the basis of Belize's rebuttal of that claim, but they also need to consider a final resolution that is beneficial to both countries. In an effort to aide this process, Belizean Studies is once again devoting an issue to Belize-Guatemala relations by reprinting nine previously published essays on this subject. In addition, this issue includes a selected bibliography of the claim by Charles Gibson and Lawrence Vernon, and Leo Obando's sobering commentary on Roberto Carpio Nicolle's book Hacia Donde Va Belice?

Richard Buhler in Why the Spanish Did Not Semle Belize maintains that the Spanish, despite some early forays into the Belize area, never occupied Belize. Buhler notes that the British capture of Fr. José Delgado in Belize in the 1670s shows "from Spanish records an English settlement (in Belize) even before the Spanish conquest of the adjacent Peten area of Gustemala." L. H. Feldman in Belize and Its Neighbors: A Preliminary Report on Colonial Records of the Audiencia de Guatemala provides a list of references Belize in the archives of the Guatemalan Audiencia. As if in support of Buhler's argument, Belize garners comparatively little interest in the Guatemalan records when compared to El Peten. Readers should note the mich details that Feldman provides on the flight of

Belize slaves into Guatemala.

James Murphy's Belize at Two: Keeping Its Appointment with History is one of the most comprehensive introductions available to the history of the dispute. After an overview of the development of British presence in Belize, he focuses on the 1859 treaty. Drawing from Lauterpatch and Bowett (1978), he summarizes the case that the treaty is a boundary treaty and not a treaty of cession-a fact that Belize's Negotiating Team recently reiterated at the Organization of American States. He concludes with some developments in the 20th century.

Alma H. and Dennis H. Young in The Impact of the Anglo-Guatemalan Dispute on the Internal Politics of Belize argue that the dispute has been a central issue in Belizean politics since the 1950s, but neither government nor opposition has sought to fully inform the people of the impact of the dispute on the country. Dean O. Barrow in Post War Guatemalan Foreign Policy and the Independence of Belize tracks the course of Guatemala's foreign policy towards Belize from the end of the Second World War up to the Independence of Belize. After a short summary of the Guatemalan claim in uti possidetis juris and the non-fulfillment of Article 7 of the 1859 treaty, he takes the reader deftly through the twisted trail of developments over that thirty-five year period.

Karl R. DeRouen in Cockburn, Miller and the Shift in British Policy in Belize recounts the mission of Thomas Miller, Clerk of Courts and Keeper of Records in the settlement, who was sent to London and Madrid in 1835 by Superintendent Francis Cockburn to argue the case for the formal establishment of British sovereignty over Belize. However, readers should note that he offers no evidence for his claim that Belize was part of the Captaincy-General of Guatemala and, most of all, errs in stating that the Spanish did not venture into the Belize area in the sixteenth century (see Jones, 1987; 1989).

Herman Byrd in Oil in Guatemala: An Economic Factor in the Heads of Agreement argues that an expected oil bonanza in El Peten in the 1980s was an important factor in Guatemala's willingness to negotiate the Heads of Agreement and in Developments in Belize Guatemala Relations since the Independence Decade. He looks at some issues which became important in relations between the two countries in the 1990s. Jaime Bisher in The Valdez Proposal recounts the scheme of General Isidro Valdez for a German-Guatemalan invasion of Belize. The proposal never materialized. Finally, Alexis Rosado in a Commentary on the Belize-Guatemala Facilitation Process briefly chronicles the developments since 1999 that have led to the current diplomatic initiative. In concluding, he considers some possible outcomes of the facilitation process. Taken together, this issue of the journal makes readily available an excellent collection of essays on Belize-Guatemalan relations for teachers, students, and the general public.



## Richard O. Buhler WHY THE SPANISH DID NOT SETTLE BELIZE

When we look at a map of Central America we see that Belize is the only English speaking territory of the area. All of the proximate mainland areas are Spanish speaking republics. The Anglo-Guatemalan dispute, which has kept Belize from achieving independence, serves to illustrate forcefully our divergent cultural and political history when compared to the other nation states of Central America. The basic reason for this divergency is the fact that Spain, the mother country for all of our neighbours, never effectively occupied Belize.

This freedom from Spanish occupation is a little known aspect of Belizean history, but one which is of great historical importance in understanding why the English were able to settle in Belize and lay the foundation of our cultural and political history.

In 1604 Great Britain and Spain signed the Treaty of London, which said that any area not effectively occupied by Spain was open to colonization by Great Britain. In the next fifty years English adventurers, explorers, and buccaneers ranged all through the Americas, making permanent settlements in North America, the West Indies, and here in Belize. It is a little known fact that other Central American and Yucatecan settlements were attempted by the English but none of them survived. Only Belize has continued to be British into the 20th century.

The Spanish had been unsuccessful in their attempts to settle the Atlantic coastal areas of what is now the United States, and the English moved into Virginia, New England, and the other areas of her 13 original North American colonies.

Richard O. Buhler, S.J., one of the founders of this journal, has written several articles on Belizean history. This article first appeared in Belizean Studies in 1976. In the small islands of the Windward and Leeward chains the resistance to European conquest by the Caribs and the allure of greater wealth on the mainland caused the Spanish to fail to settle these small islands. Beginning in the 1620's the English and the French established their settlements in these previously uncolonized islands.

However, Belize is on the mainland and was not a small island to pass by. Why was it not settled by Spain? To answer this important question we have to go back to the attempted Spanish conquest of our area, for Spain did attempt to conquer Belize but failed to do so.

#### ANCIENT CHETUMAL

Francisco Montejo, on his third attempt, conquered the Maya of Yucatan and sent one of his lieutenants, Alonso Davila, south to conquer the Maya state of Chetumal. Ancient Chetumal was not situated at the location of the present-day Mexican city of that name. Its probable location, according to the great Maya scholar, J. Eric Thompson, was the present-day Belizean town of Corozal. Nachankan, the Maya chief of ancient Chetumal, had an unusual son-in-law, a renegade Spanish soldier named Gonzalo Guerrero. Thompson calls Guerrero the first European to adopt Belize as his home. Guerrero knew the Spanish methods of war; he realized the Maya could not possibly defeat the Spanish in open battle and advised the Maya to withdraw to the bush and to allow the Spanish to occupy the city. Davila marched into the Maya city and renamed it Villa Real, the first attempted Spanish settlement on Belizean territory. Nachankan, Guerrero, and the Maya warriors harassed the Spanish troops whenever they came out of Villa Real to look for food. These hit-and-run tactics so weakened the Spanish that soon they were prisoners in the city and the victorious Maya forces had them surrounded. After 18 months Davila and his few surviving Spanish

soldiers decided to flee for their lives and headed out to sea and south along the Belizean coast in canoes and rafts.

After a journey of terrible hardships, the survivors reached the Spanish settlement of Omoa in Honduras. Word of the decisive defeat at the hands of the Maya was sent back to the Spanish authorities in Yucatan but it was several years before another military expedition was mounted against the Chetumal Maya. In 1545 a strong Spanish force under Pacheco moved against the Maya of northern Belize and southern Quintana Roo.

The Indians had not repopulated ancient Chetumal and the largest Maya City in the area was Bacalar. The Spanish force was ruthless and slaughtered the women and children as well as the warriors. Pacheco established the southernmost Spanish outpost at Bacalar, which he moved to the west side of the lake; the Maya city had been on the eastern shore. The area to the south of the Rio Hondo became a refuge for the survivors and for those Maya who wanted to continue to resist the Spanish conquest. The important point for our purposes is the fact that the Spanish failed in their attempt to establish a city on Belizean territory and Bacalar remained the furthest southern outpost in Yucatan.

#### FAILURE TO SETTLE AT RIO DULCE

There was one other attempted Spanish settlement that might have led to their occupation of Belize. Montejo, the <u>Adelantado</u> of Yucatan, believed that the area covered by his grant from the Spanish king covered all of the land of the Yucatan peninsula and he determined to establish a Spanish trading base at the southernmost point of this area. In 1546-47 a Spanish expedition set out across Belize to establish a town on the Rio Dulce south of our border in the present-day Republic of Guatemala.

A group of Dominican Catholic priests under the famous Bartolome de las Casas were working inland from the Rio Dulce in the Vera Paz area of Guatemala. They hoped to convert the Maya to Christianity by peaceful means and saw the establishment of a military base so close by as a threat to the safety of the Indians, whom they feared would be enslaved by the soldiers. They objected strongly to the Spanish royal authorities, who agreed with the

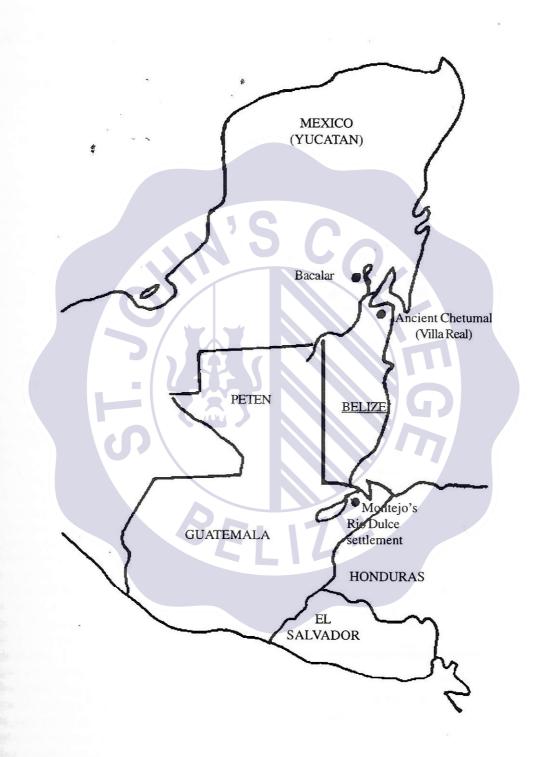
Dominicans and forced Montejo to abandon his Rio Dulce base. If the Spanish had succeeded in establishing bases both to the north of Belize at Bacalar and to the south at Rio Dulce it would have only been a matter of time before regular means of communication across Belizean territory would have brought settlements here also. With the failure of the Rio Dulce settlement, Bacalar remained the southernmost point of Spanish expansion in our area.

#### DELGADO'S DIARY

We are not sure when the first English buccaneers began to settle the Belizean coast. Perhaps it was early as the 1640's. Certainly, they were well established here by the 1670's when a Spanish priest, Fr. Jose Delgado, attempting to go from Guatemala to Bacalar, was captured by English buccaneers in the Mullins River area. Fr. Delgado's diaries have contributed much to our knowledge of Belize and of the Maya origins of many of our place names. But his most valuable contribution is proving effective English occupation of central coastal Belize in the 1670's. This is of further importance in the Anglo-Guatemalan dispute, proving from Spanish records English settlement even before the Spanish conquest of the adjacent Peten area of Guatemala! The Maya of the Peten had resisted the Spanish and were not conquered by them until 1698 - long after the English had established themselves on the Belizean coast.

Unfortunately for Belize, Spain never recognized the Godolphin Treaty as having jurisdiction over Belize. Great Britain wanted to be on peaceful terms with Spain because of the growing power of France so she did not assert her ownership of Belize, although her wood cutters continued to live here and were never permanently dislodged.

Belize's unique cultural and political heritage in Central America is the result both of the failures of Spain ever to effectively occupy this area and also of the three hundred years of effective English occupation.



# L.H. FELDMAN BELIZE AND ITS NEIGHBOURS: A PRELIMINARY REPORT ON COLONIAL RECORDS OF THE AUDIENCIA OF GUATEMALA

#### INTRODUCTION

Reports on the contacts of the British with their neighbors, particularly the Maya, are rare in papers from the 17th and 18th centuries. Reasons have been claimed due to the illiteracy of the English settlers and hazards of the times (Bolland 1977). Information on the indigenous inhabitants has also been sought, with some success, in the papers of the Audiencia of Mexico (of. Scholes and Thompson 1977), as is logical, for much of this area was administered, via Salamanca de Bacalar, ultimately by the Audienca of Mexico.

For reasons unrelated to the purposes of the Colha Project, I recently had the occasion to systematically go through the papers of another Audiencia, that of Guatemala, during which many interesting and important references were found to the area that is now known as Belize. Time has not yet been available to systematically study these papers, so what I would like to present here is simply a sampling of the data with some commentary. The focus will be first on Belize after 1700 and then Colonial Peten, and finally the 17th century Manche Chol. Manuscripts cited are from the Archivo General de Indias and the Archivo de Simancas. A subsequent more complete version of this paper should include all relevant texts and citations from these and other Spanish and Central American archives now in the possession of the author.

Lawrence H. Feldman, an anthropologist, has completed fieldwork at Colha in Belize. This article was first published in Belizean Studies in 1983.

#### BELIZE

#### Citations by Year

1695	-	Guatemala 153
1702	-	Escribania de Camera 339
1714	-	Guatemala 196, Guatemala 197
1725	-	Mexico 1017
1727		Guatemala 251
1728	7-	Guatemala 251
1729		Guatemala 251
1733	•	Guatemala 252
1756	-	Guatemala 237
1757	-	Guatemala 207
1758	-	Guatemala 238
1767	4	Guatemala 544
1774	-	Guatemala 409, Guatemala 643
1776	-	Guatemala 878, Guatemala 770
1783	=	MyP Guatemala 297, 314
		Simancas, Seccion Mapas IV-2
1798	-	Simancas Serie 51,, Legajo 6937
1800	-	Papeles de Estado 49
1819	-	Guatemala 638
1821	-	Guatemala 530

#### Commentary

Spanish records begin with a forced withdrawal of the Indians. Because of the English threat, towns near the Lago de Izabal (southern Belize?) were depopulated in 1691 (Escribania de Camera 339). Towns cited as still existing in 1702 near the Rio Bacalar include Tipu and Espapantou. Action was taken against the English settlements in 1714. An expedition of 15 soldiers and some Indian "volunteers" was sent by canoe from the fortress at Peten Itza. Thirty Indians were captured a short distance from a settlement of 19 Englishmen, 10 blacks, 1 English-woman, and 6 Indians. Three widely separated coastal Indian towns were in contact with traders from Jamaica and the

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Zambos of the Mosquito coast (Honduras/Nicaragua—a British protectorate). All together it was estimated that a force of 250 men was available to attack the Spanish settlements in Peten. The effect of this and a subsequent Spanish expedition was to deport most of these Indians from the coast. By 1725 it was emphatically stated that the English of the "Rio Walis" were exterminated and the Indian settlements removed from their sphere of influence.

But the English kept on coming and in the absence of a large Indian work force, the dyewood cutters imported black slaves. Beginning in 1727, these blacks fled south and west seeking freedom under the Spanish crown. Thus (1728) a black fugitive from the Rio Belize was taken by a member of the San Felipe garrison on the Lago de Izabal, 6 fugitives traveled for three months from the Belize river to the Peten town of San Pedro Chinoja in 1729; there were more fugitives in 1733 and a massive escape in 1756. Eighteen black males, five black females, one English Catholic and a male Indian "infidel" fled west from the ranch of an "ingles called Yachibul" on the edge of Cohaa lagoon where they cut dye wood and from ranches on the New River like that of "Captain Jones." All told, there were ten of these "ranchos de ingleses." Fleeing "in search of the Spaniards and Christianity" they were "lost" in the forest for five months during which time they planted crops until "one day they encountered a corral and followed the path into this province" of the Peten.

The many papers of the subsequent investigation (130 pages) note, among other things, the route in existence in 1756 used by those traveling from the Peten to the British settlements. There were len parts to this trip. On the first day one went from the Fortress (now Flores) to a settlement called Momunti. The second day took one to the settlement of Yalam, the third day to the by then depopulated town of San Pedro Chinoxa, the fourth day to the settlement of El Tubuco, the fifth to the settlement of Ouza, the sixth to the settlement of Canumbu, the seventh to the settlement of Jalal, and the eight to the settlement of Yasma. From Yasma one could see "the river which goes to Baliz, at whose mouth they load the dyewood which is removed from Cobaa lagoon." The ninth day finds one at the settlement of Tuqui where they embark to go to the ranchos of the Ingleses. ... There is another road by land called el Rio de los Tipues which in the summer is easy to

travel but few use it in the winter because of the abundant water." The last stage of the journey, took six days to arrive at the settlement called Chumucum "which means 'Head of the River'; from here it is two days to Cobaa lagoon which is close to the settlement of the Ingleses."

Fugitives kept on coming to the Peten and the Lago de Izabel. In 1757 they appeared at the hacienda San Felipe, 22 leagues from Peten (Flores); more arrived in 1758, 1767, 1774 and even as late as 1800. Occasionally, as in 1774, they were joined by white (Irish and English) fugitives from British rule. Meanwhile by formal agreement with the Spanish authorities, English settlers were evacuated from the coast of Nicaragua to Belize (1758) and the Belize settlements, ultimately, were recognized as British possessions (cf. maps of 1776 and 1783; Figs. 1, 2).

Although as late as 1798 an expedition was being launched to destroy them, the Colony remained and developed into the haven for rebels and center for contraband that it was famous for by the end of the Colonial period (cf. Guatemala 638). Spanish predictions of the impact of the British colonists (i.e., in 17th century justifications for the conquest of the Peten, not otherwise cited here) had become unpleasant reality.

#### **COLONIAL PETEN**

#### Citations by Year

1710	•	Guatemala 186
1737	7	Guatemala 508
1714	-	Guatemala 196
1754		Guatemala 237
1716	-	Guatemala 197,
1766		Guatemala 859
		Guatemala 186,
1774	-	Guatemala 409
		Guatemala 908
1778	-	Gazeta de Guatemala 6
1732	-	Guatemala 333

#### Commentary

Even more than Belize, references to Colonial Peten were a byproduct of other research. For the Audiencia of Guatemala papers, only the most obvious (of

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ethnographic interest) citations were recorded and some of those were not copied out. Nor are the most important records in Spain. There are many papers, most of which have not been examined by this author, in the Archivo General de Centro America, in Guatemala City. And surely others, of equal importance, in Mexico; for while politically the Peten was under the Audiencia of Guatemala, ecclesiastically it was in the Archbishopric of Mexico.

Officially colonial Peten history begins with the conquest of the Tah IIza on March 13th, 1697, and ends with independence on the 15th of September 1821. Actually things weren't so simple. Reduction of "infidels" was going on at least into the 1720s with contact between the Indians and the English only complicating matters further (cf. Guatemala 186 and above). As late as 1754, expeditions were still being sent out (unsuccessfully) to look for the unconverted Xomoes in or about the Maya mountains. Reports of prisoners of war fleeing Belize on the presence of such settlements and the trade, said to exist between the Indians of Cahabon and the said Indians of cacao in pots for machetes, axes, and salt were the sources of these hopes (Guatemala 237; another copy of this manuscript may be found in the AGCA as A1.6-3799-1754-15 and was published in the Boletin of the Archivo General del Gobierno 1:3:257-293). In any case, the settlements under Spanish control were not doing so well. From a total of 15 towns and a population of 3027 people in 1714 (Guatemala 196), the population declined to five small towns by 1732 (Guatemala 333). The cause was said to be illnesses and epidemics "in the last 38 years" (Guatemala 508)./ By 1778, and this may have been after the low point had been reached, the population was 2555 inhabitants (Gazeta de Guatemala 6).

The most important of the manuscripts on Colonial Peten discovered in Spain was a geographical relation for the year 1766. It contains detailed information on population, subsistence, and other aspects of native life (including the prospects for a native revolt!). These 85 pages of text are still being transcribed for future publication, but as an example of its contents I offer the following excerpts:

#### On Hunger

".....if the harvests be bad, they make other sowing, such as plantain, sweet manioc, sweet potatoes

and macales and even use the forests saving themselves with the fruits of the ramon, mamey and zapotes.....".

#### On the Road to Belize

"On the distance from the Fort (Flores) to Walis, I don't know; only I have heard that when the sergent major Don Melchor Mencos and Captain Don Pedro Montanez were with their troops in the said Valis making a new road, this was not straight but with much twisting and turning, so much that on one occasion they left in the morning encountered at nightfall (after going a considerable distance) their camp sites of the previous evening. In this manner it took them thirty three days to arrive at Walis; and from here left an Indian scout of our troops for the Fort of the Peten and he returned in seven days. If it took only seven days to go from Walis to Peten obviously the road was not straight. ... And the closeness of Walis to the Peten is not disputable because on some occasions, as all inhabitants of this province will bear witness, we have heard the thunder of the British cannons in Walis. Also as proof of the closeness of Walis to this province, on diverse occasions have left from there many black men and women, with children at their breasts, who have been baptized in the Peten, as I have witnessed."

#### THE MANCHE CHOL

#### Citations by Year

1604	-	Guatemala 181
1680		Guatemala 179
1624	-	Guatemala 67
1689	-	Guatemala 152
1673	-	Guatemala 158
1696	<u>=</u> 70	Guatemala 152
1676	_	Guatemala 25

#### Commentary

These people occupied an ill-defined territory north east of the Verapaz towns of Lanquin and Cahabon, north of the Lago de Izabal, south of the Itzas. In terms of the boundaries of modern Belize, this means lands south of the Moho River, and that part of

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Guatemala beyond the southwest corner of Belize. There are several major published reference sources for the Manche Chol, most importantly Tovilla (1960), Leon Pinelo (1960), and Ximenez (1930) as well as the references utilized by Hellmuth (1971) and Sain-Lu (1968). To these must now be added the "Descripcion Breve de la Tierra Manche" of Fray Gabriel Salazar (1624 - Guatemala 67) and the "Memorial que con tiene las Materias y Progresos del Chol y Manche" by Fray Francisco Gallegos (1676 - Guatemala 25) discovered by Feldman in Spain. The towns of the coast of Bacalar, that is of north/central Belize, had regular intercourse with those of Manche. In particular, The towns of the priests of Bacalar which they call Canpin, Tzoite, Zibum, Maiha Chinamic, Zactam Guacatibah up to the estancia of Pedro Hernandez, communicate very often with those of Manche being in the towns of Tzoite 3 Indians, one being fiscal, who came from the Manche with the same costume, same language, and perforated ears, in search of women with whom to marry, ... Indian merchants of Manche came another time to the town of Santa Cruz....Now been two years that the people of Campin, not wanting to obey the priest of Bacalar, fled to the Manche town of Ah Ixil," (Salazar 1624).

The following abstract, defines a route from Verapaz to Manche and the Belize coast (of Bacalar) at the end of the 17th century. One should note that the number of people per "house" is far larger than that found in modern household. Finally, included to provide a basis of comparison, are population summaries for various Manche towns under Spanish control in the 17th century (Table 1). Seemingly all Manche Chols were deported (e.g., those of Uchin to El Chol Baja Verapaz) at the end of the century (Guatemala 152). Except for the Xomoes rumors of the 18th century (see above) and the even more tenuous ones of this century (Ray Freeze, personed communication), the Manche settlements vanish with the end of the 17th century.

Autos hechos Sobre la Reduccion de los indios de Chol de la Provincia de Verapaz. Guatemala 152. Year 1696.

#### CHABON TO MANCHE ROUTE

- (1) from Cahabon to Cerro Tituz, 8 leagues
- (2) Cerro Titutz to Rio Camquen, 18 leagues

- (3) Rio Camquen to the town of San Jacinto Matzim, 1st Chol town, 2 leagues
- (4) San Jacinto to the town of Noxoy, 5 leagues
- (5) Noxoy to the town of San Francisco Xocmo, 4 leagues
- (6) Xocmo to the town of Asumpcion Chocahau, 5 leagues
- (7) Chocahau to the town of San Joseph May
- (8) May to the Town of Asumpcion Chocahau (also called town of Los Mulattos), 5 leagues
- (9) Town of Los Mulatos to San Miguel Manche, 5 leagues

#### MANCHE TO ITZA ROUTE

- (1) Manche to rancheria Boloy, 4 leagues
- (2) Boloy to rancheria of Marcos Tzibac, 4 leagues
- (3) Tzibac to Rio Sacapulas and the rancheria of an Indian called Juan Petz on the bank of the river, 5 leagues
- (4) Petz to other rancheria of Juan Petz on the Rio Yaxal, 5 leagues
- (5) Yaxal to an arroyuleo called Conconha, 8 leagues
- (6) Conconha to Rio Latetum, 4 leagues
- (7) Latetum to rancheria grande of Vicente Pachay (priest of the infidels), 4 leagues
- (8) From Pachay (on Rio Yaxal) to rancheria of Martin Petz, 10 leagues

In all these rancherias they have in each house twenty or thirty persons. And in others there are many houses from half league to two leagues with many people.

In the house of Martin Petz we find Spaniards from the provinces of Yucatan who have come to regulate cacao.

- (9) North to a rancheria on the other side of the Rio Yaxal, called Batenas with three houses in which there are thirty or forty people, 1 league
- (10) From Batenas to the house of the cacique Tzunumcham which has ten to

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twelve persons, 1 league

- (11) From Tzunumcham to the rancheria called Yahcab, 3 leagues
- (12) From Yahcab north to the rancheria of the Indian called Guyzquim, it has five houses with forty people, 1 league
- (13) From Guyzquim to a rancheria of three houses in which they have twenty persons, they call it cacique Pot, 2 leagues
- (14) From Pot to the rancheria of an Indian named Tzac, of ten people, 1 league
- (15) From Tzac to the rancheria of Joseph Tzac of fifty persons, I league. Near here there is a rancheria where the house each have fifteen or twenty people.

### THE FOLLOWING RANCHERIAS GONORTH TO BACALAR FROM THE RIO YAXAL

- (1) from the house of Martin Petz to the rancheria of Tzimil Ahau, 7 leagues
- (2) from Tzimil Ahau to Yocaba, the rancheria of Juan Quimenche, 8 leagues
- (3) from Yocaba to the rancheria of Pococ, 6 leagues
- (4) from Pococ to the rancheria of Saca where Joseph Yahcab is cacique, 5 leagues
- (5) from Saca to the town of Camplin which was anciently of the province of Yucatan and where Juan Chech is cacique, 2 leagues
- (6) from Campin to the rancheria of Los Chaves, 7 leagues
- (7) from Los Chaves to Ychtutz, rancherias of the Indian called Tziquem, 4 leagues
- (8) from Ychtutz to the rancheria of Ajopan, where Juan Tziquem is cachique, 8 leagues
- (9) from Ajopan to the large town of Tzaquin, cacique Juan Muzul, 8 leagues
- (10) from Tzaquin to the town of Tipu of the Yucatan Indians, 8 leagues
- (11) from Tipu to Bacalar, 25 to 30 leagues

TABLE 1.

#### MANCHE CHOL POPULATION SUMMARY

TOWNS

#### SOULS PER YEAR

	1604	1623	1626	1673	1676	1680	1696
San Jacinto Matzin	75	25	30	200	200	198	198
San Pable y Pedro Zinoxoy			40	220	220	240	290
San FranciscoXocmo (Sacomo)	•	200		200	200	185	185
Asumpcion Chocahau \$						150	150
San Jacinto Chocahau				120	120		
San Joseph May				350	250	300	300
San Miguel Manche	209	90	50	+300	+200	248	298
San Phelipe Cucul	35						
San Vicente Ah Ixil	57		40				
San Pable Chiixtee	33						
San Pable Yaxha		15	15				
San Lucas Tzalac		20	26	200	400	190	190
Santa Domingo Yol		400	100				
Santa Maria Xicupin		50	50				
Santa Cruz Yaxcoc			31				
Santiago Axitil				200		194	199
Rosario Cibalna	<i>]</i> /			240	240	200	200
San Fernando Axoy		4		150	150	180	180
San Sebastian Uchin						43	93
TOTALS	409	800	382	2180	1980	2128	2283

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## James S. Murphy BELIZE AT TWO: KEEPING ITS APPOINTMENTS WITH HISTORY

Much has already been written on the Anglo-Guatemalan Dispute over Belize. As we celebrate our second anniversary of independence, it is good for us to pause and reflect briefly on our past, on our historical struggle. For it is in reviewing this struggle, in all its complexity and frustrations, that we come to appreciate the justice of our cause, our right and duty to seek to be a free people. And it is in appreciating the justice of our struggle that we are empowered to face the challenge of remaining a free people.

In a real sense, the challenge of remaining a free people is, now, all the more intensified, and our duty to rise to the challenge all the more imperative. Today we find ourselves buffeted by an array of dogmatics and theoretics of both socialist and capitalist varieties. Our challenge to remain free involves the equally forceful rejection of enslavement to the calculated greed of the corporate board rooms of the West and the ruthless totalitarianism of the East.

More immediately, after more than one hundred years, we must continue to confront the threat of Guatemala's expansionist policies. Lest we fall into a false security, we can recall Guatemala's Summer sobering reminder. Our government had protested the incursion into our territory by armed thugs from Guatemala. Eduardo Castillo Arriola's response to the "border incident" was clear: "If there are no borders, what border incident can there be?" Our struggle for survival as a nation continues.

This article attempts to bring together historical data on the Anglo-Guatemalan Dispute and some of the more recent developments in the continuing effort to solve the problem. It is, in short, a collection of items not previously assembled conveniently. The article is divided into a brief treatment of the historical foundations of the dispute, an up-date on recent

James S. Murphy, a former Ambassador of Belize to the United States, is the Senior Director of International Relations in the Ministry of Foreign Affairs. This article was first published in Belizean Studies in 1984. efforts to settle the dispute, and a few concluding remarks.

#### **Historical Foundations**

The Anglo-Guatemalan Dispute over Belize has traditionally been described as a dispute between the Governments of the United Kingdom and Guatemala over the ownership of the territory of Belize.

R.A. Humphreys maintains, in his 1960's study of the diplomatic history of Belize, that there is evidence from Spanish sources that the English settlements existed in the area of Belize prior to 1670. But the unclear origin of British settlements in the Belize areas is attested to by Nigel Bolland: "Some historians," he writes, "suggest that a settlement was founded on the Cockscomb Coast in the south during the early 1630's; others claim it was founded about 1638 or 1640 by a Captain Peter Wallice or Willis at the mouth of the Belize River."

Whatever the date of the earliest settlement, we know that it was at the signing of the Treaty of Paris in February, 1763 that Britain secured from Spain recognition of the right of the English settlers to cut logwood in the Bay of Honduras.<sup>3</sup> Humphreys writes:

The treaty affirmed Spanish sovereignty in the clearest terms. Under it Great Britain undertook (Article 17) to demolish all fortifications which the settlers had erected in the Bay of Honduras. But at the same time it was agreed that British subjects should not be disturbed or molested under any pretext whatsoever in their occupation of cutting, loading and carrying away logwood, and that they might build and occupy without interruption the houses and magazines necessary for them, their families and their property.<sup>4</sup>

But the treaty did not stipulate clearly defined boundaries for the English logwood operations, and frequent attacks by the Spaniards on the English settlements ensued. When, in 1779, war broke out between England and Spain, a Spanish force from Bacalar attacked the British settlement, resulting in the capture of many prisoners. Most of the remaining settlers escaped to the Mosquito Shore or to Ruatan. Humphreys says that from 1779 to 1784 the "Belize Settlement was practically non-existent."<sup>5</sup>

The Treaty of Versailles of September, 1783, ending the conflict between Spain and England, affirmed the British rights under the 1763 treaty and defined the area of logwood settlements as being "between the Rivers Walliz or Bellese, and Rio Hondo." The Treaty of Versailles recognized Spanish sovereignty over the area and prohibited the construction of fortifications in the designated area. Three years later, England and Spain signed the Convention of London which required British withdrawal from the Mosquito Shore and adjacent islands and in return the British concession in the Bay of Honduras (Belize area) was enlarged to include the area between the Rio Hondo and the Sibun River. The 1786 London Convention affirmed both Spanish sovereignty over the entire area and the prohibition against the establishment of fortifications.

