

Confederations as a Balancing Power Device: The Continental Treaty of Santiago (1856)

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Abstract

This paper studies the background, the context and the meanings of the Continental Treaty of Santiago negotiated in 1856 by the ministers of Chile, Ecuador and Peru, taking into consideration a protocol signed by Central American representatives in Washington and the negotiating position of Brazil. Two facets of the initiative are mainly considered: a) the objective of creating a Latin American Confederation, purpose inspired in three previous efforts, and b) the Confederation's role as the first concerted action against U.S. expansionism in the 1850s. Overall, the episode of Continental Treaty substantiates the hypothesis about nineteenth-century perception of the Confederation as a balance of power device in the Western Hemisphere.

Keywords: South America; nineteenth century; American expansionism; continental treaty; Congress of Panama; American Congress of Lima.

As confederações como dispositivo de equilíbrio de poder: o Tratado Continental de Santiago (1856)

Resumo

Este artigo estuda os antecedentes, o contexto e os significados do Tratado Continental de Santiago, negociado em 1856 pelos ministros do Chile, Equador e Peru, levando em consideração um protocolo assinado por representantes da América Central em Washington e a posição negociadora do Brasil. Duas facetas desta iniciativa são principalmente consideradas: a) o objetivo de criar uma Confederação Latino-Americana, inspirado em três esforços anteriores, e b) o papel da Confederação como primeira ação conjunta contra o expansionismo americano na década de 1850. No geral, o episódio do Tratado Continental confirma a hipótese sobre a percepção da Confederação no século XIX como dispositivo de equilíbrio de poder no Hemisfério Ocidental.

Palavras-chave: América do Sul; século XIX; Expansionismo americano; tratado continental; Congresso do Panamá; Congresso Americano de Lima.

Las confederaciones como instrumento equilibrador de poderes: el Tratado Continental de Santiago de Chile (1856)

Resumen

Este documento estudia los antecedentes, contexto y significado del Tratado Continental de Santiago de Chile negociado en 1856 por los ministros de Chile, Ecuador y Perú, teniendo en consideración un protocolo firmado por los representantes de América Central en Washington y la posición negociadora de Brasil. Se analizan

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principalmente dos facetas del proyecto: a) el objetivo de crear una Confederación Latinoamericana inspirada en tres iniciativas previas y b) el papel de la confederación como primera acción concertada frente al expansionismo de Estados Unidos en los años 1850. En conjunto, el episodio del Tratado Continental corrobora la hipótesis de que en el siglo XIX la confederación era percibida como un instrumento para conseguir un equilibrio de poderes en el hemisferio occidental.

Palabras clave: América del Sur, siglo XIX, expansionismo americano, Tratado Continental, Congreso de Panamá, Congreso Americano de Lima.

Les confédérations en tant qu'instruments d'équilibre des pouvoirs : le Traité continental de Santiago (1856)

Résumé

Cet article se penche sur le contexte et les significations du Traité continental de Santiago, négocié en 1856 par les ministres du Chili, de l'Équateur et du Pérou en tenant compte du protocole signé par les représentants d'Amérique centrale à Washington et de la position de négociation du Brésil. Deux facettes de cette initiative seront ici analysées : a) l'objectif de la création d'une Confédération latino-américaine inspirée de trois initiatives antérieures, et b) le rôle de la Confédération en tant que première action concertée contre l'expansionnisme des États-Unis dans les années 1850. D'une manière générale, l'épisode du traité continental corrobore l'hypothèse selon laquelle la confédération était perçue dans le monde occidental du XIX^e siècle comme un instrument d'équilibre des pouvoirs.

Mots-clés : Amérique du Sud ; XIX^e siècle ; expansionnisme américain ; traité continental ; Congrès de Panama ; Congrès américain de Lima.

作为力量平衡机制的美洲联合会：圣地亚哥大陆条约（1856年）

摘要

本文研究了智利，厄瓜多尔和秘鲁的部长们在1856年谈判达成的圣地亚哥美洲大陆条约的背景，内容和意义，同时本文还分析了中美洲代表在华盛顿签署的议定书以及巴西的谈判立场。我们研究了该条约的两个主要方面：(a) 创建拉丁美洲联合会的目的，以及在此之前的三次努力；(b) 建立联合会作为19世纪50年代拉美国家抗衡美国扩张主义的第一次协同行动。总体而言，“大陆条约”的订立以及后续议定书证实了人们的一个假设：19世纪的美洲联合会是西半球的一种力量平衡机制。

关键词：南美洲；十九世纪；美国的扩张主义；大陆条约；巴拿马城会议；利马美洲会议。

¿Y qué diremos de los Estados de la Federación anglo-americana? De unas miserables colonias de la Gran-Bretaña, como eran a fines del pasado siglo han llegado a ser la primera potencia del Nuevo Mundo en armas y letras y sobre todo en industria; ¿y por qué? – porque no contentos con emanciparse del poder británico, han formado entre ellos una liga cuyo objeto no ha sido únicamente garantizar su independencia contra la ambición extranjera, sino también abrir a expensas de un esfuerzo común las fuentes de la riqueza y la civilización.

Benedicto T. Medinaceli (1862, p. 12).^a

Introduction

At mid-nineteenth century, Latin America felt with relative accuracy that United States expansionism was being deployed south. The amputation of half the Mexican territory after the North American War of 1846-1848, along with the proliferation of filibuster incursions in northern Mexico, the Caribbean, Central America and the South Pacific, as well as several attempts to

establish protectorates, particularly of the Galapagos Islands, entangled inter-American relations to levels never seen before. These events provoked the regional chancelleries to seek to join in a Continental Treaty, signed in Santiago on September 15, 1856, by representatives of Chile, Ecuador and Peru, other countries joining the initiative at the end of 1857. The objective of the Treaty was to establish a defensive confederation in line with the Congresses of Panama in 1826 and Lima in 1846-1848, although it differed from these because it sought to impede U.S. 'manifest destiny' enactment.

This initiative, as well as the explanation of its objectives and theoretical meanings, are the central focus of the present article. The hypothesis underlying the work is as follows. The Treaty of Santiago was the first Latin American unionism intended to protect the region against the expansionism of the United States, and in this sense it expresses, on the one hand, a component of the multilateral approach of an emergent inter-American system, while on the other, it substantiates the thesis according to which the objective of the Confederation consisted in restoring the balance in a system affected by the increase in power of one of its members.

