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MANIFEST

Of the Chilean Government

TO THE REPRESENTATIVES OF FRIENDLY POWERS,

WITH REFERENCE TO THE DECLARATION OF WAR AGAINST PERU.



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WAR AGAINST PERU.

Ministry of Foreign Affairs,

Santiago, April 12, 1879.

Mr. Minister.—Annexed to the present note you will find a copy of the official gazette of Chili, from which you will learn the authorization conferred on my government by the high authorities of the State, to declare war against Peru, and conduct it to an end by all the means recognized by the rights of nations, and with all the resources at the disposal of the country.

By order of H. E. the President of the Republic. I fulfil the duty of informing you of the grave causes that have led to the formation of this unavoidable though lamentable resolution, which breaks old ties that Chili has always endeavored to strengthen.

The government, in whose name I have the honor of speaking, flatters itself with the hope that the calm judgment of that represented by Y. E. will duly appreciate the conduct that Chili has observed in this emergency—as foreign to her character and tradition as contrary to her dearest interests.

The especial characteristic of this country, the constant tendency of its foreign policy, and even its social and economic necessities, have withdrawn it from all spirit of adventure, and have stimulated it to maintain the most friendly relations with all nations. Chili lives

by peace and industry; requires as a prime element of its prosperity, foreign immigration; and possessing a vast territory only, partially fertilized by the rude labor of its sons, requires more than any people, foreign and internal tranquility.

The latter has been obtained, thanks to the frank adoption of a system by which all the public powers emanate from the national vote; and clearly is it proved, by the history of many years, that it has always endeavored to avoid conflict with foreign nations. The republic can show with legitimate pride that it has never been sparing of its blood or resources whenever it has been embarked in a noble cause, and much less when to it has been united the interests of this continent; but it can also declare with no less satisfaction that, though always ready to defend outraged rights, it has systematically avoided all provocation, even under circumstances that would have authorized it. Only a few months ago it has given a new proof of the traditional character of its policy, by submitting to the honorable solution of arbitration an old and vexed question it sustained against a neighboring power, although it had to yield to the uncertainty of a sentence, rights to which the national sentiment attached great importance. From this it will be easy for Y. E. to deduce that Chili, in forgetting its historic conduct and the necessities of its situation, has done so only by the irresistible force of evident justice and in obedience to the clearest demands on its dignity.

My Government very recently complied with its duty in manifesting to those with whom it has the pleasure to maintain cordial relations, the circumstances which obliged it to declare at an end the treaty existing with Bolivia, and to occupy the territory lying between parallels 23 and 24 S. lat.

Subsequently, and without previous declaration of war, the President of Bolivia issued a decree emanating from his single will, by which he expelled Chilean citizens from that state, confiscated their property, and sequestered the products of the industry and capital of this country.

It is unnecessary to recapitulate the bonds uniting the two nations, confirmed by solemn treaties, never respected by our neighbors; unnecessary to repeat that since 1866 till the occupation of Antofagasta on Feb. 14 of this year, my Government, by a series of concessions more or less valuable, had arrived at the last sacrifice in order to maintain peace.

If Chili has been forced into war, it is not through its own act, but is the unavoidable consequence of the extraordinary conduct observed by the Government of La Paz. This, on one hand declined to fulfil the treaty of 1874, in virtue of which, and by

whose sole title it occupied conditionally the territory whose possession was transferred by the treaty mentioned. On the other it refused the honorable resource of arbitration, pretending to constitute itself absolute judge of the interpretation and practical application of the rights and duties established by the mutual sanction of both nations.

From whatever point of view the severest impartiality may consider the irregular proceedings of the Bolivian authorities, we feel convinced that the friendly powers whose opinion we so much esteem will recognize, in homage to the strictest justice, that the situation imposed on Chili by a will not its own, indicated one sole course as possible in protection of its decorum.

