

ese derecho de la patria potestad, no hay razon para no reconocerlo en estos casos, y privar de él à aquellos à quienes debe presumirse que comprende la ley.

Creo haber demostrado, señores, que el patronato es una verdadera tutela, y que por consiguiente no puede enajenarse por ser un acto odioso, desde que es contrario à los saludables objetos que la ley ha tenido en vista al establecerlo, y à los derechos que ella ha querido acordar al liberto.

Terminado este trabajo, me permitiré emitir mi opinion, sobre la conveniencia que resultaria de la promulgacion de una ley, que destruyendo radicalmente el mal introducido à este respecto, fijase de un modo claro y esplicito el proceder de los patronos, al enajenar --- por causas justificadas --- los servicios de sus libertos. --- Créo tambien que no seria menos importante, que se hicieran efectivas las disposiciones de las leyes que determinan, entre las obligaciones del patrono respecto al liberto, la de darle una educacion conveniente, y dedicarlo à un oficio ó profesion, con el cual pueda, en su mayoria, adquirir honestamente medios de subsistencia. --- El desuso en que han caido estas disposiciones, deberian llamar seriamente la atencion del lejislador : --- esas obligaciones son sancionadas, no solo por las leyes que hablan de la tutela en general, si no especialmente por las de patronato, y su falta de cumplimiento, con menoscabo de uno de los primeros derechos del liberto, no deberia ser mirada con indiferencia. --- La condicion de estos seres, señores, reclama la proteccion que las leyes tan justamente han querido acordarles, y todo aquello que tiende à su puntual ejecucion, es conveniente, moral y de utilidad comun à la Sociedad.



Alberdi
1854
Cup. 405. C. 45.
ARGENTINE REPUBLIC. *[Dpp]*

THE QUESTION

BETWEEN

BUENOS AYRES

AND THE

PROVINCES OF THE

ARGENTINE CONFEDERATION,

AND THE MEANS BY WHICH

FOREIGN NATIONS

CAN CO-OPERATE IN ITS SOLUTION.

M. J. P.

D. Luis L. Dominguez

LONDON:

D. LANE, 43, LAMB'S CONDUIT STREET, W.C.

1859.

Parana
Disemb. 24/59

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O. LANE, PRINTER, 43, LAMB'S CONDUIT STREET, W.C.



THE QUESTION

BETWEEN

BUENOS AYRES AND THE PROVINCES OF THE
ARGENTINE CONFEDERATION.

§ 1. *The knowledge of the question is a key to the policy which foreign powers ought to adopt in the Plata. It is not a question of personality, as is alleged by Buenos Ayres.*

Whether it is intended to offer a mediation or an intervention, or to take any part whatever in the question which divides Buenos Ayres from the other provinces which form the Argentine Republic, it is necessary to know thoroughly the nature of that question—what are the causes which have produced it, and what objects it has in view?

This question is but little known in Europe, although it has been much spoken of. There was a special object in making it unintelligible; and it still exists. It is sufficient to explain it truly, to show where lies the interest in rendering it so little clear.

According to the assertions of the Buenos Ayrians, the whole cause of that question is now confined to the person of General Urquiza, actual President of the Confederation, and to the hatred which he has inspired to them. Urquiza is detested in Buenos Ayres, because he offended it in presenting himself, not dressed sufficiently well, on the day on which he was received there as a liberator (after defeating Rosas); because on some occasion he used offensive words in a proclamation; because he ordered his soldiers to wear red favours, &c.

Is it to be believed that the sensitiveness of the people of Buenos Ayres is so great that for such motives it conceived such a hatred for Urquiza as to make of that personal hatred a reason to erect itself into an independent State? The history of the past, and the explanation of what takes place at present, prevent the sincerity of such motives from being believed.

No one who recollects what the people of Buenos Ayres suffered at the hands of General Rosas, for fifteen years, will be able to believe that it is for such motives of personal sensitiveness that Buenos Ayres has resolved to cease to belong to the Argentine Republic.*

§2. *Motives of interest which Buenos Ayres has to oppose the National Constitution and the treaties of free navigation of inland rivers.—Why have such acts been effected without its participation?—To combat them in some way or other, has been and always will be, the policy of Buenos Ayres.*

The real causes of the opposition are very different; they are confined to material interests. Buenos Ayres opposes the new order of things, inaugurated by Urquiza, for the following motives of political and commercial interest: First, because it has created a common government for all the provinces, which has taken possession of the

* In the writings of the Señores Alcina, Mitre, Marmol, Sarmiento, &c., who now support the cause of Buenos Ayres and speak of the sensitiveness of its people, we find repeatedly mentioned the following facts.

On the day on which Rosas became Governor of Buenos Ayres, five hundred of the most distinguished of its citizens had to paint on their lips artificial moustachios, because they had none naturally. The whole population of Buenos Ayres were mourning for two years, on account of the death of the Señora Rosas. The same population wore, for fifteen years, a red ribbon on the hat, with the motto of "Death to the Unitarians." A ribbon of the same colour was worn at the button-hole of the coat, along with a red waistcoat. The performance could not begin in any theatre before the arrival of the daughter of General Rosas, whenever she was to assist thereat. At her coming in, every body stood up and hailed with vivas the daughter of the Governor, as well as her father; and then only did the performance begin. In every document, whether official or semi-official, and in every advertisement inserted in the newspapers, it was necessary to prefix the motto of "Death to the savage Unitarians!" The portrait of General Rosas was placed, and remained habitually, on the altars in the churches! It was drawn on triumphal cars by persons of the first society in Buenos Ayres. General Rosas was re-elected thirty-three times to continue in the Government, which allowed such things to be done. On the day of the last attempt against him, Buenos Ayres fought for six hours on the battle field to maintain the power of Rosas. But it was destroyed in spite of it, and Rosas is now at Southampton, in consequence of the triumph obtained by General Urquiza, the man so detested by Buenos Ayres. (See *El Peregrino*, a poem of Sr. Marmol, of Buenos Ayres; and *El Comercio del Plata*, written by Sr. F. Varela and Sr. V. Alcina, present governor of Buenos Ayres.)

All these facts are vouched for by the official collections of Buenos Ayres, which are to be found in general circulation. But in spite of this, we have to recal them to our sorrow, as we are compelled to show that the true cause of the separation of Buenos Ayres is not to be found in the motives of wounded sensitiveness which it professes to feel.



revenues and powers belonging to the nation, which the local government of Buenos Ayres had kept for forty years, because there was no national government. Secondly, because it has given life to the common government by opening to foreign commerce the river ports of the provinces, while Buenos Ayres had hitherto monopolised that commerce.

The Confederation has consecrated the institution of that common or general government by the *Federal Constitution*, published in 1853, and by the institution of the new law of river navigation brought about by the international treaties which it signed in July, 1853, with England, France, and the United States. The provinces have not promulgated that Constitution, or made those treaties, out of hatred to Buenos Ayres. To understand this, they have but to be read. The Constitution gave to Buenos Ayres the rank of capital. The treaties are, in part, the work of England and France, who had no motive of hatred against Buenos Ayres.

However, Buenos Ayres considers as an act of hostility, the natural withdrawal of its usurped powers and pecuniary means, which ensued from that Constitution and those treaties; and it considered itself humbled by General Urquiza, as the promoter of these compacts.

Buenos Ayres protested against the Constitution and the treaties which deprived her of the Argentine revenues and powers, which it had held in hand during the period when the provinces stood isolated from each other, and had no common and general government.

Buenos Ayres does not own, and never will own, that these were the motives of its protestation. But, in reality, it had no other.

Buenos Ayres pretends not to acknowledge the Argentine Constitution and the treaties of free navigation, because they have been made without its concurrence.

To prove that this is a mere pretext, it is sufficient to know why they have been made without its concurrence. They have been made without it, because Buenos Ayres would never have consented to take any part in the creation of a government, which was to succeed its own provincial government in the general direction of the country; nor in the stipulation of treaties of navigation, which were to withdraw from its port the monopoly of direct foreign commerce and of the whole Custom-house revenues. Forty years of vain hopes had enabled the provinces to see that they had no longer to expect that Buenos Ayres would act in opposition to its local interests, however misunderstood.