To this end, the paper has been structured in seven sections. The first section delimits the basic elements of the study of balance of power: the type of system intended to be established to balance relations between the parties and the foreign powers, and the context of belligerence that stimulated and explained the defensive reaction during the period studied. The following sections develop the chronology of events of the Treaty of Santiago: the rebirth of the confederative ideal linked to the need to prevent American aggressions, and the preparation, negotiation and ratification of the Continental Treaty. The period under scrutiny ranges from the end of the Mexican-American War to the exhaustion of the ratification process in 1857. The sources consulted include, primary sources, such as, the official documentation and the correspondence of the actors; and works and newspapers of the time; to a lesser extent, the scarce contemporary studies.

Balance of power theory in the mid-nineteenth century

Given the various formulations of the balance of power doctrine, its use in this article requires some clarifications.¹ The first is that our study adopts a notion dominant in the nineteenth century, i.e. the action of “opposing a dominant coalition to a supposed aggressor” (SCHROEDER, 1989, p. 137-138).^a This opposition was possible only if countries could satisfy three basic conditions: effective sovereignty, external influence on their relations with other States and awareness of the reciprocal effect of developing as a republic (BURR, 1955, p. 37-38).^a This conception had been present in Latin America since 1810. According to Juan de Egaña, “the safe means to consolidate America, make it respectable and keep it peaceful [in 1813] is a Confederation” (EGAÑA, 1949, p. 139-140).^a An equivalent connotation was systematized by Simon Bolívar as of the First Republic of Venezuela in 1810-1812 and continued in the Jamaica Letter of 1815 and in the Congress of Panama of 1826. The invitation to the Congress of Panama disseminated among the “already confederated” chancelleries the idea that the unionist assembly was a “respectable” system understood as a dissuasive alliance (BOLÍVAR, 1966, p. 211-214).^a Clearly, the formation of the Hispano-American political block is intended to maintain the balance of power in the world” (LECUNA, 1951, p. 377).^a

These are not the only manifestations in this period. The Peruvian delegate to the Congress of Panama and then Bolívar’s Minister of Foreign Affairs, José María Pando, also equated the project to a system of balance of power.² After the disappointment of the Assembly of the Isthmus, Bolívar took up the principle of balance to outline his last unionist project, the “Andean Federation”, composed of Bolivia, Peru and Gran Colombia. To avoid the harmful effects of preponderance, Bolívar suggested the division of the second country into two states and the third country into three (BOLÍVAR, 1966, p. 296).^b A decade later, one of his generals,

¹ The origin of the balance of power as an essential principle in international relations dates back to fifteenth-century Italy and the relations between its medieval States (HASLAM, 2002, p. 91).^a The Treaty of Utrecht enshrined the balancing principle as one of its objectives (PARRY, 1969, p. 325).^a A century later, the Vienna Congress of 1815 took the balance of power to the core of the establishment of a stable system in Europe after the defeat and exile of Napoleon. During the nineteenth century, this doctrine was subject to hostility because of its conservative implications, especially regarding the restoration of absolutist monarchies and the reinforcement of great hegemonies (HAAS, 1953, p. 468).^a However, the systematic use of the balance of power as a coherent theory appears after the Second World War with the works of Kenneth Waltz and Hedley Bull.

² José María Pando to Manuel Vidaurre and Manuel Pérez de Tudela, Lima, May 25, 1826 (BARRENECHEA, 1942, p. 36-51).^a A similar perception was developed by George Canning in the form of a general strategy towards the Independence of Latin-America (CANNING, 1836, p. 233).^a

Andrés de Santa Cruz, organized the Peru-Bolivian Confederation, appealing to the same approach: the separation of Peru into two entities with proportionate power, the North-Peruvian State and the South-Peruvian State, together with the smallest Bolivia. Towards the 1830s, the use of the concept became more sophisticated, supported by the gradual maturation of the foreign policy of the new republics (BURR, 1955, p. 4).^b In the 1850s, the period involving our object of study, the incipient Inter-American system allowed the partial fulfillment of the basic conditions for balance of power, and a more solid doctrinal management.

This context encompassed the third attempt to establish the Hispano-American Confederation as a defensive alliance which, given its specificities, underlined the theoretical contention of two opposite hypotheses. One argued that stability and peace in an international system was endangered by the increasing preponderance of a single country, and, in that context, the essential task was the restoration of balance through an alliance (CLAUDE, 1989, p. 79).^a The other argument, defended by other theorists of the doctrine, noted that “nothing but the preponderance of power” can preserve peace (DAVIS; GOOD, 1960, p. 302).^a To evaluate the contribution of the Continental Treaty episode to this debate, its events must be considered in chronological order.

The Confederation as a deterrent front

The inaugural piece of the diplomacy of these nations, the Congress of Panama (also known as the Amphictyonic Congress), summoned by Simon Bolívar at the end of the Independence War, was installed on June 22, 1826, in Panama City and extended for three weeks until July 15 of the same year. Its objective, taken up by the following confederative plans, including the Continental Treaty, was the establishing of a plenipotentiary assembly endowed with arbitration powers, the drafting of a confederative code, and the creation of a Confederate army capable of facing the threat of Spanish reconquest. It was a defensive alliance seeking to institutionalize the strategic convergence of several republics, aiming to balance their relations with the former metropolis. Representatives of Gran Colombia (today, Colombia, Ecuador, Panama and Venezuela), Peru, Mexico and the Central American Federation (Costa Rica, El Salvador, Guatemala, Honduras and Nicaragua) were present at

the congress. Great Britain and the Netherlands were represented by an official and unofficial observer, respectively (CLARE Jr., 1967).^a

Despite the impact of this meeting and the viability of a confederative agreement that sought to merge four previous treaties,³ none of the documents signed by the plenipotentiaries was ratified by the parliaments of their countries, with the exception of Gran Colombia. Among the factors that explain the failure, the disappearance of the Spanish threat of reconquest and the growing distrust among the new republics stand out.⁴ Hispanic Americans showed that the Confederation was rather a combination of an alliance and a shield against the return of a colonial power. From that perspective alone, the Congress of Panama did not fail in its objectives; rather, it was diluted by the evidence of a weak Spain, by external interference, and by the rapid maturation of State's interests.