Although Guatemala later came to insist that throughout this early period of Spanish sovereignty over the area, Belize formed part of the old Captaincy-General (administrative region) of Guatemala, historians are less sure. Humphreys points out that in 1787 an attempt was made to physically mark the boundaries of the British settlement, as required by the 1786 Convention, and that the area of the British settlement was "formally assigned to the settlers by the then-Government of Yucatan." Narda Dobson, in A History of Belize, writes that there was never a "clear boundary between the territory under the jurisdiction of the Captain-General of Yucatan and that under the Governor of Guatemala." She continues.

It was generally believed that at least the area between the Hondo River and the Sibun came under the authority of Yucatan. Certainly it was from Yucatan, and not from Guatemala, that Commissioners were appointed to inspect the settlement in accordance with the terms of the Anglo-Spanish Treaties; and it was from Yucatan that the principal attacks on the British were launched during the eighteenth century.9

In any event, the British presence in the area expanded. Burdon reports that from the early days of the settlement magistrates were elected to enforce a system of basic laws. Humphreys cites evidence that the governor of Jamaica periodically commissioned justices of the peace in the British Settlement.

In 1765 the Commander-in-Chief of the British Navy in Jamaica, Admiral Burnaby, visited the settlement. Finding a less than orderly situation, he promulgated a set of laws, known as the "Burnaby Code," in an effort to remedy the problems. When the majority of the settlers returned to their former quarters from the Mosquito Shore in 1784, following the signing of the Treaty of Versailles, they both confirmed the "Burnaby Code" and expanded upon it. This was done through the workings of the elitist Public Meeting, which functioned as a primitive legislature.

The involvement of the British Government in the administration of the settlement expanded in 1784. In that year the Secretary of State for the Colonies appointed a superintendent in the settlement. He was to act under the authority of the Governor of Jamaica. The first superintendent, Colonel Despard, assumed office in 1786 and promptly abolished the settlers' system of government by elected magistrates. In the face of criticism from the settlers, the British Government in 1789 called on the Spanish Government to appoint an official to join with Despard's successor, Lt. Colonel Hunter, in administering the settlement. This move by the British Government illustrated the precarious nature of Britain's legal position: while British settlement and administration over the area were in fact expanding, there remained the need to respect, at least theoretically, Spanish sovereignty. As Bolland and Shoman, in their invaluable little work, Land in Belize: 1765-1871, put it:

Both the treaties of 1763 and of 1783-86 are very emphatic in reserving the sovereignty over the land to Spain, but this was never really appreciated by the settlers, who dealt with the land as if it were their own. For the British Government it was more a fundamental aspect of the treaties to which it had agreed, but although it was extremely reluctant to take any positive action in derogation of Spanish sovereignty, it did exercise a large degree of de facto sovereignty, particularly after war again occurred between Britain and Spain in 1796 ... the British Government continued until the 1830's to vacillate on the question of sovereignty over the Land, sometimes insisting on the fact of ultimate Spanish sovereignty, while at other times taking action which in effect asserted British Sovereignty. 10

## James S. Murphy: Belize At Two: Keeping Its Appointments with History

Such "vacillation" is evident from British sources. The British Act of 1817, for the more effectual Punishment of Murder and Manslaughter committed in places not within His Majesty's Dominions, describes Belize as "... a settlement, for certain purposes, in the possession and under the protection of His Majesty, but not within the territory and dominion of His Majesty." As Dobson remarks,

In legal terms, therefore, the Bay Settlement was no more than a place where British subjects had a right to cut timber. The people who lived there were certainly regarded as British, but all sovereign rights and powers lay with Spain. Nowhere else in the British Empire was there such an anomalous situation. 12

Historians have written at length about the September 10, 1798 Battle of St. George's Caye, making it unnecessary to treat this chapter of our history in detail here. Furthermore, detailed treatment of this important event in our history is irrelevant to the main thrust of this paper. An excellent account and interpretation of the Battle has been written by H.F. Humphreys of Dangriga and appears in Belizean Studies, Volume 7, numbers 4 and 5. Richard Buhler's article, "How the British Won the Battle of St. George's Caye," also in Belizean Studies, Volume 7, number 5, handsomely complements Humphreys' work.

For our purposes it is sufficient to say that, although the British initially resorted to a claim to the Belize Settlement "by right of conquest" as a result of the Spanish defeat at the Battle of St. George's Caye, all such claims were surrendered by the signing of the Treaty of Amiens in March 1802. Article 3 of the Treaty of Amiens required Britain to return to Spain all territories, except Trinidad, occupied by the British during the war which started in 1796. R.A. Humphreys concludes that "whatever title to Belize might have been acquired by conquest in 1798 was lost in 1802." In their treatment of this point, the respected international lawyers, E. Lauterpacht and D.W. Bowett, write that the provision of the Treaty of Amiens requiring the mutual restoration of captured territories "clearly serves to nullify any possibility of title by right of conquest." 14

#### 19th Century Developments

Humphreys remarks that in April, 1796 a Spanish commissioner visited the Belize Settlement from

Bacalar and that 'No Spanish official ever again visited the settlement to ensure that the arrangements concluded under the 1786 Convention were complied with." As the system of joint inspections by English and Spanish commissioners, as provided for in the 1786 Convention, collapsed the population of the settlement grew with the arrival of settlers from the Mosquito Shore. As discussed earlier, the British evacuation of the Mosquito Shore was itself one of the provisions of the 1786 Convention, in return for which the logwood concession in the Belize Settlement was expanded southward to the Sibun River.

At the turn of the century, then, the following features characterized the British Settlement in the Bay of Honduras: first, the population of the settlers was expanding in areas both within and outside the boundaries of the 1786 Convention; second, Spain remained sovereign in terms of title to the territory, but as increasingly Spanish interest declined it was replaced by de facto British control over the area -Britain had in place a superintendent functioning under the authority of the governor of Jamaica; third, there were no further Spanish attempts to expel the British settlers by force, the last such effort being in 1798; fourth, the inspections by Spanish commissioners from Bacalar had ended; and fifth, in 1819 the British Government decided to legislate for the settlement "without further formality" and this important step was taken "without producing any reaction from Spain." 16

Humphreys maintains that a 1816 Spanish protest against the crowning of the King of the Mosquito Shore "in British settlement at Wallis" and against the construction of three forts in the settlement, in violation of the Treaty of Versailles of 1783, apparently represented the last Spanish attempt to assert her rights over the area. "Thenceforth," he writes, "those rights were tacitly, though not formally, abandoned." <sup>17</sup> He explains:

In theory the British Government continued to regard sovereignty over the territory as inhering in Spain. In practice it exercised sovereign rights within it, while, at the same time, the boundaries of the settlement were being extended both southwards and westwards in an area certainly not covered by prior treaties. <sup>18</sup>

#### Central America & Guatemala Emerge

On September 15, 1821, the Central American Federation declared its independence from Spain. But torn by civil war, the federation collapsed between 1838 and 1839. Guatemala announced her independence by a decree of April 17,1839. By this time, the population of the British Settlement was estimated at several thousand, and the superintendent had already been is suing titles to land outside the limits of the 1786 Convention.<sup>19</sup>

In the face of expanding British interests along the Mosquito Shore and growing American interest in the Central American region, the United States and British Government signed the Clayton-Bulwer Treaty on April 19, 1850. By this treaty, both governments pledged that "neither of the Contracting Parties should occupy, or fortify or colonize Nicaragua, Costa Rica, the Mosquito Coast or any part of Central America, nor exercise dominion over the same." Before the exchange of ratification on June 29, 1850, however, the British Government directed its negotiator, Sir Henry Bulwer Lytton, to point out that "Her Majesty does not understand the engagements of that Convention to apply to Her Majesty's Settlement at Honduras or to its dependencies." <sup>21</sup>

The American Government's response concurred with this understanding. John M. Clayton, the U.S. Secretary of State, replied on July 4, 1850 that the treaty was not understood by the American or British Governments or by the negotiators to include the British Settlement in the Bay of Honduras:

... it was neither understood by them, nor by either of us (the negotiators), to include the British Settlement in Honduras, commonly called British Honduras, as distinct from the State of Honduras, nor the small islands in the neighborhood of that settlement, which may be known as its dependencies. To this Settlement and these islands the Treaty megotiated was not intended by either of us to apply <sup>22</sup>

Although the United States and British Governments agreed to the exclusion of the British Settlement at the Bay of Honduras from the Clayton-Bulwer Treaty, they were unable to agree on the southern boundary of the settlement. The United States supported the view that, in accordance with the 1786 Convention, the Sibun River formed the southern boundary of the settlement. The British Government rejected this position, arguing that the

de facto southern boundary had become the Sarstoon River. Interestingly, the British view prevailed at the signing of the Dallas-Clarendon Treaty of October 17, 1856 between Britain and the United States. Although this treaty was not ratified, it is important to point out that Article 2 stipulated:

That Her Britannic Majesty's Settlement called Belize, or British Honduras, on the shores of the Bay of Honduras, bounded on the north by the Mexican Province of Yucatan, and on the south by the River Sarstoon, was not and is not embraced in the Treaty entered into on the 19th day of April 1850, shall be, if possibly, settled and fixed by treaty between Her Britannic Majesty and the Republic of Guatemala within two years of the ratification of this instrument, which boundary and limits shall not at any time hereafter be extended. <sup>23</sup>

#### Anglo-Guatemalan Convention, 1859

The provision of the Dallas-Clarendon Treaty calling for a separate treaty concerning the Belize Settlement was implemented; and on April 30, 1859, the "Convention between Her Majesty and the Republic of Guatemala relative to the Boundary of British Honduras" was signed at Guatemala City by Charles Lennox Wyke for the United Kingdom and Pedro de Aycinena, the Foreign Minister of Guatemala.

Article 1 of the 1859 Convention defined the boundaries of the British Settlement:

It is agreed between Her Majesty and the Republic of Guatemala, that the boundary between the Republic and the British Settlement and Possessions in the Bay of Honduras, as they existed previous to and on the 1st day of January 1850, and have continued to exist up to the present time, was, and is as follows: Beginning at the mouth of the River Sarstoon in the Bay of Honduras, and proceeding up the mid-channel thereof to Gracias a Dios Falls; then turning to the right and continuing by a line drawn direct from Gracias a Dios Falls to Garbutt's Falls on the River Belize, and from Garbutt's Falls due north until it strikes the Mexican frontier. It is agreed and declared between the HighContracting Parties that all the territory to the north and east of the line of boundary above described belongs to Her Britannic Majesty, and all the territory to the south and west of the same belongs to the Republic of Guatemala. 24

The British Government had pointed out to Wyke, its Charge d'Affaires in Guatemala City, that in negotiating the Convention with Guatemala it was,

... absolutely necessary that the line of boundary to be established by the proposed Convention should be therein described, not as involving any cession of new acquisition from the Republic of Guatemala (in which case the United States might contend that Great Britain had violated the self-denvine clause of the Treaty of 1850), but, as it is in fact, simply as the definition of a boundary long existing, but not hitherto ascertained. <sup>25</sup>

The Guatemalan Government, which was beginning to claim sovereignty over all the territory of the British Settlement as the successor state to Spain, continued to recognize the Anglo-Spanish treaties of 1783 and 1786 as forming the only legal basis for the British presence in the Bay of Honduras. The latter agreement clearly defined the southern boundary of the British Settlement as being the Sibun River. British sovereignty over the area, whether within or outside the territories defined by the 1783 and 1786 treaties, had not been recognized by the Guatemalan Government. Thus, in the Guatemalan Government's view, the 1859 Convention, which acknowledged the Sarstoon River as the southern boundary of the settlement, constituted a surrender of Guatemalan territory to Belize.

The British negotiator, Wyke, acknowledged these Guatemalan claims when, in responding to his instructions, he wrote that the Guatemalans were "well aware of the encroachments which have been gradually made on their territory by the woodcutters and settlers of Belize, and this Government will, I know, claim compensation, if required to cede territory so encroached upon, before they acknowledge our right to the limits of the Settlement as now existing."<sup>26</sup>

As anticipated, the Guatemalan Foreign Minister, Aycinena, demanded compensation for what he viewed as the abandonment of Guatemalan rights to territories illegally occupied by the British settlers. Wyke confirmed the "constant opposition" of Guatemalan President Carrera, "who would not hear of unconditionally surrendering what he called his country's rights to the greater portion of the territory now actually occupied by our woodcutters in the Settlement." 27

Wyke found himself in an unenviable quandary: his government's rejection of the Guatemalan claim to the territory of the British Settlement was clear and his instructions against accepting any treaty provisions that implied cession of territory by Guatemala were likewise clear. Personally, however, he held that the British Government had "no legal right beyond that of actual possession to the tract of country between the Rivers Sibun and Sarstoon." And, he knew that Guatemala's demand for "compensation" for "surrendered" territory would have to be met somehow if there was to be any chance of his negotiations with Aycinena succeeding.

Whether viewed as an "inducement" to Guatemala to sign the proposed Convention, Wyke's interpretation, or as "compensation for lost territory," Guatemala's position, Wyke inserted Article 7 into the proposed agreement. Article 7 stated:

With the object of practically carrying out the views set forth in the preamble of the present Convention for improving and perpetuating the friendly relations which at present so happily exist between the two High Contracting Parties, they mutually agree conjointly to use their best efforts by taking adequate means for establishing the easiest communication (either by means of a cart-road, or employing the rivers, or both united, according to the opinion of the surveying engineers), between the fittest place on the Atlantic coast near the settlement of Belize and the capital of Guatemala; whereby the commerce of England on the one hand, and the material prosperity of the Republic on the other, cannot fail to be sensibly increased, at the same time that the limits of the two countries being now clearly defined, all further encroachments by either party on the territory of the other will be effectually checked and prevented for the future. 29

At this point, it is important to understand the fundamental difference of opinion between Great Britain and Guatemala over the nature of the 1859 Convention and of the purpose of Article 7 of the Convention in particular. The Guatemalan Government maintains that the 1859 Convention is actually a disguised treaty of cession, and not, as it is entitled, a boundary agreement. The ceded area included both territory occupied by Britain in accordance with the 1783 and 1786 Anglo-Spanish treaties and territory to

the west and south of these treaty lines. Furthermore, Guatemala contends that it was necessary to conceal the transfer of territory for fear of provoking charges of British expansion in Central America, in violation of the 1850 Clayton-Bulwer Treaty. Article 7, Guatemala maintains, with its provision for a cartroad, represents compensation to Guatemala for the loss of her territory.

The British Government has held that the 1859 Convention is, as termed, a boundary agreement, and not an agreement concealing the cession of territory. According to the British view, Guatemala never had title to sovereignty over any of the territory constituting the British Settlement, whether within or outside the treaty lines of 1783 and 1786. Therefore, the British hold, Guatemala never possessed any territory to cede to anyone. Great Britain argued that the 1859 Convention could not be seen as violating the Clayton-Bulwer Treaty because that treaty explicitly excluded the British Settlement from its provisions and that at any rate, British occupation of the settlement, in its present boundaries, predated the Clayton-Bulwer Treaty.

R.A. Humphreys includes an interesting critique of the 1859 Convention, with particular consideration of Article 7, in his work, <u>The Diplomatic History of British Honduras: 1638 – 1901</u>. <sup>30</sup> It is worth quoting from this critique at length:

It is possible to criticize with severity the extent to which Wyke seems, tacitly if not formally, to have admitted the validity of Guatemalan claims. It is possible also to dispute his doubts as to Britain's "good and legal" title to the settlement of Belize. But it is not possible to controvert his reading of Article 7. It may properly be argued that no cession of territory took place in 1859, but it cannot be denied that Article 7 was the inducement under which the Guatemalan Government signed the treaty, and that, from the Guatemala point of view, it was a compensation for the abandonment of a claim to territory. By it, therefore, the British Government incurred both a legal and a moral obligation, and in 1862 the Under-Secretary of State for Foreign Affairs did in fact admit the compensatory character of the Article when, in explaining the Convention to the House of Commons, he stated that Wyke had encountered considerable opposition to its draft terms, that "in return for certain concessions" the Guatemalan Government asked for an "equivalent,"

and that this equivalent took the shape of Article 7.31

In any event, subsequent disagreement between the two Governments over who should pay what percentage of the costs of the anticipated "means of communication" between Guatemala City and the Atlantic coast resulted in the collapse of the treaty. Matters were further complicated by disagreement between the Colonial Office and the Foreign Office over the advisability of building the road in the first place.<sup>32</sup>

In May, 1862, the British Government took the important step of formally establishing the Belize Settlement as the colony of British Honduras.

An attempt was made in 1863 to settle differences over the treaty obligations of the Guatemalan and British Governments under the terms of the 1859 Convention. But the new agreement, the Supplementary Convention of 1863 collapsed over the failure of the Guatemalan Government to ratify the agreement within the prescribed time. Guatemala presented as its reason for the delay the fact that the country was at war for much of the time following the signing of the treaty on August 5, 1863. 33 In fact, Guatemala simply lacked the financial resources at the time to meet the treaty commitments. 34 Britain signed the agreement on August 5th and expressed its willingness to ratify it at the appointed time in 1864. Britain rejected an appeal from Guatemala to extend the time allowed for ratification on the grounds that it was unfair to hold our contracting party in suspense while the other made up its mind whether to ratify the agreement. The fact of the matter is, though, that the British Government required Parliamentary approval to meet the treaty's financial commitments and, as Humphreys points out, it was becoming increasingly unlikely that Parliament would approve the required funds; Britain was, Humphreys maintains, "obviously glad to escape" from the obligations of the Supplementary Convention. 35

#### Legal Basis of the Guatemalan Claim

As mentioned previously, Guatemala claims to have inherited from Spain all territorial rights to Belize. The legal basis of the claim rests on what is known as the doctrine of <u>uti possidetis</u>.

In the late 1970's the Government of Belize requested an opinion "dealing with the legal history

and status of Belize in international law and in particular with the merits of the Guatemalan claim to Belize." <sup>36</sup> In their study, <u>Belize: Joint Opinion</u>, submitted on September 18, 1978 international lawyers Derek William Bowett and Elihu Lauterpacht treated the concept of <u>uti possidetis</u> at length. Quoting "an authoritative statement of the purpose and justification of the concept" from the Award between Columbia and Venezuela in 1922, by the Swiss Federal Council, they wrote:

When the Spanish colonies of Central and South America proclaimed their independence in the second decade of the 19th century, they adopted a principle of constitutional and international law to which they gave the name of uti possidetis juris of 1810 for the purpose of laying down the rule that the boundaries of the newly established republics should be the frontiers of the Spanish provinces which they were succeeding. This general principle offered the advantage of establishing an absolute (sic) rule that in law no territory of the former Spanish America was without an owner. Although there were many regions that were unexplored or inhabited by uncivilized natives, these regions were regarded as belonging in law to the respective Republics that had succeeded the Spanish provinces to which these lands were connected by virtue of old royal decrees of the Spanish mother country. These territories, not occupied in fact, were by common agreement considered as being occupied in law by the new republics from the very beginning. Encroachments and ill-timed efforts at colonization beyond the frontiers, as well as de facto occupation, became ineffective and of no legal consequence. 37

The authors contend, then, that the "function of the new doctrine of <u>uti possidetis</u> was to divide the territory between (in 19<sup>th</sup> century terms) the newly-emerged States of Central and Latin America which had rejected continued Spanish rule." <sup>38</sup>

Lauterpacht and Bowett proceed to remark, however, that the fact that the "concept of <u>utipossidetis</u> is so well established as a rule operating between the former colonies of Spain in America does not mean that it is necessarily applicable in the present (i.e. Belize-Guatemala) case." <sup>39</sup> They point out that the basis of Guatemala's claim to be the successor state to Spain is rebellion, and that "rebels acquire from the original sovereign rights only over the territory which they actually occupy. Rights to any

other areas can only come about as a result of grant by the original sovereign.

According to the legal experts, as the Central American states all rebelled against a single sovereign, Spain, it was convenient for them to develop, among themselves, the concept of utipossidetis because this aided the division among themselves of "peripheral areas which had not specifically been the scene of active rebellion." <sup>41</sup> As Belize was not occupied by Spain and not one of the states of Spanish origin, the question of title to sovereignity had to be "determined by more traditional rules—i.e., by reference to the extent of occupation."

<sup>42</sup> It is clear that the British were in occupation of Belize at the time of Central America's independence from Spain.

Lauterpacht and Bowett cite Bloomfield's rejection of the application of the concept of <u>utipossidetis</u> in the case of Guatemala's claim to Belize. While acknowledging that <u>utipossidetis</u> became the principle by which boundry lines were established between the Central American states, Bloomfield is quick to reject the concept's applicability beyond this very specific and limited purpose:

But in no case has the International Community recognized, as an institution of international law, the principle of uti possidetis. It remains, just like the Bull of Pope Alexander VI wherein it originates, derogatory to general international law, which insists on occupation as a basis for sovereignty. A rule derogating to generally accepted customary international law is binding only on those persons which have, by a convention, expressly agreed to it. 43

As Lautherpacht and Bowett put it, "what was convenient <u>inter se</u> for the States of Spanish origin does not make law for others."44

#### **Anglo-Spanish Relations**

Having dismissed the doctrine of <u>uti possidetis</u> as being essentially irrelevant to the question of Guatemala's claim to Belize, Lauterpacht and Bowett conclude that there is no valid basis in law to the Guatemalan claim to any of the territory constituting Belize. Turning to the Anglo-Spanish deliberations over the territory, they make the following important points: first, there was never any formal treaty of cession between Spain and Britain relating to the

territory of Belize; second, simultaneous with Britain's "emerging sovereignty" over the territory there occurred Spain's abandonment of the same area; and third, Britain maintained and extended its administration over the territory. They conclude:

Whether this is looked at as occupation of a derelict territory in respect of which there was no competing title or as prescription against Spanish title, the result is the same. By the time that Britain came to make the 1859 Treaty with Guatemala the Territory was, in international law, British. 45

Two accepted concepts of international law which are relevant to Anglo-Spanish relations vis-àvis the territory of Belize are, first, the "dereliction" of a territory and second, the process of prescription. Lauterpacht cites Oppenheim's definition of the "dereliction" of territory:

abandonment of a territory, and secondly, the intention of giving up sovereignty over it. Actual abandonment alone does not involve dereliction as long as it must be presumed that the owner has the will and ability to retake possession of the territory. 46

The international lawyers argue that the evidence for the first requirement of the "dereliction" of territory, the actual abandonment of the territory by Spain, is "incontrovertible." <sup>47</sup> As evidence, they cite, first, the fact that none of the territory in question was ever occupied by Spain; second, the last attempt by Spanish forces to expel British settlers occurred in 1798; third the last expression of nominal Spanish sovereignty – a protest over fortifications – occurred in 1816; and fourth, the absence of any Spanish protests to subsequent British sovereign acts, including the granting of colonial status on the territory in 1862.

The second requirement of the "dereliction" of territory, the intention of surrendering sovereignty by Spain, is manifested, according to legal scholars, in "the successful revolts in 1821 in the rest of Central America (which) induced in Spain a state of mind equivalent to an intention to abandon at that time." <sup>48</sup> As supporting evidence of this intention, the two international lawyers cite the apparent willingness of the Spanish Foreign Minister, in 1835, to conclude a treaty with Britain which would have ceded to Great Britain all the territory between the Hondo and Sarstoon Rivers. <sup>49</sup> Such a treaty unfortunately never

materialized. However, Lauterpacht and Bowett point out that the fact that in 1835 Spain "saw no difficulty in acceding to the British request for formal cession is inconsistent with any intention to reassert title thereafter." <sup>50</sup>

It has been written that the perfection of the British title to Belize occurred through the process of "acquisitive prescription." <sup>51</sup> Brierly, in the <u>Law of Nations</u>, writes that while there are certain problems with the notion of prescription, sometimes referred to as "title founded on long and peaceful possession," international law "does appear, however, to admit that, by a process analogous to the prescription of municipal law, long possession may operate either to confirm the existence of a title the precise origin of which cannot be shown or to extinguish the prior title, of another sovereign..." <sup>52</sup>

Lauterpacht and Bowett quote Oppenheim's development of the concept of prescription:

... the Law of Nations recognizes prescription both in cases where the State is in bona fide possession and in cases where it is not. The basis of prescription in International Law is nothing else than general recognition of a fact, however unlawful in its origin, on the part of the members of the Family of Nations. And prescription in International Law may therefore be defined as the acquisition of sovereignty over the territory through continuous and undisturbed exercise of sovereignty over it during such a period as is necessary to create under the influence of historical development the general conviction that the present condition of things is inconformity with international order. 53 (author's emphasis)

The two lawyers stress the significant point that the origin of the title to territory need not be lawful. They add, "the prescriptive title arises notwithstanding that the occupation may have been originally a trespass, an occupation in <u>bad faith</u>. <sup>54</sup> This is of central importance, they maintain, because in the present case, "not only did the British convert a usufructuary right into an occupation as sovereign, but they extended that occupation beyond the limits agreed with Spain by treaty." <sup>55</sup> The legal experts conclude that, as the remaining requirements for a valid prescriptive title to Belize were clearly satisfied by the British, the United Kingdom "acquired a valid prescriptive title over the whole territory." <sup>56</sup>

#### Lauterpacht & Bowett and the 1859 Convention

Before leaving the discussion of the study, <u>Belize:</u> <u>Joint Opinion</u>, it would be helpful to examine its analysis of the 1859 and 1863 conventions. The authors raise three specific questions: first, was the 1859 Convention in effect a treaty of cession, as claimed by Guatemala? Second, is Great Britain in breach of the treaty, especially of Article 7? Third, if so, what is the legal consequence of such a breach?

Their response to the first question can be summarized quickly. The process of determining the meaning of a treaty involves an examination of the words of the treaty and a study of the intentions of the parties to the treaty. In the case of the 1859 Convention, the wording is clear. The preamble states that the boundary between the British Settlement and Guatemalan territory needed to be determined and marked out, and that both governments desired by the 1859 Convention to so determine the boundary. Article 7, which Guatemala advances as evidence of the true nature of the treaty as one of cession, ends with the words, "the limits of the two countries being now clearly defined." The authors of the Joint Opinion conclude: "This is not the kind of language which one would have expected if in fact the Article was either intended to serve the purpose of changing the treaty to one of cession or of reflecting such a change." 57

As for the intentions of the parties to the Convention, it is clear that the British Government consistently held that it never intended to be a party to a treaty of cession. Furthermore, an earlier Guatemalan draft of the 1859 Convention, which provided for agreement on the basis of cession, was rejected by the British Government and Guatemala accepted the United Kingdom's rejection.

Article 7 of the Convention, which Guatemala alleges contains Britain's compensation for the cession of territory, represented in the opinion of the international legal experts, not an inducement to part with territory; but the "quid pro quo to Guatemala for agreeing to abandon a claim." <sup>58</sup> In the words of the international lawyers: "By the 1859 Treaty Guatemala was agreeing to the definition of the boundary of Belize and, as we see it, agreeing for a price to abandon the pretence that the territory or any part of it remained Guatemalan." <sup>59</sup>

Turning to the question of a British breach of

the 1859 Convention, especially of Article 7, Lauterpacht and Bowett first point out that Guatemala and Britain "were agreed that Article 7 was so vague as to be inoperable" 60 and that "It could only be implemented by a further specific agreement." 61 The obligation created by Article 7—"they mutually agree conjointly to use their best efforts"—is clearly a joint one, they argue, and they add, "to pose the question of a breach in terms of breach by Britain alone—as Guatemala has done—is to misstate the issue." 62 They admit that Britain did not use her "best efforts" to implement Article 7, 63 but add,

... we do not consider that Britain's conduct can be assessed in isolation from that of Guatemala or that when a comprehensive look is taken at the conduct of both parties the situation is one which warrants Guatemala's assertion of a "unilateral breach" by Britain entitling Guatemala to regard the 1859 treaty as at an end. 64

Finally, the authors of the Joint Opinion turn to Guatemala's termination of the entire 1859 Convention as a result of the alleged British breach of Article 7. On the question of breaches of treaties, the International Law Commission makes a distinction. they state, between "material" and "non-material" breaches and, according to the Vienna Convention on the Law of Treaties, only mention of treaties in whole or in part. A breach of a treaty is considered "material" if the violation is of "a provision essential to the accomplishment of the object and purpose of the treaty." 65 They reasoned that, first, the 1859 Convention was essentially a boundary treaty; second, that Article 7 was not included in the original draft of the agreement and third, that Article 7, while necessary to secure Guatemalan agreement, "was by no means essential to the actual demarcation of the boundary." 66 Their conclusion, therefore, is that any possible breach of Article 7 "was not sufficiently undamental or material" to justify the termination of the treaty by Guatemala. 67

Two further stipulations of the Vienna Convention on the Law of Treaties are regarded as pertinent to the present case. First, international law provides that even where a "material" breach has occurred, the innocent party may still not be entitled to terminate an entire treaty. The lawyers write: "For where the provision breached is severable, that is to say, capable of being regarded as a distinct provision the fulfillment of which is not essential to the whole

object and purpose of the treaty, the innocent party may be entitled to terminate or repudiate that provision only." And they add, "The reasons given.... For the view that a breach of Article 7 is not "material" also support the view that Article 7 is severable from the rest of the 1859 Treaty." 69

Secondly, international law requires that even where the right to terminate a complete treaty for a "material" breach has been established, such an act must follow "within a reasonable time after the breach." <sup>70</sup> Article 45 of the Vienna Convention holds:

A state may no longer invoke a ground for invalidating, terminating, withdrawing from or suspending the operation of a treaty under articles 46 to 50 or articles 60 and 62 if, after becoming aware of the facts: a) it shall have expressly agreed that the treaty is valid or remains in force or continues in operation, as the case may be; or b) it must by reason of its conduct be considered as having acquiesced in the validity of the treaty or in its maintenance in force or in operation, as the case may be. 71

The legal experts point to joint British-Guatemalan boundary demarcation projects of 1916, 1924, 1929 and 1933, and to frequent correspondence, including official Guatemalan Notes of 1933, 1934, 1935 and 1938, calling for the United Kingdom's compliance with the 1859 treaty obligations, as demonstrating conclusively Guatemala's "acquiescence" in the continued validity of the 1859 Convention. Not until 1940 did Guatemala announce that she considered the 1859 Convention terminated. A Guatemalan Foreign Ministry memorandum put it this way:

If for England Article 7 no longer has effect, then for Guatemala Article 1 establishing the cession has lapsed also. 72

Lauterpacht and Bowett conclude that Guatemala's declared termination of the treaty in 1940 could not be said to fall within "a reasonable period of time" of the alleged breach; therefore, the 1940 decision was "far too late to have any effect in law." 73

The 19th century ended with Britain and Guatemala remaining at odds over the sovereignty of Belize. Agreement was reached, however, between the United Kingdom and Mexico over the northern boundary of the Belize territory. In 1893, after advancing a claim of its own to much of the northern portion of the territory of Belize, Mexico ratified a treaty with Britain which recognized the Hondo River

as the boundary line separating Mexico's territory from that of the British colony.

### The 20th Century: The Emergence of Belize, Interminable Negotiations and Independence

Following the collapse of the 1859 and 1863 Conventions, numerous proposals for new negotiations and arbitration were advanced by both the British and Guatemalan Governments. Guatemala first proposed arbitration as early as 1868, but disagreement over who should be arbitrator (the United States and France were proposed) aborted this proposal. The historical record shows that various proposals for settling differences over the 1859 and 1863 Conventions were presented in 1933, 1937, 1939, 1940 and 1945. The plans advanced during this period included a British invitation to submit the dispute to the World Court at the Hague. The British and Guatemalan Governments were unable to reach agreement on any of the proposals of the period.