In fact, to ask that Buenos Ayres should concur to the creation of a national government and of a direct commerce for all the provinces, would have been to have required that it should have stripped itself, with its own hands, of the government of the whole nation and of the monopoly of that nation's foreign commerce, by means of which it ap-

propriated to itself the Custom-house revenues of the fourteen provinces. That is the reason why Buenos Ayres always prevented the formation of a national government and the opening of the river ports. It prevented Rivadavia, in 1826, from doing this, as it hinders, at present, General Urquiza; and, as it would prevent an angel from Heaven, who might attempt to organise a national government with the revenues and powers which Buenos Ayres usurped for forty years, to the detriment of the whole nation. Urquiza is not the obstacle; it is the nation itself, by its setting about to take what belongs to it. To contest to the nation what is its own, Buenos Ayres ignores and denies the existence of the nation, and calls it *Urquiza*; it individualises it in the person of a man, to be able to ignore it without scandal.

Such is the policy which it has observed with regard to the provinces, throughout the whole revolution. All the internal treaties, which put an end to its civil wars, prove this. It was the object of its struggles with European governments, as is proved by the treaties which it signed with France and England, in 1847, 1849 and 1850, and in which Buenos Ayres made them recognise that the navigation of the rivers flowing into the Plata "was always considered as the inland navigation of the Argentine Confederation."

With such precedents, is it to be wondered at that Buenos Ayres should protest against the institution of a national government, and against the treaties of free river navigation which give it an irrevocable position from the day on which they are carried into execution, in spite of its resistance?

In fact, Buenos Ayres resisted them, as was to be expected, by its solemn protestations, and by assuming an isolated position, which is a protestation of *fact*, much more effective than protestations in writing.

§3. *Solemn protestation of Buenos Ayres against the principle of free river navigation, and its motives of local interest.*

The double protestation against the "*principle of the Argentine national sovereignty*," and against the "*principle of the free navigation of the rivers flowing into the Plata*" is attested by an authentic and solemn piece of evidence, placed by the said Buenos Ayrian government into the hands of the governments of England, France, and the United States. This evidence is found in a memorandum of that government, addressed to the aforesaid cabinets, and dated September 28th, 1853. In that memorandum are stated and developed the motives, which the government of Buenos Ayres believed it had, to protest, as it did, on the 31st of August, 1853, against the treaties of free navigation stipulated

by General Urquiza, in July of the same year, with England, France and the United States.

As that protest in no way prevented the ratification of those treaties, but, on the contrary, predisposed the foreign governments against that of Buenos Ayres, this latter pretended to deny the sense of its protestations, so as to stimulate their confidence and to contrive surreptitiously that those governments should assist its intention of undermining the treaties.

Buenos Ayres has pretended that its protestations do not refuse to acknowledge the principle of the free navigation of the rivers flowing into the Plata; and yet the very words of its protestations leave no doubt on that point. We deem it best to quote them here, to let them speak for themselves.

Here is the way in which the principle of free river navigation is denied by them:—"The principle of the free navigation of the rivers, the recognition of which is established as a necessary condition for the continued possession, by Buenos Ayres, of the island of Martin Garcia, is not a right of the powers who make the treaties. Internal rivers belong exclusively to the bordering powers; and these powers have the right of allowing, or of prohibiting, their navigation, to foreign flags. At what epoch, on what occasion, have France and England recognised, as a principle, the free navigation of rivers for all the powers of the globe, as the treaties of July the 10th and the 27th, establish it? . . . Far from it, France and England have recognised the contrary principle in several public treaties which they have made with the Argentine Republic; they have admitted that the navigation of the Paraná and the Uruguay ought to be subject exclusively to the laws and regulations which it will seem good to the Republic to decree. . . . Thus, then, it was impossible to define, by the name of a *principle*, the free navigation of the internal rivers of a State, for all the nations of the globe.*

* Here is the French original text:—"Le principe de la libre navigation des rivières dont on établit la reconnaissance comme condition nécessaire pour que Buenos Ayres continue à posséder Martin Garcia, n'est point un droit des puissances qui font les traités. Les rivières intérieures appartiennent exclusivement aux puissances riveraines, et ces puissances ont le droit de permettre ou de prohiber leur navigation aux Drapeaux étrangers. A quelle époque, à quelle occasion la France et l'Angleterre ont-elles reconnu comme un principe la libre navigation des rivières pour toutes les puissances du monde, comme l'établissent les traités du 10 et du 27 juillet?"

"Bien loin de là, la France et l'Angleterre ont reconnu le principe contraire dans plusieurs traités publics qu'elles ont faites avec la République Argentine; elles ont admis que la navigation du Paraná et de l'Uruguay doit s'assujétir uniquement aux lois et aux règlements qu'il plaira à la République d'émettre."

Notwithstanding these concluding words, the Buenos Ayrian government has pretended that its protestation does not refuse to acknowledge the *principle of free river navigation*, but only the right which the Argentine Confederation had of making these treaties without the concurrence of Buenos Ayres.

The best mode of proving the sincerity of that assertion would be for Buenos Ayres to accept the treaties of free navigation *in principle*. But, not only has it not done so to the present time, but even now it still leaves in vigour its protestation of the 31st of August, 1853, wherein it is said that "it has not accepted and will never accept the mentioned treaties, and does not recognize any of the obligations which they stipulate."

§ 4. *Solemn protestation of Buenos Ayres against the principle of the sovereignty of the Argentine people, of which it forms a part.*

Could Buenos Ayres protest thus against these treaties, because they had been concluded without its concurrence? By no means. For this would be to deny to the Argentine nation the sovereign right of making laws for all the countries which form its territory, or else (what would be the same thing) it would be to deny the principle of the sovereignty of the Argentine people. To deny this principle, as Buenos Ayres has done, to dissimulate its having refused to recognise the principle of freedom of river navigation, is to cover over a scandalous act by a more scandalous one. On this score the protestation of Buenos Ayres, against the validity of the treaties of river freedom made by the confederation, is a manifesto of disorder and anarchy which deserves the most serious attention from foreign governments. It is an authentic proof that it represents a revolution merely, and the destruction of all regular authority.

The following are the words of the protestation, in which it denies the *sovereign authority of the Argentine people*, the only principle of authority and of government admitted in these provinces since they emancipated themselves from the Spanish authority:—"This principle of authority (the will of the greater number) which is the origin desired to be given to the power of the congress and of General Urquiza, over

"Ainsi donc on ne pouvait désigner sous la dénomination de principe la libre navigation des rivières intérieures d'un Etat, pour toutes les nations du monde."

Memorandum du Gouvernement de Buenos Ayres sur les traités conclus par les Ministres de France, d'Angleterre et des Etats Unis avec le général Justo José de Urquiza, touchant la libre navigation des rivières, le Paraná et l'Uruguay, du 23 Septembre, 1853.

"Buenos Ayres, is the more odious, that this population and its territory is spoken of as if it was necessary to consider it as a small fraction of the republic's territory, and the vote of which it was not necessary to take into account, even in the most important changes. Buenos Ayres in a body will not believe it. It knows and will ever maintain that there is no power on earth which can impose its will upon it, if the people has not contributed to its creation, and does not find itself represented in a political body. . . . As there is no express compact, nor political bond, which unites the several provinces into one only moral impersonification, they remain in their natural right, without a government superior to that of each of them."*

Buenos Ayres calling odious the authority of the greater number of the Argentines, who form the republic of which it recognises itself no small an integral part, and yet denying the existence of any national bond among its provinces, proclaiming that they remain in their natural right, without any power superior to the government of each of them, and maintaining that no power on earth has the right to impose its will on it, does more harm to the general interest than in denying the principle of free river navigation; since it raises the standard of Filibustry, and renders impossible the settlement of peace by attacking radically every principle of authority and of government.

§ 5. *Buenos Ayres formerly governed the nation by isolating the provinces.*

Buenos Ayres pursues a calculation of self-interest in this policy of disorder. It takes an interest in the isolated existence of the Argentine provinces, and in the absence of a common government, so that the government of its province may fulfil towards them the functions of a national government, as was the case for forty years. And what took place during that period?

Although scattered and isolated, from the absence of a common government for the interior of the country, the Argentine provinces formed but one republic—the *Argentine Republic*. All the provinces were convinced of this. All Argentines considered each other, as they really are, fellow-citizens. Whether disjoined or organized for an interior government, the republic always needed an exterior representation. In either case the provinces were obliged to entrust it to the local government residing in the only external part of the country, namely, the government of the province of Buenos Ayres.

* *Memorandum* of the Government of Buenos Ayres, of the 28th of September, 1853, addressed to the foreign governments, protesting against the treaties of free navigation.