At the beginning of 1831, weeks after Bolívar's death, the government of Mexico took up the purpose of installing the confederative assembly through a strategy later known as the Pact of family. The first move consisted of creating a network of commercial agreements, including two conspicuous points: the commitment to send official delegates to the assembly when organized, and the rejection of the most-favored-nation clause, a regulation promoted by the United States and Great Britain that hindered commercial integration among Hispanic-Americans. To quickly execute the project, the Mexican chancellery dispatched two representatives to Central and South America, in particular to Lima, where one of them established his office. However, after a long journey and seven unsuccessful calls (in 1831, 1834, 1836, 1838, 1839, 1840 and 1842), the political instability and the problems derived from the loss of Texas forced the country to cease its efforts and concentrate on its internal issues.

Seeking to revive the unionist project, Granada, one of the inheriting States of Gran Colombia, took up the lead followed by Peru. On November 9, 1846, the Chancellery of Lima made the first successful invitation in more than two decades on the occasion of the plans for Ecuador's reconquest—but not because of the intervention of the United States in Mexico,

³ The treaty of union, league and perpetual confederation negotiated in Panama was preceded by four bilateral treaties of the same name and objective, signed by Gran Colombia with Peru, Chile, Mexico and Central America between 1822 and 1826. When Bolívar convened the Congress of Panama, one of the topics on the agenda was the renewal and merger of these treaties

⁴ According to Alberdi and Carrasco Albano, among other authors of the nineteenth century, the main cause of the Congress' outcome was the "disappearance of the most urgent reason for their meeting: [the] attempts to reconquer" (LASTARRIA et al., 1862, p. 228; 261).^a Cuevas Cancino (1976, p. 141-142)^a invokes Bolívar's conviction of the futility of his amphictyonic efforts.

which was still looming.⁵ The delegates of Peru, Bolivia, Chile, Ecuador and New Granada met in the city of Lima between December 11, 1847, and March 1, 1848. The outcome was the signing of a confederative treaty, a commercial treaty and two treatises on consular and postal regulations (ULLOA SOTOMAYOR, 1938, p. 301-333).^a However, only New Granada ratified the totality of the treaties; the other countries discarded them, except for the Consular Convention, thereby guaranteeing the suspension of the initiative. The reason for this abandonment is similar to that of Panama: the expedition destined to conquer Ecuador and the consequent monarchical project was frustrated. Once again, the Confederation appeared as an alliance that seeks to restore the system of balances in the region.

The context: U.S. expansionism

At the conclusion of the Congress of Lima, the administration of the former Mexican territories, the discovery of gold deposits in California and the greater gravitation of the southern states lead the United States to project itself onto a new and extensive area of interests, both in the Pacific and in the Caribbean.⁶ This new positioning unveiled or reinforced several objectives, such as the construction of an interoceanic canal, proposed to build through the Lake of Nicaragua, the Isthmus of Tehuantepec or Panama. Due to numerous initiatives, the Nueva Granada province seemed to offer the greatest advantages (MCGUINNESS, 2008, p. 121).^a In 1852, the United States acquired the rights of construction and exploitation of a naval route across the jurisdiction of Panama. Although the objective was not specified at that time, those rights encouraged engineering plans, scientific expeditions, population settlements, economic investments and even military invasions, such as in 1856, when the United States fleet occupied Panama in order to force Colombian authorities to eliminate transisthmian transport taxes.⁷

⁵ “Nota circular de invitación”, Lima, November 9, 1846 (ULLOA SOTOMAYOR, 1938, p. 179-180).^b The plan of conquest of Ecuador was led by its former president, General Juan José Flores, and benefited from the support of Spain. It is possible that it secretly involved other personalities, like Andrés de Santa Cruz, former Protector of the Confederation of Peru-Bolivia (1836-1839), exiled in Ecuador and in Europe (AKEN, 1989).^a

⁶ The former territories of Mexico were organized into four bordering states (California, Arizona, New Mexico and Texas), two new entities (now Nevada and Utah) and parts of four others (Colorado, Oklahoma, Kansas and Wyoming). In 1849, the binational commission in charge of drawing the new demarcation according to the specifications of the Guadalupe Hidalgo Treaty detected some inaccuracies, and the U.S. delegation demanded an additional agreement. The Treaty of La Mesilla (MÉXICO, 1853)^a was signed on December 30, 1853, and through it, Mexico lost another 76,845 square kilometers (today, the southern regions of Arizona and New Mexico).

⁷ On the reasons for this intervention, which included reprisals for the insurrection of the “population of color”, see the article of the President Franklin Pierce “Issues of New Grenada and the United States” (PIERCE, 1856).^a

Other possible locations for the canal were explored by both the government and US businessmen. In 1850, attracted by the project, magnate Cornelius Vanderbilt visited Nicaragua and hired Orville W. Childs and his team of engineers to develop a feasibility study (CHILDERS; FAY, 1852;^a CLAYTON, 1987, p. 326-327^a). The Vanderbilt company (American Atlantic and Pacific Ship Canal Co.) managed to obtain the license to build and use the canal. The Isthmus of Tehuantepec, further north, participated in this bioceanic zeal, especially at the governmental level. In 1853, Mexico agreed to its northern neighbor's construction of a wooden route and a railroad in this location. At the end of that year, art. 8° of the La Mesilla Treaty granted a specific provision to protect the transit of the post, merchandise, troops and US citizens through Tehuantepec.

Another objective of the geographic progression of the United States in that period was the annexation of Cuba, its most important sugar supplier and a strategic location for international trade. In June of 1848, the US Department of State explained to the Spanish Ministry of Foreign Affairs the fear that Cuba falling into English hands will affect the economic interests of the United States. President James K. Polk offered to buy it for 100 million pesos and expressed his conviction that, under the control of his government, "it would become the richest and most fertile Island among those of equal extent in the entire world".⁸ One of his successors, Millard Fillmore, took up said objective in 1852 and offered 120 million, and later the country added different kinds of pressures, such as expeditions, support for the annexation movement and prompting of the attempts for independence until the outbreak of the Spanish-American War in 1898.