My Government nevertheless, in spite of antecedents that perhaps should have indicated a different course, wished to limit itself to pointing out the natural consequences of the rupture of the treaty of 1874. If it be undeniable that before the treaty of 1866 the territory comprised between parallels 23 and 24 belonged to Chili by right and by the constant exercise of veritable possession; if it be true that it was ceded to Bolivia by the treaty of 1874 on the emphatic condition that no new taxes should be levied on Chilian industry and capital; and if in fine, it is the melancholy truth proved by public documents of the Bolivian Government, that it, turning a deaf ear to all remonstrance, ceased in truth to impose taxation, but rendered illusory the right of property recognized by its own laws—it was necessary on the part of Chile to replace things in the state in which they stood before the extraordinary violation of the treaty mentioned.

This violent act of Bolivia was necessarily followed by the occupation of the consideration ceded, on the ground of nonfulfilment of the conditions. This sufficiently explains the landing of our troops at Antofagasta, so that in attributing to this the character of a belligerent act, the antecedents of the conflict are deliberately disregarded. In order to avoid the occupation, Bolivia possessed the means open to the commonest honesty—viz, promising to respect the treaty of 1874. This would have been the course of a civilized nation, for no reasoning, no protest, can defend the unjust sentence Bolivia claimed to give in the question: to retain the territory it owed to the liberality of Chili, and at the same time to break the fundamental condition of the concession.

It is painful, but at the same time indispensable, to bring to the memory of friendly powers another evident reason that my government could have wished not to reveal, out of respect to a State of the same origin. Official documents, and still more, the

private history of Chilean industry on the coast between 23° and 24° S. lat., are witnesses that cannot be refuted, to the fact that since 1866 to the date of the occupation of Antofagasta, the Bolivian government appears to have conceived, organized, and put in practice an inflexible system of persecution against the development of Chilean enterprises which have been the only origin and the principal element of the wealth of that locality, never suspected and never stimulated by the private industry or national protection of Bolivia.

The capital of this republic, and that developed under the protection of our laws without distinction of nationality, being embarked in costly speculations, my government could not view with indifference the adoption by Bolivia of special measures tending to place Chileans in an exceptional situation. Soon after the treaty of 1866, and then after that of 1874, the painful certainty was realized that in Bolivia no idea existed of individual guarantees. Taxes were imposed under the pretext of municipal rates; disgraceful punishments were inflicted by the authorities on citizens of this republic; and finally, a Chilean enterprise for the working of nitrate beds, authorized by the Bolivian government, afforded a pretext for a law irreconcilable with the most essential stipulation of the treaty of 1874.

My government could not and ought not abandon its citizens to the caprice of that of Bolivia, and less to the discretion of its subalterns; and the official documents inserted in the reports of the Ministry of Foreign Affairs since 1866 render unnecessary any additional proof that since then till now it has been impossible to restrain the action of the Bolivian authorities.

These precedents showed sufficiently that the occupation of Antofagasta was urgently required, through the violation of the treaty; and my government found itself under the necessity of ordering it, for the protection of interests and persons threatened by measures which respected no rights whatever.

The occupation effected on Feb. 14 could not be considered as a declaration of war, and still less as a threat on the part of my government against the sovereignty of Bolivia. Nor was it reasonable to suppose that the Cabinet of Santiago intended to modify the geographical limits of the neighboring nations. In this conflict, which never would have arisen if even a show of respect had been evinced for the spirit and letter of treaties, what this republic has aimed at from the beginning, with the greatest frankness, was to defend its national rights and protect private property. Before 1866 we possessed effectively up to the parallel 23. By

the treaty of that year we accepted the exploitation in common up to parallel 25; and subsequently we fixed the limits of Chili at 24°, on condition of the neighboring republic leaving our industry free from any new exaction.

The situation of the two republics seemed to be clear enough. Chili renounced its effective possession up to lat. 23° S.; Bolivia ceded its fantastic pretensions up to lat. 24° and both countries, respecting the fact that Antofagasta, Mejillones, Caracoles, and Salinas were of Chilian creation, agreed to guarantee the freedom of the industries established in those regions. This undoubtedly imported an immense sacrifice to Chili, considering that she not only ceded to Bolivia a territory in dispute, but also a large area over which her title could not have been questioned for a moment.