On March 11, 1945, the Guatemalan Legislative Assembly adopted a new Constitution which stated that all the territory of Belize formed an integral part of the national territory of the Republic of Guatemala. 74

#### The Nationalist Era

In the present age of generally amicable relations between Britain and her former colonies it is difficult to appreciate the less than cordial ties that characterized these relationships in the 1940's and throughout much of the 1950's The crumbling of colonial empires, greatly accelerated following World War II, generally caught the British unprepared and surprised. The nationalist fervor taking hold in the colonies was for the most part not understood by the British — and, indeed, by many of the traditional elites within the colonies — with the result that many independence struggles were fraught with fear, suspicion and in some instances, violence and bloodshed. The establishment of India and Pakistan as separate independent states in 1947 attests to this process.

The history of the nationalist movement in Belize has been well documented by Assad Shoman's article. "The Birth of the Nationalist Movement in Belize: 1950-1954." 75 and Cedric Grant's The Making of Modern Belize. 76 This paper avoids repeating many

historical details, important as these are for a general understanding of Belize's history. The discussion of the nationalist period concentrates on how developments within domestic Belizean politics altered the framework of Anglo-Guatemalan relations vis-àvis the Guatemalan claim to Belize. Briefly said, we have seen that by 1950 Great Britain and Guatemala \* had been arguing for over one hundred years over the "ownership" of Belize. In an age of European colonization, the issue of the rights of the people in the colonies was of minimal importance; colonials were, in the good mercantilist tradition, subjects of the mother-country who existed and functioned to serve the interests of the mother-country. That the people in the colonies might have as their primary loyalty anybody other than the mother-land was unthinkable. The course of history was, as we know, to change all that. The "political awakening" of the Caribbean, that was to result in independence from Britain for Jamaica and Trinidad and Tobago in 1962 and for Barbados and Guyana in 1966, took root in Belize in 1950. From that year the focus of the argument shifts from one between Britain and Guatemala over title to the territory of a disputed colony to one between an emerging people seeking freedom and a new set of would-be colonial masters.

What had been for Guatemala a campaign to take possession of a piece of Caribbean coastline, and for Britain, first an attempt to retain an obscure corner of the Empire and then an effort to get rid of an unprofitable colony, was becoming for Belize the struggle for survival as a nation.

The awakening of the people of Belize to the injustices of the colonial system and to desire to assert themselves as a free people initially found expression in the short-lived People's Committee. This group, formed following the devaluation of the Belizean currency by the British Government, exploited the devaluation issue to attract wide-spread public support for the larger issues of self-government and eventual independence. On September 29, 1950, the People's Committee dissolved itself and the People's United Party emerged. <sup>77</sup> In October, 1950, the party leaders were announced as: John Smith, party leader; Leigh Richardson, chairman; George Price, secretary; and Phillip Goldson, assistant secretary. <sup>78</sup>

Allegations that the new political party was allied with Guatemalan interests were among the early accusations to surface against the party. Shoman

has pointed out, however, that resolutions passed at the party's first annual convention in 1951, and subsequent proposals by the P.U.P. - controlled City Council for constitutional talks in London the same year, represented "a straight-forward self-government constitution." 79 Quoting from a "Billboard" editorial of February 7, 1951, Shoman writes that from that early date the party's position was that the de facto owners of Belize were the Belizean people, not Britain or Guatemala, and the party's goal was selfgovernment and eventual independence within the Commonwealth. 80 Still, Price's belief that the country's future rested in some form of association with Central America, and not with the Britishfavoured West Indian Federation, and Goldson's published article, "Seven Days of Freedom," in which he described his 1951 trip to Guatemala, among other things, sufficiently angered the British into launching an investigation of alleged "contacts" between the P.U.P. and the Guatemalan Government. 81

The British Commissioner, Sir Reginald Sharpe, blasted George Price as being "definitely untruthful" and "evasive," 82 but was able to conclude only that Price had received \$500.00 from the Guatemalan consul in Belize City in 1951. 83 Shoman has confirmed that the P.U.P. sought support from the Guatemalan Government, among other Central American governments, during the early days of the party's anti-colonial struggle: "Even before the party was founded, the People's Committee had sent an appeal to all Central American governments, including Guatemala, for support in its anti-colonial stand." 84

Assad Shoman, who claims to have had access to some of Price's "valuable private papers" in his writing of "The Birth of the Nationalist Movement in Belize, 1950-1954," \*5 remarks:

There is no doubt that in its early years the P.U.P. received material support from some sources in Guatemala, but I have been able to find no evidence for the allegation that it ever countenanced any form of incorporation into or subservience to Guatemala. On the contrary, its policy had always been for complete independence. 86

As editorials in the "Billboard" at the time made clear, the primary goal of the nationalist campaign in Belize was to get rid of British colonial domination. Again referring to the "Billboard" editorial of February 7, 1951, Shoman holds that the statement that "the present evil is British colonialism" represents the

"best indicator of the P.U.P.'s relations with Guatemala" during the early nationalist period. 87 In other words, he adds, "British colonialism was the 'principal contradiction,' and an alliance with any other force to fight this 'present evil' was justifiable." 88 Interestingly, Shoman concludes:

It is noteworthy that the P.U.P. leaders at this time never denied outright that they were receiving assistance from any sources in Guatemala, but they did deny that "the P.U.P. is receiving aid from Guatemala to work against this country." 89 (author's emphasis)

Writing on the charges of wide-ranging contacts between P.U.P. leaders and Guatemala, Cedric Grant speculates on possible motives for the British concern over these allegations. He points out that it took four years of accusations for them to launch the infamous Sharpe enquiry, which, curiously, was then conducted just before the 1954 election. Grant believes that "What undoubtedly did have a strong bearing on this seemingly late investigation" yas the British Government's dealings with the People's Progressive Party Government of Cheddi Jagan in Guyana in 1953. In that year the British Government revoked Guyana's Constitution on the grounds that the Jagan Government was Marxist. 92

In the case of the P.U.P. leaders and Guatemala, it is entirely plausible, suggests Grant, that the main cause of British apprehension was not only that the Guatemalan Government claimed the territory of Belize, but the fact that the democratically-elected Arbenz Government in Guatemala was widely perceived as being Communist. The British fear was that they would face a repeat of their Guyana-experience in Belize. 93

This attempt to discredit the nationalist movement through charges of P.U.P.-Guatemalan connivance has been an enduring theme through the past thirty years of Belizean domestic politics. The colonial government was ultimately forced to realize that these charges were not going to defeat the nationalist movement in the eyes of the public. Opposition parties have through the years similarly used the charges of P.U.P.-Guatemalan contacts in an effort to weaken the P.U.P.'s electorial strength.

In May, 1961, Belize was admitted as an associate member of the Economic Commission for Latin America. The motion for admittance was cosponsored by the British and Guatemalan

Governments. Stopping in Guatemala City on his return from the ECLA Conference in Santiago, Chile, Price (then First Minister) took the opportunity to respond to Guatemala President Ydigoras Fuentes' invitation to Belize to become an associate state of Guatemala. Price's rejection of Belize's assimilation into Guatemala was emphatic:

.... The policy of the P.U.P. is as stated in its manifesto – namely that the goal of the party is self-government as soon as possible and eventual independence as a sovereign state on the Central American mainland. 94

The first of dozens of conferences between representatives of Great Britain, Guatemala and Belize, aimed at settling the Anglo-Guatemalan Dispute. was held in Puerto Rico in April, 1962. The presence of Belizean representatives 95 at the Puerto Rico meeting was significant in that it signaled to the Guatemalans, and to anyone else who cared to notice, the emergence of the people with the greatest interest in a resolution of the conflict, namely, the citizens of Belize.

In May and July, 1965, representatives of the government and the opposition in Belize met with officials of Britain and Guatemala in Miami. <sup>96</sup> The United Nations became actively involved in the dispute between 1965 and 1968 with the appointment of U.S. Ambassador Bethuel Webster to serve as a mediator in the dispute. His proposals, in the form of a draft treaty, were released in 1968. His plan would have provided for nominal independence for Belize while in fact giving Guatemala considerable authority over the affairs of Belize. Not surprisingly, the Webster effort ended in failure. <sup>97</sup>

Diplomatic efforts to solve the Anglo-Guatemalan Dispute intensified considerably in the 1970's. The list of conferences reads like a litany in frustration: over 1971-1972, in the United States, talks during which Guatemala proposed to have control over Belize's economic, foreign and defense affairs; in February, April and July, 1975, in New York, New Orleans and New York respectively, talks during which Guatemala demanded the cession of the southern section of Belize. This time Guatemala put her Army on the Belize border and the talking ended. The negotiations resumed April, 1976, and were reconvened in June, August, September and October that year, and again in July, 1977. The United Kingdom put forward proposals for cooperation between Belize

and Guatemala in the areas of economic affairs. defense and foreign affairs. Guatemala demanded land cession, but, with negotiations still in progress, prepared to militarily invade Belize. In 1978 and 1980, in Miami, New York and Bermuda, talks were renewed, but again agreement could not be reached. 98 In frustration, a Belize Government publication of 1980 asked: "How much longer must we be forced to continue the endless charade of fruitless negotiations?" 99

#### **The Internationalization Process**

For approximately twenty years — since 1961 – the Belize Government joined with the British Government, who were, throughout the period, constitutionally responsible for the foreign affairs and defense of Belize, in attempting to achieve an agreement with Guatemala over the claim to Belize. The Belize Government stated that its representatives participated in these fruitless negotiations not because it acknowledged any validity to Guatemala claims, but because it wished to insure that the Guatemalan and British Governments settled their difference without prejudice to the sovereignty and territorial integrity of Belize. Belize's fear of Britain's willingness to negotiate away Belizean territory surfaced in January, 1978, when, in secret London talks attended by Price, British Foreign Secretary David Owen urged the cession of the southern part of Belize to Guatemala. 100 Price forcefully rejected the British proposal, arguing that "cession of land will create problems, not solve them." 101

Partly because bilateral negotiations between the United Kingdom and Guatemala had produced only repeated deadlock, the Belize Government decided in 1975 to launch a campaign to "internationalize" the dispute and thereby seek worldwide support against the Guatemalan claim. The Belizean effort was a success. Immediate declaration of support came from the Conference of Foreign Ministers of Non-Aligned Nations, meeting in Lima, Peru in August, 1975, the Heads of Government of the Commonwealth Nations meeting in Kingston, Jamaica, also in August, 1975, and from the Heads of Government of the Caribbean Community, meeting in St. Kitts in December of the same year. The Summit Conference of Non-Aligned Nations in Sri Lanka, in August, 1976, similarly endorsed Belize's right to selfdetermination and independence.

It was at the United Nations that Belize's internationalization campaign secured its greatest diplomatic successes. In 1975, the first United Nations resolution affirming the "inalienable right of the people of Belize to self-determination and independence," and supporting the "inviolability and territorial integrity of Belize." was adopted by the General Assembly by a vote of 110 in favor, 9 against and 16 abstentions. In 1977 the U.N. vote in support of Belize's right to freely determine its own future grew to 126 in favor, 4 against with 13 abstentions. Of special significance in the 1977 vote was the support of fourteen Latin American nations for the pro-Belize resolution.

By 1980 almost all the member states of the U.N. supported Belize's just demand to be free of the Guatemalan claim. That year, a strongly worded resolution, calling on Britain to advance Belize to a secure independence by the end of 1981 with all its territory intact, was passed by the General Assembly with 139 nations supporting the resolution. Seven countries abstained in the vote and no country voted against the resolution. 106

#### Heads of Agreement: March 11, 1981

United Nations resolution 35/20, calling for the early. secure independence of Belize, urged Britain and Guatemala, in close consultation with Belize, to continue their efforts to settle their differences over Belize. Accordingly, on March 11, 1981, a document entitled the Heads of Agreement, was signed in London, 107 and released simultaneously, in Belmopan, London and Guatemala City on March 16th. The document, negotiated in London by delegations led by George Price of Belize, Nicholas Ridley of the United Kingdom and Rafael Castillo-Valdez of Guatemala, established the "headings" or subjects for future negotiations between the three governments. The hope was that these negotiations would result in the peaceful termination of the dispute between Britain and Guatemala over Belize.

Shortly after the release of the Heads of Agreement, the Public Service Union of Belize issued copies of a resolution rejecting "outrightly" the document, and warned that unless the Government of Belize agreed to submit the document to a referendum, the union would strike "indefinitely." The union gave the government until March 30, 1981 to commit itself to a referendum.

The Belize Government's reaction was that as the Heads of Agreement did not constitute a final settlement of the dispute, there was nothing to be submitted to a referendum. In a statement over Radio Belize on April 4, 1981, Price declared:

The Heads of Agreement are a list of sixteen subjects for future negotiations. They are in no sense a final agreement. In the negotiations ahead we are committed to maintaining the full sovereignty and territorial integrity of Belize and to protecting all the rights and interests of the Belizean people... More fundamentally, we have given a commitment to submit any final agreement which may emerge from these negotiations to the people for their decision in a referendum. Thus the people will have the final say in referendum to accept or reject any treaty or treaties that may emerge from the negotiations. 109

The anticipated negotiations between Belize, Britain and Guatemala were held in New York City, but the hoped-for treaty or treaties proved unattainable. Guatemala persisted in demands that would have resulted in Belize's <u>de facto</u> surrender of sovereignty over a part of its territory. Belize once again rejected these demands as involving too high a price for the settlement of the dispute.

In an address over Radio Belize on July 14, 1981, Price announced that the British Government would advance Belize to full political independence on Monday, September 21, 1981. He disclosed that "British forces would remain in Belize after independence for an appropriate period..." In moving to independence with the Guatemalan claim unsettled, Price was choosing to "proceed along the other road, that is, an independence with a suitable security guarantee." <sup>111</sup>

On September 21, 1981, Belize became a sovereign and independent nation. George Price – dubbed by the New York Times as the "Pilot for a Free Belize," 112 – became the nation's first prime minister.

#### Belize at Two: Kêeping its Appointments

On September 21, 1983 Belize celebrated its second anniversary of independence. Belize can look back at the difficulties of the past thirty years with satisfaction and pride, for through "struggle, conflict and unshakable decision," 113 and in the face of consistent obstruction from a belligerent neighbor, it has kept its "appointment with history." 114

A Belize Government publication, "The Road

to Independence," <sup>115</sup> warned that the "struggle for a better life, for a dignified existence for all, does not end with independence. Rather, independence is the beginning of a long and difficult struggle." <sup>116</sup> The past two years have borne witness to the warning. Belize has emerged on the international scene at a difficult time for all developing, third-world nations.

In addition to the economic and social problems that Belize shares with other developing states, it must continue to respond to Guatemala's expansionist claims. Belize's U.N. Ambassador, Robert Leslie, highlights this concern: "In my work in Washington with the administration and with the independent countries we come in contact with, the Guatemalan claim to Belize has always had priority. We try to get them to understand that, although Belize is independent, we still have the problem. We have got the goodwill of most of these people." 117 Two points here are worth emphasizing: first, the dispute may have been, and may still be, one between Britain and Guatemala, but "we still have the problem," and secondly, Belize can find support in the goodwill of most of the nations of the world.

Guatemala must understand that just as its earlier threats and bellicose rhetoric failed to deter Belize from actively seeking and ultimately achieving its just objective of independence, so now its unwillingness to recognize Belize as a free and friendly neighbor will not weaken Belize's resolve to work its independence for the good of all its people. While admitting that "The single problem that has been the major obstacle to our development for too long is the unfounded claim by Guatemala to our territory," 118 the "Belize Sunday Times" alerts Belizeans and Guatemala to the compelling fact that "The Belizean people cannot continue to wait for the Guatemalan Government to drop its claim to put themselves to the task of seriously developing Belize."119

Belize will continue to work with the British and Guatemalan Governments in attempting to settle outstanding differences. In working through the twisted wreckage of a multitude of earlier endeavors that failed from a lack of respect for Belize's inalienable rights and just objectives, Belize faces the future confidently. With a courageous decision to set aside divisions in pursuits of the national objectives of social and economic development, and with the firm support of Ambassador Leslie's friends at the United Nations, Belizeans will continue to keep their "appointments with history."

#### James S. Murphy: Belize At Two: Keeping Its Appointments with History

#### **NOTES**

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- 7. <u>Ibid.</u>, p. 6
- 8. Narda Dobson, <u>A History of Belize</u>, (London: Longman Group Limited, 1973), pp. 185-186
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- 34 <u>Ibid.</u>, pp. 121-122
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45.	<u>Ibid.</u> , paragraph 56	
46.	<u>Ibid.</u> , paragraph 57	69. <u>Ibid.</u> , paragraph 171
47.	<u>Ibid.</u> , paragraph 58	70. <u>Ibid.</u> , paragraph 173
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55.	Ibid.	77. Assad Shoman, "The Birth of the Nationalist
56.	<u>Ibid.</u> , paragraph 61	Movement in Belize, 1950-1954," in <u>Journal of</u> <u>Belizean Affairs</u> , #2, p. 14
37.	<u>Ibid.</u> , paragraph 110	78. <u>Ibid.</u>
58.	<u>Ibid.</u> , paragraph 114	79. <u>Ibid.</u> , p. 17
59.	Ibid.	80. <u>Ibid.</u> , p. 24
60.	<u>Ibid.</u> , paragraph 145	81. Cedric Grant, The Making of Modern Belize,
61.	<u>Ibid.</u>	(Cambridge: Cambridge University Press, 1976), pp. 155-160
62.	<u>Ibid.</u> , paragraph 149	82. <u>Ibid.</u> , p. 160
63.	ibid.	83. <u>Ibid.</u> , p. 159-160; see also Shoman, p. 25
64.	<u>Ibid.</u> , paragraph 152	84. Shoman, op. cit., p. 23
65.	<u>Ibid.</u> , paragraph 165	85. <u>Ibid.</u> , see footnote at end of p. 3

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- 86. <u>Ibid.</u>, p. 24
- 87. <u>Ibid.</u>
- 88. <u>Ibid.</u>
- 89. Ibid.
- 90. Grant, op. cit., p. 157
- 91. <u>Ibid.</u>, p. 158
- 92. <u>Ibid.</u>
- 93. <u>Ibid.</u>, pp. 157-158
- 94. The PUP Government and the Guatemalan Claim, Belize Government Information Service Publication, p. 6
- 95. Belize representatives: George Price, A.E. Cattouse, Louis Sylvestre; M.S. Porcher, Chief Secretary, in charge of Foreign Affairs and Defence, attended as an observer; W.H. Courtenay served as legal adviser to the Belize ministers. (Data taken from <a href="The PUP Government and the Guatemalan Claim">The PUP Government and the Guatemalan Claim</a>, p. 21)
- 96. Grant, op. cit., p. 256
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- 98. For list and brief summary of all negotiating sessions, see, <u>Free Belize Now!</u>, Government of Belize publication, 1980; unfortunately, page numbers not printed.
- 99. <u>Ibid.</u>
- 100. London Times, January 26, 1978, reprinted in Belize Times January 29, 1978
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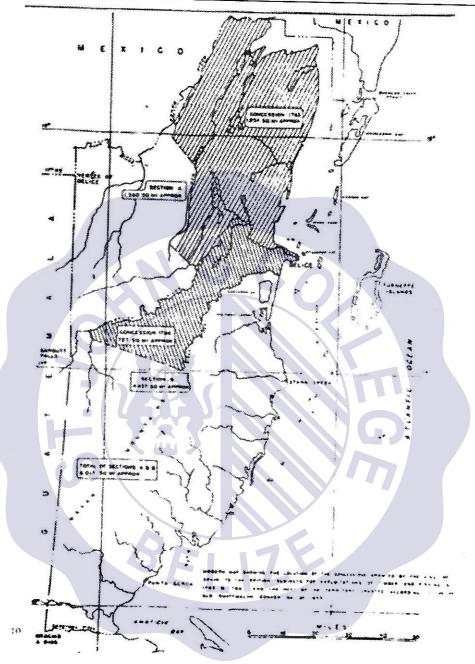
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Historical Map showing concessions granted by Anglo-Spanish Treaties of 1783 and 1786. (Taken from <u>The Belize Issue</u>, Latin American Bureau, London, c. 1978, p. 10)

## Alma H. Young and Dennis H. Young The Impact of the Anglo-Guatemalan Dispute on The Internal Politics of Belize

In general terms, the framework for dependency perspectives postulates the existence of an advanced capitalist system that subjugate and exploit the natural resources of peripheral economies through commercial and financial mechanisms. Obstacles to the development of peripheral economies include dependence on foreign capital and technologies that do not correspond to needs of the countries, and overall subordination includes political, military, and cultural, in addition to, and because of, economic subordination. Development is viewed, then, as an independent process in which some countries or regions acquire a predominant place within the division of labor by reserving for themselves the most lucrative economic activities, while other countries or regions are related to serving as sources of cheap raw materials, as markets for manufactured goods, or as arenas for foreign capital.

There is a great diversity of analysis and perspectives within the so-called dependency school (see, for instance, Bodenheimer, 1971: 327-357; Furtado, 1976; Cardoso, 1977: 7-24; Palma, 1978: 881-902; Santos, 1979: 17-26). One of the central issues that divides the theorists is the question of the existence, the character, and the power of a "national bourgeoisie" in dependent countries (see the discussion in Souza, 1977: 3740). The most widespread tendency is to negate the existence of autonomous capitalist development based on national bourgeoisies. Through commitment to the export economy rather than to local industry, the bourgeoisie is viewed simply as an agent for the metropole. On the other hand, there are those who argue that within the constraints of the international capitalism system. local forces are capable of creating change.

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World-systems theorists have advanced the argument by maintaining that peripheral economics have participated in the unfolding of world history from its very inception, as both object and subject. Therefore, world-systems theorists admit that sources in the periphery contribute to the persistence of imperialism, and thus imperialism is not exclusively something done to them by the metropole, usually viewed as the United States (see, for instance, Amin, 1974; Frank, 1979; Wallerstein, 1979; Amin et al., 1982; Dixon, 1982). One needs to look at the economic and political linkages between the advanced nations and the nations on the periphery. Thus there are two sources on which to base a world-systems theory of imperialism: those internal to the center or metropole, and those internal to the periphery (Addo, 1984: 138-139). These sources refer to the ensemble of interests that compose the respective states in the center and periphery. As Addo (1984) argues, it is precisely the mutuality of the two sets of state interests that constitutes the crucial imperialist link between peripheral and center states.

The extent to which the sources internal to the periphery act to maintain the linkages to the center, thus maintaining a state of dependency, will be explored in this article. The discussion will center not so much on the economic dimension of dependency, although that will be a starting point, but on the impact of that dependency on the political development of a country. Political arrangements necessarily reflect or express the changing economic forces at work in and on the dependent society. Specifically, we will ask how dependency hampers the development of a nationalist orientation. We are influenced by Wallerstein's argument that nationalist movements are constrained by the interstate system and by those forces within the society that are bound to the center and, therefore, are unable to transform the system entirely. In general, both social and national movements have had a difficult time reconciling longrun systemic objectives and shortrun developmental objectives, which tend to reinforce rather than undermine the world-system (Wallerstein, 1984a: 65; 1984b: 80-85).

We argue that what we have seen in many of these independence movements is dependent nationalism. While the term may appear contradictory, it is really a reflection of the extent to which political developments in peripheral areas are constrained by economic and political factors in the center. More often than not, the leaders of these movements have looked outward for assistance in their "struggle" with the metropole, without first attempting to develop internally those resources necessary to confront the center. Political mobilization tends to be perfunctory and disorganized; there tends to be no sustained process of educating the people about the issues and forces that confront them. Salvation is expected to come from without rather than from the development of political basis within. This has been especially true in the English-speaking Caribbean, where the process of decolonization was gradual and peaceful; instead of power being wrested from the colonizer, there was a process of accommodation between the colonizer and the colonized. Part of the reason has been that the interests of nominally "national" actors have tended to be tied to institutions outside the nation - what has been called the antination within the nation. Thus, even during the nationalist era, when the orientation of national leaders was expected to be most radical, the nominally domestic forces were themselves profoundly conditioned by the interstate system. The nationalist orientation tends to be much more a matter of rhetoric than of meaningful action to bring about systemic change.

The context for exploring this concept of "dependent nationalism" is the nationalist movement in Belize and particularly the impact of the Anglo-Guatemalan dispute on local politics in Belize. The dispute has been the central issue in Belizean politics since the 1950's, when the nationalist movement began. Yet neither government nor opposition has sought to mobilize the people on the basis of the issue. Instead, they have constantly looked to the center for a possible resolution of the issue, without mobilizing support at home. Nor has the local political elite reached a consensus of opinion on how the issue should be resolved. This has been largely due to the fact that competing groups within the political

leadership owe their allegiances to different centers of international authority that in turn represent the changing modes of production in the country. The Guatemala issue resulted in Belize being frozen in a transitional political state (between colonial status and independence) for 20 years and continues to hamper the full realization of sovereignty for the nation after several years of constitutional independence.

Guatemala's controversial claim to the territory of Belize, the roots of which lie in a vaguely worded treaty from 1859 between Guatemala and Great Britain, has not only hindered the political development of Belize, but has affected relations between the United States and Britain, and Central America and the Caribbean. Because of the unequal size and might of the two nations, Belize has found it necessary to maintain the military protection of the British government, even though it is now an independent nation. Belize has a territory of 8,867 square miles on the shores of the Caribbean, with a population of approximately 150,000. The country developed from the pirate and smuggler settlements that grew up among the secluded bays of uninhabited coast during the seventeenth century; it did not become a British colony until 1862, when its Englishspeaking inhabitants sought the protection of the crown. It became self-governing in 1964 and an independent nation within the Commonwealth in 1981. Although Belize is a multiethnic country on the Central American mainland, its primary orientation historically has been toward the English-speaking Caribbean.

Belize is a classic example of a dependent (peripheral) economy. The extent of the dependency has been documented elsewhere (see Jones, 1953; Ashcraft, 1973; Bolland, 1977; Bolland and Shoman, 1977). Belize's incorporation in the world economy began with the pirates and smugglers of the seventeenth century who "settled: on the secluded bays off the coast and whose bounty financed English trade with other parts of the world. In the eighteenth century, the economy was based on the exploitation of mahogany and logwood for export to England. Agricultural pursuits were discouraged to ensure an adequate labor force to the forestry activities. During the nineteenth century, Belize served as a bridgehead for British penetration of Central America, with all commercial activities going through Belize, 1 the only part of Central America settled by the British (Naylor

1960: 361-382; Waddell, 1983). By the twentieth century the major economic activity was agricultural products, with the export of sugar, citrus, bananas, and seafood. Historically, Belize's incorporation into the world-economy has resulted in a pattern<sup>2</sup> of underdevelopment (see Ashcraft, 1973: 45).

Vast tracts of verdant land in Belize have remained in the hands of foreign interests, and much of the economic activity, especially agriculture, continues to be foreign-owned. The country still lacks infra-structure, due in part to the expense of building roads and bridges in a country with a low population density, and in part to the fact that Britain did little to develop the country. Britain's refusal to provide even the basic resources necessary to begin a process of development is an indication that Britain relegated Belize to a minor role in its imperialist strategy. This minor role was foreshadowed by Britain's denial of sovereignty to the colony for many years, even though the colonists were producing goods for the mother country. Belize suffered so much at the hands of imperial economic interests that it was considered to have reached "a colonial dead-end" by the turn of the twentieth century (Clegern, 1967).

#### History of the Anglo-Guatemalan Boundary Dispute

The Hispanic conquest of Guatemala was completed in 1524, but no Spanish settlement was ever established in Belize. Guatemala never exercised any authority over Belize. Both as part of the Central America Republic and in its early years as an independent state. Guatemala recognized the existence of Belize. It was in the attempt to established firm boundaries between the two countries that the dispute developed to the point where Guatemala now claims the territory of Belize.

British settlement on Spanish soil was first recorded in 1638, but it was more than a century later before Spain, under considerable pressure from Britain, recognized the settlers' economic activities. The Anglo-Spanish treaties of 1783 and 1786 gave British settlers the right to cut wood in specific areas around Belize. The territory, however, remained under Spanish sovereignty. After Central America became independent of Spain in 1821, the British government continued to take the view that sovereignty still

belonged to Spain and denied Central America's claim that the new federation had inherited all Spain's rights in the area on attaining independence (Waddell, 1983: 4). In 1828 Great Britain claimed the Belizean territory on the basis of conquest, long use, and custom and in 1835 asked Spain to cede the territory. Nothing came of this request (Waddell, 1983: 4).

After failing to obtain a cession of sovereignty over Belize from Spain in 1835, Britain began to exercise its own jurisdiction more formally. By 1850 the British government felt that the Anglo-Spanish treaty of 1786 need no longer be considered in force and that Britain itself had now acquired rights of possession (see Waddell, 1961: 34-37, 1983: 6). However, not until 1862, more than two centuries after British settlers first arrived in the area, did Britain formally proclaim its own sovereignty by the act of conferring the status of colony on Belize. Guatemala did not formally protest this change in status.

As its interest in Central America increased, Britain found it advantageous to settle its dispute with Guatemala over the territory of Belize. Guatemala now desired the friendship of Britain because it was concerned over potential filibustering from the United States. Therefore, in April 1859 a British diplomat arrived in Guatemala to begin negotiations to solve the problem. Because Britain refused to accede that Guatemala had any "sovereign rights" in the settlement and because the Clayton-Bulwer Treaty of 1850 prohibited territorial cessions in the area, Britain made clear that the treaty was one of boundaries only (Grunewald, 1965: 33). The treaty was signed on April 30, 1859. The first six articles of the treaty clearly defined the boundaries of Belize. All future problems between Guatemala and Great Britain were caused by the seventh article, which provided for the construction of a road from Guatemala City to the Caribbean coast. There is no doubt that Guatemala regarded the seventh article as compensation for abandoning its "sovereign rights" in the settlement. (For differing views on the interpretation of the treaty, see Clegern, 1958: 280-297; Humphreys, 1961: 20-47; for conflicting legal analyses, see Mendoza, 1947; Bloomfield, 1953).

While it is clear that Britain and Guatemala agreed to build a road, the phrase used in the treaty, "mutually agree con-jointly," left unresolved whether Britain was to build the road entirely at its expense (Grunewald, 1965:34). The dispute over Article Seven

led to a Supplementary Convention, which was negotiated in 1863. Guatemala was at war at the time and was unable to ratify the convention within the stipulated period. When Guatemala eventually did ratify it, Britain claimed that the opportunity was lost and that Britain was now released from any obligation under Article Seven. Guatemala replied that Article Seven was compensation to Guatemala for Belize and intimated that it was willing to sign a new convention. Britain denied that the 1859 Treaty involved a cession of territory and repudiated Guatemala's claims to Belize (Grunewald, 1965: 35).

The dispute lagged until the 1930s, when Britain seemed less anxious to repudiate its obligations, as it had done in the past. However, neither side was willing to accept the other's suggestions on who might mediate the dispute and under what terms, or on what kind of compensation Guatemala might receive. Guatemala offered several alternatives, including cessions of territory that would provide it broader access to the sea. Diplomatic attempts to mediate the dispute continued to be unsuccessful. In 1940 Guatemala stated that it was no longer a question of whether Article Seven could be fulfilled. Guatemala now had the right to recover territory "ceded" in 1859, and the question to be decided was whether Britain was legitimately occupying the territory of Belize or whether or not Guatemala had territorial rights to recover (Bloomfield, 1953: 61-62; Mendoza, 1947). In 1945 Guatemala adopted a new constitution which declared in Article One that "any efforts taken towards obtaining Belize reinstatement to the Republic are of national interest" (Bloomfield, 1953: 67; Grunewald, 1965: 38).