Triggers of the initiative

During those years, the foreign policy of the United States seemed dominated by a "vertiginous spirit of conquest", as defined by a Brazilian diplomat, Felipe José Pereira Leal.⁹ When diverse voices called in 1855 and 1856 to renew the project of uniting the Hispanic-American republics, they no longer invoked European aggressions, as had been the case until then, but two recent events regarding the expansionist policy of the United States. The first was

⁸ The instructions that James Buchanan, Secretary of State and future President, turned to Romulus Saunders, Minister in Madrid, June 17, 1848, included the purchase of Cuba. However, the paternity of the idea corresponds to James K. Polk (1948, p. 671).^a

⁹ Felipe José Pereira Leal to the Ministry of Foreign Affairs of Brazil, Caracas, December 21, 1856 (CENTRO DE HISTÓRIA E DOCUMENTAÇÃO DIPLOMÁTICA [CHDD], 2003, p. 377).^a

the signing of the Treaty of the Galapagos in 1854 with the government of Ecuador, an agreement whereby the United States obtained the exclusive and unlimited exploitation rights to the archipelago's guano deposits in exchange for three million dollars (PERÚ, 1911, p. 134-139).^a The U.S. press reported this action as the “annexation” of a territory rich in fertilizers and beneficial for the country's agricultural industry.¹⁰ However, in Latin America and even in Europe, the protests over the virtual protectorate of the archipelago forced the Ecuadorian president, José María Urbina, to decree the Treaty null and void.¹¹

The second and most important group of incidents began in June 1855, when a group of filibusters commanded by William Walker disembarked in Nicaragua and joined the forces of Francisco Castellón, leader of the Nicaraguan opposition and appointed acting president. At the end of 1855 and beginning of 1856, an increase of his troops, the death of Castellón and several military successes made William Walker the strongman leader of the country. In disagreement with this initiative, the US government decided to pull away from the plan of radical Americanization promoted by Walker, which included: a) replacing the Spanish language with English, b) adopting a slave regime, c) requesting the annexation of Nicaragua to the United States, and d) starting the construction of an interoceanic canal (WALKER, 1860, p. 151).^a Walker's government replied by revoking Vanderbilt's contract; although Vanderbilt had been a former supporter of the filibuster, by then opposed the recognition of Walker's regime.¹² Walker's isolation cleared the regional front, and on March 1, Costa Rica declared war on him, advancing in enemy territory until the casualties caused by a cholera epidemic stop their progression. In July, Honduras, El Salvador and Guatemala joined the Legitimists, and on May 1, 1857, they expelled Walker from Central American lands (MOLINA, 2006).^a

The defeat and subsequent execution of Walker put an end to the invasions of the “demons of the sea”, which had been initiated in Texas with the rebellion of settlers and

¹⁰ Among the newspapers that broadcasted this news, see: *The New York Times*, New York, 27 December 1854 (“Galapagos Islands and Annexation”); *Panama Star*, Panama, December 12, 1854, p. 1; and *Daily Alta California*, San Francisco, December 15, 1854, p. 1.

¹¹ In fact, the U.S. Executive branch discovered the falsity of the evidence regarding the existence of fertilizer in the Galapagos and decided not to present the treaty to the Senate for eventual ratification. In response, Urbina declared it null and void (PARKS; RIPPY, 1940, p. 37-45;^a LUNA TOBAR, 1997, p. 102^a).

¹² The Vanderbilt Corporation and the Government of Nicaragua relationships deteriorated when the Company violated the terms of the contract, which established a payment of 10 thousand dollars and an equivalent to 10 percent of annual profits. Between 1849 and 1855, the Corporation failed to pay the second sum despite the large number of passengers and shipments that crossed the region (SCROGGS, 1905, p. 798).^a

continued after 1848 in both Mexican and Central-American territory.¹³ However, before its conclusion, other similar expeditions took place in different parts of the continent. In 1853, a group of Americans occupied the Lobos Islands in the South Pacific, which were important deposits of guano and one of the pillars of Peruvian fiscal revenue. The territory was quickly recovered by the Peruvian government, who appealed to diplomatic maneuvers that included winning the US ambassador to their cause. The US State Department, then chaired by the pacifist Daniel Webster, decided to back down and explained that the Navy's participation in the occupation of the Islands was due to false reports that assured the US that the islands belonged to no country (WEBSTER, 1987, p. II;^a O'DONNELL, 1993a;^a SHEWMAKER, 1977).^a In 1854, another group of filibusters landed at Alto Velo, another area with important reserves of guano, owned by Santo Domingo and located in the Gulf of Mexico. As in the previous case, the invaders managed to be evicted, this time by the forces commanded by Juan Alejandro Acosta (LUGO LOVATÓN, 1954, p. 123).^a

The ambiguous practices by the United States government sought to cheapen the prices of imported guano from Peru. In 1856, the US Congress sanctioned the Guano Islands Act, which allowed US citizens to claim for their country the sovereignty of uninhabited islands (UNITED STATES, 1856).^a Because of its form, this law became support for "guano imperialism", and during the following three years led to the occupation and incorporation to the United States of more than fifty islands under the guarantee of protection of its naval and military forces.¹⁴

However, in the case of Nicaragua, the U.S. government seemed determined to enforce the Neutrality Act of 1794. To that end, it thwarted the recruitment of new troops from Walker's army.¹⁵ This, despite the Hispanic Americans distrust of Franklin Pierce's true intentions due to the US expansionist record, the specific scope of the Guano Islands Act, and the recognition of Nicaragua's filibuster regime by Ambassador John N. Wheeler, one of Walker's acolytes.¹⁶

¹³ Walker himself began his career in 1853, trying to "free" Baja California and then add it to the United States. After failing in this effort, he went to Sonora, where he declared himself president of the Republic, with the same consequences. For a colorful account of Walker's actions in Baja California, see Cleland (1944).^a On his influence in the negotiations of the Treaty of La Mesilla, see Rippy (1922, p. 169).^a

¹⁴ The first acquisitions under the Guano Act were the Jarvis and Baker Islands, both in the vicinity of Hawaii. For a specialized study, see O'DONNELL (1993b, p. 49 et seq.).^a