The antecedents of the treaty of 1866 and the negotiations which resulted in that of 1874, are the most evident proofs that Chili, far from desiring the extension of its limits recognized under the colonial regime, only sought an arrangement that permitted the untrammelled exercise of Chilian industry: notwithstanding the appropriation by Bolivia of the territory that we possessed.

It is unnecessary to dwell upon the right of a sovereign state to claim from another with which it contracted the fulfilment of its stipulations, and the no less indisputable faculty to employ the means of enforcement which the law of nations has placed in use. Although the proceeding of my Government was open to no objection, considering that the conflict with Bolivia in no way affected Peru, we wished to give the latter a proof of our friendship by informing it fully of whatever transpired, calling previously its attention to the necessary results of a groundless complication.

The Lima Cabinet knew, therefore, everything concerning the negotiations at La Paz; it could appreciate the tenacious resistance opposed to the conciliatory proposals of our chancery; and it also knew that such proposals were replied to by unheard-of acts of violent spoliation. In spite of this, that Cabinet, so zealous for the peace of America, which has assumed at the eleventh hour the charge of Bolivia, could find then—when an opportunity offered for it to fulfil its duty—not a single word nor course whatever to avert a conflict in which it may now be said Peru represented a secret rôle by no means in conformity with its much talked-of high-mindedness.

It was our duty then to confide in the loyalty of Peru; still more, we had the right to demand it, either on the ground of a sincere friendship, or as a slight return for the blood of our citizens and our

treasure spent in giving that country a nationality, and defending it at the price of our own ruin.

It was natural for us to give faith to the professions of neutrality which the Peruvian Government transmitted to us through our plenipotentiary; and to consider as friendly the intimation given us by that Cabinet, that until war was declared it must permit the passage of Bolivian troops through its territory, in virtue of a previous treaty.

There were, however, various antecedents which contradicted in a great measure the declarations that now we may stigmatize as insidious, with full knowledge of circumstances. The President of Peru did not hesitate to express his fears for the pressure that might be brought to bear in an opposite sense by a reckless popular opinion. He hinted at the not improbable event of the action of the authorities being interfered with, and recognized the influence of certain circles whose disaffection to Chili is only founded on the childish jealousy with which our prosperity is regarded.

This caused my government to observe an attitude of vigilant expectation. According to the rules regulating the relations of friendly powers, it would have been rash to provoke a definitive situation; but according to the claims of our own responsibility, we were bound to prepare for any emergency.

This explains the reception accorded to the extraordinary legation from Peru which arrived at Santiago at the beginning of March, with words of peace and conciliation.

The nature of the complication with Bolivia did not exclude the possibility of some arrangement, as it was not our desire to make war unnecessarily. My government, however, believed that all mediation under the then circumstances was inopportune; that it had even been so when on a previous occasion it had been offered by the *chargé d'affaires* of Peru; and that the Cabinet of Lima had lost the occasion of interposing its friendly offices, even if it had at any time professed them.

When the government of La Paz showed itself deaf to all remonstrance; when its only argument was decrees violatory of the treaty of 1874; when it replied to pacific indications by the enforcement of the law of 1878 which implicitly abrogated its recent pledges to Chili;—then indeed mediation would have been practicable, supposing that Peru had possessed the real character of an honorable mutual friend.

Believing firmly that mediation for the moment was groundless, my government yet considered that such belief was not incompatible with hearing the ideas of the Peruvian government transmitted by its representative Don José Antonio de Lavalle. At the prelimi-

nary conference held by the undersigned with Señor Lavalle, it appeared that the object of the mission was to exchange ideas and make general observations on the Chileno-Bolivian question. As then the belief became more pronounced in the existence of a secret treaty of alliance, concluded in the year 1873 between Peru and Bolivia, it seemed advisable to interrogate señor Lavalle concerning an event of such importance; and as at the same time an unusual activity was observable in the army and navy of Peru, explanations were demanded as to the signification and object of such preparations.