Acting as the proxy of the governments of the interior, in the management of foreign policy, the governor of Buenos Ayres came to be the representative or agent of Salta, of Tucumán, of Mendoza, of Córdoba, and, finally, of all the fourteen Argentine provinces. He was the ruler of all the provinces in the matter of *foreign policy*; that is to say, in what related to peace and war, to treaties of commerce and navigation, to the establishment and regulation of custom-houses, to the nomination and reception of diplomatic agents, &c. In all these branches of administration the acts of the Governor of Buenos Ayres were obligatory for all the inland provinces.

Now, who elected this deputy of fourteen constituents, and to whom was this Foreign Secretary of fourteen provinces indebted for his election? He was chosen by the only province of Buenos Ayres, without the intervention of any of the other provinces in that election. Buenos Ayres, then, bestowed on the fourteen provinces their President for foreign affairs, since it alone elected its governor, the supreme director of foreign policy. But who paid this President and his ministers? The Custom-house revenues of the whole of the provinces, it is true, but which all flowed into the hands of the Provincial Treasurer of Buenos Ayres. The coffers of Buenos Ayres engulphed the whole of these national dues, and Buenos Ayres alone therefore paid this President and his ministers. And by whom could they be dismissed from office? Again, by Buenos Ayres alone; so that the inland provinces, which had no share in the election of their head for foreign affairs, or control on his retribution, exercised therefore no sort of influence on him, and could expect no responsibility whatever either from him or from his ministers. The same result took place with regard to the provincial legislature of Buenos Ayres. Elected exclusively by the inhabitants of its province, it discharged the functions of a national congress, in the matter of foreign relations, and it approved or annulled international treaties, which were binding on all the provinces, without the latter having any chance of intervening in their stipulation, either directly or indirectly.

Such was the immense advantage derived by Buenos Ayres from the isolation of the Argentine provinces. For, by reason of that isolation, it alone governed them for forty years.

§ 6. *The want of union among the provinces gave to Buenos Ayres the power of governing them by means of the colonial laws on navigation, which closed all the ports but one.*

What were the means by which the isolation or anarchy of the provinces brought into the hands of the single province of Buenos Ayres the whole of their external administration? By the ordinary working of the Spanish colonial laws on river navigation. These laws closed all the Argentine ports to direct foreign commerce, with the exception of the port of Buenos Ayres. This exception, or colonial privilege, made of Buenos Ayres the capital or metropolis, of necessity, of all the provinces.

So as to have the right of representing abroad the other Argentine provinces, Buenos Ayres professed to be an integral part of the State of the united or confederated provinces. In fact, without being an Argentine province, it could not legitimately represent the others. This is again, even now, its very policy. It preserves its national colour, to have a pretext for interference in the family of the provinces.

To keep from the other provinces, along with the monopoly of external representation, that of all the Custom-house revenues of direct foreign commerce, which Buenos Ayres also held, it was necessary that there should be no general government created directly and immediately by the provinces, since the mere existence of such a government would have stopped all the profits which its absence left to the local government of Buenos Ayres.

Therefore, to prevent the creation of all national Argentine government was, for Buenos Ayres, to defend and preserve the national power and revenues, which it held provisionally because there was no common government.

The possession of the national power and of its resources facilitated for Buenos Ayres the work of preventing the other provinces, which were disunited and impoverished, from creating a common national government. The provinces tried it several times. They fought for it against Buenos Ayres. In many domestic treaties of peace, which put an end to those civil wars, Buenos Ayres promised to co-operate in the creation of a common government, and in the opening of the river ports to foreign trade so that this government might receive revenues for its maintenance. It was the same as promising them that some day or other it would destroy itself with its own hands. It never fulfilled those treaties, and the provinces became convinced that attention to their compact must be obtained by main force.

§7. *Motives of national interest which Urquiza had to bring about the fall of Rosas.—Restoration of the cause of Rosas by his successors in the local government of Buenos Ayres.—Political object for which Buenos Ayres separated itself from the Argentine Confederation.—By whom has the free navigation of the rivers been proclaimed, and who is interested in its preservation?*

This was the original object of the war which was declared against Buenos Ayres, in 1852, by General Urquiza, as the head of a province which possessed fine ports for foreign trade, but which were closed by the policy of Buenos Ayres. Having defeated General Rosas, governor of that province, Urquiza convened all the others to agree on the means of creating a general government, and of regulating the navigation of the rivers, as the basis of the existence of that government. That Convention was signed at San Nicolas de los Arroyos, in May, 1852, by all the governments of the provinces, including that of Buenos Ayres.

But in June, 1852, Buenos Ayres, as was to be expected, protested against this preparatory agreement for the constitution of a general government. Then, and on this account, began the opposition, which is still kept up, between Buenos Ayres and General Urquiza, as head of the national government.

Notwithstanding that protestation from Buenos Ayres, and its deliberate withdrawal or separation, the provinces created a general government, relying on the principle of the authority of the majority.

They form, and really are, the national majority, since they contain a million of Argentines; while Buenos Ayres, with half its population consisting of foreigners, scarcely contains three hundred thousand inhabitants. As a national majority, the provinces could certainly legislate for the dissentient minority. Buenos Ayres itself, in giving birth to the Argentine revolution against Spain, in 1810, proclaimed the *sovereignty of the Argentine people*, composed of the *united provinces*. In every Federal or Unitarian Constitution, that people has preserved its identity or individuality of sovereign state, under the name of *Argentine Republic or Confederation*. Every one of its laws, either local or general, is a proof that all the provinces formed one sole nation. In the many treaties which that nation has made with foreign nations, Buenos Ayres figures as an integral province of it. Its standard, colours, seal, and coat-of-arms (all of which Buenos Ayres continues to use to this day) belong to the Argentine Republic. To secure to the only Argentine government the means of a fixed and respected existence, and to prevent that the Custom-house revenues of the provinces, and the exclusive right of representing them abroad,

should fall again into the hands of the province of Buenos Ayres, it was necessary to take away from that province the monopoly of river navigation, kept up to the detriment of foreign ships. General Urquiza, as head of the provinces, abolished the colonial laws, which closed the rivers, by a decree issued on the 28th of August, 1852. He promulgated this decree in the exercise of the foreign political direction, which had been entrusted to him by all the provinces, *including that of Buenos Ayres*.

On this account, Buenos Ayres had to accept the opening of the rivers; but it hastened to reject the national authority of General Urquiza, so as to prevent the formation of a national government. Such was the object of its revolution of the 11th of September, 1852. It thus isolated itself from the other provinces, with the view of preventing them from creating a common government, just as it had done on several other occasions.

When it held the monopoly of foreign trade, and the revenues of the customs, it left the other provinces without the resources necessary to constitute a national government, whenever it chose to take an isolated position. But, so that its isolation, on this occasion, might not produce the same effect, General Urquiza gave an additional extension to the freedom of river navigation (proclaimed on the 28th of August), by a new decree, dated on the 3rd of October, 1852, by which he extended the freedom of navigation to foreign ships of war and to mercantile ships of every size.

§8. *Buenos Ayres seems to adhere to free river navigation, the better to combat it. Its isolation is an active hostility against that freedom.*

As Buenos Ayres could not close the ports, which had been opened by making use of the authority which it had itself delegated to General Urquiza, it apparently adhered to the opening of the ports of the provinces, by a provincial law which it passed on the 18th of October, 1852; and in which it declared, as a principle, the *expediency* (not the right) of navigation in the Rio Plata for foreign nations. It is known that the Rio Plata was open to navigation from the time of the Spaniards.*

This law was a mask to combat with more security the freedom of navigation, which was the death-blow of the monopoly of Buenos

* See the local law of Buenos Ayres, on the 18th of October, 1852, in the official edition of its protestation against the free navigation of the rivers, and in the two editions of the pamphlet of Señor Balcarce.

Ayres. General Urquiza had proclaimed, not as mere "expediency," but as "a principle of public Argentine Constitutional right," the freedom of all rivers flowing into the Plata (26th article of the Federal Constitution).

To render that principle irrevocable and perpetual, and that it should not remain consigned in a law liable to be suppressed by another law, General Urquiza introduced it in international treaties, which he signed with England, France, and the United States, in July, 1853.

When Buenos Ayres saw that, by that means, the freedom of the rivers became a real fact, it threw aside the mask of its law of October upon the freedom of navigation; and, hardly a year after having issued it (on the 31st of August, 1853), it protested "before God and men" against the illegal proceeding of General Urquiza, in the fact of his "having made and concluded treaties of navigation, for the rivers of the interior, with the Ministers of England, France, and the United States."