¹⁵ The Neutrality Act, proclaimed by George Washington in 1793, prohibited American citizens from attacking countries that maintained friendly relations with US. For an analysis of the Act and its application during the 19th century, see Fenwick (1913).^a

¹⁶ U.S. Government did not know in detail the objectives of Walker, so it asked for information to J. Wheeler in early September 1855. Days later, it shared this information with the Nicaraguan Minister in Washington, José de

Unsurprisingly, Francisco Bilbao and Jose Maria Samper (LASTARRIA et al., 1862, p. 281, 290, 364),^b among the most important intellectuals of the time, considered the filibusters to be “the advance guerrilla force” of the United States that constituted a safer option for that country and absolved it from responsibility. Other contemporaries of these events also perceived filibusters as an effort of the country to the north to expand to the isthmus of Panama or even to the “Amazon valley”, affecting Brazilian interests (CHDD, 2003, p. 377, 380).^b The rumor became official when James Buchanan, Secretary of State in the Polk administration and later president of the country in 1857, confided to Pereira Leal, that the United States sought the domination and extinction of the “Latino race” (CHDD, 2003, p. 380).^c

The Alliance Project

To protect against the US threat, in the mid-1850s, Hispanic-Americans decided to negotiate two Confederation preparatory agreements. One of them, directly regarding the invasions of the filibusters, was drafted in early 1856 in Washington by the ministers of Guatemala and Costa Rica and was then presented for approval to the ambassadors of Mexico, Brazil, New Granada, Peru and Venezuela.¹⁷ Although similar to the provisions of 1848 in confederative matter, this agreement added specific provisions against foreign settlements, the object of all sorts of stimulus until then: after the American incursions, foreigners were considered risky for the integrity of the new republics.¹⁸ As an alternative, they proposed that foreign populations renounce their nationality and the protection of their country of origin (ULLOA SOTOMAYOR, 1938, p. 628-630).^c

Marcoleta, with the observation that Walker’s expedition constituted a violation of the Neutrality Act. Secretary of State to Wheeler, Washington, September 1 and November 8, 1855; Secretary of State to Marcoleta, September 3 and October 10 October, 1857 (MANNING, 1934, p. 71-75).^a

¹⁷ According to Hispanic American sources, the promoter of the meeting was the New-Grenadian Pedro Alcántara Herrán. According to the Brazilian Minister, the idea of the Confederation of Spanish and Portuguese States of America was suggested by Spain, accepted by Mexico, Peru, Venezuela, New Granada and encoded in the form of the Confederal project drawn up by the Ministers of Guatemala and Costa Rica (CHDD, 2003, p. 337).^d

¹⁸ Before the incursions of the pirates, Central American legislators used to present their countries as a source of opportunities for foreigners. To promote their inclusion, they awarded the right to possess mines and open the Inter-oceanic canal, exempted from the military service, and the port and the municipality authorities were instructed to facilitate their installation. See: *Guía para la naturalización de los extranjeros*, CAPE, Caja 1, Provincias Unidas del Centro de América, Guatemala, Decree of May 25, 1824, Latin American Library, Tulane University (DYM, 2008, p. 489).^a

Another unprecedented element was the selection of Rio de Janeiro as the venue for the Congress, highlighting a still-incipient process, although one with lasting consequences for Latin America: the confluence of Hispanic and Brazilian identities. This trend was not without its ups and downs, but resisting the advances of the Anglo-American power galvanized the “Latinos” of America despite their discrepancies.

The first articles of the Project referred to the guarantees and internal advantages of the Confederation: mutual respect for the sovereignty and integrity of each country and national treatment of the trade and navigation of the Confederates. Regarding foreign policy, it procured joint action against pirate expeditions and aggressions by foreign nations, threats that were placed on an equal footing. Art. 13° committed the attendance of the representatives of each country to the amphictyonic Congress, to be held in Lima in December 1857, while art. 15° granted the assembly the task of finalizing the pact of federation. The withdrawal of Brazil necessitated that art. 14° define the entity in its old terms: “Confederation of the Hispanic-American States”. In conclusion, art. 17° elaborated on the other points of the congress’s agenda: create a unique system of weights, measures and currency; establish a common normativity regarding the powers of the consuls; equalize commercial rights; create a Confederate marine code and validate all criminal and civil warrants in the Confederate countries.

Treaty of Santiago

The second and most important agreement was shaped on instructions from the government of Peru, chaired by Ramón Castilla, to Cipriano C. Zegarra, *chargé affairs* in Santiago de Chile. In mid-1855, Zegarra transmitted to the Chilean chancellor, Antonio Varas, his country’s intentions to promote a new American Congress in order to defend the integrity of the new republics. Varas made consultations on the case and suggested Zegarra to propose the terms of the Assembly. At the end of that year, Zegarra concluded a draft composed of 12 articles and submitted it to several revisions and changes (ULLOA SOTOMAYOR, 1938, p. 581-583, 584-586).^d In April 1856, the government of Chile accepted Zegarra’s proposals and others taken from the Osma memorandum, which had arrived from Washington.

At that time, Ecuador’s representative, Francisco J. Aguirre, who was installed in Santiago, suggested a joint solution to the problem of filibuster expeditions (ULLOA

SOTOMAYOR, 1938, p. 589-590).^e In the following days the representatives of the three republics proceed without waiting for other countries to report on their intentions. On September 15, 1856, the Continental Treaty concluded, the foreword instituted the objective of “Consolidating the Union”:

[C]imentar sobre bases sólidas la unión que entre ellas existe como miembros de la gran familia americana, ligados por intereses comunes, por un común origen, por la analogía de sus instituciones y por otros muchos vínculos de fraternidad y estrechar las relaciones entre los pueblos y los ciudadanos de cada una de ellas (ULLOA SOTOMAYOR, 1938, p. 613).^f

The first articles established common citizenship, national treatment of the ships of the Confederate countries, trade on an equal footing, free carriage of private and public correspondence (a rule that applied to all printed matter except books), the mutual concession of extraditions, the standardization of the currency system, weights and measures, the equalization of laws and customs duties, and the development of primary education, an objective that anticipated interest in this topic during the Second Congress of Lima from 1865 to 1866.