# THE EMERGENCE OF NATIONALIST POLITICS IN BELIZE

The history of nationalist politics in Belize has centered around differences in what Grant calls the "external orientations" of the government and opposition parties (Grant, 1976: 306). Positions taken on the Anglo-Guatemalan dispute reflect most clearly that external orientation of the two major political parties. The party that governed Belize from the 1960s to 1984, the People's United Party (PUP), under the leadership of George C, Price, has claimed traditionally

that Belize's "economy and way of life is interdependent with the United States and Central America." without close ties to Britain and the West Indies (*The Belize Billboard*, February 5, 1950: 1). Until the 1970s PUP directed much of its efforts at trying to bolster its claim that Belize's economic and political future lay with Central America and, therefore, by extension, that some accommodation has to be reached with Guatemala (Grant, 1876: 155-164).

The main plank of the opposition has been that the country's constitutional advance should be within the commonwealth, in effect denying Belize's connection with Central America. Traditionally, the opposition party accused the PUP government of a willingness to violate the country's territorial integrity in an attempt to resolve the Anglo-Guatemalan dispute. "No Guatemala" became a rallying cry of the opposition. They also demanded that Britain retain control over the country's external security until the dispute with Guatemala was resolved. Eventually their demand would be no independence until a suitable defense guarantee had been agreed upon, an issue that would hold up to independence for 17 years as Britain sought to grant independence without any defense obligations. From 1964, when Belize became internally self-governing, until independence in 1981, the PUP government expended vast amounts of its limited resources in trying to find a resolution to the crisis, a resolution that would respond not only to the demands of Guatemala but to its own opposition.

The history of nationalist politics in Belize demonstrates the limited perspectives and narrowed options of the leadership of a dependent society. Perhaps more significantly, it shows how even "nationalism" is a reflexive response to one's dependent condition. "Far from implying local control of the country's economic destiny, the process of decolonization in Belize seemed to be essentially a question of imperial succession" (Grant, 1976: 123).

Shortly after the First World War, British financial interests (especially the Belize Estate and Produce Company, or BEC) began to experience major competition from U.S. companies. By the 1930s the BEC was in danger of losing control of the forestry industries (especially mahogany and chicle), the mainstay of the economy, to U.S. companies. These U.S. companies enjoyed considerable influence within the local business community because they had created opportunities for the group of local

entrepreneurs that the dominance of the BEC and its influence both in London and in Belize City had so long denied them. U.S. companies also enjoyed influence in the Legislative Council, which was divided in its support between rival British and U.S. concerns (Grant, 1976: 80-82).

In September 1949 Britain devalued the British pound and other currencies in the sterling areas, except the Belize dollar. In exempting the Belize dollar from devaluation, the British government recognized the country's dependence on the United States for over 70 percent of its imports. But this consideration ultimately could not prevail over the more compelling British arguments for devaluation. Although at parity with the U.S. dollar, the local currency was backed by sterling securities, and government investments were in sterling. The estimated amount required to make good depreciation of all these investments and the Currency Board Special Account was \$1,500,000. Recognition of the fact that this amount would have had to be met by the imperial treasury prompted the British government to change its decision. The Belize dollar was devalued on December 31, 1949, through the governor's invoking the reserve powers given him under the constitution. The devaluation of the dollar ensured the continued export of Belize products to the United Kingdom and other sterling areas and improved the competitive position of British products vis-a-vis those of the United States (Jones, 1953: 139-142).

The devaluation was a very unpopular decision in Belize, and it heightened tensions between the merchant community, the immediate beneficiaries of devaluation, and the working class, which was led by an emerging group of young and radical politicians. The events that followed started a new political era marked by popular agitation, with internal self-rule finally achieved in 1964 and independence in 1981. In spite of the country's heavy dependence on continued British financial assistance, politics, as well as actual policies of the nationalist era, were decidedly anti-British.

While the new political leaders were anxious to rid the country of British rule, they showed an equal alacrity to invite the United States' presence. They spoke in glowing terms of their admiration for the United States and flew the US flag at their rallies. They were also prepared to take their grievance against the British government not only to the United

Nations, but also to Washington, D.C. The pro-U.S. attitude can be interpreted in a variety of ways. It can be seen as a psychological reaction to the feeling that Britain regarded the country as a distant colonial outpost that could receive scant and shoddy attention because the British had relatively little vested interest in the colony. There was no large European population and, apart from the BEC, the British economic interests were relatively insignificant.

Because the United States was nearer and wealthier, many Belizeans considered it to be the place to seek their fortunes. The new leaders also felt that U.S. investments would stimulate a more self-sustaining process of development. The contributing influence of the Roman Catholic clerics to this U.S. outlook was strong. Most of the new leaders were Catholics and had received a U.S.-orientated secondary education at Saint John's College in Belize City. Saint John's College was, and still is, run by Jesuits from St. Louis, Missouri. Throughout the 1960s and 1970s the Jesuits continued to serve as advisers to the political leadership.

As one of the leading advocates of a closer economic relationship with the United States, George Price was undoubtedly influenced by his close relationship with his multimillionaire employer, Robert S. Turton. Turton not only had extensive business connections in the United States but was also a large stockholder in two U.S.-financed companies: the Wrigley Company and I.T. Williams Company, formidable rivals of the BEC in the chicle and mahogany industries, respectively. These U.S. financed companies had interests not only in Belize, but in Guatemala as well. Thus Turton was involved in the economic life of Guatemala and Belize. As a legislative councilor from 1936 to 1948, Turton was a severe critic of the colonial government. Moreover, he had been one of the principal casualties of the devaluation, having been compelled by the British government to retransfer his monetary assets from the United States.

Shifting fortunes of the competing imperialist powers had a major impact on the form that the nationalist movement took. Those, like Turton, who wished to wrest control away from the British provided needed resources, including money and advice. But Price also had a vision of what the country's future should be and he used the Anglo-

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Guatemalan dispute as a vehicle for articulating that vision. Price felt that closer economic association with the United States would bolster his claim that the country's economic and political future lay with the Central American republics and not with the West Indian territories. In other words, his ideas of a Central American destiny were more likely to be realized not through closer identity with Britian and the West Indies but through the United States with its increasing economic and security interests in Latin America. Price stated that "the people do not consider themselves part and parcel of the British West Indies, but rather as part and parcel of Central America on the mainland with whom we have long had existing economic and commercial ties" (The Belize Billboard, February 5, 1950: 1). Price downplayed the seriousness of the Anglo-Guatemalan dispute and said that Britain should be forced to resolve the issue as soon as possible.

Price's clear ideas about Belize's relationship with Central America, coupled with his view that the so-called Guatemalan dispute was a matter between Guatemala and Britain, encouraged the colonial administration to accuse him of wide-ranging affiliations with Guatemala. In 1954 Britain established the Sharpe Commission to investigate charges that Price had received funds and other resources from the Arbenz government. A matter that undoubtedly had a bearing on this investigation was the British government's experience with the leftist government of the People's Progressive Party (PPP) in Guyana in 1953. The British had revoked the constitution of that colony on the grounds that the PPP was Marxist. The British claim that the PUP was linked with the communists in Guatemala provided PUP leaders with the excuse to identify themselves with their Jesuit sympathizers as part of their rebuttal to the specific allegiation and also to claim that their election program was based on the principles of social justice. To the colonial administration this was no less discomforting than the PUP relationship with Guatemala. Upon completing its investigation, the commission found some allegations to be true, but found no clear-cut connection between PUP and the Guatemalan government (Sharpe, 1954; Shoman, 1973: 25-26).

As the PUP's popularity with the people grew, the colonial government began a systematic process of coopting the leadership. Several of the leaders were made members of the executive council and began working within the prescribed colonial framework to overcome the social and economic problems of the country. They were included in delegations to London, where they were entertained by high-level government and business officials. As a result of their official activities, these leaders began to find more value in being orientated toward the West Indies and began to opt for inclusion in the proposed West Indies Federation. They began to question Price's optimism about a Central American destiny for Belize.

In March 1956 Price called a general meeting of the PUP rank and file to discuss the issue of West Indian Federation. Because of the unpopularity of federation, based generally on the fear that West Indians would flood the country and take jobs and economic opportunities from Belizeans, the party membership voted overwhelmingly against federation (Shoman, 1973:23; Grant, 1976: 170-178). The profederation faction of the leadership subsequently resigned from the party. Shortly afterwards, in September 1956, they formed the Honduran Independence Party, eventually becoming the National Independence Party (NIP), the major opposition party until the mid-1970s. NIP, and its successor, the United Democratic Party (UDP), had as its main plank that the country's constitutional advance should be within the Commonwealth, in effect denying any connection with Central America. They also demanded that Britain retain control over the country's external security until the dispute with Guatemala was resolved.

In 1957 Price was involved in two incidents that seemed to confirm the opposition's fears that he was willing to "sell-out" the country to Guatemala. Early in the year Price had been in contact with the Organization of the Central America States (ODECA), which was on record as stating that the reincorporation of Belize was a Central American question, and pledging to incorporate Belize in the movement of economic integration of Central America. Price's opponents questioned whether he was secretly negotiating a settlement with Guatemala through ODECA rather than in conjunction with the British government.

While in London in November for a financial and constitutional conference, Price and three of his colleagues attended a luncheon given by the Guatemalan minister, Jorge Garcia Granados, at which the Belize question was discussed. Specifically, they

discussed Guatemala's willingness to assume financial responsibility for Belize if Price and the others would agree to the colony severing its connection with Britain and entering into some form of association with Guatemala that would include the latter's control over the external affairs of Belize (Dobson, 1973: 239; Grant, 1976: 188).

Alarmed by the magnitude of the implications discussed at the luncheon, one of the invitees reported the meeting to the British authorities. Price was immediately sent home to be dismissed from his quasi-ministerial office and the executive council. He was publicly castigated by the government for being prepared in certain eventualities to hand over the country to the Guatemalan Republic "lock, stock, and barrel." The actions of the British government. however, only contributed to Price's popularity. The disarray in which the London conference ended and Price's subsequent dismissal from office were seen by his supporters as the latest attempt to isolate him from them. Price was given a hero's welcome at the airport. He kept in play the supportive role of the rank and file by holding a public meeting on the same night of his return, before he reported to the party executive council.

As we have seen so far in our discussion, the essence of the nationalist movement centered around an attempt to define Belize. The movement was antisystemic in the sense of being anti-British, of moving the country away from British interests and dominance. The impetus for the movement was Britain's devaluation of the Belize dollar, which had the effect of bringing Belize from U.S. economic orbit and back more closely to the British economy. The vehicle for the anti-British sentiment was the Anglo-Guatemalan dispute and a turn toward Central America. But in developing the issue there was little attempt to come up with a national (i.e., a Belizean) response. This resulted partly because mobilization was based strictly on charismatic appeal rather than on a fuller understanding of the issue and its impacts on Belize. The split within the nationalist movement was over whose protection should be sought - Britain or the United States. The two elements within the movement were tied to the two economic interests competing for dominance within the country. Instead of trying to create a Belizean response, there was a reflexive decision to look outward and seek another's protection.

By 1959 Price had emerged as the authentic leader of PUP and of the country. After that an uneasy truce developed between the PUP and the British Government. By 1961 Britain conceded Belize could become constitutionally independent whenever it so chose. In 1963 a new constitution was adopted that accorded a large measure of internal self-government to Belize. In preparation for the next constitutional step, the PUP and Britain began to feel that it was imperative that the Anglo-Guatemalan dispute be resolved. However, because an accord had not been reached between PUP and the opposition, negotiations to settle the dispute were hampered and reliance on the imperialist powers to resolve the dispute continued.

#### THE WEBSTER PROPOSALS

In 1962 Britain agreed to meet Guatemala on "neutral" ground and a conference was held in Puerto Rico. The decisions, if any, taken at this conference were never made public, but it was believed that the key suggestion involved the establishment of a three-man tribunal with a U.S. chairman who would be charged with looking into the dispute without prejudice to the case of either Britain or Guatemala. Two years later President Lyndon B. Johnson nominated a single mediator, the New York lawyer Bethuel M. Webster.

On April 26, 1968, Webster presented his final report in the form of a draft treaty. Known as the Webster Proposals, the draft provided for cooperation between an independent Belize and Guatemala (Webster, 1968; Young, 1976: 60-61, Appendix A). Article One granted independence to the nation of Belize and made the country responsible for all international obligations (including the treaty with Guatemala). However, the sovereignty was rendered nominal by the cooperation aspects of the treaty and the wide powers conferred on a Joint Authority of Belize and Guatemala in its administering of them. The plan placed the defense, foreign affairs, and economy of Belize under Guatemalan control after independence. Belize was to accept a customs union with Guatemala that would allow free access to its Caribbean ports and territorial waters. In return Guatemala was to sponsor Belize's entry into the Central American community and into the InterAmerican community, particularly the Organization of American States and the Inter-American Development Bank.

In London the Webster Proposals were welcomed as reasonable. Guatemala also seemed pleased with the prospects of mediation. In Belize the reaction of the opposition party was quick and unrestrained. Within hours of the proposals being made public, the leader of the opposition announced at a public meeting that his executive council had rejected the proposals, which constituted a "sell-out" of the country (see The Belize Billboard, April 30, 1968:1). The proposals also were denounced by other major groups within the society, and the PUP government was forced on the defensive. Five days later, when the opposition had reached a groundswell, the PUP informed the public that its central council had rejected the proposals. It gave as its reason for not speaking earlier its desire to consult a crosssection of the population (see Price, 1968: Young, 1976: Appendix B). On May 14, 1968, the PUP government jointed the opposition in unanimously rejecting the proposals in the House of Representatives. The decision put an end to the proposals, since the British government had pledged not to conclude a settlement that was unacceptable to the government of Belize.

The PUP government's rejection of the Webster Proposals did not deter the opposition from stressing their allegation that Price and his government were pro-Guatemala and wished to see Belize become a part of the territory of its neighbor. Price continued to speak of Belize becoming an integral part of Central America, but his government was now committed to becoming independent within the Commonwealth. The kind of quasi-independence proposed by Webster, which was backed by the U.S. government, and the fact that the kinds of U.S. aid and investments the PUP government envisioned were never forthcoming, made Belize become less enamored of the United States. Beginning in the early 1960s the PUP government launched a campaign of considerable proportions to win the support of Mexico and the Central American republics for its program to carry Belize to independence as a vital part of Central America (Belizean Independence Secretariat, 1972: 61-65, 1980, 1981). The campaign included state visits, promotion of the country's "Mestizo" and "Mayan" affinities, climaxed by the "Mayan-architecture" of

the new capital, Belmopan, and a consistent policy of conciliation towards Guatemala. This latter policy, along with the clear unwillingness of the PUP government to react strongly to Guatemalan provocations or to play on the fear of Guatemala as an internal unifying force, continued to bring strong and bitter condemnation by the opposition.

As part of its approach to look outward to Central America, Belize sought membership in the Organization of American States (OAS) and the Central American Common Market (CACM). When the CACM turned down its membership in 1968, the PUP government changed its strategy and turned to the Caribbean for help, seeking and gaining Caribbean Area Free Trade Association (CARIFTA) membership, and began to seek a defense guarantee against possible Guatemala aggression, an idea advanced years ago by the opposition. Where the defense guarantee would come from was uncertain since Britain had steadfastly refused to make any offer of military protection after independence, nor had the United States made any offer. This new strategy became known as "the internationalization" (Government Information Service, 1975: 8-12). Belize, rather than Britain, would now take the initiative in resolving the crisis so that it could become an independent nation.

### THE INTERNATIONALIZATION

After being rebuffed by Central America, Belize turned to its traditional allies, the English-speaking Caribbean, which became frontline states in waging an intense diplomatic offensive on behalf of Belize to help the country win its independence with territory intact. Both Britain and the United States appear to have been unwilling to prejudice their relationships with Latin American countries in general and Guatemala in particular for the sake of Belize's territorial integrity. As a result of Belize's initiatives to internationalize the issue and present its case for independence, immediate and firm support came not only from the countries of the Caribbean Community but also the Commonwealth of Nations and the Non-Aligned Nations (Clegern, 1983). In 1975 the first U.N. resolution on Belize was passed in the General Assembly by a vote of 110 in favor, with 9 against, and 16 abstentions. This large initial support was made possible because of the undertaking by the Non-Aligned Movement, at its Foreign Ministers' conference in Peru that year, to commit its total support to Belize. The Belize delegation had lobbied the conference participants very effectively.

Although U.N. support was substantial, it showed up a major weakness: None of the mainland Spanish-speaking Latin American countries had voted for Belize. It became Belize's number one priority to win the support of these countries. When Premier George Price met the fate General Omar Torrijos, then president of Panama, at the 1974 summit meeting of the Non-Aligned Nations, it is widely believed, he convinced Torrijos of Belize's right to independence. At the next U.N. General Assembly session, Panama voted in favor of the Belize resolution. The Guatemalan government, conscious of the effect this had in undermining its Latin American support, broke off relations with Panama. After Panama many other Latin American countries voted for Belize in subsequent U.N. resolutions. When the Sandinistas won the revolution in Nicaragua in 1979, that country became a major supporter of Belizean independence.

By November 1980 international support for Belize was virtually unanimous. In 1980 a U.N. resolution called for independence for Belize with territorial integrity and security. This time the United States, which had previously abstained on all the Belize resolutions since 1975, voted in favor of the resolution and no country voted against. In November 1981, by an overwhelming majority, the Organization of American States (OAS), which had until then maintained firm support for the integrity of Guatemala's position, endorsed the U.N. resolution calling for a secure independence (Government Information Services, 1981a: 10).

Because of such support, the decision was taken, with the consent of the British government and encouragement of the international community, to proceed to independence and to continue efforts thereafter to develop peaceful relations with the government of Guatemala. The British committed themselves to continue to defend Belize. A 1,600-man contingent of British troops was to be stationed in Belize for "an appropriate period." When after 17 years as a self-governing colony, the country became independent on September 21, 1981, the territorial dispute had not been settled, nor did Guatemala recognize Belize's sovereignty.

#### THE HEADS OF AGREEMENT

The last attempt at resolving the dispute before independence resulted in a document known as the "Heads of Agreement" (Hansard, 1981; also see Belize Government Information Survey, 1981). This framework for a settlement of the dispute was signed by Britain and Guatemala, with Belize signing as a witness, on March 11, 1981. According to the Heads of Agreement, Guatemala would accept the independence of Belize in return for, among other things, free access to the sea through Belizean territorial waters, free port facilities, and the right to "use and enjoy" the seabeds around two cay chains. Sapodilla and Ranguana. Led by the then opposition United Democratic Party (UDP), and the Public Service Union (PSU), Belizeans denounced the Heads of Agreement, charging that its provisions violated the nation's territorial integrity. When the opposition's demand for a referendum on the "Heads" was not forthcoming, riots broke out throughout the country and the PSU engaged in paralyzing strikes. The British governor declared a state of emergency on April 2, 1981, and sent out local and British troops to end the paralyzing strikes and riots. Once calm returned, the opposition continued to campaign against the Heads of Agreement and against independence without a suitable defense guarantee.

Early in July 1981, Britain, Guatemala, and Belize met in New York City to try to reach agreement on the proposed treaty, but the talks again failed. Guatemala made new claims relating to land, maritime boundaries, and the basing of troops on the Sapodilla and Ranguana cayes (Government Information Service, 198b:8). By late July Premier George Price, meeting in London with representatives of the British government, agreed to move quickly to independence, without a resolution of the territorial dispute. Britain's decision to defend the country by keeping British troops in Belize for "an appropriate period" and to provide more intensive training for the Belize Defense Force (BDF) effectively foreclosed the opposition's position against independence; however, the opposition refused to be a party to independence negotiations with Britain. "Constitutional independence" still found the country divided on the Guatemala issue.

In June 1982 Guatemala sought a meeting with Britain to discuss the territorial dispute, but Britain refused to meet, saying Guatemala had to discuss the matter with the independent nation of Belize. Because Guatemala "does not recognize the independence unilaterally granted by the United Kingdom (Britain)," it had been unwilling to negotiate directly with the Belize government. However, in July 1984 talks between the Belize and Guatemala governments took place in New York City (Government Information Service, 1984: 12). Although the issue of the territorial dispute was left unresolved, this round of talks was viewed as a positive development. Support for the Belize government to maintain its territorial integrity and to secure an early and peaceful solution to the problem with Guatemala continues to come from the Commonwealth of Nations, the Caribbean Community, and the Non-Aligned Movement.

The dispute is still having a decisive impact on the internal politics of Belize. One of the major issues in the 1984 general elections, in which the ruling PUP government was defeated by a landslide by the United Democratic Party (UDP), was what role the United States should play in helping to resolve the territorial dispute. Elements within the PUP were wary of relying too heavily on the United States and opted to continue to seek the assistance of the nonaligned nations in resolving the dispute. The UDP opted for greater reliance on the United States, including closer ties to the United States for economic and military aid. The UDP view is that the United States can pressure Guatemala to resolve the dispute. The fact that the UDP would now look to the United States for support demonstrates the extent to which the United States and its interests have permeated the Belizean society (see Petch, 1986: 1002-1019). As the British politicoeconomic interests grew weaker, requiring U.S. subsidy and encouragement, the UDP grew closer to the United States, even though culturally it has kept its "Anglophile" perspective.

In recent years, the sociopolitical and military situations in Central America and Mexico have generated increased stress among the elite and politically active elements within the Belizean society. Belize has been the beneficiary of increased international attention, including a significantly increasing number of "in-country" and "attached" U.S. and British diplomatic personnel, as well as U.N. Refugee (UNHCR) advisers. There is much evidence

to indicate that U.S. and British interests have converged to find agreement on an immediate and short-term scenario for the Central American crisis. Therefore, the Belizean elites now have good reason to hope for a resolution of the "Guatemala question." Nevertheless, as the internal struggle for power continues among the elites, with disregard for the long-term welfare of the Belizean state and masses, there is also reason for great caution in predicting the future of Belize.

In December 1984 the United Democratic Party (UDP), under the patronage of Belizean financial interests with links to elements of the U.S. Republic Party, gained control of the government of Belize, confident that their Reagan connection assured an eventual amicable solution to the Anglo-Guatemalan territorial dispute. Since assuming office, the UDP has concentrated attention on economic development under the advisement of the U.S. Agency for International Development (USAID), promoting tourism and foreign investment to increase exports. On January 17, 1986, the UDP's leadership became a founding member of the conservative Caribbean Democratic Union (CDU), coordinated by Prime Minister Edward Seaga of Jamaica.

The UDP attention publicly focused on the "Guatemalan question" following the remarks of Guatemala's newly elected civilian president, Vinicio Cerezo, at the tenth anniversary of the Miami conference on the Caribbean hosted by the Caribbean/Central American Action (CCAA). In the presence of Belize's prime minister, Manuel Esquivel, and foreign minister, Dean Barrow, President Cerezo said:

We again came out and decided to realize at last that in the Caribbean there is another America that we had left to one side as if we who speak Spanish had been the only ones conquered by Europeans. We share the same destiny, the same culture, we have the same type of racial mixing, and we are located in the same region of the world, and for this reason we began already to talk of three Americas, but of one (which), in the last analysis in order to fulfill common destinies; and for that reason with Belize, we decided to inform you that we are willing to recognize your position, that we are willing to look for honorable solutions, and we are willing to unify efforts and to not discuss insoluble matters that have a long history of insolubility. What we want is to give our peoples peace and good relations, and that is what matters.3

Thus Guatemala signaled to the UDP's government of Belize its readiness to reopen talks concerning a solution for the Anglo-Guatemalan territorial dispute.

Shortly after President Cèrezo's appearance in Miami, Britain and Guatemala announced the official resumption of diplomatic relations that were formerly severed in 1963. This was followed by an announcement from Cataemala of a formal date to resume talks to resolve the territorial dispute. Belize and Guatemala, including Britain as an interested party, met during the last part of April through May 6, 1987. At the time, however, Guatemala took a "hard line," demanding major land concessions, thereby nullifying the "Heads of Agreement" reached in 1981.

Foreign Minister Barrow, explaining the Belizean government's position to the U.N. General Assembly in October 1987, stated that "there is no room in the contemplation of our continued existence for the encouragement of the pretension to all or part of our territory by any state." He went on to insist that "my government feels that there is now a favourable climate for some degree of normalization to take place in the relations between Belize and Guatemala" (Barrow, 1987).

As the Belize City Council elections and the 1989 general elections draw near, the PUP's leadership found it necessary to respond to speculations in the international press pertaining to potentials for radicalism within the party. In the Sunday, October 18, 1987, issue of the *Belize Times*, an official organ of the PUP, the party announced that ex-prime minister George C. Price, in the capacity of vice president of the "Council to promote Democracy in the Western Hemisphere," was presently attending a consultation at the Carter Presidential Center in Atlanta, Georgia.

Responding to the July 10, 1987, Amandala's editorial titled "Extreme disquiet," critical of the UDP's handling of the "Guatemala question," Foreign Minister Barrow wrote, in an open letter addressed to the editor, "your editorial has caused me to feel that government's communications efforts have been inadequate." The minister went on to explain the quiet diplomacy of the UDP's government to affirm its international linkages.

#### CONCLUSIONS

For Price and the other early leaders of the PUP, the Anglo-Guatemalan dispute served as a vehicle for voicing dissent, for breaking away from British domination, and, in the process, of achieving political independence. The nationalist movement splintered early because of a disagreement over what the identity of Belize should be. The differing conceptions of the Belizean identity reflected the economic and political interests and the opposition with British interests. The nationalist movement was never about changing the social structure or about economic independence; the only real concern was whether the country's allegiance should be with the United States or Britain. It could be said that the nationalist movement was used to renegotiate the country's linkage within the world economy, as it moved from under the aegis of Britain to the United States.

During the process of renegotiation and in the competition that ensued between the two powers, the nationalist leaders were not just being acted upon but were actors in their own right, albeit within their limited sphere of influence. The PUP, especially, developed issues and created strategies to make political independence possible. In playing off the British against the United States, the PUP gained some leverage and some sense of autonomy. As a strategy for winning political independence, it succeeded; it could have succeeded in transforming the system, but then that was never its aim.

In the early days the nationalist movement brought into the political mainstream the working classes and the rural elements. The PUP government has been termed "populist." And perhaps it was in the early days when an emphasis was placed on popular agitation to wrest power from the colonial authorities. But in later years it became obvious that the working classes had never been systematically brought into the political process. Periodically the working classes were manipulated so that there would be large-scale demonstrations of support or of protest to change a course of action. Price used them effectively upon his return to Belize after the London incident in 1957. The opposition used them in 1968 to register its disapproval of the Webster Proposals, and again in 1981 to show its disavowal of the "Heads of Agreement." However, there was never any sustained

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mobilization of the working class because they were not major actors in the attempt to win political independence. While the central issue of the nationalist era was the Anglo-Guatemalan dispute. the working classes (the mass of the people) were never fully informed about the impact (the ramifications) of the dispute on the country. The leaders felt that resolution of the issue would come from outside. Gaining that outside assistance took a long time; it held up political independence for 17 years, making Belize very late in entering the world of nations, and it led to the penetration of U.S. interests throughout the country.

Recently, elements of the semiprofessional, professional, technocratic sector of the Belizean society, a natural constituency of the UDP, have expressed concern that the dogmatic "free-market" orientation of the UDP's government will have detrimental effects on the interests of the dependent-nationalistic sector. In the absence of mass political mobilization, the dogmatic ideological orientation of the UDP may be its undoing.

#### NOTES

- 1. As Waddell (1983) notes: "From the achievement of independence in 1821 until the establishment of interoceanic transit routes through Panama and Nicaragua in the 1950s, most of the external trade of Central America was with Britain and passed through Belize."
- 2. "The trends forming the pattern that led to underdevelopment in British Honduras (on June 1, 1973, by legislative statute, the official name became Belize) began early in the settlement's history and were firmly in place by the end of the nineteenth century. Land, labor, politics and economic activity in general were largely under the control of a few large merchant houses associated with both export of forestry products and import of foodstuffs and other supplies..... This consolidation of trade activity into a few hands resulted in foreign ownership of land and capital" (Ashcraft, 1973: 45)
- 3. The English translation of the speech by President Vinicio Cerezo, delivered at the tenth-anniversary Miami conference on the Caribbean held at the Hyatt Regency Hotel, Miami, November 16-20, 1986, was provided by the Consulado General de Guatemala,

resident in Coral Gables, Florida (see page 5).

4. Here is a short excerpt of "Foreign Minister responds to *Amandala* editorial" from page 6 of the Friday, July 17, 1987, edition of *Amandala*:

Allow me to make some observations in response to your last week's editorial "Extreme disquiet....." I certainly welcome your support for my recent visit to Nicaragua. However, your editorial taken as a whole seems to be saying that a visit was necessary precisely to repair the damage done by what you (wrongly) perceive to be the UDP's insufficiently nationalistic foreign policy....I take particular issue with the assertion that "under the . UDP, Belmopan has not even tried to appear to have a mind of its own." Similarly, the suggestion that countries formerly supportive of Belize have grown distant because....." they have watched Belize become so pro-American as to look like the contra nation itself"....is simply not true.....Almost my first act upon becoming Foreign Minister, was to dispatch an emissary to Nicaragua to attend the inauguration of President Ortega. You will no doubt recall (since you were good enough to write in defense of the move) that this created quite a stir locally. It was done though, to give an early indication of the UDPs intention to pursue a plural foreign policy that would exhibit full respect for the right of all nations to freely determine their own destiny....It is true that Belize experiences a coincidence of views with the United States on many of the subjects that constitute the "global agenda" (also, note references to Dean Barrow's recent interview with Caribbean Contact in Best, 1987).

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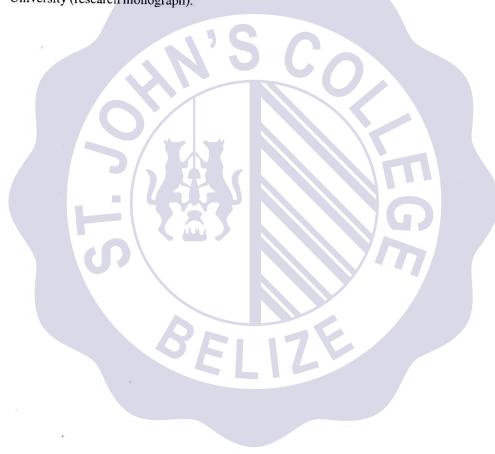
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#### Karl R. DeRouen

#### COCKBURN, MILLER AND THE SHIFT IN BRITISH POLICY IN BELIZE, 1834-1835

"THE GOVERNMENT OF CENTRAL AMERICA HAS NO POWER TO RESIST THE CLAIM OF GREAT BRITAIN." SUPT. COCKBURN TO LORD ABERDEEN APRIL 17, 1835

## WHEN SPAIN FIRST COLONIZED THE NEW

World in the 16th century she imposed administrative units known as Vice-Royalties and Capitaincy-Generals. Present-day Guatemala and Belizel were located in the Captaincy-General of Guatemala. Thus Spain clearly laid first claim to the region that later came to be known as Belize, and had even placed it into a political unit.

Spain proceeded to exploit Middle, and portions of South America. The European power introduced her language, the *latifundia*<sup>2</sup> system, Catholicism and small-pox – in short, her impact was great. This impact, however, was not felt in what was later to become Belize. Spain did not venture into Belize because she was more interested in the plundering of Indian gold and the subjugation of the indigens in other areas of Latin America. Spain was not interested in trekking through the harsh Belizean mangrove swamps merely to make official their claim.