As, however, the signing nations ratified them, notwithstanding that protestation, Buenos Ayres protested in another way against the effects of the said treaties. It separated its river territory, from the general authority of the nation which had signed them, by means of the local constitution which it sanctioned on the 11th of April, 1854. That constitution is the code of its own system of anarchy, and a challenge thrown out against the peace of the Argentine provinces. This is not because it may not possess a provincial constitution; for in the organization of the Argentine Republic, for internal government, each province has a local constitution. Provinces are constituted to maintain the common constitution; but that of Buenos Ayres to destroy it.

By that local constitution, Buenos Ayres is, at the same time, "an integral part of the Argentine Republic, and a sovereign independent state." That is to say, that, to govern the nation, it is an integral part of it; but, to obey it, it is an independent State.

The Argentine Confederation protested against that constitution, and this latter part of it, by a solemn act of its national government, in November, 1854.

50. *The mere isolated position of Buenos Ayres is an attack against the order and the liberty of the nation. For that purpose, it seeks the co-operation of foreign nations, while concealing that object to their view. What is the reason for which the institution of a national government is unpopular in Buenos Ayres?*

Such is the meaning of the separation or isolation in which Buenos Ayres perseveres, with regard to the Argentine provinces. It is a double protestation, effectively and practically, against the national sovereignty, in virtue of which the majority of Argentines have the faculty of making laws and treaties, even in behalf of a dissentient minority; and against the principle of free navigation of the rivers, which is to people and civilize the Argentine provinces, and the vast and rich territories of inland America.

To secure the triumph of such a bad policy; to re-establish the anarchical isolation of the provinces, which in other times gave it the power of ruling them; and partly to annul the treaties of free navigation, which have carried off its ancient monopolies; Buenos Ayres seeks for the co-operation of the foreign nations who have signed them, by deceiving them with written and nominal promises of a liberal character which is contrary to its habitual interests.

Let but Europe give it the co-operation after which it seeks, and it will only support the disorder, and the opposition, of which its fellow-countrymen on the Rio Plata have been the victims for so many years.

Those who pretend to explain the separation of Buenos Ayres from its personal hatred for General Urquiza, naturally deny that interests of commerce and navigation are the cause of that separation; and they give as a proof of it that Urquiza is specially detested by the classes of the population which have least to do with commerce and navigation; such as the ladies, the youth, and the multitude in general. This is nothing but sophistry.

The people of Buenos Ayres do not impose their opinions on the government, but receive them from it. What is there called public opinion, is official opinion.

The fair sex is a government instrument, since the time when Rivadavia suppressed the municipalities, and distributed their attributions between a military police and a female corporation which called itself a "Society of Beneficence," placed, like the police, under the Minister of the Interior.

The local government, which receives now two millions less of Custom-house dues, and which can no longer legislate for commerce, which, for the first time, passes beyond its port, cannot but be sensitive at such a loss.

And as such a power and revenues, now passed into the hands of the whole nation, have been for so many years under the management of Buenos Ayres as if they belonged to it, the generation which has grown up accustomed to such an irregularity, considers the natural withdrawal of such national property from Buenos Ayres, to constitute therewith a government and a treasury for the whole nation, as a humiliation and a spoliation inflicted on its province.

For this reason it is very easy for any government in Buenos Ayres, which does not choose to act in good faith, to manage to render odious, in the eyes of the local population, any one who attempts to create a government for the nation, whoever that man may be, even if he be a Porteño (native of the port, "par excellence," *i. e.*, Buenos Ayres), as happened to Rivadavia.

§ 10. *For what reason have the British creditors of the Government of Buenos Ayres, and the foreign commerce established in that port, opposed the new system of the Confederation?*

The same reasons for which Buenos Ayres resisted the policy of General Urquiza, influence also the friends of Buenos Ayres who shared in the monopolies which that province has lost by the work of the man who has given to the nation a general government and a direct commerce.

The chief parties among them are the European merchants who have established firms in the port of Buenos Ayres, and the British creditors of the local treasury of that province. Nothing is more easy of comprehension than the opposition of such persons to the new order of things, which has deprived them of such advantages, and to the promoter of the new situation. For it has taken away from Buenos Ayres the monopoly of the revenues of the Custom-house, with which that province paid the interest of its local debt. It has also taken away from the agencies of consignment, at Buenos Ayres, half their trade, which goes now directly to the newly-opened Argentine ports.

For such persons, naturally, Urquiza must be a wicked ruler, the enemy both of civilization and of Buenos Ayres.

The British debt of that province is local and municipal, owing to the want of foresight of the lenders, who, at the time when the loan was negotiated, did not take the care of ascertaining clearly the individuality of their debtor. If at first their error might be excused from want of information on the situation of the country, this no longer holds good at present, if it is intended to make the debt altogether a

local one, when it might be changed into a national debt. The province of Buenos Ayres contracted that debt in 1824, when there was no sort of national government. Later, in the month of December of the same year, a constituent Congress was convened.

Buenos Ayres borrowed in virtue of a local law, and for local purposes, which are mentioned in that very law; such as, to provide the city with water fit to drink—to construct a port for Buenos Ayres—to form in the south of the province some colonial settlement, &c. The very bonds, in their wording, prove the provincial character of that debt, and the *Times* only re-produces it in calling the scrip of that debt "Buenos Ayrian Bonds," and not "Argentine Bonds;" just as it speaks of "Spanish Bonds" for those of that nation, and not of "Madrid Bonds;" or of "Brazilian Bonds," and not of "Bonds of Rio Janeiro;" or again, of "Chilian Bonds" and not of "Bonds of Santiago."

However local that debt was, it was paid with the revenues which belonged to all the Argentine provinces, when Buenos Ayres kept for itself the whole of their custom-house revenue, by means of the monopoly of direct foreign trade.

In opposition to this, it is objected that Buenos Ayres pays better at the present time, when it stands isolated, than before, when it was united to the other provinces and held the monopoly of their foreign trade. From that fact some economists conclude that Buenos Ayres has increased its public revenue, now that it comes from two hundred and fifty-thousand inhabitants; while before, it was produced by a million and a-half. It is exactly as if it was said of a gambler, that he was very rich, because he is seen to put down a great deal of gold on the table. The debt of Buenos Ayres is now changed into an ardent political game, in which Buenos Ayres has staked its ancient power, its pride of former metropolis, and all its local interest of influence and vanity. To recover the ascendancy which it has lost, with regard to the nation, it would give its life-blood. This would be a dead loss for those who would receive it; because they would lose their debtor, before he had cancelled his debt. Buenos Ayres thinks to be able to recover the management of the Argentine diplomacy, by dint of the gold which it gives to its British creditors. But to raise this gold, it borrows—that is to say, it circulates "assignats." It pays the interest of one debt with another debt, and not with actual revenues. It increases its debt in the same proportion as its revenues diminish. The British creditors do not understand this, because the paper money of Buenos Ayres keeps up its value in spite of the new issue. They do not remark that the paper money does not find its way to the London exchange; but remains in

the streets of Buenos Ayres. It is the paper money of a province where the people have not touched a dollar of silver for the last two generations, which have grown up in the midst of paper money payments. The butcher, the workman, the man in the streets, who hold such paper, never inquire if the government revenues, which serve as a guarantee for it, increase or diminish; and only begin to be aware of it when bankruptcy shows its terrible aspect.

§ 11. *The former ascendancy of Buenos Ayres cannot be restored.—The European governments have contributed to remove it, by negotiating the opening of all the Argentine ports.—Permanent opposition, created by the treaties of free navigation, between the foreign merchants of Buenos Ayres and their governments.—The only way of overcoming that difficulty.*

Buenos Ayres, its British creditors and its foreign consignees of all countries (whose interests are common with it, to a certain extent,) hope and labour to re-establish, if not in whole at least in part, the situation which gave for forty years, to Buenos Ayres, the exclusive enjoyment of foreign commerce and the Custom-house revenue of the fourteen Argentine provinces. In this hope, the government itself of Buenos Ayres induces them to present petitions, to obtain from the British government an indirect support for the isolated position assumed by Buenos Ayres as an hostile tactic against the formation of any national government. And the most singular part of this is, that they invoke the interests of peace, to restore a state of things which, as has been shown previously, consisted in anarchy and civil war, turned to account, and as a means of government, on the part of Buenos Ayres.

Is such a scope practicable? And can that ever be a solution of the question which divides Buenos Ayres from the other Argentine provinces? Ought foreign powers to support such an intention? Could they allow, or tolerate even, such a solution? No, fortunately; for the first obstacles thereto are the very interest and acts of those foreign powers.