Instead of an arbitration clause, typical of the amphictyonic regime but this time without sufficient consensus, art. 19° insisted that parties in conflict should exhaust peaceful means before entering into war. Art. 20° established the right of the Congress to act as a mediator in cases of conflict, while art. 22° prohibited that this instance took as a matter of its deliberations the internal problems of the Parties. Oddly, the location of the next Congress was not mentioned (as in the case of the Alliance Project), but its date was “three months after the ratifications were exchanged, or sooner if possible” (ULLOA SOTOMAYOR, 1938, p. 613-620).^g Articles 13° and 14° obliged the signatories to respect the independence and integrity of all the Confederates and not to cede or alienate parts of their territory. Articles 15° through 18°, the origin of the initiative, dealt with pirate expeditions and proposed jointly combating them.

With these bases, the Confederation acquired a double function. First, it aimed to institute a system of balances capable of preserving peace and the independence of the Confederates. Moreover, it transcended the meaning of alliance and sought to shape a new international order. In this sense, it did not differ substantially from the Bolivarian conception, but it was inserted in a different regional and international context. At the internal level, it sought to guarantee respect for the new sovereign countries through a clause for maintaining the existing balance. Outwardly, it offered the image of an alliance capable of dissuading external aggressions, this time those coming from the United States. In general terms, it acted as a

counterweight in the nascent inter-American system, not so much through the Confederation but through the threat of its creation. The United States knew that such a threat was possible because their very foundation appealed to a confederation to turn “some miserable colonies of Great Britain” into “the first power of the New World” (MEDINACELI, 1862, p. 4-5).^b

Accessions to the Treaty

The accession process and legislative ratifications of the Continental Treaty had a promising beginning, especially in Ecuador, where it was approved quickly. In Peru, where parliamentary dynamics were more complicated, the government decided not to wait for the conclusion of the debates and sent Pedro Gálvez to Central America with the task of obtaining the largest possible number of adherents to the Treaty. Gálvez is remembered in his country for having drafted and signed a decree that abolished the tribute of the natives (BASADRE, 1961, p. 1078),^a but he was also an exceptional ambassador: Costa Rica subscribed to the Treaty at the end of January 1857, Guatemala did so in April, and Nicaragua and El Salvador in June (MONTUFAR; MAESTRE, 1887, p. 754;^a NUERMBERGER, 1940, p. 45-52).^a

The optimism that this news awakened was soon restrained by less promising facts. The Chilean legislative period ended on September 16, 1856—the day the Treaty of Santiago was signed—and the Chamber deferred the examination of the document to the next session, nine months later. On August 18, 1857, the parliament began reviewing the Treaty without apparent setbacks. Shortly after that, due to a number of criticisms, Varas postponed the discussion indefinitely. The Treaty was mentioned again by the legislatures of 1860, 1861, and 1862. In 1862, art. 10°, 13°, 14° and 19° were approved, but the rest were discarded, which complicated the possible exchange of ratifications. Brazil reported that they intended not to accede to the Treaty “for now”, although it was understood that its decision was final (CHDD, 2003, p. 364-365).^e Argentina did the same despite the insistence of envoys from Peru and Chile, the exchange of a bulky correspondence with those countries, and the presence of their representative in Santiago.¹⁹ Finally, in Peru, the legislative commission in charge of reviewing

¹⁹ Buenaventura Seoane to the Chancellery of Argentina, Rufino de Elizalde, Buenos Aires, July 18, 1862; Elizalde to Seoane, November 10; Seoane to Elizalde, November 17; Elizalde to Seoane, November 22; Seoane to Elizalde, November 24 (ULLOA SOTOMAYOR, 1938, p. 641-677).^b The Ministers of the Argentina and Brazil, present in Santiago, did not have instructions nor received any powers to participate at the Conference. The Argentinian President, José de Urquiza, pleaded in favor of partial or bilateral pacts.

the Treaty was opposed to the provisions on extradition, rights of professionals and national treatment of Confederate ships, an article with which the Brazilian minister in Lima also objected (CHDD, 2003, p. 361).^f

The coup de grace came from the United States. In May 1857, Minister John Randolph Clay requested explanations from the Peruvian Foreign Minister, Manuel Ortiz de Zevallos, on the purposes and motives of the Continental Treaty. Put under pressure, Ortiz de Zevallos minimized the role of Osma and brought up the fact that the Peruvian congress had not yet approved the Treaty. Clay retorted that the ratification would have further complicated the relations of both countries, presenting “the singular spectacle of the union of all nations of the Western Hemisphere with the exclusion of the United States”. The only explanation there could be, he added, was that the signatory nations of the treaties “have formed in league to control the power of the United States” (NUERMBERGER, 1940, p. 52, 53;^b OESTE, 1966^a).

Clay's perception seemed to be set entirely within the doctrine of the balance of powers, and had a correct perception of the Santiago Treaty. Beyond unionist pretensions, the initiative of the Hispanic-American republics sought to dissuade the United States from continuing with a policy of territorial conquests. In the following months, Clay's claim, coupled with his government's formal rejection of Walker's expeditions and the nullity of the Treaty of the Galapagos, helped to dissipate anti-American sentiment, and the confederative project vanished again, confirming the project's hidden motive of deterrence.

Outcome and conclusions

The confederative project was reactivated one last time at the beginning of the 1860s, invoking a new wave of aggression, this time from Europe. The most important in terms of resources and troops was the invasion of Mexico, led by France, Spain and England—signatories to the London Convention of October 31, 1861—which was intended to force Benito Juárez to repeal the law suspending the payment of external debt.²⁰ However, in a few weeks, the conflict changed objectives and became an exclusively French intervention that managed to enthrone in Mexico a member of the House of Habsburg between 1864 and 1867. The

²⁰ The Convention stipulated in its article 1° sending French, British and Spanish forces of land and sea in sufficient numbers to occupy and seize the different fortress and positions of the Mexican Coast (ARCHIVO HISTÓRICO DIPLOMÁTICO MEXICANO [AHDM], 1971, p. 134-136).^a

second was the reincorporation of the Island of Santo Domingo to the domains of Spain, an annexation proposed by Dominican President Pedro Santana in 1861 and reverted in 1865 after the triumph of local forces in the War of Restoration.²¹ The third was the conflict between Spain and Peru and the subsequent Spanish-South American War. The latter was the main reason for the convocation of the Second Congress of Lima.