Señor Lavalle gave the following reply:

«That he had no knowledge of the treaty alluded to; that he believed it had no existence; that it could not have been approved by the Congress of 1873, because the legislature being biennial till the constitutional reform of 1878, that assembly did not meet in that year; and that he was sure it was not approved on the following years, during which he had the honor of presiding over the diplomatic committee of Congress, at which such negotiation would necessarily have had to be discussed. But nevertheless, as since his arrival in Chili, he had heard the existence of this treaty spoken of, he had asked instructions from his government, which he would communicate immediately they were received.»

Respecting the belligerent attitude which Peru commenced to assume, its representative attributed it to the special condition of its territory, and to the necessity of preventing its violation by the operations of the belligerents, which it was reasonable to anticipate, as the Bolivians had invaded it even in cases of internal commotion.

These explanations were not tranquilizing, because they were not conclusive, and confirmed my government in the conviction that it would be necessary to resolve so equivocal a situation before the cabinet of Lima itself, and even without knowing its antecedents, instructions were sent at the first moment to our minister at that capital, to ask for a prompt declaration of neutrality.

The Cabinet of Lima, as I have already had the honor of stating to Y. E., declared to our representative in verbal conference that it would be neutral in the conflict with Bolivia, and that such resolution would remain in suspense until the declaration of war were notified to it.

On March 14 our minister in Lima announced to my government that the charge d'affaires of Bolivia had made known to the diplomatic corps there resident that his country was at war with Chili, and on the same day orders were sent señor Godoy to demand the declaration of neutrality. It was asked for, in moderate terms, on the 17th of the same month, and the Peruvian chancery, replying on

the 21st, referred to instructions that would be transmitted to its envoy extraordinary in Chili, without explaining the reasons which induced it to delay the solution of a legitimate right which gave no margin for further explanations. The disloyal evasion of Peru was unacceptable even to the least suspicious judgment, and for this reason my government informed Señor Godoy on the same day that it did not admit of such a tardy course being adopted; that it insisted on claiming its right in Lima itself; and that it now not only asked Peru to define its attitude, but demanded a frank explanation as to the object of its armament, and substantial guarantees for the future, in the event of any probable contingency.

Such a demand was fully justified. The extraordinary mission of Señor Lavalle, at such a critical moment, only served to satisfy us as to his ignorance of subjects of immense importance; and at the same time the government of Lima had to be reminded that it had confessed itself impotent to fulfil its duty, and that an explosion of hate as profound as unreasonable against this republic, had burst forth among the people of the pretended mediator.

The moment had therefore arrived to dissipate all doubt. My government, sensible of the responsibility weighing upon it, and being aware of the extent of the right of self-defence before an ill-defined neutrality that was arming in every haste, did not hesitate to give its demands the pressing nature that the gravity of the situation demanded.

On the said 21st of March, Señor Godoy communicated to my government the result of that step, but the defective telegraphic transmission necessitated the rectification of the dispatch, which from various causes could not be effected before the night of the 24th. His note had not been replied to in writing, but in verbal conference he was given clearly to understand by the government of Peru, that it was impossible for it to assume a neutral attitude, owing to the existence of a treaty of alliance with Bolivia. In spite of the importance of this declaration, that government insisted on Chili abiding by the explanations of the Peruvian envoy; and exhibited, with an impassiveness at variance with the simplest demands of honor, the desire of postponing the solution of the problem.

Notwithstanding, my government, obedient to the respect which it has always professed towards the opinions of other nations, and desirous of avoiding the reproach of hastiness, by the omission of any essential requisite to establish clearly the situation of Peru, endeavored to obtain explicit and exact explanations.

On the said 24th of March peremptory instructions were sent to our minister at Lima. According to them he was to insist that the question of neutrality should not be discussed in Chili; that we de-

manded the immediate and guaranteed suspension of the armament, and the production of the secret treaty, inquiring if it was approved in due form, and if Peru was disposed to abrogate it immediately and give us the requisite explanations for having negotiated in secret, while on terms of friendship with us, a treaty showing want of confidence in and even of hostility towards Chili.