On the very day that the governments of England, France, and the United States have signed the treaties of the free navigation of the rivers flowing into the Plata, they have themselves snatched from the hands of Buenos Ayres the monopolies of revenue and power, which that province held owing to the closing of the other Argentine ports;

and as those treaties are perpetual, those very governments have made the loss of the monopolies irrevocable for Buenos Ayres.

From the ratification of those treaties, the object of British policy in the Plata is in contradiction with that of the British merchants and creditors of Buenos Ayres. The same has happened, for the policy of France and the United States, in the Plata. The native and foreign population of Buenos Ayres, as well as the British bondholders, complain in vain of General Urquiza. He is not the only servant of the general interest of his country. For there are also to be found, as such, the Foreign Office, the cabinet of the Tuilleries, and the government of Washington, who are the parties that have diminished the Custom-house revenue of Buenos Ayres, the consignments of its merchants, the traffic of its port, and the guarantee of its British creditors.

The disagreement will only be the greater, from day to day, as the treaties of free navigation produce all their effects in behalf of the general interest of which those treaties are the expression.

The conflict, then, is limited to the private interest of a commercial market, in opposition to the general commerce of that same place, and of many other places which have still to be developed. By signing the treaties of free navigation, the governments of England, France, and the United States, have already decided in favour of general interest. There is no longer the possibility to hesitate. If, instead of going on in that way, they wish to listen to the complaints of the merchants immediately interested in the monopolies of Buenos Ayres, they will be compelled to carry out two policies diametrically opposed to each other, which would satisfy neither party.

§ 12. *The only means to satisfy the foreign merchants of Buenos Ayres, are to break the treaties and to close the Argentine ports.—The foreign interests, which are supposed to lie at Buenos Ayres, lie on the contrary in the Confederation.*

If it be desired to render a complete service to the foreign subjects established at Buenos Ayres, there is but one way; namely, to break the treaties of free river navigation, and to close thus again the Argentine ports, to restore the laws of the Spanish Indies, which gave no other port to all those provinces than that of Buenos Ayres.

It is only thus that the foreign merchants and creditors of Buenos Ayres can be seen satisfied.

But, as such a solution is impossible, there is but one legitimate way of quieting the complaints which are produced by the principle of

liberty, guaranteed by those treaties. That way consists in subordinating private interests to general interest, by incorporating the interest of Buenos Ayres with the general interest of the Argentine nation.

The following objection, however, is made against this proposal:—"Our chief interests lie in Buenos Ayres, and not in the Confederation. We have great interests, and a large number of subjects, in "Buenos Ayres," will say, for instance, the governments of England and France.

However, the assertion is not exact. The greater part of those interests are in reality to be found in the Confederation, of whose provinces Buenos Ayres continues, even now, to be an intermediate market, as it ever was; owing to the working of the colonial laws, but not by its geographical position. Those who make that objection, take the port for the market. Buenos Ayres was the port of the fourteen provinces before the present time. Its commercial houses made the purchases and sales of all the provinces, and its produce, in going out of the country took the name of the port of exportation.

Thus, in England, "Buenos Ayres hides and copper" are spoken of, just as are quoted in the Plata, "Linen webs and hardware, of Liver-pool."

If this had not been the case, Buenos Ayres would not have protested against the treaties which open the ports of the interior, and would itself have opened them forty years ago. Since those treaties have taken away from Buenos Ayres the privilege of calling itself the *Porteño*, or Port City, "par excellence," the governments which have signed them have no other way of compensating their subjects established in Buenos Ayres, for the losses which free trade has made them suffer, than to give them an interest in the well-understood profits of free trade itself.

Instead of blockading the Argentine ports, as it formerly did, Buenos Ayres has another means of re-establishing its ancient commercial action relatively to the other provinces; and that is to construct a railway which would connect it with them much more effectively than river steamers.

Instead of pretending that the Custom-house revenue of the fourteen provinces should return to the management of Buenos Ayres, so that it may be able to pay its British debt, it would be better to place the debt to the account of the nation, with whom are, and will more and more be found the revenues which served as a guarantee for contracting that debt. Let the debt be considered to lie where happen to be the revenues which acted for it as a basis, instead of drawing the revenue of

a whole nation to the point where can only be found the debt of a single province.

How is this to be done? Let Buenos Ayres return with its debt to the main body of the nation, and then its creditors will hold as debtors a million and a half of inhabitants who possess the richest territory of South America, instead of being, as at present, the creditors of two hundred and fifty thousand citizens who have placed themselves in a permanently hostile position relatively to the whole world.

§ 13. *The restoration of the National unity of the Argentine Republic, includes the solution of all the points in question. This solution is practicable.—Unity is ancient, while division is but recent.—For the present a relative or partial unity is sufficient.*

The "unity of the Argentine nation" is then the only sensible solution of all the difficulties which the foreign commerce of Buenos Ayres now endures and will continue to endure.

But that such a unity might have its proper effect, it would be necessary that it should be effected by subordinating the mouth of the Plata to the control of the countries situated on its tributary rivers, which contain the greater number of citizens and has consequently the right of imposing laws on the minority. Thus, justice as well as interest prescribe that solution. As the freedom of river navigation is the principle which maintains the existence of the Argentine government, it is evident that foreign nations, being interested in extending their commerce into the interior of America by means of that principle, ought to concur to the equitable placing of the general authority of those countries in the hands of those who need the development of commerce and navigation, as an indispensable condition of existence. That solution is not impracticable. The restoration of Argentine unity, or the union of Buenos Ayres with the Confederation, is not a paradox: far from this; for it is a fact which has existed for ages. What is a complete novelty, is the division; and a proof that that division is artificial, is the invincible tendency of both parts to come together again as they ever were. All will depend on the manner and means by which the re-union will become effected for the present. It should not be inferred that it is completely impossible, because it cannot be effected in a complete and absolute way. The union will become practicable, if it is limited for the present to the centralising of a few

interests which are essential for the nationality of the country, leaving the rest to the gradual working of future policy. Provided the nation be one and the same, and provided it has "one only government" for those who come from abroad, it matters little whether its internal Constitution leaves more or less latitude to the government of Buenos Ayres. Such a solution is not unprecedented in the history of that very country. In 1825, and on all the occasions on which the provinces have led a united existence in the matter of external relations, that union has been relative, and such as we have just proposed.

§ 14. *The independence of Buenos Ayres would not be a solution but a more serious complication.*

The fact is, that besides such a solution, there is no other. The independence of Buenos Ayres would not be a solution, but, on the contrary, an additional complication. It would be to render perpetual the struggle which at present may be temporary. To form for Buenos Ayres an independent position, would be to give it a stronghold wherefrom to carry on hostilities, with all impunity, against the development of the ports and markets which now compete with its own, and which formerly were accessory to it. It would be to create at the mouth of the Plata a permanent fortress against the free navigation of the rivers of the extensive and rich countries to be found inland and bordering the banks of the large and numerous tributary streams of that mighty river. And if the island of Martin Garcia, which on account of its position at the entrance of those rivers, is called "the lock of the Plata gates," was left under the authority of Buenos Ayres, it would be like placing again the newly liberated river navigation under the care of its former gaoler, who has been constrained to surrender it. The key of the Confederation, which is Martin Garcia's island, in accordance with the treaties of July, 1853, on the free navigation of rivers, ought to be placed in the hands of those who reside inland, like the key of every dwelling; and not to be entrusted to those who are outside, having an interest in locking up their rivals. No sort of right is opposed to this, since the Island of Martin Garcia belongs to the "Argentine Republic," and not to the Argentine province of Buenos Ayres; and the Foreign Office holds a demonstration of this truth, in the Memorandum written on the Falkland Archipelago, in 1832, by Dr. Alcina, who is the present governor of Buenos Ayres.

But as Buenos Ayres itself does not demand such an independence, to concede it would be to grant it what it does not ask: and the officious creators of a new State would be precisely the foreign powers most interested in avoiding it. Buenos Ayres would accept absolute independence in one case only; namely, when it found itself conquered by the nation and obliged to obey its authority. For the present, the independence which it desires would be a kind of loop-hole out of which it could escape its adversaries to renew its attack at pleasure.

The creation of two petty States at the mouth of the Plata, such as Buenos Ayres and Montevideo, is the surrender to Brazil of the keys of the navigation of its tributaries, in the same way that it already holds those of the Amazon. Under the name of an independent State, Buenos Ayres would become a Brazilian province.