Great Britain became active in Middle America in the 1650s, and by 1655 Jamaica was part of the British Empire.<sup>3</sup> With a focus centered upon the seaports of Jamaica, British ship traffic increased in the Caribbean. Jamaica became an entrepot for the rum, sugar and molasses sent to Europe, and for the West African slaves which were sent to other parts of the Caribbean and America.<sup>4</sup> The earliest reliable data on English and Scottish settlers in Belize go back to 1655 when some of the sailors and soldiers left Jamaica and went to Belize.<sup>5</sup>

These first men were largely Scottish. There is no evidence to indicate that there was ever any large-scale pirating based in Belize. The main activity was the cutting and export of timber.<sup>6</sup> The loggers inhabited coastal areas along the Yucatan peninsula, south of the Republic of Honduras and came to be known as Baymen. After decades of interbreeding

Karl R. DeRouen Jr. a political scientist, has completed a doctoral dissertation on Belize. This article was first published in Belizean Studies in 1991. with the imported African slaves, the Baymen became a fiery hybrid who spoke with a distinct *patois*. At around the turn of the century the first settlement at the false mouth of the Belize River (Haulover Creek) was founded. The site was used to load the ships bound for Europe with the lumber that had been floated down the Belize River.

By the end of the 17th century the territory of Belize was still a de jure component of the Spanish Empire, but the British settlers had no allegiance to Spain, making the territory a de facto property of the British Crown. In 1690 the Governor of Jamaica realized the opportunities for trade that Belize presented, and made an urgent request to London that she recognize and colonize Belize.7 London did not see the need to do so in 1690 just as it had not in 1670 when the second Treaty of Madrid was put forth in effort to settle territorial disputes between Britain and Spain in the New World. Herein lay the seed of the diplomatic dispute over the rights to Belize. If Britain had officially acknowledged Belize, the 1670 Treaty of Madrid would have released Belize from her Spanish,8 and later, Guatemala claims which were to be based upon the principle of uti possidetis.9 In spite of the Jamaican governor's request, England was reluctant to make formal claim to Belize for two reasons: first, Britain by "not officially recognizing the territory freed the settlers from the constraints imposed by the Navigation Acts and allowed them to trade with the United States." And secondly, "the lack of British recognition meant that the formation of a political body in the settlement would not be based on colonial rule, but instead on a local legislature that could be dominated by local interests."10 Thus it was apparent that the decision by Britain not to make an official claim to sovereignty, was a well-calculated one. Britain, and her colonial elite, could profit more from Belize if the territory was not officially part of the British Empire. For this reason Crown Colony status was delayed until 1862 - when Guatemala affrontery forced the Crown to take a more paternal stance towards Belize.

For the next 100 years the Baymen continued to ply their logging industry despite repeated attempts by the Spanish to remove them. The Baymen apparently never swayed from British loyalty, and in 1763 the Spanish Crown first recognized the rights of the Baymen to cut timber. Permanent settlement and agriculture rights were not recognized by Spain.

After the American War of Independence ended, the Treaty of Versailles (1783) "for the first time clearly defined the area in which the British had usufruct rights to extract logwood."11 The territory stretched from the Hondo River in the north to the Belize River in the south. In the wording of the treaty. Spain did not relinquish sovereignty, and forbid the building of any fortifications. There was still no provision for agriculture to be carried out in Belizeagriculture seen as a sign of permanence. The Spanish concession was a result of the British agreement to abandon claim to territory on the Mosquito Coast. To show that they were serious about the agreement, the English had to agree to send the Mosquito shore settlers to that area of Belize between the Hondo and Belize Rivers. 12

In Anglo-Spanish Convention of 1786, Spain first allowed non-plantation agriculture in Belize. The Convention also resulted in more land for logging activities in Belize. Negotiations had carried over from 1783 for two reasons. First, the English were willing to negotiate because they wanted to appease the disgruntled Mosquito Coast settlers who had been forced to move and were told they could only cut the now scarce logwood within the 1783 boundaries. They were forbidden to cut mahogany. The British government was able to increase logging acreage and secure the right to mahogany. 13 The Spanish remained at the bargaining table with the hope of somehow regaining Gibraltar.14 The settlers' agriculture had been confined to lands on the Belize River. The new agreement meant that the settlers moved away from the coast for the first time and developed farming along the fertile alluvial soils of other rivers and streams. De facto British sovereignty took an even stronger foothold after 1798 victory over the Spanish at St. George's Cay. The credibility of Spanish claims began a steady decline after this failed attempt to capture the mouth of the Belize River. By 1819 Britain had still made no official claim to Belize and did not sanction agriculture in the region, but she did admit that Belize was under British protection. 15

A major watershed in the history of the dispute took place in 1821, the year that Central America became independent of Spain. Britain (and Spain) refused to recognize the Federal Republic of Central America that formed as a result of the forfeiture of Spanish claims. <sup>16</sup> Soon after this, the Republic declared that she inherited the territory of Belize from Spain. Furthermore, the Republic claimed that since Britain had signed all treaties concerning Belize with Spain, the treaties were no longer valid. Britain countered by not recognizing the independence of the Republic and stating that negotiations over Belizean sovereignty would only take place with Spain. <sup>17</sup>

Superintendent Francis Cockburn, the head official of the Belize settlement, in urging Britain to take a more determined role in the affairs of the settlement, commented in 1833 that the Treaty of 1786 had been violated in every way except that the settlement had not been designated a colony.18 But Britain steadfastly refused to allow the settlement to become a colony. The King's Advocate in 1825 stressed the Crown's intentions to adhere to the Treaties of 1783 and 1786, and that no land could be granted for the purpose of agriculture.19 The settlement's population was growing and spreading, but London would not afford the settlers the protection of de jure authority. The settlers wanted guarantees of security in light of increasing threats from the Central American Republic,20 and they wanted the right to practice agriculture on a larger scale. To the latter end, Cockburn requested from the Secretary of State that the settlement be allowed to cultivate crops. The reply from the Secretary was "that it was not a favourable moment to discuss the question with Spain."21

On Spetember 14, 1834 Spain sent word that it wanted to open talks with the newly independent Central American states concerning recognition of the latter. This event convinced Palmerston to seek a Spanish cession of Belize so as to weaken any further Republic claims.<sup>22</sup> Seeing a narrow window of opportunity, Palmerston wanted a transfer of sovereignty before Spain could negotiate treaties with the Central American states that might include recognition of the latter by the former. Palmerston had to walk a fine line. He could not allow Frederick Chatfield, the consul he had sent to Guatemala to negotiate a commercial treaty, to appear overly anxious

in reaching an agreement with the Guatemalans because he did not want to suggest that Britain was seeking Guatemalan recognition.<sup>23</sup> Meanwhile, Cockburn was being told by Chatfield to request that London become more involved. Chatfield was motivated by two land grants Guatemala made in 1834 that the British settlers felt impinged upon their territory. Thus there were forces from two directions – Chatfield's and Palmerston's combining to precipitate negotiations with Spain. The Colonial Office and Cockburn were equally interested in the production of the definitive map of Belize – to be used both in negotiations with Spain and to regulate logging and land tenure in Belize.

Thomas Miller, appointed Clerk of Courts and Keeper of the Records of British Honduras on January 14, 1834,<sup>24</sup> was dispatched by Cockburn in 1835 to convince London, and later George Villiers, the consul in Madrid, that sovereignty was desired and necessary in the settlement. No such recognition was to be forthcoming. The aim of this research is to account for the events leading up to the Miller mission, and Cockburn's impact on the territorial delineation of Belize. This would result in a better understanding of why Britain began to gradually change her policy stance on Belize.

There has been very little published concerning Cockburn and Miller, save for brief mentions in Waddell's work on the Bay Islands, Humphreys' treatment of British Honduras diplomacy and Rodriguez's book on Chartfield; Hayes' work on nineteenth century British diplomacy did not even mention Cockburn, Miller, or Chartfield.<sup>25</sup> Most of the work done on this period of British diplomacy in Belize has been undertaken from the point of view of the Colonial Office or the Foreign Office. This research attempts to describe the events and their genesis by considering the motives and actions of the local government.

1

#### THE MISSION COCKBURN SENT MILLER on

was a direct result of the activities of three men: Chatfield, appointed consul to Guatemala in 1833 by Palmerston; Marshall Bennett, a land speculator and a Magistrate for 22 years;<sup>26</sup> and Juan Galindo, a Scottish born colonel in the Guatemalan army.

It was Chatfield in October, 1834, having been

informed by Palmerston that Spain was preparing to negotiate with the Central American states, who first suggested to Cockburn the advantages of consulting with Spain on the question of sovereignty."<sup>27</sup> Chatfield had been sent by Palmerston primarily to negotiate a commercial treaty with Guatemala – he was told implicitly to bargain over the status of Belize.<sup>28</sup>

Marshall Bennett is perhaps the name most often mentioned in the Archives of Belize as an early 19th century landholder outside the 1783 and 1786 treaty limits. He was awarded a huge land concession in 1834 by the Guatemalan government. The air of uneasiness that permeated 1830s Belize "was primarily the result of Bennett's woodcutting activities and grants to the south of the Belize." The reason Bennett's actions caused such a stir in Belize was because a sizeable piece of his concession fell into what was generally considered to be British territory, and the British settlers were not content to sit quietly by and allow Guatemala to sell portions of the land they considered to be under the jurisdiction of Britain.

Juan Galindo also received a concession from the Guatemalan government at about this time, and his concession covered approximately half of the territory generally considered to be British territory. <sup>30</sup> Galindo sent a letter to Cockburn in the summer of 1834 stating that he controlled as far east as the junction of Black Creek with the Belize River, and ascending that River to the Source of the Brook of San Pedro. <sup>31</sup> This led Cockburn to inform Chatfield that he was prepared to defend the Belizean "border" against any force that aimed to remove British settlers. <sup>32</sup>

The Bennett concession infuriated many Guatemalans who felt that the English were exploiting the weak economy of Guatemala.<sup>33</sup> This rising Anglophobia served further notice to Chatfield that London must take some action. When the Guatemalan government suddenly cut off the negotiations for the commercial treaty that she had originally seemed to want,<sup>34</sup> Chatfield took it as a cue to warn Cockburn to seek assistance from London. The first thing Cockburn did was to declare the Guatemalan grant to Galindo to be "null and void".<sup>35</sup> Galindo, in order to gain support for his claim, made visits to the United States and to Britain.

Thus the Miller mission "which resulted from Chatfield's suggestion of October, 1834, was Colonel Cockburn's answer to Galindo's tour abroad." 36

Cockburn wanted a formal cession of sovereignty in order to dilute the effectiveness of Galindo's campaign in the United States and to Britain. By this time Galindo had begun his campaign of "engaging the Government of the U.S.A. to assist him in obtaining possession of the grant by protesting against the right of British subjects to hold those Settlements." The Miller mission was also a product of events within the settlement. Cockburn and the settlers of Belize wanted the right to begin agricultural enterprises and the legitimization of logging claims beyond the 1783 and 1786 treaty limits – two goals that would only be allowed by the Foreign and Colonial Offices if Spain agreed to the cession of sovereignty.

II

#### COCKBURN WROTE TO THE UNDERSEC-

retary of State of November 24, 1834 to introduce his envoy Miller and to request that his cause be considered. Cockburn wrote, "I take the Liberty of hereby introducing & of strongly recommending to give ....support & assistance, Mr. Thomas Miller, who holds office in this Settlement of Clerk of Courts therefore of Records."38 Miller was speaking as a representative of all the inhabitants of the Settlement as he bargained for the Spanish release of sovereignty.39 In addition to the primary goals of clarifying the Guatemalan land grant imbroglio and securing the right to grow crops in the settlement, Cockburn wanted Miller to broach matters of secondary importance. In particular, Miller was to seek, on Cockburn's behalf, the power to grant lands in perpetuity. Miller was also to ascertain the extent of Cockburn's powers to grant settler status to British subjects. Finally, Cockburn sought the protection of British Men of War due "to the unsettled state of the Republic of Central America."40

Miller arrived in London for the first leg of the mission sometime in February, 1835. Upon arrival Miller wrote the Secretary of State that "until Great Britain had a firmer and more secure tenure of Honduras the Central American Republic will endeavor....to drive her from it." Thus it was made clear that Miller and Cockburn's designs for Spanish cession were to thwart the Central American Republic claim to Belize – and not to appease Spain. Spain was being consulted merely as a courtesy. Miller also addressed the fact that Belize was held by Britain in

an anomalous position as compared to her other possessions, and that even the Central American Republic recognized this:

"There can be no doubt that the Republic....upon the supposition that because Honduras is not held by Great Britain under the same circumstances as the other Dependencies of the Crown, His Majesty's Government [next four words are illegible] to take it under their protection. <sup>43</sup> While the last line is illegible, it would appear that Miller was pleading Cockburn's argument that Belize be given colony status<sup>44</sup> – an event that was to take place 27 years later in 1862.

In what appears to be Miller's first correspondence back to Cockburn, Miller explained that he had broached the subject of Bennett's land concession and company (Eastern Coast of Central America Commercial and Agricultural Company) which had secured the controversial 14 million acre concession from Guatemala that included land that Cockburn felt was under British control.<sup>45</sup> Miller wrote:

"I addressed Mr. Gladstone [of the Colonial Office] on the subject, and had the honor of an interview with him. In this interview I detailed to him the proceedings of the Company, which he seemed to view as an important feature of the question and one, on which as he was uninformed, he requested me to submit to him in writing."46

This news that Guatemala was parceling out land considered to be under British control further impressed upon the Foreign Office the need for a Spanish cession. Miller himself viewed the grant as a "deliberate and insidious encroachment on British sovereignty."47 On the question of agricultural rights, Miller wrote that Gladstone "fully concurred with me in the opinion that there were no prospects of an efficient system of Agriculture being carried out in Honduras until that question [cession] was finally set at rest."48 Thus the settlers would not be allowed by the Crown to grow significant crops until Spanish cession was granted. Miller further iterated that "until it [cession] was settled he did not see that Lord Aberdeen would enter upon the discussion of the internal affairs of Honduras."49

It was clear at this point that if Miller was to accomplish anything, he needed to have his case heard in Madrid – for it was only after the cession was granted that Aberdeen (who had replaced

Palmerston at the Colonial Office) <sup>50</sup> would consider granting such concessions as agricultural rights. To this end, Backhouse of the Foreign Office, after debriefing Miller, agreed to send word that Miller wished to visit Madrid, to Wellington (who succeeded Palmerston at the Foreign Office). Wellington concurred as Miller wrote:

"...that His Grace [Wellington] had determined to convey Instructions to the British Ambassador at Madrid [Villiers], to enter into negotiations with the Spanish Government for obtaining a cession to Great Britain of the sovereignty of Honduras, as far south as the River Sarstoon..."51

In commenting upon the Backhouse interview the following day, Miller elaborated upon Wellington's message to Villiers to initiate negotiations. In the event Villiers was not able to secure a Spanish cession, he was to

"...negotiate for the special reservation of the sovereignty question as one pending between Great Britain and Spain alone, in any deed which may be executed by Spain declaratory of the Independence of the Republics of Mexico and Central America."52

Again, to Wellington the urgency of the Belize issue was heightened by Spain's admitted intent of negotiating with Mexico and the Central American Republic over Spanish recognition of the latter. This was borne out by Wellington's conveyance to Villiers. It was in these letters that first mention was made of Miller traveling to Madrid to meet with Villiers.<sup>53</sup>

On March 11, 1835 Miller received a letter from the Colonial Office on Downing Streeet marked "Immediate." The dispatch informed Miller that Aberdeen "considered it advisable that [he] should proceed to Madrid without any loss of time" and that Wellington concurred.<sup>54</sup> Miller wasted no time. He departed London two days later on March 13 and arrived at Plymouth March 14.<sup>55</sup> While in Plymouth "waiting for the wind to come around," Miller dashed off a few lines in which he mentioned having discussed Bennett with Gladstone:

"...Mr. Gladstone told me that Mr. [illegible] had transmitted a Memorial to the office from Mr. Bennett against the proposed law of zones on the subject of Mahogany cut to the Southward. This [illegible] the law you said was to be proposed at a

Special Public Meeting. I explained the whole matter to him, but I think his impression still seemed to be that the law appeared something [illegible] like harshness towards one individual. I suppose this is the light Mr. Bennett has put it in."56

Bennett's clout and the Crown's desire to allow the landed gentry to prosper unfettered by colonial rule, were evidenced by the fact that Gladstone seemed to take Bennett's side in this dispute over logging rights.

From Plymouth, Miller sailed for four days to Corunna, Spain and then made his way in six days to Madrid 57 The journal entry for his night in Madrid must have disheartened Miller for he found that the English ambassador to Spain "appeared to know nothing" of the present situation in Belize. 58 After a wait of three days Miller was able to meet with Villiers, the English ambassador to Spain, who informed Miller that he had been "so very busy with other matters that it was only last evening that he had an opportunity of reading the long paper transmitted by the Colonial Dept. & the Duke of Wellington." 59 Villiers told Miller that he had been instructed by Wellington to negotiate for the rights to

"...everything that the settlers have occupied, from the Rio Hondo on the North to the Rio Sarstoon on the south, and as far west as Garbutt's Falls on the Belize, and a line on the same parallel to strike on the Rio Hondo on the north and the Rio Sarstoon on the south; also the waters, islands and keys lying between the coast so defined and 87° 40' west longtitude."60

These boundaries had been recognized as the legal ones in Belize since the 1834 ruling by judges and magistrates in the settlement, 61 and are the boundaries within which Belize exists today. The note which Villiers eventually drafted and sent to de la Rosa, the Spanish Foreign Minister,

"...pointed out to him that it had been out of deference and courtesy to the ancient rights and sovereignty of Spain in America, and particularly with reference to the manner in which the British had originally become the occupants of Honduras that His Majesty's late Minister [Palmerston] had thought proper to pay that respect to Spain by referring the matter to the Spanish Government."

Villiers' letter, however, elicited no response from the Spanish Foreign Minister.<sup>63</sup> A later attempt

by Villiers in 1836 was directed to the new Spanish Foreign Minister, Calatrava. Again no formal reply was ever received, and it marked the last time Britain was to seek Spanish cession through official channels.<sup>64</sup> By the time Miller had completed his mission, the only thing that had been accomplished

was that Spain had received formal word from Britain that the latter requested cession. Villiers confided to Miller that "the affairs of Honduras rendered it necessary that more legislative enactment should be laid before Parliament." Thus Britain now unwillingly had to take the initiative rather than sitting back and waiting for a Spanish cession to protect sovereign rights in Belize. Britain, through legislative actions, would be taking first steps towards declaring Belize a Crown Colony.

Ш

WHILE MILLER WAS IN EUROPE, Cockburn was busy constructing a definitive map of Belize. In particular Cockburn was working on a map sent to him by the Colonial Office with "a view to pointing out more clearly the errors it contains." Cockburn felt that "the affair of boundary once settled...should be notified to Central America & the sooner the better, as those which Great Britain is prepared & determined to maintain."

Cockburn, as previously mentioned, during 1834 and 1835 had been acting in response to the Guatemalan land grants to Bennett and Galindo and Chatfield's subsequent warning. But there was another factor motivating Cockburn to seek a solution to the predicament. Since the Crown only recognized and officially condoned logging excursions within the 1783 and 1786 lines, the logging works that operated outside these boundaries—there were many—were not under the direct control of Cockburn. Therefore

"...in all the other parts of the Territory here so long claimed & occupied by the British, no regulations or restrictions has provided respecting the cutting of wood or the occupation of land & [illegible] the mahogany on the extensive tracts...has been subjected to great waste & devastation..."68

Cockburn iterated that a move by the Colonial Office towards awarding the Superintendent

jurisdiction outside the treaty limits would therefore be a "protective encouragement to British settlers." Further evidence that Cockburn was not satisfied with his level of authority came from Miller as he wrote that "He [Aberdeen] agrees as to the absurdity of your being called Superintendent." It would appear that Cockburn was displeased by the fact that he could not take the title of Governor, and that he was compelled to keep the settlers within the treaty boundaries to which his authority was confined.

George Hyde, a prominent Belizean Magistrate who had undertaken to map the course of the Hondo, admitted to the Colonial Office that

"...the computation of distances in the settlement beyond the immediate vicinity of the coast, is merely conjecture and that the conjectures are apt to be wide of the mark, owing to the most improbable nature of the country in most parts of it."<sup>72</sup>

A Mr. Young of Belize, who accompanied Hyde on the trip to London, went on to mention that the 1786 boundary had at one time been demarcated by a stone set up by a joint British/Spanish Commission, but that the stone had washed away.<sup>73</sup>

The Colonial Office realized just how tenuous the boundaries of the settlement were and sent a map to Cockburn for his comments. Cockburn corrected the map with red ink in 1835 (see Humphreys [1981] Map 3). The line labelled "Western Boundary" on the map was drawn in by Cockburn. Cockburn recommended that the western boundary be drawn southward from the source of the Sibun – at approximately 89° 35'. This would place the westernmost point of the British-held land about 26 miles west of the existing point at Garbutt's Falls.<sup>74</sup>

It is clear that Cockburn's artificial boundary would have afforded the settlement much more territory, but Cockburn felt justified in doing so stating that he only included land "as we can claim to have been in possession of when the Central American Republic declared its independence." Cockburn warned that this artificial line must be drawn far enough to the east so that the village of San Pedro (see Humphreys [1981] Map 3) was not brought into British territory, for it was controlled by the Republic. 76

IV

THUS COCKBURN, WITH THE AID OF Hyde and Young whom he had mentioned to Aberdeen, 77 further ensconced the borders that had been ruled British

territory in 1834. He and Miller did not, however, succeed in gaining a Spanish cession of sovereignty and therefore extending *de jure* authority beyond the treaty limits. The status of the settlement was not to change significantly until the 1859 Anglo-Guatemalan Treaty legitimized the western boundary of Belize as a line drawn southward from Garbutt's Falls to the Sarstoon – which is what the Foreign Office had suggested. Cockburn and Miller had netted no immediate victory for the settlement themselves. They did, at the very least, maintain the *status quo* in Belize at a time when the Central American Republic could have subjugated the territory.

The years of 1834-35 were a threshold in the history of Belize. By 1837 Superintendent Alexander MacDonald (Cockburn's successor) had become empowered to make grants outside the treaty boundaries, and by 1839 the Colonial Office agreed to allow plantation agriculture.78 During the two year period Britain, for the first time, acknowledged responsibility for the settlers of Belize. The primary motive behind the Crown's change of policy in the isthmus was the Guatemalan granting of two land concessions that straddled British-held territory. The second force was the need to provide agriculture in the settlement. The settlers were desperate for the Crown to sanction agriculture - both to feed themselves and to diversify the economy. Thirdly, Cockburn's desire to increase his power base outside the treaty boundaries helped compel Britain to take action. These three factors, each a product of the mid 1830s, precipated an end to the benign neglect of Belize by the Crown.

#### **Footnotes**

- 1. For simplicity, the settlement will be referred to as Belize, and not Honduras regardless of the date.
- 2. The *latifundia* system consisted of large agricultural works owned by a landed minority of direct Spanish descent. The landless peasants were exploited as labor on these landholding that existed from Guatemala to Chile. G.J. Butland, Latin America, (London, 1966), pg. 5.
- 3. A.R. Gregg, British Honduras, (London, 1968), pg. 8.
- 4. Entrepot means literally, "between ports."
- The *entrepot* functions as a break-in bulk point of trade where the method of shipment is changed prior

to further movement. Islands near a mainland often serve this purpose. For example, London is an *entrepot* between North America and continental Europe. R. Murphy, *An Introduction to Geography*, (Chicage, 1961), pg. 188. Kingston was such a port for Britain in the West Indies. British trans-Atlantic commerce, from the late 17th century until the end of the Napoleonic Wars, profited greatly from the movement of guns and trinkets from Britain to West Africa; from West Africa slaves were sent to Kingston; and from Kingston rum, sugar and molasses went to Europe, primarily Britain.

- 5. Some of these early Anglos, especially the Baymen in Middle America were Scottish, technically therefore, they were not British until the early 18th century.
- 6. Exotic timber was the *raison d'etre* of Belize. Logwood, used to make dyes, and mahogany, used to make rail coaches, were in great demand in Europe. 7. J.A. Zammit, *The Belize Issue*. (London, 1978), pg. 9. 8. W.J. Bianchi, Belize: *The Controversy Between*
- Guatemala and Great Britain Over the Territory of British Honduras in Central America, (New York, 1959), pg. 35. The treaty of 1670 was to determine the course of Anglo-Spanish relations in Central America for the next 100 years. With the treaty Spain relaxed its position on land rights in the New World and agreed to acknowledge British sovereignty over land

occupied by British subjects at that time. However

the treaty did not consider the tiny British enclaves at Belize and the Mosquito Shore. It is doubtful whether any of the metropole government elites even knew of the settlements at the time. In the 19th century when Britain finally made serious moves toward taking responsibility for Belize, it was argued that the 1670

treaty gave possession to Britain of all land then

occupied by the British - regardless of formal

- recognition in 1670. Spain never complied with this line of reasoning. T.S. Floyd, *The Anglo-Spanish Struggle for Mosquitia*, (New Mexico, 1967) pg. 27.

  9. The principle, rarely recognized in modern
- international law, essentially meant that the Latin American Republics felt entitled to land that Spain held in the New World. Sir A. Burns, *In Defense of Colonies*, (London, 1957), pg. 202. See also Humphreys, *The Diplomatic History of British Honduras* 1638-1901, (Connecticut, 1981), Appendix II, pgs. 179-182.
- 10. N. Ashcraft, Colonialism and Underdevelopment, (New York, 1973), pg. 29

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- 11. Zammit, pg. 11
- 12. Floyd, pgs. 163-4.
- 13. Ibid., pg. 164
- 14. Ibid.
- 15. J.L. Mendoza, *Belize: An Anglo-Guatemalan Controversy*, (London, 1948), pg. 3. Quoted in Zammit, pg. 13.
- 16. Zammit, pg. 13.
- 17. Humphreys, pgs. 20, 26
- 18. Cockburn to Sec, of State, Nov, 15, 1835, in Humphreys, pg. 25
- 19. Humphreys, pg. 25.
- 20. Humphreys, pg. 26
- 21. Sec. Of State to Cockburn, April 15, 1834 in J.A. Burdon, *Archives of British Honduras*, (London, 1934) II, pg. 353.
- 22. Humphreys, pg. 353
- 23. Humphreys, pg. 36. Guatemala was the state of the Republic that was most active in claims against the British Crown.
- 24. Cockburn to Clerk of Courts, Jan. 14, 1834, in Burdon, pg. 352.
- 25. D.A.G. Waddell, "Great Britain and the Bay Islands, 1821-1861, *The Historical Journal* II, I (1959): 59-77. Humphreys, 1981. M. Rodriguez, *A Palmerstonian Diplomatic in Central America*, (Arizona, 1964). P. Hayes, The Nineteenth Century 1814-80, (New York, 1975).
- 26. O.N. Bolland, *The Formation of a Colonial Society*. (Baltimore, 1977), pg. 164.
- 27. Rodriguez, pg. 92.
- 28. Archives of Belize (hereafter AB) Rec. 12, March 16, 1835, in Burdon, pg. 372.
- 29. Rodriguez, pg. 92.
- 30. Miller to Gladstone, Feb. 20, 1835, in Burdon, pg. 366.
- 31. Miller to Gladstone, Sept. 12, 1834, in Burdon, pg. 356. Humphreys (1981) includes maps that depict most of the geographical references made in this article. Unfortunately, the maps could not be reproduced here.
- 32. Cockburnto Chatfield, Sept. 13, 1834, in Humphreys, pg. 41.
- 33. Gregg, pg. 34.
- 34. Humphreys, pg. 41.
- 35. Gregg, pg. 34.
- 36. Rodriguez, pg. 92 Galindo's tour was not a success. His first stop was Washington where limited U.S. interest in Central America prevented him from

- winning any support. The British government showed no sympathy for his cause either, arguing that he was, in fact, a British subject, and that he was only looking out for his own self-interest. Galindo returned to Guatemala to a less than favorable welcome where he died in battle in 1840. Humphreys, pgs. 43-44.
- Sec. of State to Cockburn, Aug. 12, 1835, in Burdon, pg. 378.
- 38. Cockburn to Sec. of State, Nov. 24, 1834,
- AB Rec. 6c, pg. 4.
- 39. Ibid.
- 40. Cockburn to Miller, Nov. 24, 1834, in Burdon, pgs. 360-2.
- 41. Miller to Sec. of State, Feb. [illegible], 1835, AB Rec. 11, pg. 72.
- 42. Miller to Cockburn, March 20, 1835, in Burdon, pg. 375.
- 43. Miller to Sec. of State, Feb. [illegible], 1835, AB Rec. 11, pg. 72
- 44. AB Rec. 12, March 16, in Burdon, pgs. 371-2.
- 45. Humphreys, pg. 42.
- 46. Miller to Cockburn, Feb. [illegible] 1835, AB Rec. 11, pg. 140.
- 47. Miller to Galdstone, Feb. 20, 1835, in Burdon, pg. 366.
- 48. Miller to Cockburn, Feb. [illegible], 1835, AB Rec. 11, pg. 366.
- 49. Ibid., pgs. 141-2
- 50. Ibid., pgs. 142-4
- 51. Ibid., pg. 143.
- 52. Miller notes, Feb. [illegible], 1835, AB Rec. 11, pg. 120.
- 53. Ibid., pg. 121.
- 54. Colonial Office to Miller, March 11, 1835, AB Rec. 11, pg. 157.
- 55. Miller-Journal at Madrid, March 11, 1835, AB Rec. 11, pg. 321. Unfortunately most of this journal is illegible. Exactly how Miller went about trying to get de la Rosa to concede may never be known.
- 56. Miller to (?), March 14, 1835, AB Rec.1 pgs. 160-1. It is not clear as to whom Miller was writing this
- letter. He may have been writing to Cockburn, but on page 161 he "sends his best regards to (?) Cockburn—it is unclear whether he wrote "Mr." Or "Mrs." Before Cockburn. There is no other reference made to the "law of the zones" in the archives. It would appear that the laws were aimed at regulating thecutting of timber south of the 1786 treaty limites.
- 57. Miller-Journal at Madrid, March 27, 1835, AB

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Rec. 11, pg. 321.

58. Ibid.

59. Ibid., pg. 325.

60. Foreign Office Instructions to Villiers, March 12, 1835, in Humphreys, pg. 38.

61. Humphreys, pg. 38.

62. Miller to Cockburn, June 14, 1835, AB Rec. 11, pgs. 215-6.

63. Humphreys, pg. 40.

64. Ibid.

65. Miller to Cockburn, June 14, 1835, AB Rec. 11, pg. 216.

66. Cockburn to Aberdeen, April 17, 1835,

AB Rec. 6e, pg. 23.

67. Ibid., pg. 31.

68. Ibid., pg. 25.

69. Ibid., pg. 26.

70. Miller to (?), March 14, 1835, AB Rec. 11, pg. 159.

71. Murray to Cockburn, Oct. 28, 1829, in Humphreys, pg. 25.

72. Inward dispatches, March 27, 1835, AB Rec. 12, pgs. 91-2.

73. Ibid., pg. 93.

74. Cockburn to Aberdeen, April, 17, 1835, AB Rec.6e, pg. 27.

75. Ibid., pg. 27

76. Ibid., pg. 28.

77. Ibid., pgs. 28-9.

78. Sec. of State to Superintendent, June 29, 1839, in Burdon, pg. 408.

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# Dean O. Barrow POST-WAR GUATEMALAN FOREIGN POLICY AND THE INDEPENDENCE OF BELIZE

THE CLAIM OF THE REPUBLIC OF GUATEMALA to the entire territory of Belize rested historically upon the invocation of the doctrine of uti possidetis. When the Spanish colonies of Central and South America proclaimed their independence in the second decade of the 19th century, they adopted a principle of constitutional and international law to which they gave the name of uti possidetis juris. According to the rule established by this doctrine, the boundaries of the newly established republics were to be the frontiers of the Spanish provinces they were succeeding.1 Under the uti possidetis, the republic of Guatemala claimed that it was successor in title to the old Spanish Captaincy-General of Guatemala, whose territorial unit, it was contended, had embraced the settlement of Belize in the Bay of Honduras.

