

ARGENTINA'S PERCEPTION AND POLICY TOWARDS ANTARCTICA

**Dissertation submitted to the Jawaharlal Nehru University
in partial fulfilment of the requirements
for the award of the Degree of
MASTER OF PHILOSOPHY**

MANPREET SACHDEVA

**LATIN AMERICAN STUDIES DIVISION
CENTRE FOR AMERICAN AND WEST EUROPEAN STUDIES
SCHOOL OF INTERNATIONAL STUDIES
JAWAHARLAL NEHRU UNIVERISTY
NEW DELHI - 110067**

1992



जवाहरलाल नेहरु विश्वविद्यालय
JAWAHARLAL NEHRU UNIVERSITY
NEW DELHI - 110067

Centre for American and
West European Studies
School of International Studies

CERTIFICATE

Certified that the dissertation entitled "Argentina's Perception and Policy Towards Antarctica" submitted by Ms. Manpreet Sachdeva in partial fulfilment for the award of the degree of Master of Philosophy is a bonafide work to the best of my knowledge and may be placed before the examiners for their consideration.

Joti Lal-Tewaria Junior
Supervisor

Date : 29. 06. 92

Vijaya Lakshmi K.P.
Chairman

PREFACE

For decades after its discovery, Antarctica remained a forgotten continent in the world of international political affairs, attracting only the explorers or the sealers and whalers. But, a gigantic landmass that it is, Antarctica could hardly have been expected to remain insulated from power politics. Territorial claims and counterclaims began to be made from the beginning of the twentieth century. Gradually thereafter, the region has gone on shedding its isolation. Today, it figures prominently in political calculations of not only those states that have a direct and active interest in the region, but also of those that earlier never gave much thought to it.

Antarctica exists as one of the last remaining frontiers of the world that has as yet not been subjected to division among sovereign states. Of course, conflicting national claims to portions of its 14 million square kilometers expanse have been made by seven different states - Argentina, Australia, Chile, France, New Zealand, Norway and the United Kingdom, leaving only 15 per cent of the continent claim free. These claims, however, have met with opposition and even outright rejection from the following camps:

a) countries that while accepting in principle that

(ii)

Antarctica is terra nullius and open for national appropriation have denied recognition to others' claims, and have reserved the right to demarcate their sectors as and when they should wish to do so in the future. These are the potential claimants;

b) countries that consider Antarctica to be res communis and hence, not available for national arrogation. For these non claimants, the region belongs to all as the 'common heritage of mankind'.

This controversy over the juridical status of Antarctica is fraught with tension. Conflicts, however, have so far been averted by the successful operation of the Antarctic Treaty (AT), in force since 23 June 1961. The AT has successfully secured its objectives of fostering scientific cooperation, keeping the region demilitarized and holding territorial claims in abeyance. Theoretically, the AT could last forever. But Article XII provides for a review of the Treaty after thirty years from the date it became operative, if a member country so desires. Therefore, there was widespread speculation of a Treaty review in 1991. But upto now, no such event has taken place -- a fact that reinforces the efficacy of the AT.

This, however, is not to suggest that the danger of international discord over Antarctica no longer

exists. On the contrary, such an eventuality cannot be dismissed given the growing consciousness about Antarctica the world over. Rather, the Antarctic situation has been further complicated by two major changes that have recently taken place in the global scenario. One of these is the success of the movement for transnational control of world resources with the conclusion of Law of the Sea. The second is the growing uncertainty and scarcity of world energy supplies.

In view of the changing international perspective and its possible repercussions on Antarctica, it gains relevance to examine the policy and perception of Argentina as a claimant state. The choice of Argentina seems pertinent for several reasons. One, because its claims are the most controversial since they overlap with those of Chile and UK over a particular sector of Antarctica; secondly, because its claims have been most vehemently voiced and aggressively pursued. Argentina has viewed the Antarctic as its natural and even preordained sphere of influence. Hence, the presence of other nations in the region has been resented and at times, even overtly disputed; thirdly, because the international acceptance of common heritage principle under LOS sets a precedent that could jeopardise Argentina's claimant status; and lastly because the

region's resource potential compels Argentina not to let go of its claimed sector. All the above factors can have a direct and may be an adverse bearing on the stability of Antarctica.