Urquiza is not the cause of this conflict, nor is his person the obstacle to the union between Buenos Ayres and the other provinces. His removal from power would not be a solution of the question. Were an angel from heaven to succeed him in power and to give to the Argentine Provinces what they require and desire most, namely, a national government of their own immediate creation and direct foreign commerce for all their river ports, Buenos Ayres would see in the angel himself an obstacle, because he would give to the nation a government, a commerce and a revenue, which were in the hands of Buenos Ayres, when the nation existed without a government of its own.

Thus, the real obstacle, in the eyes of Buenos Ayres, is the nation itself, and the right of that nation to administer its government and its interests by the medium of all the provinces united, and not by means of only one of its provinces.

Buenos Ayres is in the position of a guardian who has managed for many years, as if it was his own, the fortune of wards placed under his care. The guardian and his sons, who are accustomed to holding, enjoying and displaying the fortune of others, have begun to think themselves more rich than they really are, and strangers have ended in considering them as the owners of what they administered.

As the day of reckoning arrives, and as he has to restore to its rightful owners the said patrimony, the guardian tries to put off the painful restoration, and a quarrel breaks out in the house. As there are no judges to decide the contests between the provinces of the same country, they have been obliged to do what nations do in such cases; they have constituted themselves as judges, and have obtained the accounts by main force. The guardian and his family have complained of the means used and of the manner of asking. However, that manner is not the most sensitive wound, but the fact of having to restore the property. Not being able to complain of the *object* of the demand

they complain of its *form*. But what formula cannot be harsh when requesting the abandonment of an enjoyment.

That restitution has also appeared a humiliation inflicted on the guardian, in the eyes of those who had taken him for the owner of the property of his wards. The British creditors of Buenos Ayres are found among those deceived. They had lent to the guardian a million sterling, blinded by a yearly revenue amounting to an equal sum, which they saw received. They forgot to ascertain whether that revenue was the borrower's own, or belonged to any body else. It is only now that they know that the annual revenue of a million sterling, on the strength of which they lent their money, goes off along with the Custom-house and commerce into the hands of the provinces, who never received that loan, and are the real owners of the revenue on the faith of which it was effected. Then, to put off the settlement of accounts, so that the guardian may be able to pay his debts, he receives assistance in maintaining that the wards (*i. e.* the provinces) are still too young and ignorant to manage their own property, and that the guardianship of Buenos Ayres ought to continue.

§ 15. *The present organization of the Confederation is indestructible.—It does not lie in the written constitution.—It is to be found in the treaties of free navigation of the rivers.—These constitute the real Argentine organization.—Any disorder could not restore to Buenos Ayres its former ascendancy.*

Nevertheless, the guardianship is ended, and for ever, because foreign powers have contributed to its having an irrevocable termination, by signing the treaties of free navigation of rivers to forward general interests.

These treaties are the masterwork of General Urquiza. That monument will outlive his own existence, as an obstacle to the vain aspirations of Buenos Ayres to destroy it.

The organization which Urquiza has given to the Argentine Confederation is not ephemeral, as is believed by the crowd which knows not how to reflect or observe. That organization is not to be found in the written constitution; it lies in the treaties of free navigation of the rivers, which he has signed with the great nations for an indefinite period. Those treaties are the real new constitution of the Confederation, just as the former was the laws of the Indies abrogated by them, and which constituted it previously to the advantage of the supremacy of Buenos Ayres. Those treaties of free river navigation, which are a

derogation to the colonial laws, in withdrawing from Buenos Ayres a great portion of foreign commerce, Custom-house revenues and diplomatic power, previously monopolised by that province, and placing it into the hands of the provinces at large, have made a perpetual and radical change in the economical and political condition of the whole country; that is to say, in its normal and effective constitution, whatever may be said of its written constitution. By such a dignified way, without any humiliating protectorate, the Argentine diplomacy has succeeded in having Europe and America as guarantees for ever, in the name of universal interests, of the existence of the new system of the Argentine Confederation.

All the efforts of Buenos Ayres to destroy that system will be vain and useless. The provinces will no longer replace in its hands their government and their revenues, any more than they will restore them to the government of Madrid. Buenos Ayres now performs the part which Spain took in the war of Independence. It will lose its time and money in attempting to restore a domination for ever ended by the mere force of events.

Anarchy can again exist in the provinces, especially if care is taken to foment and encourage it; but the ascendancy of Buenos Ayres will not return for all that. When the provinces were isolated and blockaded, (that is to say, deprived of all direct foreign commerce,) their anarchy brought the whole national power into the hands of Buenos Ayres, because, as the only port of all the provinces at that time, it took from them, owing to that advantage, the whole of the Custom-house revenue, and kept it in virtue of the state of mutual isolation. But now that the provinces have experienced what they are capable of, and what value they acquire when constituted as a national corporation, and have become acquainted with and enjoy direct foreign trade, their anarchy would produce no sort of profit to Buenos Ayres; because, in spite of any political disorder, commerce, along with the Custom-house revenue which it produces, would always find its way into the new ports, taking advantage of the water carriage which takes it to its final destination, and would not stop at Buenos Ayres as formerly.

§ 16. *To refuse to acknowledge reforms, made in the interest of civilization, is to encourage in America the old prejudices against Europe.*

If the Buenos Ayrians may have some excuse for opposing the man who has created the new order of things, on account of his having deprived them of usurped advantages; the foreign traders and the

British creditors of Buenos Ayres can have none, when they pretend that Urquiza is a leader without worth. When the press and political world in Europe makes itself the echo of such injustice, they deeply injure their own interests in the New World. Europe and foreign nations have never received, from any South-American leader, the services which General Urquiza has rendered to the cause of its commerce in the New World, and to that of civilization at large. San Martin, Bolivar and others, created the independence of South America; but they left it under the rule of the colonial "laws of the Indies," which struck independence with sterility. The first man who undertook to derogate from these laws, for the sake of the chief interests of Europe in South America—such as navigation, commerce, freedom of worship, immigration, and the civil rights of foreigners—is General Urquiza. Other statesmen had introduced reforms on those subjects. Those which he has carried out have been declared as the fundamental laws of the Confederation and inserted in the Constitution of the country. By such an act, General Urquiza has introduced a change, in South American public law, equal in importance to that made by its independence. He has neither written nor proclaimed it hypocritically. He was the very first to seek and find guarantees to make it irrevocable, by signing with foreign powers treaties which make a "complete right" of their subjects whatever civil guarantees are granted by the Constitution to the inhabitants of the country. Those treaties exist as a fact, and are not mere newspaper schemes. In the space of six years, General Urquiza has signed more treaties of this kind, than the whole of Spanish America in ten years' time. For forty years Buenos Ayres held in hand the exterior policy of the provinces, and in the whole of that period it only signed one single treaty of navigation and commerce. This was the treaty made with England in 1825. By that treaty it secures its privileges by appearing to serve commercial freedom. For, while the first article opened the trade of the Argentine provinces to England, the second article admitted its ships only in the ports qualified by the laws of the country for the admission of foreign flags; and those laws were precisely the colonial "laws of the Indies." It is notorious that those laws closed all Argentine ports to foreign trade, with the exception of Buenos Ayres; so that the commercial freedom granted to England was an illusion. England could trade freely with the whole Argentine Confederation, provided it did not do so by means of the navigation of the rivers. And as the country has no other ways of inland intercourse than its rivers, the closing them to foreign ships made all foreign trade impossible with any other point than Buenos Ayres; in other words, it reduced European commerce in those countries to a tenth part

of what it might be, in proportion to the population, and to the extent and richness of its soil.

General Urquiza, in opening all the Argentine river ports to England and the world, by the treaties of 1853, has turned into a reality the nominal freedom which Buenos Ayres had granted to European commerce. To refuse to recognize such a merit in General Urquiza, is to encourage the policy of those who have governed South America with the principles and spirit of Dr. Francia, of General Lopez in Paraguay, of General Rosas in Buenos Ayres, of General Belza in Bolivia, of General Monagas in Venezuela, &c.

§ 17. *A way of opposing the free navigation of the rivers, is to deny their navigableness.*

Another way used to diminish the importance of the service rendered to European nations by General Urquiza, has been to represent the proclaimed freedom of river navigation as useless to them, by spreading the report that the tributary streams of the Plata are not navigable. This is being done at present by the Buenos Ayrians and those friends of theirs in Europe who are interested in their monopolies. It is, however, too late. Buenos Ayres itself has published the best documentary evidence of the navigableness of those rivers, during the time that it boasted of them as its patrimony. Recent explorations, and the river-charts given to the public by the British Admiralty and by the Washington government, leave not the least doubt on the fact that the navigation of those rivers is not only possible, but also very easy and of great extent, and is an immense acquisition for the commerce of the world.