While Spain's title by discovery to Belize was undoubted before 1821 (the area having been sighted and named by Columbus in 1502 on his fourth and last expedition),<sup>2</sup> it was never followed up by any effective occupation or administrative control. The actual settling of the territory probably began around 1638, and was undertaken by British subjects who engaged principally in the business of cutting logwood.

In the period following Spain's withdrawal from the American continent, the British continued to maintain and develop their authority over Belize. The Guatemalan claim to sovereignty was resisted on the basis that Spain's title had lapsed after 1821, and it was the British who, by virtue of their occupation and control, had proceeded to acquire a good title in its stead. In the argument, the British were on solid legal footing. Firstly, it was uncertain whether Belize had ever been even nominally a part of the captaincy-general of Guatemala (there having been a clear demarcation between the jurisdiction of the

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intendency of Yucatan and that of the captaincygeneral of Guatemala).<sup>3</sup> Further, the principle of *uti* possidetis was in any event a purely regional custom in derogation of traditional international law and having application only among those states which had expressly agreed to be bound by it,<sup>4</sup>

The conflicting claims of sovereignty over Belize continued until April 30th, 1859, when a convention was concluded between Her Majesty's government and the republic of Guatemala. In effect, the 1859 treaty recognized British sovereignty over Belize, and established the boundary lines between the settlement and the republic of Guatemala.

Unfortunately for subsequent history, the 1859 treaty contained an article 7 which obliged the high contracting parties "to conjointly use their best efforts...for establishing the easiest communication (either by means of a cart road, or employing rivers...) between the fittest place on the Atlantic coast near the settlement of Belize and the capital of Guatemala.<sup>5</sup>

The road "or other means of communication" was never built, and the period 1868-1940 was marked by accusations and counter-accusations of responsibility for the non-fulfillment of the provision. In the event, Guatemala in 1940 purported to terminate the 1859 treaty on the grounds of Britain's alleged breach of Article 7. In so doing, she postulated a return to the *status quo ante*, and maintained that her original rights of sovereignty (which Britain had never recognized) had been revived.

It is a moot question whether, assuming there was a breach on Britain's part, the breach could have been construed as sufficiently material to entitle Guatemala to terminate the treaty in its entirety. Further, it is in any event arguable that Guatemala's long delay had stopped her from relying, in 1940, on any putative rights termination she might have had. <sup>6</sup> Thus, it would appear that the Guatemala claim, whose provenance was already based on a principle of dubious validity, predicated its revival on even shakier grounds of legal scholarship.

Be that as it may, Guatemala served formal notice of her intention to actively pursue measures for the recovery of Belize. The stage was now set for the long history of post-war confrontation that was to ensue.

#### POST WAR DEVELOPMENTS

#### THE SO-CALLED FIRST REVOLUNTARY

Guatemalan constitution of March 11, 1945, included the question of Belize in its opening provisions, Article 1 of the Constitution stated: "Guatemala declara que Belice es parte su territorio, y considera de interes nacional las gestiones a la Republica." With the promulgation of the new constitution, the first salvo in the Guatemalan post-war offensive had been fired.

Initially, the British proposed submission of the dispute to the newly created International Court of Justice at the Hague. Guatemala's stipulation that on any submission the court be empowered to decide the issue *ex aequo et bono* (an equitable principle mitigating the strict rigors of the legally applicable norms), produced a stalemate, but the matter was never brought before the court. Meantime, however, Guatemala was active on the Pan-American level, presenting her case at the Inter-American Security Conference in Rio in 1947, and at the Bogota meeting at April 1948.8

In the early period, the Guatemalan position was cloaked in the garb of an anti-imperialist rhetoric. She represented her struggle over Belize as a struggle to free the American mainland from the vestigal colonial presence of Britain, an extra-hemispheric, imperial power. One is tempted to dismiss this as a posture of convenience, employed by Guatemala to camouflage her own expansionist ambitions. But the immediate post war governments of Juan Jose Arevalo, and later Jacobo Arbenz, were both nationalistic, left-leaning governments. They may well have believed their own rhetoric.

In the year 1948, Guatemalan diplomatic agitation was intensified, culminating in a note of protest being sent to the British government in consequence of Belize having sent delegates to the conference for the federation of British colonies held in Jamaica.

At about the same time, Guatemalan policy was given its first militaristic expression. Repeated threats to invade Belize were issued from the Guatemalan capital, obliging Britain to dispatch the

the Belizean coast. In addition, a battalion of British infantrymen was deployed along the border with Guatemala. These moves provoked the closing of the border by Guatemala, and her denunciation of Britain before a meeting of the American commission on dependent territories (which took place in Havana early in 1949). Also, strong protest notes were dispatched by Guatemala; and her president Juan Jose Arevalo, charging the British with aggression and using for the first time the metaphor of el Tiburon y la sardina (later to become the title of his impassioned yankee-phobic book), characterized Britain as a voracious shark bent on destroying the helpless Guatemalan sardine.

Nevertheless, according to the Guatemalan author, Roberto Carpio Nicolle, there is little doubt that President Arevalo had indeed contemplated armed intervention in Belize. It was only the military intercession of the British that aborted this plan.

Very suddenly in 1951, Guatemala reopened the border with Belize. Thereafter, there proceeded a period of relative inactivity on the diplomatic front, interrupted only by the sending, of a protest note to Britain in 1952, expressing concern over alleged pressure being exerted to persuade Belize to join the West Indies Federation.

The next clearly delineated stage in the confrontation seems to have coincided with the appointment of Licienciado Jorge Garcia Granados as Guatemala's ambassador to London. Up to this point, the dispute had been viewed by both the British and the Guatemalans as purely bilateral issue. Granados it was who conceived the strategy of seeking to enlist the support of the local populist leaders which the birth of nationalist politics in Belize had produced.

In 1950, following the devaluation of the Belize dollar by the colonial authorities, local protests against deteriorating economic conditions soon developed into a full-fledged political movement. That year resulted in the formal establishment of the People's United Party, a mass-based, nationalist party that began immediately to agitate for decolonization and local control of the political and administrative institutions of the colony.

In 1954, a new constitution promulgated by the colonial office (Belize had been accorded official crown colony status in 1862) introduced universal adult suffrage to Belize, and provided for a legislative assembly consisting of 9 elected and 6 nominated members. Final executive authority was still vested in the colonial governor, who was assisted by an executive council made up of 4 of the elected legislative members and two of the nominated members.

In the first elections held under the new constitution, the recently formed People's United Party won 8 of 9 seats in the legislative assembly. In the 1957 elections, the P.U.P., by this time led by Mr. George Price, succeeded in sweeping all nine of the elected seats. Accordingly, Mr. Price and three others from his party were placed on the executive council, where Mr. Price was made "member for natural resources."

Granados' plan was to secure some form of Belizean pronouncement in favour of the Guatemalan claim. Great Britain could then be denounced with even more fervour as an imperialist interloper, oppressing a subject people who ardently desired its freedom by way of a re-integration with the Guatemalan Fatherland. To this end, Granados in a series of private meetings paid assiduous court to a Price-led, Belize delegation which had journeyed to London at the end of 1957 to seek further constitutional and financial advance for the colony. The fact that secret conversations were being held between Granados and the Belizean quasi-minister George Price was discovered by the British, provoking a major diplomatic incident and resulting in the suspension of the constitutional talks and the declaration of Granados persona non grata.

Even today, the remove of history notwithstanding, opinions remain sharply divided over the precise motives of the Belize delegation in agreeing to private audiences with Granados. Mr. Price, who had briefly attended a Catholic seminary in Guatemala before his political emergence in Belize, had certainly been much influenced by his Latin American experience. His political ideas owed a large ideological debt to the continent's Social Democratic leaders: Haya De La Torre, Romulo Betancourt, Jose Figueres; and his personal vision, at least in this early period, clearly favoured a Latin destiny for Belize, perhaps as the sixth member of the Central American Confederation, O.D.E.C.A.

Critics at the time charged that the vision went further. On his return from London, Mr. Price was accused by the colonial governor among others, of having engaged in a plot to deliver Belize to the Guatemalan "lock, stock, and barrel." Mr. Price's partisans have always denied this, and in recent times have sought to promote a revisionist version of the incident. According to this latter interpretation, George Price was and is, above all, a nationalist. He was always fully aware that the Guatemalan policy of reincorporation vis a vis Belize would have entailed merely the replacement of British colonialism by a Guatemalan variant of the same genus. And he had no intention of settling for the dubious achievement of exchanging a European master for a regional one. Rather, Mr. Price was attempting to use the Guatemalan connection as a way of pressuring the British into accepting his demands for accelerated decolonization for Belize (exactly how a flirtation with Guatemala would have effected this has never been made fully clear). In this larger than life version, Mr. Price would thus have succeeded in outmanoeuvreing both the British and Guatemalans to the eventual benefit of national liberation for Belize.

Mr. Price himself, now Prime Minister, has always remained serenely aloof from the controversy surrounding his motives in the 1957 affair. He declines comment about the incident, preferring rather to point to subsequent events which he views as having completely absolved him, and rendered secure his historical place as the true architect of the nation's freedom.

In the year 1960, there occurred a development in international affairs which was to have the most critical impact on Guatemalan posture and the entire Belize question. On December 14th of that year the general assembly of the United Nations promulgated its "Declaration on the granting of independence to colonial countries and peoples."11 The Declaration affirmed that "subjection of people to alien.... domination constituted a denial of fundamental human rights, is contrary to the charter of the United Nations and is an impediment to the promotion of world peace and cooperation."12 Further, it enjoined "immediate steps be taken in trust and non-self-governing territories or all other territories which have not yet attained independence, to transfer all powers to the peoples of those territories...in order to enable them to enjoy complete independence and freedom."13 In this way, the concepts of self-determination, anticolonialism, and territorial integrity, gained international legal currency.

It was this development more than any other that marked the transformation of the dispute from a

bilateral confrontation between Great Britain and Guatemala, to an issue having major international significance, and being of particular interest to the emergent nations who became independent in the decade immediately following the U.N. Declaration.

The process would now begin whereby Belize would no longer be treated as merely the passive object of dispute. In acknowledgement of her inherent right to self-determine her own destiny, she would eventually be accorded active and equal status in the continuing negotiations over her future.

In May of 1961, for the first time since the post-war reactivation of the dispute, face-to-face negotiations were held in London between Britain and Guatemala. Tangible effects of the U.N. Declaration of the previous year became immediately visible. Jesús Urda Murillo, the Foreign Minister of Guatemala, proposed the creation of a new Belize as an associated state of Guatemala. The British response was unequivocal. They rejected the proposal and made it clear that they were thinking rather of a complete autonomy for Belize. And for the first time, they insisted that Belize should itself participate in any future negotiations to try and work out a formula for the final resolution of the conflict. 14 By the time the negotiations were resumed in Puerto Rico in April of 1962, Britain was in the process of dismantling its colonial structure in the Caribbean. The head of the English delegation to the talks declared his government's intention of shortly moving Belize from Crown Colony status to that of full internal selfgovernment, with independence to follow in the shortest appropriate time thereafter. Mr. George Price, who represented Belize at the talks as an observer, let it be known that his country rejected the concept of associated statehood with Guatemala, and was determined, in accordance with British commitment, to pursue the road to full independence.15

Belize's expressed desire for autonomy, and the British commitment to granting it, stripped the Guatemalan claim of any anti-colonialist veneer of legitimacy to which it had earlier pretended. Henceforth, despite the most careful legal and diplomatic formulation of her case, Guatemala would herself be condemned as imperialist manqué, scheming to try and satisfy frustrated expansionist urging. Meantime, however, General Miguel Ydigoras Fuentes was elected president of Guatemala, and he conceived the idea of seeking U.S. support for the

Guatemalan position over Belize. Accordingly Ydigoras proposed the use of Guatemala as the training ground and launching site of a U.S. sponsored army of liberation which would journey to Cuba to free it from the Castro revolution. The quid pro quo was to be U.S. pressure on its ally Britain to resolve the Belize dispute in favour of Guatemala. If Ydigoras is to be believed, President John F. Kennedy confirmed acceptance of the proposal.16 According to this account, Ydigoras received word on the 25th March, 1963, that resulting from U.S. pressure, the British were prepared to accommodate Guatemalan demands on Belize. For the purpose of concluding the matter, a Guatemalan diplomatic mission was to be dispatched to London forthwith.17 Miguel Ydigoras Fuentes was, however, overthrown in a golpe de estado on the night of March 30, 1963, and his supposed mission never left Guatemala.

In 1964, Great Britain formally granted internal self-government to the colony of Belize, George Price becoming Premier of the country, with Britain retaining responsibility solely for defense and external affairs. This precipitated an open break with Guatemala, who closed the border with Belize and severed diplomatic relations with London.

Despite this, two important rounds of talks were held in 1965 between Britain and Guatemala, with a Belizean delegation in attendance. The first session was in Miami from the 3<sup>rd</sup> to 6<sup>th</sup> of March, and the second was in London from the 29<sup>th</sup> June to the 2<sup>rd</sup> July. At the latter, after it became clear that the two sides were hopelessly deadlocked, an agreement was reached to solicit U.S. mediation of the dispute.

The government of the United States selected as mediator Ambassador Bethuel M. Webster, and this was duly ratified by the parties to the dispute. During a three-year period, the mediator, with the helf of various technicians, experts, and ministers of government of the interested parties, including Belize, completed his task. Early in 1968, he presented the text of his 17 proposals for the resolution of the Anglo-Guatemalan dispute over Belize.

Although Article 1 of the Webster document proposed the granting of independence to Belize no later than 31st December, 1970, subsequent articles in the text made it clear that this independence was to be greatly circumscribed by certain features which would in effect make Belize an associated state of Guatemala.<sup>18</sup>

In this event the proposals satisfied the aspirations of none of the parties to the dispute. It appeared that the Guatemalan position had hardened since the time of Urda Murillo, to the point where nothing less than full satisfaction of the claim would assuage the Guatemalan military foreign policy establishment. On the other hand, the desire of the Belizean people for uncompromised independence within the context of the U.N. Declaration of 1960, impelled them to condemn the Webster proposals out of hand. Thus, both the Guatemalans and the Belizeans joined (each side for its own reason) in rejecting the product of the mediation effort,

The process of direct negotiations was resumed in March of 1969, and between that date and 1972, five meetings at ministerial level were held. These efforts were abruptly suspended in early 1972 with the dispatch to Belize (in January/February of that year) of the British aircraft carrier Ark Royal, and the destroyer London, a move designed to counter what appeared to be the second attempt on the part of Guatemala to achieve its policy objectives over Belize by way of military force.

Guatemala took the matter of the British troop deployment to the OAS, where she denounced the moves as British aggression against her. She requested the general assembly of the OAS to condemn the British act of intimidation, and she also sought to put in motion the collective security machinery established under the Rio Treaty of reciprocal assistance.<sup>19</sup> The Guatemalan motion was later withdrawn after the Jamaican delegation to the OAS responded with counter charges of Guatemalan aggression against Belize, and a telegram from Premier Price of Belize to the OAS general secretary was circulated among the member countries. The telegram rejected the Guatemalan claim to Belize as "an attempt to perpetuate colonialism in the hemisphere," and requested the OAS to secure an "unequivocal declaration by Guatemala that she will not invade Belizean territory.20

The Argentine journalist, Roberto Bardini, writing in 1979, claims that British intelligence had in fact uncovered (in January of 1972) a joint plot on the part of the government of Guatemala and El Salvador to invade Belize. Details of the plan had also been discovered by the Pentagon in Washington, who had, in turn, informed U.S. Department of State. The participation of El Salvador was said to have been

motivated by that country's desire to solve her population problem by resettling some half a million campesinos in Belize over the space of ten years.

The year 1972 was also significant in one additional respect. Prior to that time, although Belize had been present at all the discussions since the Puerto Rico conference, her role seems to have been confined principally to that of an observer. Even after self-government in 1964, Belizean representatives seemed to be content to leave the actual negotiating to the British. This was a logical enough position, reflecting as it did the constitutional reality of Belize's status. Britain had, after all retained full authority over the country's foreign relations.

From 1972 onwards however, there appeared an increasing determination to take advantage of the prevailing international thinking on decolonization and self-determination. The leaders of the country thus began to display activism in the world community, developing a strategy which appeared both to parallel and supplement the efforts of the colonial power to settle the dispute.

In pursuance of the Belizean demarche, the deputy premier of the country toured the Middle East and Africa in the late 1972, informing of the Belizean plight and seeking support for Belize's territorial integrity. Closer to home, Belizean initiative succeeded in having the heads of government of the CARICOM bloc of nations pass a resolution (the Guyana declaration) supporting the full independence of Belize. By the year 1975, these fledgling diplomatic efforts had metamorphosed into full-blown, concerted offensive, in which the declared policy of the Belizean government was the "internationalization" of the Belize question.

The Guatemalan response to these developments, to the momentum shifting inexorably to the Belize government, was to once again trot out the threat of military invasion. By October of 1975, Premier George Price was complaining of abnormal Guatemalan troop concentration on the border of Belize, and a dramatic increase in the presence of Guatemalan patrol boats in the Caribbean Sea. Britain flew military reinforcements to Belize on board the transport planes Hercules and Britannia, and also dispatched the frigate "Nubia" and the cruiser "Zulu" to patrol the waters off the Belizean coast. A war of words was launched, with the British prime minister reiterating Britain's preparedness "to assume all its

responsibilities," and the Guatemalan President Kjell Laugerud Garcia declaring that his country would take "all measures necessary for the recovery of Belize."<sup>21</sup>

On the 10<sup>th</sup> of November 1975, Guatemala presented a motion before the permanent council of the OAS, denouncing the threatening action of the British in sending reinforcements to Belize. As it turned out, the action coincided with the formal submission to the 4<sup>th</sup> committee of the U.N. (the so-called decolonization committee) of the first Anglo-Caribbean sponsored resolution on the independence of Belize.

The stage had been set for this latter initiative by an intense Belizean lobbying effort at the conference of (heads of government of the ) commonwealth nations held in Kingston, April 28th – May 6th of that year. This had resulted in the passage of a resolution in which the commonwealth had declared its full support for the independence and territorial integrity of Belize. Later in the year, the Belizeans also succeeded in winning a similar commitment from the non-aligned nations meeting in Peru.

Both in the 4th committee and before the U.N. general assembly, Guatemala argued that the world body had no jurisdictional competence over the question of Belize. Their peculiar thesis was that the case of Belize was not one of dismemberment of Guatemalan national territory. Belize was an integral part of the Guatemalan fatherland which had been severed as a result of British imperialism. Thus, concluded the Guatemalans, what was in issue was a juridical question involving Guatemala's title to 1/5 of her historical territory, and not a political question involving self-determination for Belize.<sup>22</sup>

These arguments did not prevail and could not prevail, given the world view which had crystallized since the U.N. declaration of 1960. In the result, the general assembly passed, at the end of 1975, its first resolution rejecting the Guatemalan claim and in support of Belizean independence and territorial integrity. The vote was 110 in favour, 9 against, and 16 abstentions.<sup>23</sup>

Although the U.N. vote signaled a diplomatic reversal of the first order for Guatemala, this was to some extent offset by the fact that none of the mainland Latin America republics, had voted for the resolution and against Guatemala. Belize had traditionally been regarded as something of an

anomaly in the region. Her separate history of British colonization had marked her as having more in common with the peoples of the English-speaking Caribbean than with mainland America. Thus, in the name of regional solidarity, the concept of Hispanidad, Guatemala commanded unanimity of support in Central America, and was able to procure at least neutrality of those of the other mainland countries which did not actively side with her.

Nevertheless, the Belizean government continued in its aggressive pursuit of international support, winning passage of another favourable General Assembly resolution in 1976, and gaining special observer status at the non-aligned conference held in Sri Lanka in August of 1976. It was on this latter occasion that Belize succeeded in engineering the diplomatic coup of recruiting General Omar Torrijos of Panama to its cause. Torrijos was at the conference lobbying support for his country's sovereignty over the Panama Canal, and was persuaded of the imprudence of simultaneously supporting the unabashedly colonialist Guatemalan claim to Belize. Panama subsequently cast its vote in favour of the Pro-Belize U.N. resolution in December of 1976, thus breaking the Guatemalan diplomatic stranglehold of Latin America. Guatemala immediately severed relations with Panama, who thereafter became an ardent campaigner for Belize in the rest of the continent. In successive U.N. votes, the Latin American nations increasingly began to break rank with Guatemala, and support the case of Belize. One of the first to do so was Mexico, who had herself maintained an historical claim to Belize.

The Mexican posture of enlightened statesmanship in regional and world affairs, however, soon obliged her to forego earlier pretensions and vote in favour of Belizean independence. Like-wise, Venezuela, who had, in the mid 1970's, announced the formulation of a new policy towards the English-speaking Caribbean (in which she attempted to establish a geopolitical hegemony based on distribution of her oil derived largesse to the poorer countries of the area) found support of the Guatemalan claim untenable.

As the decade of the 1980's approached, Guatemala became more and more isolated over the Belize question. With the Sandinista victory in Nicaragua and the support of the new junta for Belize, the last bastion of regional solidarity, the Central

American bloc was cracked. Guatemala's diplomatic rout was complete when in November 1980, 130 nations voted for a pro-Belize resolution in the U.N. general assembly. No nation voted against, although there were 7 abstentions. The coup de grace was delivered at an OAS meeting later that month on November 26th, when 18 American nations joined the majority in endorsing the earlier U.N. vote.

Ostracized on the diplomatic front, Guatemala in 1977 directed her foreign policy once again towards the prospect of military adventure to secure the reunification of Belize. In early June of 1977, a massive mobilization of the Guatemalan military took place, including the call-up of 10 thousand reserves. In tandem with this, there was the capture of 26 tons of arms at the Seawell Airport in Barbados. The arms were reportedly destined for Guatemala on board a plane belonging to an Argentine company, and were for use in the planned military invasion of Belize. <sup>24</sup> Once again, Britain was obliged to send reinforcements to Belize. The warship Achilles was dispatched, and a squadron of RAF Harrier jump jets placed on permanent station in the country.

Guatemala engaged in the ritual denunciation of British armed aggression, and the OAS called on the parties to begin talks with a view to de-escalating the tension in the region. In truth, however, with the dispatch of the British reinforcements, the crisis which the threatened invasion had precipitated quickly faded, and the so-called frontera calienta was at an end.

Throughout all these developments, negotiations between Great Britain and Guatemala, with the active participation of Belize, had continued in their on again, off again fashion. Each time the talks had ended inconclusively, with a solution seemingly as far away as ever. In March of 1981, however, after a sustained round of trilateral negotiations between Britain, Belize and Guatemala, a preliminary accord was reached which was at the time hailed as a major breakthrough representing the first real basis for a final settlement of the dispute. The accord, officially titled the Heads of Agreement (bases de entendimiento), consisted of 16 articles, and was signed by all three parties in London on the 11th of March, 1981.

In essence, the Heads of Agreement provided for Guatemala's recognition of an independent Belize, and Guatemalan respect for the sovereignty and territorial integrity of the new nation (Article 1). The major concessions which Belize was to make in return for Guatemala finally relinquishing her claim, were contained in Articles 2 and 3 of the Heads. Article 2 contemplated the cession of so much of Belizean territorial sea as would ensure Guatemala "permanent and unimpeded access to the high seas," together with rights over the adjacent seabed. Article 3 gave Guatemala for her "use and enjoyment" the Belizean cayes of the Ranguana and Sapodilla range, and such rights over the areas of the sea adjacent to the cayes as would be agreed.

The Heads of Agreement, on reckoning, represented a significant withdrawal from the historical inflexibility of the Guatemalan position. Except on the one occasion when Urda Murillo had proposed associated statehood, Guatemala had always insisted on the total absorption of Belize. Her acceptance of the Heads of Agreement then, must be viewed as the end-result of a process in which her foreign policy had suffered sustained reversals.

It was tantamount to diplomatic surrender, an admission that Guatemala was salvaging whatever she could from amidst the wreckage of her previous designs. Accordingly, Guatemalan President Fernando Romeo Lucas Garcia was able to say to the Guatemalan people quite candidly on the 16<sup>th</sup> of March, 1981:

El Gobierno de la Republica considera que es prudente solucionar el asunto de Belice el cual debe ser visto en forma objectiva, realista, ya a la luz de las circumstancias, que se eliminen los focus de tension, y por el derecho de los pueblos a decidir libremente su destino,<sup>25</sup>

In the same vein, Guatemalan foreign minister Rafael Castillo Valdez had this to say:

Las negociaciones se iniciaron en1962, en Puerto Rico...Las conversaciones se reanudaron en 1975, año en que tambien se hizo sistematizada la internationalizacion del asunto en las Naciones Unidas pr accion britanica, en la que se sumo la activa gestion belicena, principalmente entre los paises que salian de la submission colonial a la vida independiente como estados soberanos, emergiendo por virtud del irreversible proceso de decolonizacion que ha transformado el mundo en los ultimos 40 anos. El efectivo despliegue de esa

diligencia diplomatica se extendio a los organizaciones de la Mancomunidad, Britanica y de los paises No Alieneados, donde en los untimos anos se han repetido las resoluciones en apoyo de la causa independiste de Belice y en contra de la reclamacion guatemalteca. La gestion alcanzo asimismo la Organización de Estados Americanos que en al ano pasado endoso la Resolucion de la Asamblea General de las Naciones Unidas, pese a declaraciones anteriores, que daban singularidad al Caso de Belite y apoyoban a Guatemala.<sup>20</sup>

These statements constitute the clearest acknowledgement of the role played by world opinion and the Belizean determination to exploit it. The symbiosis between the two was, moreover, not a matter of serendipity: that it resulted rather from a carefully conceived and deliberately executed strategy is a point well worth remembering.

#### **BELIZE INDEPENDENCE**

AS EVENTS HAVE NOW TURNED OUT, FURTHER negotiations held in May-June 1981, in order to flesh out the Heads of Agreement into a binding treaty, failed. The ostensible reason for the breakdown of the treaty talks was a conflicting interpretation of the phrase 'use and enjoyment' contained in Article 3 of the Heads. The real reason more likely lay in the internal developments which took place in both Belize and Guatemala after the In Belize widespread opposition to the Agreement (which was characterized as a "sell-out" of Belizean sovereignty) soon grew into full scale rioting, culminating in a general strike which provoked the declaration of a state of emergency. In Guatemala, groupings such as the Frente United Nacional, and Mario Sandoval Alarcon's Movimiento de Liberacion Nacional, called the Heads unpatriotic, an "unacceptable affront to the national dignity," and "the product of an erroneous and mistaken foreign policy."27

On July 24th, 1981, a joint United Kingdom/Belize release declared that in accordance with the U.N. general assembly resolution of the previous year, Belize would proceed to formal independence on September 21st, despite the acknowledged failure to settle the dispute with Guatemala.

The Mexican journalist Luis Suarez had written about the Guatemalan psychosis over Belize: "Se

considera que Belice es para los gobiernos militares Guatemaltecos un recurso de insuflado nacionalismo, acentuados en conyunturas nacionales convenientes a la politica, al poder military, ya a la crisis o dificultades economicas.<sup>28</sup> Roberto Bardini, the Argentine, has this to say: "Desde principio del siglo xx, Belice es la cortina de humo y la victima espiatora de los sucesivos regimens de Guatemala. Se ha esgrimido la consigua Belice es de Guatemala en casos de descontento popular hacia el gobierno, huelgos de trabajadores, inestabilidad economica, corupcion official y en el periodo previo a la realizacion de elecciones."<sup>29</sup>

Bardini's thesis in particular seems to have been borne out by the fluctuating Guatemalan policy line which followed the July 24th announcement. At first, Guatemalan reaction was restrained. President Lucas Garcia, while indicating that Guatemala could not accept Britain's unilateral decision to grant independence to Belize, also insisted that Guatemala had no intention of resorting to the use of force. Presidential elections were, however, due in Guatemala in March of 1982. Parties in opposition to the ruling coalition of the Partido Revolucionario and the Partido Institucional Democratico, quickly sought to make political capital of the issue. In particular, Mario Sandoval Alarcon denounced the loss of 1/5 of the national territory that the independence of Belize would mean. Faced with this kind of climate, the government was forced to toughen its stance, once again sealing the border with Belize, severing diplomatic relations with Great Britain, and expelling all Belizeans students studying in Guatemala.30 The rhetoric also grew increasingly bellicose, with General Anibel Guevara, the official candidate of the governing PR-P.I.D. coalition pledging his willingness to resort to force if necessary to regain Belize.

It would appear that the only option left to Guatemala in the face of the legal and political fait accompli of Belizean independence, was a military one. And it is in recognition of this that defence arrangements have been concluded between Britain and the independent Belize. Under the agreement, British troops will remain in Belize for "appropriate period". At this time, there was speculation of U.S. preparedness to underwrite Belizean independence and that the quid pro quo might have been some form of military presence in Belize. That is upon the departure of the British, U.S. Marines would have

replaced them as guarantors of Belize's independence.<sup>31</sup>

This line of thinking was based on the following historical and contemporary analysis of the U.S. position. Since the time of its mediation efforts in the late 1960's, the U.S. had pursued a policy of studied neutrality towards the Anglo-Guatemalan dispute over Belize. The reason for the hands-off attitude were not very difficult to discern.

On the one hand, Britain was long-time, traditional ally of the United States and a principal member of the NATO pact. On the other, the economic, ideological, and security concerns in Guatemala made the latter a valuable linchpin in the overall U.S. strategic design for the protection of her national interests in Central America. Accordingly, even the Webster proposals represented what the U.S. perceived to be an attempt to steer a middle course in the potential global/regional conflict of interest which the UK-Guatemala confrontation posed for her. After 1968, apart from the occasional, formulaic pronouncement enjoining the parties to use all peaceful means to arrive at an equitable settlement of the dispute, the United States carefully distanced herself from direct involvement in the problem.

At the United Nations, this position resulted in consistent U.S. abstentions whenever the Belize question was put to a General Assembly vote. In the year 1980, however, in a sudden departure from traditional policy, the U.S. cast an historic "yes" vote in favour of the pro-Belize resolution of that year.

Two reasons suggest themselves in explanation of this. First, there was the perceptible cooling of relations between Guatemala and the Carter administration, engendered by the latter's human rights policy and consequential decision to discontinue arms sales to the military government in Guatemala. Second, Carter's earlier attempts to develop a positive and comprehensive policy towards the English-speaking Caribbean may also have served to sensitize his administration to the paramount importance which the Anglophone island nations attached to a sovereign Belize with all its territory intact. Thus, both the general philosophical orientation of the Carter administration and the particular development of certain policy specifics favoured the 1980 about-face on the question of Belize.

The advent of the Reagan administration, contrary to what might first have been expected, did

not serve to alter the novel U.S. commitment to an independent Belize. Clearly, however, this convergence of end-policy over Belize between the previous and the new administration, was arrived at, in the case of the latter, by way of entirely different strategic perceptions and calculations.