When the Peruvian Foreign Ministry sent the invitation to participate in this Congress, the prevalent perception was that these conflicts could be resolved by means of a defensive Confederation rejecting reconquest “regardless of the name used to disguise it and the power that undertakes to carry it out” (LASTARRIA et al., 1862, p. 73).^c The Civil War gave way to a more measured U.S. continental policy; Spain in the Caribbean and the South Pacific, France in Mexico and Great Britain in Argentina suffered lasting setbacks that also attenuated their intentions to subjugate the new sovereignties. In this context, the Continental Treaty can be seen as a significant stage in the maturation of the Latin American foreign policy.

Closing our work, it can be say that, from a broader perspective, the Treaty of Santiago has five areas of significance:

(1) It contributed to the continuity of the integrationist movement after the War between the United States and Mexico and the inter-American relationship readjustment due to the US conquests.

(2) It separated the confederative ideal from the European monarchical threat (characteristic of previous projects) and instead adopted a defensive approach that covered all aggressions “regardless of” their origin.

(3) It constituted a fundamental stage in the formation of a multilateral approach to the inter-American system, as it set the basis for the distribution of power and influence of a large part of the continent.

(4) It illustrated with relative clarity the alliances formed to contain the excessive preponderance of one of the members of the international concert.

²¹ Spain tried to reorganize the Dominican structure of power following the example of Cuba and Puerto Rico. The process included the progressive replacement of the local elite by the peninsular, arousing the discontent of the Islanders. The reasons for the annexation are explained by the novelist and Secretary of the Dominican President, Manuel de Jesús Galván (GALVÁN, 1862;^a ESCOLANO GIMÉNEZ, 2010, p. 71-108).^a

The attempt to create the same amphictyonic Confederation added an element of its own to this approach, insofar as Hispanic America did not threaten with armies but, for the third time in twenty years, with the possible institutionalization of its union.

References

I. Periodicals

Daily Alta California, San Francisco (United States), 1854.

Panama Star, Panama City (Panama), 1854.

The New York Times, New York (United States), 1854.

El Comercio, Caracas (Venezuela), 1856.

Frank Leslie's Illustrated Newspaper, New York (United States), 1856.

II. Compilations of documents

ARCHIVO HISTÓRICO DIPLOMÁTICO MEXICANO. *Las relaciones entre México y Perú: la misión de Corpancho*. Mexico: Porrúa, 1971.^a

BARRENECHEA, Oscar. *El Congreso de Panamá de 1826*. Documentación inédita, Archivo Diplomático Peruano, Lima: Publicación Oficial del Ministerio de Relaciones Exteriores del Perú, 1942.^a

BOLÍVAR, Simon. *Cartas del Libertador*. Caracas: Banco de Venezuela and Fundación Vicente Lecuna, 1966. v. 4.^{a, b}

CANNING, George. *Speeches of the Right Honorable George Canning with a memoir of his life by R. Thierry*. London: James Ridgway, 1836. v. 6.^a

CENTRO DE HISTÓRIA E DOCUMENTAÇÃO DIPLOMÁTICA. *Cadernos do CHDD, n. 2*. Brasília: CHDD/FUNAG, 2003.^{a, b, c, d, e, f}

MANNING, William. *Diplomatic Correspondence of the United States, Inter-American Affairs 1831-1860*, Washington: Carnegie Endowment for International Peace, 1934. v. 4 Central America.^a

PARRY, Clive. *The consolidated treaty series*. New York: Oxford University Press, 1969. v. 8.^a

PERÚ. Ministerio de Relaciones Exteriores. *Colección de tratados, convenciones, capitulaciones, armisticios y otros actos diplomáticos y políticos celebrados desde la Independencia hasta el día, precedida de una introducción que comprende la época colonial*, Tomo segundo, por Ricardo Aranda. Lima: La Opinión Nacional, 1911.^a

ULLOA SOTOMAYOR, Alberto. *Congresos americanos de Lima*: Archivo Diplomático Peruano. Lima: Torres Aguirre, 1938. v. 1; 2.^{a, b, c, d, e, f, g, h}

III. Secondary sources

AKEN, Mark van. *King of the Night: Juan José Flores and Ecuador, 1824-1864*. Berkeley: University of California Press, 1989.^a

BASADRE, Jorge. *Historia de la República del Perú*. Lima: Ediciones Historia, 1961. t. 3.^a

BURR, Robert N. The balance of power in the nineteenth-century South America: an exploratory essay. *Hispanic American Historical Review*, v. 35, n. 1, p. 37-60, Feb. 1955. [CrossRef. a, b](#)

CLAUDE Jr., Inis L. The balance of power revisited. *Review of International Studies*, v. 15, n. 2, p. 77-85, Apr. 1989.^a

CLARE Jr., Horacio. *Los delegados al Congreso Anfictiónico de Panamá en 1826*: facsímil de los Protocolos firmados en Panamá el 15 de julio de 1826. Madrid: El Mundo, 1967.^a

CLAYTON, Lawrence A. The Nicaragua Canal in the Nineteenth Century: Prelude to American Empire in the Caribbean. *Journal of Latin American Studies*, v. 19, n. 2, p. 323-352, Nov. 1987. [CrossRef. a](#)

CLELAND, Robert G. Bandinis Account of William Walkers Invasion of Lower California. *Huntington Library Quarterly*, v. 7, n. 2, p. 153-166, Feb. 1944. [CrossRef. a](#)

CUEVAS CANCINO, Francisco. *Del Congreso de Panamá a la Conferencia de Caracas*. Caracas: Gobierno de Venezuela, 1976.^a

DAVIS, Harry R.; GOOD, Robert C. (Ed.). *Reinhold Niebuhr on Politics: his political philosophy and its application to our age as expresses in his writings*. New York: Scribner, 1960.^a

DYM, Jordana. Citizen of Which Republic? Foreigners and the Construction of National Citizenship in Central America, 1823-1845. *The Americas*, v. 64, n. 4, p. 477-510, Apr. 2008. [CrossRef. a](#)