Such were our last demands and their just foundations. Our representative in Lima, putting them into prompt execution, conferred verbally with the head of the Peruvian government and the members of his Cabinet,

The result of those conferences was the following declarations, which suffice without any comment to show the international policy of a government allied till then with us by a treaty of friendship offered by Chili when the ancient masters of Peru imposed on it a humiliating vassalage.

The Cabinet of Lima, without a tinge of shame, undeterred by recent events, without even the frankness which occasionally excuses great faults, tranquilly answered our minister:

1. That it would not declare nor assume an attitude of neutrality, though with an incomprehensible logic it offered, nevertheless, on its already violated word, to suspend its warlike preparations.

2. That the secret treaty with Bolivia—a shameful net spread for our friendship—was duly completed for a long time past.

3. That that treaty, whose hidden existence was the best proof of its bastard nature, had to be kept secret in accordance with one of its articles, calculated cunningly against the friend of many years, the ally in trouble, the saviour in the two great crises of the nation that with such a monument testified its gratitude; and

4. That a copy of this singular treaty had been remitted to señor Lavalle; but on the understanding that it should only be read to us, doubtless to satisfy our curiosity to know a negotiation whose like can scarcely be found in the darkest records of diplomacy.

It is not surprising that the Cabinet of Lima had the assurance to insist, with all the appearance of seriousness, on the possibility of the continuance of the pending negotiations!

If all this was not war, such as it is understood by civilized nations, it signified the same thing, under the transparent disguise of a mediator who assumed the double part of a friend when he was an interested belligerent.

The secret treaty of Feb. 6, 1873, needs no lengthy examination to ascertain its object; and the reserve in which it has been maintained confirms in the least suspicious mind the conviction that it was entered into solely as a means of security for the fiscal egotism of Peru in its pecuniary troubles, and to aid the schemes of the

government of Bolivia, a perpetual conspirator against the treaty of 1866. In 1873 neither Peru nor Bolivia was threatened by the remotest danger of territorial dismemberment; and much less could it be foreseen that Chili cherished such idea, seeing that it had granted to Bolivia whatever that republic demanded in the convention of 1866 —applauded by the Bolivian people as a splendid manifestation of Chilian generosity.

The treaty of 1873 owed its origin—hidden as a shameful act—to the measures adopted by Peru at that epoch, to justify one of the most audacious and cruel spoliations witnessed by countries submitted to a regime of common respect towards the industry of all nations.

Peru desired to monopolize and appropriate the nitrate works; and in order to sustain its daily diminishing credit, adopted the supreme measure of ruining an industry to satisfy a fiscal voracity that could not satisfy itself with the ordinary resources of a country that has lived, thanks to its territorial wealth, in complete obliviousness of economy and labor.

Y. E. cannot be ignorant of the situation of these three republics in February, 1873; and in fact, only by the cause I have just indicated can be explained the existence of the treaty of that year, entered into in prevision of acts that nobody threatened to realize—that could not be realized while the treaty of 1866 existed; and when in no case was it possible to anticipate that Chili or any other nation would threaten the integrity of Bolivian territory, or the never-disputed sovereignty of Perú within its recognized limits.

It is evident that Peru sought in the treaty of 1873 to protect the financial measures it meditated against an industry that in any commonly scrupulous country would have had the right to develop itself freely. What it desired was to strengthen the nitrate monopoly, without considering the sums invested in that industry; for in vain are antecedents of any kind scraped up to justify the belief—not probable, but even possible — of any aggression against the independence or dominion of the contracting powers.

Knowing the respective situation of these countries, the secret treaty of which I have spoken was either wholly useless, or it possessed an ulterior design that events have shown to be the real one. Neither Bolivia nor Peru could fear the perturbation of their sovereignty by any of the surrounding nations; so that the alliance is explainable by much less elevated motives, and which decidedly were intended to embarrass the action of my government in exacting the due fulfilment of the treaty we had celebrated with Bolivia, and provide against the consequences of the indignant clamor of Chilian citizens, despoiled by the despotic hand of the monopoly established in Tarapacá.