Against this broad framework, the subject has been treated in six major chapters. The introductory Chapter I examines the historical evolution of both Antarctica and Argentina. It traces the stages in the discovery of the southern landmass and discusses the political controversy surrounding its juridico-legal status. The Chapter closes with a survey of developments within Argentina when the Antarctic was being discovered and explored in order to establish the time and manner in which Argentina made its acquaintance with Antarctica.

Chapter II discusses the rationale of Argentine claim and its attitude towards the AT, in the context of the country's school of geopolitical thought. Since geopolitics has wielded a powerful influence in the Southern Cone countries, it becomes imperative to examine the mould that the geopoliticians have set for the country's foreign policies, especially as regards Antarctica.

Chapter III discovers Argentina's relations with two other rival claimants - Chile and UK. Briefly

outlining the historical relations of Argentina with each one of them and the geopolitical challenge that each poses to the other, the chapter establishes that Argentine response to their presence in Antarctica has mostly been resentfully contentious and at times, overtly aggressive. Nevertheless, the three nations have also occasionally taken congruent and coexistent positions on some Antarctic matters.

Chapter IV examines Argentina's relations with USA and Brazil, Argentine reaction to the activities of these potential claimants has been slightly more pragmatic in contrast to the dogmatism evident in its dealings with other claimants. Of the two, however, it is Brazil that is looked upon with greater apprehension because of its advocacy of the 'frontage theory' that could seriously undermine the Argentine claim.

Chapter V contrasts the position of the Third World nations and their common heritage argument with that of Argentina. Given its own status as a developing country, relations with this group have placed Argentina in a dilemma since it can neither openly oppose them and nor endorse their demand for internationalization of Antarctica. The study concludes with a look at possible future trends in Antarctica and Argentina's likely response to them.

Relying on an approach that is essentially evolutionary and diagnostic combined with broad analytical attempts, the dissertation seeks to provide an objective understanding of Argentine perception and policy towards Antarctica and the compulsions it has to reckon with. A limitation of the study that needs to be honestly acknowledged, is the scant availability of relevant official documents of the Government of Argentina on the subject. This has handicapped the scope and content of research to some extent. All the same, a sincere effort has been made to overcome this deficiency through reliance on primary source material as well as on a variety of scholarly analyses published on the subject.

The dissertation makes an attempt to approach and analyse the subject in a different manner. In that respect, I must own responsibility for all foibles and frailties in the style of presentation and treatment of the theme. It is hoped that this modest, and by no means exhaustive attempt shall contribute to the understanding of the subject.

ACKNOWLEDGEMENTS

It is never an easy task to acknowledge faithfully and comprehensively all the guidance and assistance which one receives in any research work. Comments and practical help come from many sources. Though, it would be impossible to list all individuals, yet I would be failing in my duty if I did not mention those who have been most involved with the development of this dissertation.

First of all, I must gratefully acknowledge my intellectual indebtedness to my research guide, Dr Jose Leal Ferreira whose dedication to academics, passion for precision and deep insight inspired me all through. His patient guidance and unsparing cooperation have made this study possible. Let me also acknowledge my debt to Dr R. Narayanan, Dean, School of International Studies, JNU who has been a source of encouragement. I am thankful to Dr Abdul Nafey of Latin American Division, SIS, JNU for his spontaneous help and intellectual stimulation.