The Reagan administration's primary concern in Central America appeared to have been the forging of an ideological consensus to hold the line against Soviet/Cuban expansionism in the region. To this end, a rapprochement had been effected with Guatemala and a limited arms supply resumed. In her grand design, however, the United States conceived the Guatemalan role to be that of a buffer against the possible spillover of the Nicaraguan revolution, or Salvadorian left-wing insurgency. Accordingly, the Guatemalan government was to concentrate on shoring up itself against internal subversion, the better to act as a surrogate area policeman. The last thing the U.S. desired was a Guatemalan military adventure in Belize that would have diverted Guatemalan resources, created a cause celebre for radical actors in the region, and provoked a possible Cuban intervention, at the behest of a beleaguered Belizean (As it was a minority faction within the country's ruling political elite then projected an ideological profile decidedly in sympathy with "fidelismo." This phenomenon is admittedly atypical within the context of mainstream Belizean sentiment. And the group's freedom of action was severely constrained by the essential conformity which the dominant (democratic) model requires of anyone wishing to maintain electoral viability. Nevertheless, that a traumatic event such as an armed attack would have completely skewed normal perceptions and the balance of forces, could not have escaped the attention of the State Department).

On the other hand, a stable Belize, firmly within the U.S. orbit, undisturbed by Guatemalan revanchism, and with U.S. military bases established on its outlying, offshore islands, could act as a first line in possible naval operations against the Havana government. At the very least, the U.S. presence would have ensured that the country was not used as a conduit for Cuban arms to Central America.<sup>32</sup> It was this new perception of Belize's potential geostrategic importance that gave credence to the suggestion of U.S. preparedness to underwrite Belizean independence.

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In any event, in the present overall context Guatemalan pretensions over Belize began to appear increasingly passé. The march of history has overtaken her claim. Altered U.S. perceptions of the area's geopolitics, and the place of Belize as a vital dynamic in the reconstituted regional equation, demand that a new modus vivendi be found. Now, if there is ever to be a "peaceful, honourable, and just settlement of the dispute," the process must clearly start from Guatemala's full acceptance of the irreversible fact of Belizean independence.

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# Herman Byrd OIL IN GUATEMALA: AN ECONOMIC FACTOR IN THE HEADS OF AGREEMENT

This paper argues that economic development in a Guatemala. In particular the exploration and exportation of petroleum, was an important factor which helps to account for the Guatemalan government's readiness to negotiate the Heads of Agreement, the attempt made in March of 1981 to resolve the long-standing dispute with Britain over Belize. The following will attempt to gather the evidence for this claim by examining the state of affairs in Northern Guatemala from the late 1970s to the early 1980s, and by showing their connection with a topic which surfaced in the Heads of Agreement, the construction of pipelines from Guatemala through Belize.

A word on the aim of this work is in order. It is neither the result of extensive research on contemporary Northern Guatemala nor on the political crisis in Belize which the Heads of Agreement precipated. Rather, its aims are more modest. The general purpose of this paper is to provide an informative discussion, especially for the general reader in Belize, on contemporary Guatemalan affairs and their impact on Belize. The Heads of Agreement provides a lens for seeing this because a major Guatemalan concern, oil exportation, was an important issue in the Heads of Agreement.

There are three sections to this paper. The first section is a discussion of the economic development schemes in Northern Guatemala and the 1978 Panzos Massacre, one of the tragic consequences of these schemes. The second section attempts to establish a connection between these developments, specifically the exportation of oil from El Peten, and their relationship with Head 6 of the Heads of Agreement. Finally, the third section discusses one aspect of the reaction to the Heads of

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Agreement in Belize, public concern for the security of Belize.

# ECONOMIC EXPANSION AND THE PANZOS MASSACRE

The town of Panzos is located in the Department of Alta Verapaz, and is part of a large area of northern Guatemala that is referred to as the Northern Transverse Zone (La Franja Transversal Del Norte), or at times simply as "the strip." This vast land area stretches from the Ixcan River in the western highlands to Lake Izabal in the east. It includes the Departments of Huchuetenango, El Quiche, and Alta Verapaz, altogether covering some 3,500 square miles. The northwest border of the Franja is the Department of El Peten.

Guatemalan governments have been trying to develop the economic potential of Northern Guatemala, and of El Peten in particular, since the early nineteenth century. In this century, these attempts can be traced to the Arevalo Administration in 1944, and later in 1966 at the beginning of Mendez Montenegro's term, the government disclosed a large-scale colonization and land redistribution scheme for Northern Guatemala. In the late 1970s another major attempt was made to exploit the resources of Northern Guatemala and El Peten. These efforts were concentrated in the Northern Transverse Zone (La Franja) because of its extensive oil reserves and rich deposits of copper, nickel, antimony and tungsten.

In 1976, the government established a program to provide the necessary infrastructure – roads, communications, and hydro-electric plants – to facilitate the exploitation of these resources with the assistance of a number of multinational corporations. One of their main concerns was oil exploration and exportation with the Franja and El Peten.

This economic expansion in the Franja led to a confrontation between the traditional owners of land within the region, Indian peasants, and the new owners, wealthy Guatemalans and foreign capitalists, and was accompanied by the repression of the Kekchi, Quiche, Mam, Ixill, and Pocomochi Indians living within this region. The Panzos Massacre was one of the tragic consequences of this confrontation.<sup>3</sup>

On the morning of May 29, 1978 some seven hundred Kekchi Indians marched on to the main plaza in the town of Panzos in Alta Verapaz. They had come to hear the Mayor's response to their petition demanding an investigation of lands that were taken away from them, and to seek information on members of their community who had disappeared. The group found themselves encircled in the Plaza by a detachment of the army. Reportedly, one Indian leader made gestures at the army with his machete, and the army responded with a steady stream of machinegun fire.

More than a hundred peasants were left dead and they were quickly buried in mass graves on the out-skirts of the town. Such large-scale murdering of Indian peasants by the Guatemalan army would increase considerably in the years ahead, especially in 1981 and 1982 as the army swept through the highlands in its bloody counter-insurgency campaigns. Gabriel Aguilera has argued that the Panzos Massacre was the direct result of the economic schemes occurring within the Franja at the time.<sup>4</sup>

One of the major programs was the extensive exploration for petroleum reserves within the Franja and El Peten, an area long known to be rich in oil deposits. After over twenty-five years of searching for oil in El Peten, the government and a number of multinational corporations intensified their efforts in the late 1970s. Despite the constraints of a 1974 law, according to which the government was slated to receive over half of the oil produced, several major corporations sought oil concessions: Getty Oil, Texaco-Amco, the Spanish Hispanoil, and the French Elf Aquitaine.<sup>5</sup>

A Luxembourg-based corporation, Basic Resources, and its Guatemalan subsidiary. Petromaya, acquired one of the largest concessions. Basic Resources was granted a nine hundred thousand acre concession which included the Rubelsanto and Chinaja reserves at the northwestern corner of the Franja just on its border with El Peten. In 1978 the

Rubelsanto well began pumping 3,500 bpd. and shortly after the Chinaja well began producing 2,000 bpd. On April 11, 1980, Guatemala made its first shipment of crude petroleum.<sup>6</sup>

Other corporations were also involved in the search for oil in the early 1970s. In 1973 CENTRAM-ZAMORA, an affiliate of EXMIBAL (this corporation was formed through a merger of the Canadian Nickel Company and the U.S.-based Hanna Mining Company), had begun explorations for oil in the Alta Verapaz-Lake Izabal region. EXMIBAL also began the exploitation of the nickel reserves along the western edge of Lake Izabal in the municipality of El Estor, at the time reportedly one of the richest nickel deposits in the world.

However, by the end of 1981 the massive \$220 million INCO-EXMIBAL investment at El Estor had virtually ceased operations. The company claimed that high energy costs combined with low international prices had rendered nickel smelting unprofitable. Efforts were also made to mine copper. By 1981 there were operating copper mines at Ixtahuacan, Huehuetenango, Oxec and Alta Verapaz. 10

As a result of these schemes, a traditionally underdeveloped and isolated region of Guatemala became the focus of massive inflows of foreign capital aimed at establishing an industrial base within a region where subsistence agriculture had long been the practice. As noted above, this development had serious social and political repercussions for Indians living within the environs of the Franja.

Wealthy Guatemalans with close ties to the military and in league with foreign capitalists blatantly disregarded Indian communal land rights and systematically dispossessed Indians of their lands. Beatriz Mendizabal, a Guatemala sociologist, has argued that this was a deliberate policy aimed at forcibly removing cheap labour for the economic schemes in the Franja. 12

Indian resistance to these acquisitions increased, especially between 1980-1981, and guerrilla groups extended their presence and strategic attacks against the government within the region. In retaliation, right-wing death squads and the military murdered hundreds of Indians.<sup>13</sup> Military units assaulted a string of Indian villages and murdered the inhabitants forcing thousands of Guatemalan peasants to seek refuge in Mexico.<sup>14</sup> This was the case on July 17th, 1982 when the army murdered some

three hundred persons at San Francisco in the municipality of Neton, Huehuetenango, prompting some 9,000 refugees to cross the border into Mexico. 15 During the brief reign of General Efrain Rios Montt (March 1982 – August 1983) such killings increased considerably. 16

At the other end of the Franja and in parts of El Peten, a similar scenario ensued, although its documentation has been sketchy. The implementation of the government's colonization projects led to the movement of peoples into the area in search of land and work. Invariably conflicts developed over land ownership between the government and the Indians; the conflicts intensified as guerrilla groups became established. 17 In the late 1960s the Guatemalan army carried out campaigns in the Lake Izabal region to suppress a growing guerrilla movement; allegedly large numbers of Indians were massacred in the process.<sup>18</sup> These campaigns continued in the late 1970s and early 1980s. 19 They have been an important factor in the movement of Guatemalan, primarily Kekchi, refugees into southern Belize, a process that has not been extensively studied to date.20

From the point of view of the Guatemalan government, the repression and dislocation in the Franja and in El Peten were considered necessary for the economic development of the region. How did these developments affect Belize? That is, in addition to the movement of Guatemalan refugees into Southern Belize. Below the argument will be made that a Guatemalan perceived role for Belize in the exploitation of the petroleum resources of the Franja, and more precisely, of El Peten was an important factor in Guatemala's readiness to sign the 1981 Heads of Agreement.<sup>21</sup>

## THE HEADS OF AGREEMENT AND ITS OIL CLAUSE

The Heads of Agreement, a document signed in London in March of 1981 by Belize, Guatemala, and Great Britain was meant to serve as an outline directing and narrowing the scope of future negotiations that would have eventually led to a final settlement of the dispute and to Guatemala's recognition of an Independent Belize. Releases from the Belize, British and Guatemalan governments made this claim.

In a nation-wide address in March of 1981 Mr. Price declared that the agreement was a list of subjects for future negotiations, and that they were not "a final agreement." Lord Carrington, British Secretary of State for Foreign and Commonwealth Affairs, maintained that the agreement was a commitment on all sides to "negotiate in good faith the legal instruments which will provide for a full, honourable and permanent settlement." For their part, the Guatemalans insisted that the agreement fell under a convention of Public International Law called a "Pactum de Contrahendo" which represents "a commitment in principle" on a group of subjects which the states are resolved to negotiate.<sup>24</sup>

As the reader no doubt knows, the follow-up negotiations in the summer of 1981 in New York broke down as the Guatemalan government reiterated its pre-1981 position on seeking a land settlement. Our concern here is to account for a new topic which surfaced in the agreement, new in the sense that it had not appeared in the last treaty proposals to end the dispute. That is, Head 6 which stated that Belize would facilitate the construction of oil pipelines between Guatemala and Belize City (presumably this meant to some point on the Belize River), Dangriga, and Punta Gorda.

This study contends that this topic was the result of Guatemala's desire in the early 1980s to capitalize on the newly discovered oil reserves in El Peten, and to aid the continued exportation of oil from within the Franja. In 1981-82 Guatemalan oil reserves were officially estimated at 2.4 billion barrels and about \$24-25 million of petroleum was exported in 1981. 28

Returning to Head 6, according to the Belize Government document explaining the Heads of Agreement, further negotiations on Head 6 would have hinged on the discovery of oil "in an area of El Peten from which it would be most economic to export through pipelines passing through Belize." As mentioned above, the Guatemalans had been exporting oil since April of 1981 from the Rubelsanto and Chinaja wells via a 200-kilometer pipeline which ran through Alta Verapaz and across Lake Izabal to Puerto Barrios. Also in July of 1981 the French company, Elf Aquitaine, reported new oil reserves in Alta Verapaz with a capacity of 800 bpd. These would have eliminated the need to run pipelines to Dangriga or Punta Gorda.

However, about a month after the Heads of Agreement was signed, the Texaco-Amco operation in the northern tip of El Peten reported a large oil strike on their 147,000 acre concession.31 It would appear that it was considered economically feasible to export the oil from this reserve by running pipelines to some point in Belize. Guatemala's inclusion of Head 6 in the Heads of Agreement suggests that this possibility must have been seriously considered. In 1981 Guatemala's economy was facing serious problems; however, oil exportation was one of the more vibrant sectors of the economy. The government projected massive increases in oil production for 1982 and the country was expected to produce some 10,000 bpd. in 1982 compared with the 6,600 bpd. produced in 1981.32

This suggests that oil was an important economic priority for the Guatemalan government in 1981-82 and they were concerned to make every provision necessary and conducive to its exportation. The construction of pipelines through Belize fell within this projected framework for increased oil exportation, and it helps to explain the Guatemalan Government's willingness to agree "in principle" to recognize an independent Belize, pending the completion of treaties stemming from Head 6, Heads 2 (access to the Caribbean coast and its seabed), 3 (use of Sapodilla and Ranguana Cayes), and Head 4 (Guatemala's use of free port facilities in Punta Gorda).

## REACTION TO THE HEADS OF AGREEMENT IN BELIZE

After they were made public in Belize, the Opposition Party, the United Democratic Party (since December 1984 the ruling party), and the Public Service Union responded in a manner reminiscent of its predecessors in the late 1960s.<sup>33</sup> The United Democratic Party issued a statement claiming that "...the Heads of Agreement form a basis only for the eventual control of an independent Belize by Guatemala," and went on to reject it because..."it grants Guatemala concessions, rights, powers, interests, and even land in Belize to an unwarranted and dangerous extent."<sup>34</sup>

In a similar vein, the Public Service Union rejected the document because "it provides too many concessions to Guatemala without the necessary safeguards relating to the preservation of the country's sovereignty." Both the Opposition Party

and the Union demanded that the Government call a referendum on the Heads of Agreement. In a radio address, the Premier, Mr. Price, explained that "we have given a commitment to submit any final agreement which may emerge...to the people for their decision in a referendum." And reiterated the nature of the Heads of Agreement.<sup>36</sup>

Public protests rose to an unprecedented level and included demonstrations in Belize City and the districts. In Belize City the demonstrations were accompanied by rioting and destruction of government property, which led Governor James Hennessey to enforce a state of emergency. <sup>37</sup> Undoubtedly, the large-scale protests and the break down of talks in July of 1981 played an important role in the Government's decision to seek defense guarantees from the British Government during the discussions on independence for Belize.

In an attempt to assess the failure of the government to win public approval for the Heads of Agreement, it could be argued that a protracted period of limited participation in resolving the dispute increased popular dissatisfaction within Belize. Alma H. Young and Dennis H. Young have argued that strategies to settle the Anglo-Guatemalan dispute have generally been a matter of competition among the political leadership of the country (especially after 1965 when the Opposition Party was invited to attend the talks); rarely have the people on a whole become major actors – that is, broad-based consultation has generally not moved beyond the acceptance of political platforms for the two key political parties.<sup>38</sup>

In addition to dissatisfaction with the formation of Government policy, this paper suggests that Belizeans were concerned about the scale of cooperation that would have been forthcoming from the negotiations to sign treaties on Heads 2,3,4, and 6, especially the latter, would have threatened the security of Belize. The construction of Guatemalan pipelines in Belize raised the issue of their protection against sabotage by Guatemalan guerrillas operating in El Peten. This was not a far-fetched scenario; since in 1981 the Yon Sosa Guerrilla Front had targeted its attacks against oil pipelines and installations in Alta Verapaz.<sup>39</sup> In April of 1981 Guatemalan guerrilla groups damaged an oil refinery at Rubelsanto and a pipeline carrying crude to Puerto Barrios. As a result, the Guatemalan army increased its presence in Izabal.40

The insistence that the Guatemalan military would protect its pipelines in Belize, not to mention their desire to establish military bases on the Ranguana and Sapodilla Cayes, created grave concern that the conflict between the Guatemalan military and guerrillas in El Peten could spill over into Belize.

On the one hand, this concern was based on the size and capability of the Guatemalan military, the limited defense capacity of the Belize Defense Force, and on the time restraints on the presence of British Troops in Belize. On the other hand, the unpredictability of Guatemalan politics was at the heart of popular concern. Two years later, an editorial in The Reporter pointed out that Guatemala's instability and repression of minority's rights made it difficult for Belizeans to accept Guatemala's intentions as trustworthy.

#### **SUMMARY**

This paper has provided some information on the political and economic developments occurring within Northern Guatemala in the 1980s and their consequences as seen in the 1978 Panzos Massacre and the repression of Indians in the Guatemalan highlands from 1980-82. Within the Franja, the exploration and exportation of its petroleum reserves was a major priority with millions of dollars invested in its success by foreign corporations. In early 1981 these explorations in El Peten appeared profitable, so much so that the Guatemalan government included Head 6, a clause for the construction of oil pipelines from Guatemala to Belize which could have facilitated the exportation of oil from the Peten, in the 1981 Heads of Agreement. This paper has argued that oil exportation was an important economic factor which led the Guatemalan government to negotiate the 1981 agreement. Futher, public reaction to the Heads of Agreement in Belize was, to a large extent, the result of concern for the security of Belize, given the extent of Guatemala's involvement in Belize that would have been forthcoming in any final treaty or treaties on Head 6 primarily, and Heads 2, 3, and 4 secondarily.

It must be noted that the focus of this paper has been limited to one factor, the role of oil in the Heads of Agreement. There are other factors which help to explain the Guatemalan government's willingness to negotiate the 1981 agreement which have not been examined above. In concluding, two

of these are worth mentioning. The first was the tremendous success of the Price Government in achieving the backing of the United Nations and international support for Belize's cause from the late 1970s to the early 1980s.<sup>42</sup> No doubt, this placed considerable pressure on the Guatemalan government to negotiate. The second was the need for the Guatemalan government to establish some international stature in the light of the massive human rights violations in that country.<sup>43</sup> It could be argued that a settlement of the protracted dispute was an attempt to regain some diplomatic stature on the part of Guatemala and distract national attention from the country's internal strife.<sup>44</sup>

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Kekchies hacia El Peten,: in Estudios Centroamericanos, No. 1, (Guatemala: Seminario de Integracion Social, 1965). With respect to the movement in Belize, Michael Howard provides some historical details in his story of Pueblo Viejo in Toledo, Belize. See Michael Howard, Political Change in a Mayan Village in Southern Belize, KATONOB, (Occasional Publications in Mesoamerican Anthropology, 1977); esp. pp. 16-21. For the current situation present research by Joseph O. Palacio should yield the most reliable data. For his preliminary conclusions see his "Illegal Aliens in Belize: findings from the 1984 Amnesty," a manuscript submitted to the Hemispheric Migration Project, Center for Immigration Policy and Refugee Assistance, Georgetown University, Washington, D.C.

21. Wayne Clegern in his 1967 study of Belize noted that Belize held the geographical key to the development of the El Peten and that Guatemalans would not rest until the issue was resolved. Wayne Clegern British Honduras: Colonial Dead End, 1859-1900, (Baton Rouge:Louisiana State University Press, 1967); p. 166. I cannot here provide a commentary on nineteenth- century Belizean historiography and the history of this claim. Clegern's conclusion was actually a view held by Alfred Maudsley who in 1887-88 encouraged the British Foreign Office to build a railway from Belize to the Peten as a substitute for the Article 7 caluse of the 1859 treaty. See the Discussion in Clegern (1967), pp. 124-134. For Maudsley's original report see Wayne Clegern (ed.) Maudsley's Central America: A Strategic Ciew in 1887, (Middle American Research Institute, Tulane University, 1968); pp. 73-94

- 22. See Mr, Price speech printed in <u>The Belize Sunday Times</u>, April 12, 1981; p. 5 A. Lord Carrington remarks are reported in "Government Documents: On the Settlement of the Dispute Over Belize," <u>Inter-American Economic Affairs</u>, 34,4 (1981); p. 92.
- 23. See <u>The Belize Question</u>, (Guatemalan Ministry of Foreign Affairs, March 11, 1981); pp.8-8.
- 24. See the report in James S. Murphy, "Belize at Two: Keeping its Appointments with History," Belizean Studies, Vol. 12 (1984), pp. 27-29. Note the distinction the Guatemalan government made between Belize's "traditional and existing frontiers," in its commentary on Head 1 of the Heads of Agreement.

## Herman Byrd: Oil in Guatemala: An Economic Factor in the Heads of Agreement

- 25. See <u>The Belize Question</u>, pp. 9-10, and compare with <u>Government Explains</u>, p. 2. In the light of the Guatemalan commentary on Head 1, I am questioning the view that the Heads of Agreement represented a "breakthrough" in Guatemala's position; that is, that Guatemala had in fact recognized the Southwestern borders of Belize.
- 26. The interested reader should compare the topics in the 1968 Webster Proposals with those in the 1981 Heads of Agreement it becomes clear then that oil was a new agenda for Guatemala. To consult original drafts see Mediation Anglo-Guatemalan Dispute, (Government Printery, Belize, c. 1968) and Government Explains Heads of Agreement, (Government Printery, Belmopan, Belize, 1981)
- 27. Government Explains, p. 3.
- 28. See Robert L. Peterson, "Guatemala," in Jack W. Hopkins (ed.), <u>Latin America and Caribbean Contemporary Record</u>, Col. 1, 1981-82, (New York: Holmes & Meier Publishers, Inc., 1983; p. 428.
- 29. Government Explains, pp. 3-4.
- 30. See WR-81-28.
- 31. Peckenham,"Guatemala: Peasants Lose Out," p. 4.
- 32. See WR-81-44.
- 33. See Cedric H. Grant, "The Civil Service Strike in British Honduras," <u>Caribbean Quarterly</u>, Vol. 12, No. 3, (Sept. 1966); pp. 37-49. Also his <u>Making of Modern Belize</u>, (Cambridge: Cambridge University Press, 1976); pp. 254-256.
- 34. See The Reporter, March 24, 1981.
- 35. See The Reporter, March 21, 1981.
- 36. See the statement in the <u>Belize Sunday Times</u>, April 12, 1981. On the issue of the referendum see the interview of Assad Shoman, "Talking Heads," in <u>BRUKDOWN</u>, No. 1, 1981 and the statement by Nicholas Ridley in "Government Documents," <u>Inter-American Economic Affairs</u>, pp. 93-94. They both suggest that a referendum was only considered later probably after the disturbances in Belize which followed the publication of the Heads of Agreement. See also WR-81-29.
- 37. There is no reliable account of the nature of the damages and their perpetrators. See the reports in Amandala, The Beacon, The Reporter and The Belize Sunday Times for March-April, 1981, and in BRUKDOWN, Vol. 1, 1881. the newspaper reports should be read with attention to their political affiliations.

- 38. See Alma H. Young and Dennis H. Young, "The Impact of the Guatemalan Dispute on the Internal Politics of Belize." Paper presented at the XI International Congress of Latin American Studies Association, Mexico City; pp. 8;14-18.
- 39. See the report in WR-81-30.
- 40. See WR-81-15.
- 41. See The Reporter, March 29th, 1983.
- 42. See the discussions in Murphy (1984); pp.26-27.
- 43. See Amnesty International 1981 report, Guatemala: <u>A Programme For Political Murder</u>, (London: Amnesty International, 1981).
- 44. Guatemalan President, Gen. Lucas Garcia, dismissed a possible invasion of an independent Belize out of concern for international reprisals. See his quote in WR-81-30.

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# Jaime Bisher THE VALDEZ PROPOSAL:A REBEL GENERAL'S PLAN FOR A GERMAN-GUATEMALAN INVASION OF BELIZE

With healthy doses of good fortune, the secret proposal laying before the German Minister to Mexico might reshape the map of Central America. It might also relieve beleaguered German troops on the Western Front. In the desperate summer of 1918, German Minister von Eckhardt had to consider any proposal that could possibly aid the Fatherland's faltering war effort.

The secret proposal called for a "revolution in the colony of Belice..." created by rebel Guatemalan and Honduran forces backed up by German U-boats. After victory in Belize, the submarines could establish a base there to conveniently assault American ships in the Caribbean and the Gulf of Mexico. A popular revolt would spread from Guatemala and Honduras into Nicaragua and Costa Rica, installing new "revolutionary governments that would withdraw support from the Allied cause". This was the scenario outlined by the proposal's author, General Isidro Valdez.

Isidro Valdez, a native of Jalapa, Guatemala, graduated from the Guatemalan national military academy in 1893. He had served four years as an instructor at the academy when Guatemala was torn by a violent power struggle. The young officer cast his lot with anti-government rebels. In 1898 Valdez and his fellow revolutionists were driven out of Guatemala by government troops under General Lima. Guatemala fell under the iron hand of dictator Manuel Estrada Cabrera and Valdez was branded a traitor.

An exile at the mere age of twenty-three, Valdez dedicated himself to the overthrow of Estrada Cabrera. Yearning for his homeland and, even more so, imbued with ambitions and confidence amplified during his years among the military elite at the academy, Valdez took an active role in several attempts to depose the tyrant Estrada Cabrera. In exile in Mexico, Valdez associated with expatriates from other Central

Jamie Bisher's article was first published in Belizean Studies in 1989.

American nations and joined these fellow "liberals" in their insurgent intrigues. When the turmoil of civil war swept Mexico, Valdez and many other liberals took up arms with the Constitutionalists, luckily ending up on the winning side of Mexican President Carranza. Through his many years of persistent, aggressive opposition to Estrada Cabrera, Valdez gained a good many underground followers, particularly in his native Jalapa. Nevertheless, a failed attempt against the Guatemalan dictator in 1917 probably led him to seek foreign – European – assistance.

In Veracruz in July, 1918, General Valdez composed his secret proposal to the German Minister in Mexico. Apparently all modesty aside, Valdez bestowed upon himself the grandiose title of "Liberal Leader of the Revolutionaries of Central America." He cleverly began by stating the U.S. "...urges the Government of Guatemala, Honduras and Nicaragua to send large bodies of troops to the western front to oppose the offensive of the Prussian Armies". Valdez cited his own patriotism and expounded upon the superiority of Teutonic culture and the undeniably close ties between the German and Guatemalan peoples. The General reminded Minister von Eckhardt of Germany's commercial ties to Nicaragua and Costa Rica.

He lambasted Estrada Cabrera and the other Central American heads-of-state for "...declaring war on Germany..." and "...bending the knee before the Government of the White House." Valdez wrote, "Do they perhaps believe that the situation of Cuba, Santo Domingo and unfortunate Nicaragua which form feudal states under the Yankees does not deeply wound the dignity of our sovereignty which is due us as Central Americans?" Valdez raved on that the Central Americandictators "...permanence in power is due solely to the government of the United States" and that they were "...mere machines of Mr. (Woodrow) Wilson."

Then, Isidro Valdez says bluntly, "The first thing which we propose is to overthrow the government of Guatemala..., which has greater resources and more elements to contribute to the development of our cause against the other tyrannies of the Isthmus..."

Valdez' next step would be Honduras. "[When] our revolution is in the Departments of Peten [and] Alta Verapaz, we shall carry revolution to Honduras where the leaders [of revolt] are identified with us" (in the 1917 attempt on Guatemala, Valdez claims to have had 5,000 Salvadorians massed in Honduras, waiting to invade from the east). With the subsequent destruction of neighbouring governments (down to Costa Rica), "...the [Central American] union which is the desire of the Liberal Party" can be achieved. This union would pursue a "close entente" with Mexico, "...forming a block of nations which will check the tendencies of Yankee Imperialism." This block of nations could have been enough to rally South American governments into the formation of a powerful, anti-U.S. "Latin League." For the past few years American diplomats had winced at each rumour that this diabolical "Latin League" was in the making.

Belize was the pawn in Valdez' plan. He wrote: "There will be a revolution in the colony of Belice which will declare itself in dependent from Great Britain and enter into the alliance with Germany, and in order that this revolution may be effective, it will be made with the assistance of German submarines. In order that independence may be obtained while the German submarines are in action, the revolutionary Governments of Guatemala and Honduras will furnish their contingents, with the necessary reserves."

Belize would be Valdez' offering to the German for installing him in Guatemala's <u>Palacio Nacional</u>. Valdez elaborated on this, saying, "With the revolution of Belice, the German government, with the help of Guatemala, can establish a naval base and install points of supply.

Undoubtedly, German Minister von Eckhardt gave Valdez's proposal some consideration. All the ingredients to give this wild scheme a chance seemed to be within grasp. An extensive, if corrupt, network of German spies, orchestrated by "businessman" Jorge Vogel in Guatemala City, extended into the highest levels of Estrada Cabrera's government. The tentacles of Vogel's espionage service stretched even into Belize. A superb new class of German long-range submarine – the unterseekreuser – could supposedly be provisioned for a ten-month cruise (about this time American military attaches in Argentina reported

rumours of a covert German submarine base open for business around Tierra del Fuego). Regardless of political leanings, the many Germans in Guatemala could be counted on since Estrada Cabrera had confiscated their properties: Valdez promised to return it all when he took power.

According to the files of Major Louis O'Donnell, U.S. Military Attache in Guatemala, Valdez had "...the reputation of being a drunkard and a Soldier of Fortune. It is said he will oppose any faction whatever if the reward is propitious financially." As if that were not bad enough, O'Donnell added, "He has been shot in the head (probably in Mexico), as a result of which some people claim he is mentally unsound." Regardless of von Eckhardt's decision on the matter, the Armistice on 11 November, 1918, not only ended the world war but shelved any idea of overt German participation in Valdez' plan.

About a year and a half later, on 8 April 1920, President Estrada Cabrera's 22-year reign ground to a halt when the Guatemalan National Assembly declared him insane, an enraged mob looted his mansion and ran him into a prison cell. Long-time opponent General Valdez was appointed a member of the Constituente – a representative member of the constitutional committee from Jalapa.

Around Christmas that year, one of Major O'Donnell's Guatemalan informants passed him a copy of General Valdez' secret proposal. Major O'Donnell's superiors at the Military Intelligence Division in Washington, D.C. forwarded a translated copy of the proposal to the U.S. State Department. Valdez's strong anti-American views and radical schemes aroused paranoia among State Department bureaucrats. Undersecretary of State W.L. Hurley pressed the U.S. Legation in Guatemala for more information on Valdez in January, 1921; Hurley wondered if Valdez "...may occupy a position of prominence there."

Major O'Donnell replied, "The present Government do [sic] not give him any consideration at all, and say that after he completes his duties in the 'Constituyente,' which will be very shortly, he will go back to Jalapa and become a 'nobody.' No one says anything good about him. However, he is the kind of a man who has very strong influence with the peon, and he would probably be able to muster to his banner a respectable command of men in Jalapa to fight for and with him, no matter what the principle involved was."

#### Jaime Bisher: The Valdez Proposal: A Rebel General's Plan for a German-Guatemalan Invasion of Belize

Despite the presence of German spy chief Jorge Cogel among the inner circles of <u>Unionistas</u> that deposed Estrada Cabrera, Isidro Valdez, die-hard foe of the deposed dictator for two decades, was rewarded with no prominent role in the new government. Surely the ambitious General felt shortchanged by both the <u>Unionistas</u> and the Germans.