As a last analysis, the Peru-Bolivian convention was for Peru the cold calculation of a trader; and for Bolivia a vote of indemnity which covered the previous violations and future infractions of the agreement of 1866. The monopolizing interest of the former republic and the international ill-faith of the second, found their faithful expression in that document, whose celebrity will be as lasting as the condemnation which the honest conscience of every civilized people will attach to it.

And this, Y. E. will observe as an original lesson of diplomatic loyalty, was on the eve of adjusting the treaty of 1874; when Chili, without necessity, and only in homage to peace, being able to exact the fulfilment of the treaty of 1866, agreed to renounce its recognized right to the territory between 24° and 23°.

There is even yet something more worthy of observation. Art. 3 of the secret convention reserves to each party the qualification of the *casus fœderis*. The 8th establishes as a solemn pledge, to avert war as far as possible, employing conciliatory means to avoid a rupture, and among them arbitration.

Peru therefore possessed the fullest liberty of action for deciding if the time for an alliance had arrived. It could and ought to have considered the object and character of the operations undertaken by my government; and more than one opportunity presented itself for offering its mediation, when it assisted as a mute witness to the negotiations whose logical results it could not otherwise than foresee. It is not therefore unwarranted, to impute to the Cabinet of Lima, the deliberate intention, formed long before, of assuming the character of a belligerent. For this reason it manifested a decided inclination for neutrality even whilst it armed with unusual rapidity; for this it sent us a legation which claimed to be without instructions on the cardinal points of its mission; for this, whilst it delayed the replies asked by our representative, it sent urgent orders to Europe for new war material.

All this would merit, on the part of any power disinterested in the conflict, qualifications too severe for my Government to repeat here, out of respect for that of Y. E. The nations whose worthy representatives. I have the honor to address, will observe by the accompanying documents, that even accepting as obligatory the secret treaty of 1873, the Peruvian Government was free from any pledge. That of Bolivia refused the arbitration referred to in art. 8 of the secret treaty, as it did in the treaties celebrated with Chili; and the *casus fœderis* had not occurred, inasmuch as Chile stated, and repeated frequently, that it did not intend to conquer a hand's breadth of Bolivian territory. Peru not only could but should observe the strictest neutrality, even obser-

ving the secret stipulations binding it with Bolivia; because these are founded on the existence of a threat against territorial integrity, which was never thought of on our part; and because they also fix as an indispensable precedent to the *casus fœderis* the previous recourse to arbitration.

The explanations given by señor Lavalle, far from attenuating, strengthened more clearly, if that be possible, the terminant spirit of the treaty of 1873. How accept the trifling excuse that it contained a generic stipulation, not directed at Chile, whilst it is carefully hidden from her knowledge? If the treaty meant a general guarantee against any advance of a foreign power, why was the co-operation of Chile not sought, which has given more than one example of being the first to contribute, with its men and its wealth, towards the maintenance of the sovereignty of nations of a common origin?

It was still more inconceivable that Perú should inform us by its envoy that the reserve of the treaty arose from one of its conditions, fearing our susceptibilities might be wounded if it proceeded to act as mediator while informing us of its relations with one of the belligerents.

To discuss such allegations would be merely to tire your patience, and is doubly unnecessary, inasmuch as Peru, from the beginning of the conflict has done everything in its power to elude any explanation relating to the secret treaty.

My government needed no extraordinary effort to ascertain, from the acts and declarations related, what was the position that Peru preferred to assume, what were the rights, and more than all, what were the duties that were consequently imposed.

The mediator offered himself backed by an army, whose rapid reunion testified to the prevision of proximate conflicts; manned his navy; and whilst uncertainly stammering words of impartiality, allowed to transpire the engagement of a belligerent duly sealed.

It was Peru which, if it did not declare war first, with the frankness of a noble resolution, commenced it first—and what is worse, a war hidden and sheltered under false protestations of friendship.

Chile has never forgotten the course marked out by the patriotism of its sons, the energy strengthened by the conviction of violated justice, and its historic name among civilized nations. It is Peru that has plotted and desired war, let Peru therefore be charged with the responsibility, whilst Chili delivers its future to the protection of God, to the stout hearts of its citizens, and to the just opinion of enlightened nations.—I have, &c.