I would take this opportunity to express my gratitude to my father, Dr G.S. Sachdeva for his invaluable advice, words of encouragement and implicit faith in his daughter. I also wish to record my appreciation for my husband, Lt. A.S. Sethi who not only lovingly endured my preoccupation, but also rendered useful suggestions and advice during every stage of material collection, drafting and finalisation of this dissertation. But for his abiding encouragement and fullest cooperation, this work could not have been completed.

Finally, and most importantly, thanks are due to Shri S. Ravi for his unfailing labour in the preparation of this manuscript.

Sachdeva

MANPREET SACHDEVA

C O N T E N T S

	PAGES
PREFACE	i - vi
ACKNOWLEDGEMENTS	vii
CHAPTER I	
ANTARCTICA AND ARGENTINA : THEIR HISTORICAL EVOLUTION	1 - 30
CHAPTER II	
ARGENTINA : ITS ANTARCTIC STATUS AND GEOPOLITICAL THINKING	31 - 58
CHAPTER III	
ARGENTINA AND THE CLAIMANT STATES : CHILE AND THE UNITED KINGDOM	59 - 103
CHAPTER IV	
ARGENTINA AND POTENTIAL CLAIMANTS	104 - 139
CHAPTER V	
ARGENTINA AND THE NON CLAIMANTS	140 - 166
CHAPTER VI	
CONCLUSION : POSSIBLE FUTURE TRENDS	167 - 182
BIBLIOGRAPHY	183 - 194

CHAPTER I

ANTARCTICA AND ARGENTINA : THEIR HISTORICAL EVOLUTION

ANTARCTICA : ITS GEOGRAPHICAL SETTING

The gigantic Antarctic landmass of 13.918 million square kilometers covers nearly one tenth of the terrestrial world.¹ Located asymmetrically around the geographical South Pole, it is "the mass of ice and land, including ice shelves existing south of 60 degrees South latitude."² As the world's fifth largest continent, Antarctica is about five times the size of Argentina.³ In fact, the area of Antarctica exceeds the combined extent of Argentina, Brazil, Chile, Peru and Uruguay.⁴ This huge continent is surrounded by the Southern Ocean that is bounded at 50 degree South

1 D.J. Drewry, "The Antarctic Physical Environment", in Gillian D. Triggs, ed., The Antarctic Treaty Regime; Law, Environment and Resources (Cambridge, 1987), p.6.

2 Todd Jay Parriott, "Territorial Claims in Antarctica: Will the United States Be left out in the Cold?", Stanford Journal of International Law (California), vol. 22, no.1, Spring 1986, p.68. This definition corresponds to the one contained in Article VI of the Antarctic Treaty of 1961.

3 Argentine Territory is 2.791,810 million sq.kms. as mentioned by George Thomas Kurian, Encyclopedia of the Third World (London, 1982), p.77.

4 The territory of Brazil is 8.511,965 million sq.kms. Chile has 756,945 sq.kms; Peru has 1.285,215 million sq.kms; and that of Uruguay is 177,508 sq.kms. *ibid*, pages 217, 361, 1431 and 1877 respectively.

latitude by the Antarctic Convergence. The Convergence refers to the area where the cold, dense Antarctic waters meet the warmer and saltier waters of the Atlantic, Pacific and Indian Oceans. The difference in water temperatures and salinity form a natural barrier towards the south for several living species and thereby adds to the singular isolation of the continent.

The uniqueness of Antarctica shines through in nearly every one of its physical characteristics. It is the highest of all continents with an average elevation of 2,500 meters which is three times that of other continents.⁵ It is the driest continent with an average annual precipitation of a mere 10 centimeters.⁶ It is the coldest continent with a permanent ice cap that covers nearly 98 percent of its surface. Average winter temperature hovers around -60 degree Celsius.⁷ Also, it is among the windiest of all regions with winds running unopposed at high speed across thousands of miles. Such cold, windy and desert like conditions are to answer for

