Study guide Test #4

Birth of the Dispute

- The Spanish came to the New world after Christopher Colombus was found lost at sea. A year after the papal bull was sent (which is a letter by the pope that turns into a treaty) by Pope Alexander V1 in which he gave the new world to Spain.

- Due to warfare treaties need to be signed; What are treaties? Formal written agreements between two or more nations.

- Diplomacy-the art and practice of conducting negotiations between nations

- ANGLO: Relating to the British

- The treaty of Madrid also known as the treaty of Godolphin occurred in 1670 it:
  - Outlawed Piracy
  - British possessions in the new world were recognized by the Spanish

- Treaty of Paris 1763: after a war occurred in North America peace was agreed; Now the British could cut and load logwood in British Honduras.

- Treaty of Versailles 1783: Britain made agreements with Spain

  **Borders were defined for British Honduras between the rivers Walliz or Belleze and Rio Hondo**

- Convention of London 1786: Britain would evacuate the Miskito Shore

  ****Limits extended: Southwards– between the Belize river and the Sibun river ****

  - Cut: logwood and Mahogany

US British Conflicts in America

Guatemala’s claim

- 1821 Central America received independence: in 1834 Guatemala sold areas to the south of the Sibun arguing that they owned that area.

- Their argument is based on Utis possidetis juris: Newly formed states should have the same borders that their preceding dependent area had before their independence. In other words, Guatemala inherited rights to the lands Spain had. For that reason Guatemala in their constitution placed the area from the Sibun to the Sarstoon to their territory.

  - Utis Possidetis juris is (as you possess, so may you possess) “The doctrine that old administrative boundaries will become international boundaries when a political subdivision achieves independence”. Hence, Guatemala stated that it inherited the rights.

- On the other hand, the British were occupying the area to the Sarstoon and stated that the Spanish never occupied the area. Hence, they claimed de facto possession which means exercising control without legal recognition. Living on the land (Squatting rights).

- AMERICAN IMPERIALISM: was growing throughout the regions since they were spreading their cultural influence on other countries and they wanted to build a canal in Nicaragua. Since, the British controlled the Miskito Coast a war was about to break out.
As a result of that a treaty was signed it was the **Clayton-Bullwer Treaty in 1850** within it was agreed that Americans nor British could “Occupy or fortify any dominion over Nicaragua, the Miskito coast or any Central American country”. However, this treaty excluded British Honduras.

-Both parties did not respect the treaties; Americans took control of Nicaragua and the British: areas in Honduras and neighboring islands.

-Another treaty was signed as a result the **Dallas-Clarendon Treaty 1856**: Britain returned the bay islands to Honduras and the US agreed on the settlement of British Honduras and emphasized on the formation of the border with Guatemala. They recognized Belize’s current borders.

**Anglo-Guatemalan convention 1859**

-In 1856 Francisco Martin stated that Guatemala was renouncing its rights but demanded compensation

-Charles Wyke the British negotiator was instructed not to offend the Clayton-Bullwer treaty so the Negotiation could not include CESSION. However, Wyke did accede to the demand by Guatemala of a way of communication and even stated that the settlement would benefit for trade and that would satisfy Guatemala’s need for “compensation”.

- Article 1 outlined the borders:

- Article 7: stated that both parties had to establish the best way of communication from the Atlantic coast to Guatemala City.

- Article 7 became the controversial part of the treaty since the Guatemalans and British could not agree on who was to contribute what on the establishment of the way of communication the treaty was not ratified.

- **A supplementary treaty was done in 1861**: this treaty was centered on the article 7 of the Anglo-Guatemalan convention. As a result the British parliament approved 50,000 for the cart road construction however Guatemala was unable to ratify (due to a war that was occurring). As a result the British did not give the economic support so Guatemala claimed that the treaty was void because the “compensation” was not granted.
The Webster Proposals

- In 1929 after negotiations commissioners from both sides inspected the borders and erected concrete markers and the Government of Guatemala agrees to recognize the concrete monuments as borders.

- As a result in 1931 exchange of notes: an exchange of letter occurred in which the Guatemalan ambassador in a response the British ambassador recognized the borders as stated in the 1859 convention. The Letter was registered and stayed as a binding treaty. (Guatemala recognized British Honduras (Belize's) borders)

- In the 1960’s: The British were desperate to leave British Honduras because the economy was bad and the claim was expensive for them and for that reason from 1963 Belize was granted to start the process towards self-government.

- The British and Guatemala Agree to a mediator: the US agreed to be the mediator and Bethuel Webster was assigned to end the territorial dispute.

- By this point the British were desperate to leave and the Guatemalans were allies of the US.

- OUTCOME OF THE WEBSTER PROPOSALS: the mediator came up with the idea of Belize becoming independent but he wanted for Belize to be linked to Guatemala. For Guatemala to control Belize’s economy, politics, external affairs and defense. Hence, British Honduras was to become like a state or department of Guatemala.

- The British were agreeing to it since they wanted to go but the Belizeans protested and eventually the treaty was not passed on stayed at the proposal stage.