The best additional answer to those who deny the navigableness of the tributary rivers of the Plata, would be that afforded by the fact of its actual operation. "El Rosario," a town of 24,000 inhabitants at present, and the largest of the whole Confederation, after Buenos Ayres, has grown up, in six years' time, owing exclusively to the freedom of river navigation, which the monopolists represent as impracticable because it is hateful to them. Proper self-respect prevents us from reprinting the insults and epithets bestowed by the *British Packet*, a newspaper of Buenos Ayres, which is an organ of its commerce, in an article entitled "Stupendous Infamy,"

against the treaties of river navigation and against its negotiators, Sir Charles Hotham and the Chevalier de Saint Georges; and published as the very first notice which came to Buenos Ayres of the treaty being concluded.*

If the ocean ships never had passed, previously to that time, beyond the island of Martin Garcia, it was not because the tributary rivers of the Plata (at the entrance of which the island is placed) were not navigable for such ships; but because the Spanish colonial laws, which closed them against every foreign flag, obliged them to stop at Buenos Ayres or Montevideo, at the entrance of the Plata. Those laws characterised as an *offence* the act of going beyond those privileged ports, and punished with *confiscation* the foreign ship which so passed on. Under such a legislation as this, the monopolist commerce of Buenos Ayres was created and organised.

What was the mere effect of a law, is now attributed to the nature and geographical position of Buenos Ayres. That position, however, did not prevent the navigation of the Plata from being called, at the beginning of this century, "the hell of navigators," by the Spanish sailors, who had begun to undertake it. The want of experience, which made the approach of the coast of Buenos Ayres so terrible, is what makes, at present, against the navigation of the Paraná. But the waters which have been the scene of the battles of *Obligado* and of *Tonelero*, between fleets which were able to manœuvre just as well as in the open sea, will be shortly as well known and as frequented by foreign flags as the waters of the Plata itself.

§ 18. *The only just and useful object of policy for foreign powers in the Plata.*

As soon as the motive which keeps Buenos Ayres separated from the rest of the Confederation is known, and that it is also known that that motive is not a personal one, except in so far that General Urquiza represents an order of things which has put an end to the hateful monopolies which Buenos Ayres kept up for forty years; when it is known, moreover, that that separation is a tactic which Buenos Ayres always adopted to prevent the creation of a National govern-

* See the *British Packet* of Buenos Ayres, August the 6th, 1853.

ment, so as to continue to handle the attributions and revenues of that national power, which it succeeded in doing for forty years; and when it is also known what was the use made by Buenos Ayres of that authority, to prevent the navigation of the rivers by foreign nations, so that the direct foreign trade of the fourteen provinces should be carried on by its own port only, and to take exclusively for itself the custom-house revenue of all the others; it is easy to know for the support of what party ought to be made to work the mediations, interventions and even the neutrality of foreign governments in the Rio de la Plata.

To be useful and just, their policy ought to have no other object than to induce Buenos Ayres, directly or indirectly, to abandon its isolated position; that is to say, first, that it should cease to oppose the institution of a national government, of which great need exists for the maintenance of peace in the provinces; secondly, that it should recognise and respect the sovereignty of the Argentine nation as a superior authority to its provincial government, conformably to the principle of authority which Buenos Ayres itself proclaimed, in the name of the people of the United Provinces, at the time of the destruction of the authority of Spain in 1810; thirdly, that it should adhere to, and accept, the treaties which, in the exercise of that authority, have been signed by the majority of the nation to make irrevocable and perpetual the principle of the free navigation of the rivers, by means of which all Argentine ports can henceforward carry on direct trade with foreign ports, which formerly was carried on exclusively by Buenos Ayres, thanks to the hateful closing of the rivers.

It is only thus, that the exertions of European governments can have for result the re-establishment of the integrity of the Argentine nation, in which is contained the solution of all the internal and external questions of that country.

If, on the contrary, the governments of Europe, instead of inducing Buenos Ayres to give to the nation what belongs to it, pretend to induce the nation to leave things as they are—that is to say, to leave in the possession of Buenos Ayres what belongs to all the Provinces—the result of their efforts will be, if they succeed, the final division of the Argentine Republic into two rival nations: namely, Buenos Ayres and the Confederation. The rivalry of interests, which has occasioned the question, would keep up the hostilities, after the division was sanctioned; and civil war, which before was an accident, would remain organised in institutions of a morbid character.

If the origin of the present division lay in personal rivalry, by dividing the parties into two independent States, peace would be established. But the division of Buenos Ayres from the other Pro-

vinces has its source in the state of things, instead of the choice of persons. It is a rivalry of localities and not of individuals. That is the reason why men succeed each other, but the rivalry remains. Thus has Alcina, when placed in the position of Rosas, defended the same cause as Rosas: namely, the propensity of the old "port" to absorb the vitality of the whole nation. The remedy for the evil does not consist in dividing what was always united; but in re-organising union by distributing equally, between the two parties, the benefits of the wealth and power which have been monopolised by only one of them.

Happily, the remedy of the evil is practicable, because the evil does not exist in the physical but in the artificial order of things which the Spanish colonial laws bestowed upon the interests of different localities of the country. What has been the work of laws and of policy can be corrected by them.

The Argentine contest and division lies between the interests of the countries situated at the mouth of the Plata, and the interests of the countries situated along its tributary rivers. The Spanish colonial laws created that contest. By giving to the former, to the exclusion of the latter, the whole enjoyment of direct commerce with Europe, which was the source, for these desert countries, of their population, their wealth and their agriculture; the "laws of the Indies" left there the germs of their present contests. To create that inequality, it was sufficient for the Spanish laws to close the river ports of the interior against foreign trade, and to except from the prohibition Buenos Ayres and Montevideo, situated at the mouth of the Plata.

Spain did not make such laws for this colony, with the object of creating such a difficulty, but to be able to monopolise herself its commerce, and to exclude from it the other nations of Europe. Hence, however, arose the supremacy of the ports of Montevideo and of Buenos Ayres over those of the Provinces, situated in the interior of the country through which flow the tributary rivers of the Plata, namely: the Paraná and the Uraquay.

But the treaties of free river navigation derogating to the "laws of the Indies," and giving to all the Argentine ports, in an equal proportion, all the enjoyments of direct free trade with all the world, have served the interests of the provinces which were excluded from that trade, and have annoyed the countries at the mouth of the Plata, which carried on this monopoly. Hence, the opposition of Buenos Ayres to the treaties against which it protests, and the tacit opposition of Montevideo to these same treaties, to which she has refused to this day to become a party.

Forwarding thus the cause of justice in the distribution of wealth

and power, these treaties have prepared the only possible solution of the question which divides the Argentine countries. At present, there is only need of developing their consequences, and, far from leaving Buenos Ayres and Montevideo out of the range of these treaties, as they hold themselves for the present, they ought to be induced to accept them as the only way of reconciling rival interests.

The independence of Buenos Ayres would not cause its commercial and political rivalry to cease. Thanks to its independence, it would develop it with more energy; and then there would be less facility to conciliate its interest with that of the provinces, on account of that very independence; because it is much more easy to unite the interests of two rival provinces, than those of two independent nations placed in an antagonistic position. The independence of Buenos Ayres would render irremediable the evil of its division from the other provinces; just as is the case with Montevideo, the absolute independence of which, with regard to the Argentine Republic renders incurable its commercial antagonism towards the provinces of that Republic; for no treaty has been made, or can ever be made which will conciliate the opposing interests of its port with those of the Argentine river ports, as a common Constitution could have done.

§ 19. *The basis of a treaty offered by Buenos Ayres to the Minister of the United States, as a mediator, are not bases of union, but of permanent division.*

These bases deserve to be reproduced here textually, as the best corroborating document of the truth which we have set down in this pamphlet. They are as follows:—

1. Each of the contracting parties recognises "national integrity" as the principal object of all arrangement; that is to say, the definitive union of the fourteen Argentine Provinces under a common government.

2. To facilitate and bring within reach the attainment of that object, the present President of the Confederation will, as soon as the present bases are signed, make the patriotic sacrifice of withdrawing completely, and for six years at least, from political life; the actual respective order remaining, in other regards, as it is both in Buenos Ayres and in the Confederation; but it being understood that the *statu quo* created by the treaties of 1854 and 1855, remains re-established in all its parts.

3. The present constitution of the confederation shall be revised and modified after the delay which it establishes; that is to say, after the 1st of May, 1863; and as soon as the state or order of things will be

then established, the *statu quo*, mentioned in basis the second, shall cease.