EGAÑA, Juan. *Escritos inéditos y dispersos*. Santiago: Imprenta Universitaria, 1949.^a

ESCOLANO GIMÉNEZ, Luis A. La insurrección dominicana de febrero de 1863. Sus causas e implicaciones internacionales. *Clío – Órgano de la Academia Dominicana de la Historia*, n. 179, p. 71-108, 2010.^a

FENWICK, Charles Ghequiere. *The Neutrality Laws of the United States*. Washington: Carnegie Endowment for International Peace, 1913.^a

GALVÁN, Manuel de Jesús. *El general Don Pedro Santana y la anexión de Santo Domingo a España*. New York: Imprenta de Gaspar Robertson, 1862.^a

HAAS, Ernest B. The balance of power: prescription, concept, or propaganda. *World Politics*, v. 4, n. 4, p. 442-477, Jul. 1953. [CrossRef](#).^a

HASLAM, Jonathan. *No virtue like necessity: realist thought in international relations since Machiavelli*. New Haven: Yale University Press, 2002.^a

LASTARRIA, José Victorino et al. *Colección de ensayos y documentos relativos a la Unión i Confederación de los pueblos hispano-americanos*. Santiago: Imprenta Chilena, 1862.^{a, b, c}

LECUNA, Vicente. Bolívar and San Martín at Guayaquil. *The Hispanic American Historical Review*, v. 31, n. 3, p. 369-393, Aug. 1951. [CrossRef](#).^a

LUGO LOVATÓN, Ramón. José Gabriel García. *Boletín del Archivo General de la Nación*, Ciudad Trujillo, v. 17, n. 81, p. 120-170, 1954.^a

LUNA TOBAR, Alfredo. *Historia política internacional de las Islas Galápagos*. Quito: Abya-Yala, 1997.^a

MEDINACELI, Benedicto T. *Proyecto de Confederación de las Repúblicas Latino-americanas*. Sucre: Causa Nacional, 1862.^{a, b}

MCGUINNESS, Aims. *Path of Empire: Panama and the California Gold Rush*. New York: Cornell University Press, 2008.^a

MOLINA, Iván. En defensa del análisis histórico. A propósito de algunas obras recientes sobre la guerra de 1856-1857 contra los filibusteros. *Revista de Historia de América*, n. 137, p. 211-227, 2006.^a

MONTUFAR, Lorenzo; MAESTRE, Rivera. *Reseña histórica de Centro América*. Ciudad de Guatemala: Tipografía La Unión, 1887. v. 7.^a

NUERMBERGER, Gustave A. The Continental Treaties of 1856: An American Union Exclusive of the United States. *Hispanic American Historical Review*, v. 20, n. 1, p. 32-55, Feb. 1940. [CrossRef](#).^{a, b}

O'DONNELL, Dan. The Lobos Islands: American Imperialism in Peruvian Waters in 1852. *Australian Journal of Politics & History*, v. 39, n. 1, p. 37-55, 1993a.^a

O'DONNELL, Dan. The Pacific Guano Islands: The Stirring of American Empire in the Pacific Ocean. *Pacific Studies*, v. 16, n. 1, p. 43-66, 1993b.^a

OESTE, George Irvin. *John Randolph Clay: America's First Career Diplomat*. Philadelphia: University of Pennsylvania Press, 1966.^a

CHILDS, Orville Whitmore; FAY, John D. *Report of the Survey and Estimates of the Cost of Constructing the Inter-Oceanic Ship Canal, from the Harbor of San Juan del Norte, on the Atlantic, to the Harbor of Brito, on the Pacific, in the State of Nicaragua, Central America, Made for the American, Atlantic and Pacific Ship Canal Co., in the Years 1850-1851*, New York: W.M. Bryant, 1852.^a

MÉXICO. Secretaría de Relaciones Exteriores. *Tratado de Límites (Tratado de la Mesilla)*, 30 dic. 1853. Available in: <http://www.cila.gob.mx/tyc/1853.pdf>. Access in: Nov. 14, 2018.^a

PARKS, E. Taylor; RIPPY, J. Fred. The Galapagos Island, A Neglected Phase of American Strategy Diplomacy. *Pacific Historical Review*, v. 9, n. 1, p. 37-45, 1940. [CrossRef](#).^a

PIERCE, Franklin. Cuestiones de la Nueva Granada con los Estados Unidos. *El Comercio*, Caracas, año VII, p. 1, Dec. 1856.^a

POLK, James K. *Journal of President Polk*. Trad. In Spanish: *Diario del Presidente Polk (1845-1849)*. Translated to Spanish by Luis Cabrera. Mexico: Antigua Librería Robredo, 1948. v. 2.^a

RIPPY, J. Fred. Anglo-American Filibusters and the Gadsden Treaty. *The Hispanic American Historical Review*, v. 5, n. 2, p. 155-180, May 1922. [CrossRef](#).^a

SCHROEDER, Paul W. The nineteenth century system: balance of power or political equilibrium? *Review of International Studies*, v. 15, n. 2, p. 135-153, Apr. 1989. [CrossRef](#).^a

SCROGGS, William Oscar. William Walker and the Steamship Corporation in Nicaragua. *The American Historical Review*, v. 10, n. 4, p. 792-811, Jul. 1905.^a

SHEWMAKER, Kenneth. Untaught Diplomacy: Daniel Webster and the Lobos Islands Controversy, *Diplomatic History*, v. 1, n. 4, p. 321-340, Oct. 1977. [CrossRef](#).^a

UNITED STATES. Senate. Guano Islands Act. *United States Code*, Ch. 8, § 1411-1419. Washington D.C., August 18, 1856. Available in: <https://www.law.cornell.edu/uscode/text/48/chapter-8>. Accessed on: Aug. 22, 2018.^a

WALKER, William. *War in Nicaragua written by Genl W. W: with a colored map of Nicaragua*. New York: S.H. Goetzel & Co., 1860.^a

WEBSTER, Daniel. *The papers of Daniel Webster: diplomatic papers*. SHEWMAKER, Kenneth E. et al. (Ed.). Hanover: New Haven, 1987. v. 2.^a