In June and July of 1921, the <u>Unionistas</u> returned all property confiscated during the war back to its German owners.

Undaunted by nearly a quarter-century of setbacks, General Isidro Valdez led an armed revolt against Guatemala's new government in early August, 1921. Press releases report that it "...was immediately suppressed."

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## Herman J. Byrd

# DEVELOPMENTS IN GUATEMALA AND BELIZE-GUATEMALA RELATIONS IN THE INDEPENDENCE DECADE

THE ANNOUNCEMENT MADE THIS PAST August by Guatemalan President Jorge Serrano Elias that Guatemala recognizes the right of the Belizean people to self-determination is a belated recognition of the independent Belize. This dramatic shift in the long-entrenched Guatematan view came on the eve of Belize's celebration of the first decade of independence and on the one hundred and ninety-third anniversary of the Battle of St. George's Caye. From a distinctly Belizean viewpoint, Belize's achievement of independence in 1981 radically changed the status of the "Belize Question" and ushered in a new period of Belize's relations with Guatemala.

The dispute was no longer between Great Britain and Guatemala over Belize. Now an independent Belize, that independence and right to self-determination having won global support, was faced with the responsibility and challenge of finding a resolution to the long dispute directly via bilateral negotiations with Guatemala, and not through a third party, the United Kingdom. Guatemala's belated recognition of an independent Belize without a complete abandonment of her historic claim has precipitated a new wave of negotiations and national debate in Belize that is unprecedented in the history of the dispute. While their final outcome remains undecided, it is clear that greater awareness of developments within Guatemala and their impact on Belize could bring clarity, insight and an added resolve to ensure the protection of Belizean national interests in the effort to find a peaceful end to the dispute.

This paper sets out to review developments within Guatemala over the last decade with the aim of providing some informative commentary on developments within Guatemala which could help to explain the dramatic turnabout of the enriched

Herman J. Byrd, one of the editors of this journal, has written several articles on Belize-Guatemala relations. This article was first published in Belizean Studies in 1991.

Guatemalan refusal to recognize an independent Belize. Its aim is not to provide a comprehensive review of the status and recent developments in Belize-Guatemalan affairs nor is it a commentary on the issue of present national concern, the Maritime Areas Bill. The preceding review by Dean O. Barrow should complement my own meager efforts here, and hopefully together we offer the reader a wide, and enhanced perspective with which to evaluate current and forthcoming issues on the Belize-Guatemala agenda.

This presentation suggests that one has to look to the wider socio-economic and political issues in Guatemala to understand fully the reasons for Guatemala's recent recognition of an independent Belize. This wider view points well beyond the farsighted leadership of Jorge Serrano Elias, and prior to him Vinicio Cerezo and, even beyond the belated realization by General Fernando Romeo Lucas Garcia, on the eve of Belize's independence, that the decolonization process had created a world in which a people's right to self-determination had triumphed irreversibly over any and all forms of colonialism and neo-colonialism,2 to an emerging stream of socioeconomic concerns in Guatemala within the last decade in which Guatemala has seen the increasing necessity for mutual cooperation with Belize.

The debate in Belize will continue to gather a groundswell of opinions on the nature of forthcoming cooperation with Guatemala, on what concessions, if any, would be justified as an integral part of the ongoing diplomatic effort to reach a final settlement of the dispute, and whether such cooperation will indeed be mutually beneficial. In the postindependence decade, among the numerous issues in Belize-Guatemala relations three seemed to have increased their importance: the continued Guatemalan effort to develop the resources of El Peten, the inflow of Guatemalan refugees into Belize, and more recently, the activities of "narco-terrorists" operating in El Peten and along the western Belize-Guatemalan border. All three immediately affect both Guatemalan and Belizean national interests. However, they are by no means exhaustive.

As the negotiations continue new issues have emerged, among them the Maritime Areas Bill to delimit Belizean waters to three miles in southern Belize. Also, some attention should be given to how improved diplomatic relations could affect the increasing number of Belizean students who pursue university studies in Guatemala (those who returned home after the Guatemalan government revoked her scholarship program following the rejection of the Heads of Agreement in 1981 have been able to return to their studies in Guatemala, but without the assistance that improved diplomatic relations could provide). Reviews and assessments of developments in the Belize Question in the independence decade need to look beyond what were considered characteristic features of Guatemala's posture towards Belize in the decades before 1981, intransigence, belligerent and aggressive militaristic stance, and prolonged cries of reincorporation of Belize into the national territory, for an accounting and interpretation of significant events. The last decade saw nothing of the militaristic posturing of Guatemala toward Belize which became so characteristic of Belize-Guatemala relations in the 1970s.3 One could well argue, as will be shown below, that the Guatemalan military was preoccupied throughout the 1980s with internal strife and with reestablishing its control in the Guatemalan highlands where an upsurge in popular and revolutionary organizations during the period threatened to bring the nation on the brink of a major social upheaval.

Close scrutiny reveals a number of emerging important economic concerns in the 1980s in Guatemala in which varying levels of cooperation with Belize were seriously considered or at best projected. This has been one of the major reasons for the dramatic reversal of the ingrained Guatemalan stance towards Belize and it helps to explain Guatemalan efforts to improve diplomatic relations with Belize during the independence decade.

The decision on the part of the Belizean Government to move on to independence with suitable guarantees of British military presence occurred after the Heads of Agreement, a last ditch effort to settle the dispute before moving on to independence in 1981, was rejected in Belize in 1981. From the Guatemalan government perspective, the entire thrust of the document was to establish ways in which both countries could work together on mutual concerns.

General Fernando Romeo Lucas Garcia, President of Guatemala at the time, pointed this out quite clearly in a public statement:

Las bases de entendimiento buscan fundamentalmente un acercamiento entre los pueblos guatemalteco y beliceno, mediante la colaboracion mutual y la ejecucion de programas conjuntos de beneficio comun, esperandose que esta viniculacion, que esta hora no ha esistido.<sup>1</sup>

Despite the obscure language referring to Belize's "traditional and existing" frontiers, Head 1 contained a major shift in the Guatemalan position with its proposed recognition of Belize's independence and territorial integrity.5 Both indicated that in the early 1980s cooperation on social and economic matters were perceived as important as squabbling over a breach of the 1859 Anglo-Guatemalan Convention on the part of Great Britain. Nothing better demonstrated this than some of the key issues dealt with in the Heads of Agreement: the granting to Guatemala of an internal navigable channel in southern Belize (Head 2), the "use and enjoyment" of Ranguana and Sapodilla Cayes (Head 3), the granting of free port facilities to Guatemala in Belize City and Punta Gorda (Head 4), unimpeded transit of peoples and goods (Head 5), the construction of pipelines for exporting Guatemalan oil through Belize ( Head 6), and cooperation in marine explorations, and cooperation on matters of security of mutual concern (Head 1).6

The failure of the Heads of Agreement to resolve the dispute must rest squarely on the Belizean public's rejection of what it perceived to be its extensive concessions to Guatemala and fears of the long-term consequences of increasing cooperation with Guatemala.

#### THE DEVELOPMENT OF EL PETEN

#### A PREEMINENT ISSUE WITHIN THE LAST

decade for Guatemala has been the development of El Peten, and northern Guatemala, especially, an area known as La Franja Transversal Del Norte (The Northern Transverse Zone). This concern for the development of El Peten stretches well into the last century. Throughout much of the colonial, independence and post-independent period, the department of El Peten has been isolated and underdeveloped. Successive Guatemalan govern-

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ments have attempted to tap the regions wealth for national development, but especially so within the last quarter century.<sup>7</sup>

The department makes up about 1/3 of Guatemala and covers an area of 36,000 to 37,000 square kilometers. In the mid 1960s, there were about 25,000 people in the department some 45% of whom resided in about twelve towns. In the early 1960s, the Guatemalan government opened El Peten to colonization and land distribution, and since then the population has increased tenfold. In 1986 there were 300,000 people in the department. According to Norman Schwartz, what had been an isolated and relatively peaceful area, had become almost overnight a highly-populated, turbulent new frontier attracting landless campesinos, well-financed cattlemen, foreign and local logging companies, revolutionaries, and above all foreign entrepreneurs eager to exploit the valuable mineral resources of El Peten, principally oil.8

As a result El Peten was the recipient of massive inflows of foreign investments in oil exploration, nickel mining, and large-scale farming. The expected economic boom and profit windfall led to massive land speculation: large numbers of Indians, traditional owners of the land, were displaced by new foreign capitalists in league with their Guatemalan counterparts. Under the guise of counter-insurgency campaigns, the army carried out a string of massacres in the Guatemalan highlands throughout the 1980s. It began with large scale repression under the presidency of General Kjell Laugerud (1974-78) in 1970s, and continued under General Lucas Garcia with the Panzos Massacre in 1978. In

In early 1981 massacres occurred in El Quiche, San Marcos, Quetzaltenango, Huehuetenango, Solola, and Chimaltenango. The situation continued especially under General Efrain Rios Montt (1982-85) who sanctioned aerial bombings in El Quiche, Alta Vera Paz, El Peten, and Huehutenango. By the end of 1982 over 10,000 civilians had been killed, several hundred had disappeared, and over half a million were displaced within Guatemala. Some observe within Guatemala have pointed out that the areas targeted by the army as Guerrillas strongholds were, in effect, regions where lucrative oil and mineral finds were expected. This was especially true of the areas targeted for oil exploration.

Guatemalan economic concern with the projected oil boom helps to account for the inclusion

of Head 6 in the 1981 Heads of Agreement. In 1981-82 Guatemalan oil reserves were officially estimated at 2.4 billion barrels, and about \$24-25 million dollars of petroleum was exported in 1981. One month after the Heads of Agreement was signed, the Texaco-Amco operation in the northern tip of El Peten reported a large oil strike, and at the time, it must have appeared feasible to export the oil from this reserve via pipelines running through Belize.12 While oil exploration and exportation continued throughout the 1980s, the great oil boom in El Peten never materialized. The virtual collapse of the international fuel market and the destruction of oil installations by guerrillas capped all hopes of an oil bonanza. However, the government's desire to recover the region's oil wealth has not died, considering a recent government announcement that it had given concessions to some oil companies to search for oil in the Bay of Amatique.

An integral part of the Guatemalan interest in developing the resources of El Peten has been the belief that those resources could not be adequately developed without extensive cooperation with Belize, and that the establishment of such cooperation would have to be an important factor in any final equation resolving the dispute. In 1967 the American historian Wayne M. Clegern noted that "British Honduras continues to be the geographical key to the development of El Peten, and it is unlikely that the Guatemalan government can rest until this circumstance is satisfactorily resolved." He was in fact stating a point of view that had its adherents in the Colonial Office at least since the late nineteenth century, and so too its Guatemalan counterparts.

In the introduction to his work on the history of the dispute, Guatemalan historian Jose Luis Mendoza noted that: "The Maya Empire, 1,500 years ago, had a population of 10-15 million inhabitants. Nowadays, by contrast, the exceedingly rich Peten region falls short of 10,000 inhabitants, and its development is seriously impeded as long as its natural outlets to the sea remain in the possession of a foreign power."14 At the end of his masterful review of developments in the dispute between 1946 and 1969, D.A.G. Waddell suggested that a breakthrough in the dispute might have occurred had the Guatemalan government considered "cutting her losses, and extracting what material advantage she could for El Peten from the presumable British desire to be rid of a vexatious international irritation."15

This long-standing concern to obtain a "material advantage" for El Peten was an important factor influencing Guatemalan interests in resolving the dispute with Belize during the 1980s. Its most poignant presentations ever can be found in the Guatemalan Foreign Ministry document explaining Head 4 in the Heads of Agreement:

One of the many damaging things that British usurpation caused Guatemala was the occupation of the coastline region of El Peten. There can be no doubt that in the main, the relative underdevelopment of El Peten must be attributed to the fact that its communications with the rest of the country are carried out on very long South to North lines that go across mountain ranges and other difficult geographic accidents. If communication, could have been carried out on East to West lines, either through rivers or roads, most likely a more dynamic and efficient development of that region would have occurred. This in fact did not happen because of the British occupation that deprived El Peten of its coastlines, thus depriving it of this possibility of development.16

In Belize, no doubt, what will be debated is the extent to which Belize, particularly southern and western Belize, would benefit from the granting of concessions conducive to El Peten's development in treaties flowing out of the ongoing negotiations, especially since this could become an increasing concern on the Belize-Guatemala agenda in 1990s.<sup>17</sup>

#### HUMAN RIGHTS AND GUATEMALAN REFUGEES

#### A HORRENDOUS HUMAN RIGHTS RECORD

became synonymous with Guatemala in Amnesty International's human rights thesaurus in the 1980s. The large-scale violation of human rights in Guatemala during the 1980s have displaced over a million inhabitants within the country, and have led some 200,000 Guatemalans to seek haven in Mexico. By 1984 some 4,000 Guatemalan refugees from central and northern Guatemala (especially the departments of El Peten (Mopan Indians), Alta Vera Paz, and Izabal (Kekchi Indians),) had entered Belize. A Belize Government publication in 1984 noted that "public concern had manifested apprehension about the number of aliens who recently settled in Belize;

disquietude at the influence which the new wave of aliens has on our institutions, on our social values, and on the quality of life in Belize." The Government announced an amnesty program in mid-1984; those aliens present in Belize on May 1<sup>st</sup>, 1984 were given ninety days within which to register with the police prior to requesting a residency permit to remain in Belize.

A subsequent study of the "illegal alien" registration (some 6,305) showed that about 50% were from Guatemala.<sup>20</sup> Michael Stone's recent survey of the settlements of Salvapan, Las Flores, Rio Grande, San Martin, Sinai, and Ten Cent Creek showed that 70.5% of all Guatemalan household heads in those settlements resided in El Peten before coming to Belize. In 1988 35% of the refugee registration were from El Peten, and on a whole 18 of Guatemala's 22 departments were represented.<sup>21</sup>

Despite the emergence of two civilian presidents, Vinicio Cerezo and Jorge Serrano, there has been little fundamental change in Guatemalan politics over the last decade. Jim Handy has argued that the Guatemalan military held elections in 1985 not because it needed foreign economic assistance, or because it wanted a civilian government to take the blame for a worsening economic situation. He suggests that the main reason for its direct intervention in the political process had been removed: by the mid-1980s a more unified army had uncontested control of rural Guatemala. The army's long trail of counter-insurgency campaigns left scattered in its wake the strewn wreckage of municipal governments across the Guatemalan countryside. Any attempt by the civilian governments to make radical alterations in the socioeconomic structure of rural Guatemala aimed at empowering the vast majority of the population, and in so doing threatening the enforced military preeminence, could lead to an end to the democratic experiment. The building of democratic institutions representative of the rural population and asserting of Indian rights will remain on the Guatemalan agenda as unfinished business well into the future.22

Michael Stone has suggested that the socioeconomic conditions which led to the political crisis a decade ago are still present today in Guatemala: wealth continues to be concentrated, the military remains in the ascendancy, and the authoritarian model of rural development continues

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apace. In his view, all these have combined to make rural Belize Guatemala's ultimate agricultural frontier.<sup>23</sup> If Stone's assessment is accurate we can expect continued refugee migration from Guatemala into Belize throughout the 1990s.<sup>24</sup> The nature of cooperation between Guatemala and Belize on this issue is largely a matter of conjecture as Belize, despite short and long-ranged limitations, remains committed to providing within those limits a haven to those fleeing political turmoil not just in Guatemala but in El Salvador as well.

#### CIVIL STRIFE IN EL PETEN

IN RECENT YEARS A NEW LEVEL OF DEstabilization has entered the affairs of El Peten, which has already had considerable impact on Belize. El Peten continues to be a base for guerrilla activities of the Fuerzas Armadas Rebeldes (FAR). Its activities have been aimed at crippling the region's oil installations, military and police outposts, and road construction equipment. In the early 1980s, the military declared an all out war on FAR and their sympathizers in El Peten, in the wake thousands of settlers were killed and many more uprooted from their homelands. The heaviest casualties were suffered by those in the southwestern and far western and east-central El Peten (in the municipalities of La Libertad and Sayaxche); incidentally, these were the core areas of oil exploration. The war peaked between 1982 and 1984, which explain the increased numbers of settlers fleeing the area into Belize during this period.

Recently, some groups have turned to kidnapping and drug trafficking making the Peten-Cayo border an area of unprecedented illegal activity, not unlike the Tabasco-Peten border area.25 There is already some cooperation between Belizean and Guatemalan security forces operating along the border as was recently shown in the pressure that was brought to bear on those who kidnapped the Mennonite farmers at Chan Lemon, Cayo district, some two miles from the Guatemalan border.26 The hope is that a resolution of differences would facilitate more cooperation between Belizean and Guatemalan security forces on this issue, somewhat like that recently established between Belize and Mexico all in an effort to contain the increasing flow of drugs into and through Belize.27

#### CONCLUSION

WITHIN THE LAST DECADE, SOCIO-ECONOMIC developments within El Peten have become the major issue of concern, so much so that they have surpassed perennial Guatemalan concern with a settlement of the "territorial dispute", despite the fact that this is still presented as the major obstacle standing between full Guatemalan recognition of Belize's independence and sovereignty. In summary, the concern early in the 1980s was oil exportation from within El Peten; indeed, as late as 1989 when the talks were reopened, oil discoveries in El Peten was a major Guatemalan concern.<sup>28</sup> In the mid-1980s we saw an increased number of Guatemalan refugees seeking asylum in Belize (the majority of whom originated from El Peten), and in recent years El Peten has become a base of operation for narco-guerrillas. Their actions have increased the flow of illegal drugs and weapons through Belizean territory, both of which have had a negative impact on Belize. It is not too far-fetched to suggest that these issues will retain their importance in the 1990s, and will provide much grist for negotiations and bilateral cooperation.

Finally, a brief word on a health concern. It is still too early to ascertain just how the present outbreak of cholera in Guatemala will affect Belize. These outbreaks have been reported in the region along the Guatemala-Mexico border. A Guatemalan newspaper reported in early August that the Suchiate river had been contaminated and several cases have been confirmed in the departments of San Marcos and Retalhuleu. However, some Belizean medical personnel who have worked in El Peten have indicated that the general unsanitary health conditions there are ideal for the spread of cholera, and it could be only a matter of time before its water supply becomes contaminated.<sup>29</sup> If and when this happens then the onset of the disease within Belize will become inevitable given the flow of goods and people from El Peten into Belize.<sup>30</sup> Obviously, there will be need for considerable action between Belizean and Guatemalan health personnel to contain the spread of the disease.

The issues discussed above are so important that even some conservative elements within the Guatemalan government and military are opened to finding a diplomatic umbrella to facilitate bilateral cooperations. It seems reasonable to say that in this

decade economic, political, social, and health—related developments within El Peten and the Bay of Amatique region will continue to play an extremely important role in Belize-Guatemala relations, and in the continued quest for "a definitive settlement of the territorial dispute." What Belize needs to consider rather carefully would be the political, economic, and social impact of closer cooperation with Guatemala, and above all, the extent to which such cooperation would indeed be mutually beneficial, especially in the long run.

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- 25. See a report entitled "En La Frontera Tabasco-Petén: Trafico de narcoticos y maderas," in *The Reporter*, September 1, 1991:9.
- 26. See the lead story, " 'Nonite 'Nappers: Narcoterroists?," in the AMANDALA, May 10, 1991. The report noted: "Guerilla movements are traditionally known to use methods like kidnapping and bank robberies to raise funds to finance their operations, but guerillas in South and Central America have in the last two decades also frequently resorted to traffiking in drugs because of the huge profits and the fact that their clandestine, paramilitary organization makes guerrilla movements ideally suited for this type of activity, and hence the description "narcoterrorists." There has been a marked increase of narcotics activity in the Petén area of Guatemala and the Cayo District of Belize, especially this year, and Mennonites, if only at the individual and family levels, are now widely believed to be players in the narcotics game." The kidnapped Mennonite farmers were eventually released apparently after considerable pressure from Guatemalan military forces in El Petén was brought to bear on their kidnappers.

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#### Alexis Rosado

## A COMMENTARY ON THE BELIZE-GUATEMALAN FACILITATION PROCESS

Belizeans will remember when Guatemalan Armed Forces (GAF) abducted three members of our Belize Defence Force (BDF) and a police officer from our territory. It was on 24th February 2000, less than two months since Alfonso Portillo had been sworn in as President of Guatemala. Just the month before, on 14th January during the presentation of his inaugural address, Portillo had looked across the podium towards Prime Minister Said Musa, and publicly stated that his Government "will do everything necessary to find as soon as possible a definitive solution to our territorial dispute".

Before the Guatemalan national elections in 1999 the then Arzu Government, through its Foreign Minister Eduardo Stein, made a last-ditch effort to appear tough on Belize by defining a claim to half Belize's territory extending in all that area from the Sibun to the Sarstoon Rivers and adjacent waters and islands to the east. At the same time it reserved a right to claim the northern half of Belize. In an effort to avoid getting dragged into that country's election fray Belize responded calmly and in a timely manner that we rejected any claim to our territory and invited them instead to engage with us in open and frank discussions.

As the new Portillo Administration settled in, however, it adopted with renewed vigour the position of the previous administration. Newly appointed Foreign Minister Gabriel Orellana was more specific, demanding a restitution of 12,900 square kilometres. The Guatemalan Government developed a hardened attitude and it refused to hold discussions maintaining that they were a waste of time, that we have had too many talks for too long and that they have led us to nowhere. For Guatemala the only solution was to submit the territorial issue to an international tribunal. This approach was coupled on

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the ground with a jingoistic attitude of the Guatemalan military. Several incursions by the GAF into Belize territory were reported. The illegal flow of Guatemalans into Belize markedly increased with peasants establishing settlements, building huts and farming on our side along the border. Guatemalan officials would turn a blind eye to these activities. When Belize protested they would respond that the problem is that we have a territorial dispute that must be resolved, but that a definitive solution can only be found through juridical means.

At the time Belize was not prepared to countenance submitting the dispute to any international tribunal. Our approach was to get the Guatemalans to discuss with us ways by which we could promote cooperation in matters that would be mutually beneficial to both our peoples. After many meetings, and with the international support mounting in our favour, the two countries finally agreed to join in a facilitation process under the auspices of the OAS.

#### The OAS Process

Under the ongoing facilitation process Belize and Guatemala each named a Facilitator whose main role would be to assist the Parties in finding a permanent solution to the dispute. Two seasoned international negotiators were named as Facilitators. Belize named Sir Shridath Ramphal and Guatemala named US Attorney Paul Reichler. Cesar Gaviria, Secretary General of the OAS, agreed to assist in an impartial capacity as the Witness of Honour. The process was to last one year and the deadline for its completion was set for August 31, 2001. A threepronged approach was envisaged for the process. First, the Facilitators would assist in recommending the establishment of confidence building mechanisms (CBMs) to diffuse tensions along the border. Second, they would assist in examining the substantive issues of the dispute. Third, they would make recommendations to the parties to reach a final solution.

From its inception in August 2000 the process was bogged down with securing CBMs and their proper implementation. Efforts were mostly concentrated on tending to incidents on the ground along the border. A number of these incidents almost became flashpoints and made the news in Belize and in the international media. Tensions got high sometimes, but our negotiators persisted. In the end, all the incidents were resolved peaceably and with the help of the Facilitators.

Not untill the last few@months did we begin to present our respective substantive positions to the Facilitators. This took the form of written and oral submissiosn on the legal merits of each Party's case. On the Belize side this exercise involved substantive research and analysis at a level never done before. A Dream Team of distinguished international jurists led by Sir Eli Lauterpacht aided us in this exercise.

One of the results of the whole exercise is that many of us feel very strongly that a submission of the dispute to the International Court of Justice (ICJ) would result in a complete victory for Belize. Guatemala, on the other hand, must recognize now more than ever that its case is weak. In a sense the tables have turned with respect to each Party's view of submitting the matter for juridical settlement. In a public statement during his visit in Washington, D.C., President Portillo announced in a televised interview on 10 July 2001 that he does not want the matter to be submitted to an international tribunal.

At the Ministerial level meeting in Washington on 17-18 July, 2001 the Facilitators were expected to present their recommendations for a way forward toward a definitive solution to the territorial differendum. They felt, however, that they needed more time and a new deadline of 15 December 2001 was agreed. In the *Recommendations by the Facilitators* of 18 July 2001 the Parties also undertook to extend the Facilitation Process and all and any agreements concluded under it until 31 August 2002.

### What we have achieved so far

Despite the trials and tribulations that our negotiators must have felt during the process, their dedication has produced very positive results in securing peace and stability on the ground. Guatemala has agreed on an "adjacency line" that separates Guatemala and Belize. It is the same line that Belize has maintained

as its boundary line as defined in the 1859 Boundary Treaty and as enshrined in our Constitution. That line has been drawn and mapped out with the latest technology by an independent body - The Panamerican Institute of Geography and History (PAIGH). We have created an "adjacency zone" that extends 1 km to the east and west of the "adjacency line" in order to control the migratory flow of people. Special protocols have been agreed relating to security issues as well as to the removal of illegal settlers in these zones. A military to military agreement has also been signed setting out a mechanism for the regular exchange of information and cooperation between the GAF and the BDF. A Belize-Guatemala Mixed Commission has been established and charged with developing projects and modes of cooperation at all levels to benefit the Belizean and Guatemalan people. All these achievements have the added legitimacy of having been done under the auspices of the OAS.

### Where we are now in the process

The Facilitators believe that they can present proposals for a final settlement that will be acceptable to both sides by 15 December 2001. At the meeding of 17 - 18 July, 2001 they undertook to present proposals for a "comprehensive, definitive, honourable and permanent solution of the territorial differendum, including maritime delimitation and a development finance plan that would benefit neighbouring local communities in the two countries". They undertook to formulate these proposals in consultation with both Parties and present them as a single undertaking. In other words, it is understood that nothing in the proposals can be considered agreed until everything is agreed. There will be no room for either Party to pick and choose only the part that it likes from the proposal. Both Parties must choose all or nothing of the proposals for a final settlement.

For its part, our Negotiating Team (NT) has made it very clear that it cannot even consider any form of land cession no matter how small. Belize's position has always been that we are willing to consider delimiting our maritime areas in the south to allow Guatemala unimpeded projects that would benefit Belizeans and Guatemalans. We maintain these positions and we expect the Facilitators to take them into consideration when formulating their proposals.

#### Looking ahead

Whether we accept or reject the Facilitators' proposals, it will test our national resolve to finally put the nagging territorial dispute behind us. It is important that our national unity front remains intact. This unity of approach involving Government, Opposition, and a cross-section of civil society can become stronger with the emergence of a national consensus on what road to follow in seeking a resolution to this vexing issue. Our Negotiating Team (NT) has so far done a sterling job at representing Belize's best interests. Its mandate can be further strengthened with the knowledge that they have the strong backing of a Belizean consensus on what road we should thread ahead.

There are two possibilities ahead. One is that the proposals are accepted, in which case we can only wait and see what that would entail. The next possibility is that the Facilitators cannot produce one that is acceptable to either or both of the Parties. In this second scenario I can see four options that we may choose to follow: a) continue the facilitation process or some form of political dialogue in the continuing search for a solution; b) submit the matter to an international tribunal to settle the case; c) reject all efforts mentioned in a and b; d) proceed with either or both a and b.

I suspect that there is general agreement in Belize that the CBMs under the Facilitation Process are important for the maintenance of the peace and stability and that they should remain in place. But this is not enough if the aim is to reach a final solution. A day may come when Belizeans will wonder how long must we continue with talks if a permanent solution seems beyond negotiation and stability on the ground is threatened.

However, as a peace loving people we must continue to engage with our neighbour. The consequences of disengagement could be drastic and Belize's development as a Caribbean nation in Central America would only be stifled. With an appreciation of the issues at stake I am confident that Belizeans will determine that **option c** is not a possibility we want or can afford.

As mentioned above, in the Facilitation Process both Parties have presented their legal arguments on the merits and demerits of each other's position. Belize's case is solid and the Belizean people must be made aware this. We must also recall that the British were convinced of the legal basis for their claim to the territory of British Honduras in the colonial days. They were so confident that in 1946 Great Britain submitted itself to the optional jurisdiction of the ICJ if Guatemala chose to bring the matter to court. Guatemala did not do so back then, but perhaps they may decide to do so if they are serious about finally resolving the issue.

I find it strange that so far there has been little serious debate at the national level about the Guatemala question and the alternatives before us. We need much more in this respect bearing in mind that it is a matter of such transcendental importance that has bedevilled our national psyche for generations. It is imperative that the need for public information and debate is taken seriously. Leaders, teachers, students, Belizeans of all walks of life must become involved in learning, listening and participating in national consultations without prejudice. We need to develop a Belizean consensus that goes beyond merely knowing what it is we do not want. We know that we noh want no Guatemala - but what is it exactly that we want, and how do we get there? Can we examine all our options, put our personal biases aside and build a consesus that will benefit the nation? We need to unite and stay united in our national resolve to do what is "necessary to find as soon as possible a definitive solution to our territorial dispute". The old dictum that el pueblo unido jamas será vencido is so true and fitting to this day.

# WHERE IS BELIZE HEADING? WILL BELIZE EVER BECOME PART OF GUATEMALA? A GUATEMALAN PERSPECTIVE.

#### COMMENTARY BY LEO OBANDO, M.A.

Roberto Carpio-Nicolle, Guatemalan journalist, political scholar, author of the book- <u>Hacia Donde Va Belice?</u> and congressman of the Guatemalan national Assembly (1970's), poses a series of questions concerning the future and destiny of Belize. His central argument maintains that there is a long term possibility for Guatemala to recover Belize and that the Guatemalan Government should follow certain recommendations which he describes as - 'The Realistic Approach.'

Carpi-Nicolle was a right Winger, a fervent supporter of Rios Montt, and a distinguished member of Partido Accion National-PAN, the current party in power in Guatemala. In his book, Carpio-Nicolle discourages any military invasion by Guatemala on Belize. Instead, he recommends that his Government should encourage Guatemalans to settle Belize purposefuly, with the ultimate goal of obtaining Belize through a referendum. Carpio-Nicolle envisions that in the near future, the Guatemalans residing in Belize will surpass Belizeans in numbers, and as a majority in population will have the power to finally decide if Belize should become part of Guatemala or not- a decision that would invariably favor the Guatemalan claim to Belize.

Indeed, Carpio-Nicolle is of the opinion that military force on Belize will not work. He proposes to his Government a "Realistic Approach" which entails educating all sectors of the Guatemalans society on the territorial controversy and organizing some type of "Reintegration Operation.' He also suggests that the issue should be debated nationally and recommends that all negotiations concerning the territorial dispute be done directly with the Belizean Government and people - no others!

The past and most recent negotiations in Washington and Miami, U.S.A., the military threats of the 1970's and the border incidents of 2000-2001 (i.e. the capturing of our military men, and the removal of Guatemalan settlers from Belizean territory), seem to follow the very recommendations made by the Guatemalan political scholar--Carpio-Nicolle: 'let's keep the controversy alive; let's encourage Guatemalans to intentionally settle Belizean land; let's negotiate directly with the Belizeans only.' Indeed, he looks forward to the day when Guatemalans living in Belize will have the final say and decide that--Belice es de Guatemala, Belize is for Guatemala!

It's worth mentioning at this juncture, that the intention of this commentary is not to alarm anyone or to create any animosity among Belizeans, but I do recommend that the Ministry of National Security be aware of the foregoing plan, and to make sure that in the future Amnesty Programmes, special provisions are made to ensure that Carpio-Nicolle's dream never becomes a reality!

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