4. The deputies of Buenos Ayres shall concur in the revision of the actual constitution, by doing it in the form and place which the two parties shall agree upon by means of a convention *ad hoc*, which must be made six months before the 1st of May, 1863.

5. The said *statu quo* of 1854 and 1855, shall be guaranteed by the government of the United States; at any rate with regard to the part relating to commercial franchises and liberties.

(Signed)

DALMACIO VELEZ SARRFIELD.*

* These bases having been objected to by the Minister of the United States, as a mediator, Buenos Ayres has withdrawn them, and has replaced them all by the following:—

"As soon as General Urquiza withdraws from public life the State of Buenos Ayres will concur to form a national convention, to revise the constitution of the Argentine confederation of May the 1st, 1853, so as to join itself again to the other Argentine provinces under a common law."

As the confederation owes, at present, its public existence to General Urquiza, and as he is the man best able to maintain the order of things which it has constituted under his influence, the retirement of that chief would have as a natural result, the return of the provinces to their former state of mutual isolation and decomposition. And as that is exactly what Buenos Ayres longs for, the basis which it has presented on the 10th of August (namely, the withdrawal of General Urquiza) will not fail to bring about the result for which it seeks; in other words, the decomposition of the national government.

According to that, this proposal is equivalent to an evasion or total abandonment of any thought of union for the present.

In fact, if the Argentine provinces consented to exclude from the administration of their public affairs the man who has freed them from the domination of Rosas, and who has given them a constitution, a free commerce with Europe, international treaties, and direct and regular diplomatic relations, the world might justly think that the Argentines were wanting in right feeling, and that they are the most disloyal and unfortunate people on earth.

The same opinion would not be formed, if, on the contrary, a demand was made to separate Dr. Alcina and his *entourage* from the Buenos Ayrian administration, as a means of re-establishing the unity of the nation.

The Argentine Republic owes no sort of known service to Dr. Alcina. All his patriotism consists in loving the *provinces* of Buenos Ayres.

In anything but a patriotic spirit, Dr. Alcina has divided the Republic by isolating Buenos Ayres, since the revolution of September the 11th, 1852; and nothing would be more natural than to remove from power the author of that separation, as the best means of re-establishing the union which he has destroyed.

The removal of Dr. Alcina would leave only a province without its present head; while that of Urquiza would deprive of their Governor thirteen provinces, or rather a whole nation.

The retirement of Alcina would leave a bad cause without a chief, since Alcina represents now the true cause of Rosas, which consists essentially in prevent-

A treaty on such bases would not be a solution of the question which divides Buenos Ayres from the rest of the provinces. It would not either be the means of preparing that solution. It would be, on the contrary, the means of putting it off; or, at any rate, to solve the question by the dismemberment of the country, and not by its union.

Such a treaty would be a promise of union for the future (basis the 1st), with the condition of remaining separated for the present (basis the 2nd).

As in all the treaties of the kind made previously between Buenos Ayres and the provinces, *union* was the ostensible object, but *disunion* the real end in view.

The treaty recently proposed is the expression of the traditional policy of Buenos Ayres, for the last forty years, towards the Argentine provinces. It is the resumé of the treaties of 1822, 1831, 1854, and 1855. In all these domestic compacts or conventions, concluded on the proposal of Buenos Ayres as a means of solving the same question as that debated at present (which is as old as the revolution against Spain), the object was to divide the Republic into two parties; namely, that of Buenos Ayres, on one side, and that of the provinces on the other. The former was to govern, and the latter was to accept what the former did without its participation. Buenos Ayres performed the first part for forty years; the provinces, and that is to say *the nation*, performed the latter.

Not being able to govern them, when united by a Constitution, Buenos Ayres governed the nation by dividing it by compacts which promised union at a future time. Buenos Ayres would prefer union immediately, if that union gave it the power which it seeks by division. In that sense, it is sincere when it says that it desires union: it requires only to be added—that it wishes to unite the nation to the province, instead of uniting the province to the nation; that is to say, to subordinate the national Argentine sovereignty to the sovereignty of the province of Buenos Ayres, and not *vice versa*. It is not enough for it to preside over the Union, to be the Capital of the Confederation. The Federal Constitution, which it rejects at present, gives it that rank. The third article of the Constitution which rules the Provinces, says: "The authorities who carry on the Federal Government reside in the town of Buenos Ayres, which is declared the capital of the Confederation by a special law."

Buenos Ayres prefers to be the metropolis of thirteen colonies, than to be the capital of thirteen provinces equal to itself. For forty

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years it governed the Provinces, without their taking any part in their own government with regard to foreign affairs. To obtain this, Buenos Ayres always remained out of the community. It accepted the union as a promise, and it required division as a preliminary condition; so that, to arrive at union, it began by keeping it at a distance. This is what Buenos Ayres actually pretends at present, and its last project of treaty is an expression and proof of the unchangeable nature of its policy.

To attain its end, it admits, by the first basis, that there is an Argentine Republic, a *national integrity*. Without being Argentine, Buenos Ayres could have no title to represent and govern the Argentines.

But, not to be governed by them, it removes at a distance all common compact of union or constitution which would compromise it into respecting the majority; and, instead, it proposes preparatory compacts for a future union, which it does not desire, like in the treaties of 1854 and 1855 which divided the Argentine Republic into two governments and two different countries. It is precisely in those treaties that began the system of distinguishing between Buenos Ayres and the Argentine Confederation.

On those compacts of real dismemberment (which Buenos Ayres annulled by invading the province of Santa Fe, and which it wants to re-establish now) rests the pretended right of Buenos Ayres to have direct diplomatic relations.

Such an attitude—ambiguous, double, without political colouring, only suitable to elude all responsibilities,—is that which Buenos Ayres always took, and which it still wishes to take at present. On the one side, to belong to the Argentine nation, to have the right of interfering in its affairs and representing it abroad; and, on the other, to abstain from being a party to the creation of a national government, to have a pretext for disregarding and eluding its authority. This is to live as a *State in a State*, so as not to receive the law from the Argentine people, and not to be governed by a majority of its fellow-citizens, and so that the laws which Buenos Ayres obeys be made exclusively by *Parteños* (the port men), but never by a majority of the citizens of the nation,—that is to say, by *Argentines*.

With a foot inside the house and another in the street, Buenos Ayres wishes to be Argentine, when the question is to govern the provinces, and foreign, if it is required to obey the majority of Argentines. By confusing the government with the nation, Buenos Ayres pretends that it is possible to belong to the nation and to live in it without depending from the national authority, simply by abstaining from constituting such an authority.

In fact no one, even in Buenos Ayres, has any idea of there being two Argentine nations; two nations with the same name, the same colours, the same coat of arms, the same seal, and the children of whom are fellow-countrymen and citizens. That is the reason why Buenos Ayres does not call itself a "nation;" it calls itself a "State,"—a State of a Confederation, which accepts or rejects, which lessens or increases according as it finds itself at the head or on the level of other provinces. It invokes the federal system to justify such an attitude; but the representative of the first Confederation in the world, has just told it, that as a State of the Argentine Confederation, at the head of which it lately appeared as such before other nations, it ought to entrust external policy to the Government which represents the majority of the Union, instead of pretending that the whole Union of the Provinces should entrust its external policy to the Provincial authority of Buenos Ayres. The latter pretension is a denial of all principle of national existence and authority. Unfortunately, that is the ground on which Buenos Ayres takes its stand.

Buenos Ayres destroyed the authority of Spain, in 1810, and proclaimed, as a principle of national authority, *the sovereignty of the Argentine people*. Buenos Ayres, in undertaking that revolution, announced to the world that the people of the United Provinces of the Rio de la Plata was arrived at its state of manhood, and that it could govern itself. Nevertheless at the present day, after half a century, it refuses to acknowledge the sovereign authority of the Argentine people which it proclaimed, and it declares, like another *Guatemala*, "that it recognises, on earth, no other authority as superior to that of its province."

Buenos Ayres, then, in accordance with this, in the isolated position which it has assumed, represents mere disorder, the rejection of all principle of national authority, the absence of all regular national government; in a word, the principle of the dissolution of the Argentine Republic.

To support this policy of perdition, Buenos Ayres seeks or solicits the indirect co-operation of the foreign nations which are materially interested in seeing secured the peace of the Plata countries! To find peace in that way would be, for those nations, to obtain a peace established by miracle, a peace fallen from Heaven; instead of its being, as it is every where else, peace as a work of the authority of a Nation.