5 E.F. Jung, "Antarctica in World Affairs, Aussen Politik (Hamburg), vol.35, no.1, 1984, p.81.

6 This is because very low temperatures limit the moisture carrying capacity of the air.

7 The lowest temperature recorded was - 89.6^o Celsius at New Zealand's Vanda base in 1983. Peter Beck, The International Politics of Antarctica (Kent, 1986), p.10.

the inhospitality, desolateness and isolation of the continent. These have deterred permanent human settlements. Covered with ice and surrounded as it is by hazardous ocean swarming with glaciers, it is absolutely inaccessible in the long winter months. Not that the going is much less tough in the summer because in order to reach the continent, one must voyage over tremendous oceanic depths, brave the roughest seas and be exposed to the fiercest winds.

Yet, the very remoteness and inaccessibility of this great ice dome proved to be a source of attraction for individuals and nations. In fact, long before its discovery, the idea of a southern landmass, a Terra Australis Incognita had fixated itself in the minds of men. This impression was based on a Greek hypothesis that conjectured the logical need for the existence of a southern landmass to balance the weight of those lands known to exist in the north. It was given the name of Antarktikos - the exact opposite of Arktos, the Bear under whose constellation lies the northern hemisphere.

The hypothesis, however, was proved true only in the late eighteenth century. The credit for this goes mainly to the great British explorer and navigator Capt. James Cook. He almost discovered Antarctica during his 70,000 miles long circumnavigation of the world in 1772-

75. But, the thick fog, snow storms and intense cold held him and his small boats back from venturing beyond 71 degrees 10 minutes latitude. He returned convinced, "that there is a track of land near the pole which is the source of most of the ice that is spread over this vast Southern Ocean...." ⁸ But, at the same time, he was equally firm in his belief that "no man will ever venture further than I have done; and that lands which may lie to the south will never be explored."⁹

This prophecy of Capt. Cook held true till the early nineteenth century. Until then, the Southern Oceans were visited mainly by sealers whose interest had been aroused by Capt. Cook's accounts of the profusion of wildlife in the area. But, his gloomy description of the region further south daunted many an explorer from undertaking the hazardous voyage. Initial sightings of Antarctica, therefore, were more a by product of sealing in the southern seas, than a function of the quest for knowledge about the unknown.

Many decades were to elapse before the Antarctic was sighted. It was in 1820 that Capt. Nathaniel Brown

8 Philip W. Quigg, A Pole Apart : The Emerging Issue of Antarctica (New York, 1983), p.8.

9 *ibid*, p.8.

Palmer of United States of America (USA) led a sealing fleet southward and sighted the ice clogged coast and cliffs of the mysterious southern land. However, the honour for this momentous discovery has also been claimed by Edward Bransfield of the United Kingdom and Capt. Thaddeus Von Bellingshausen of the Soviet Union.¹⁰

Once the existence of Antarctica had been ascertained, many expeditions travelled to the region during the course of the nineteenth and early twentieth centuries. The desire to know all about terra incognita kept the daring and adventurous going. The spirit of the time has been most aptly expressed by Hugh R. Mill, an outstanding British polar geographer in the following words:

The tradition of inaccessibility is a challenge to humanity; and, whether it be the end of the Earth's axis or the summit of a snowy mountain, there will never be lacking a few to take it up.¹¹

Besides, there were commercial benefits that beckoned. Whaling began in a big way after 1904. By 1914, the

10 There is a tug of war between the three nations on whose national sighted land first. Apart from its symbolic overtones, the debate has a legal significance because discovery is considered one of the basis for territorial possession.

11 Deborah Shapley, The Seventh Continent: Antarctica in a Resource Age (Washington D.C., 1985), p.14.

Southern Oceans supplied some two-thirds of the world's whale oil used in the production of soap and lubricants.¹²

The age of discovery took a new turn after the first world war when the radio and the airplane altogether changed the style and scope of exploratory expeditions. These were new tools that provided speed and height, facilitating not only an overview of the whole continent, but also a more rapid and extensive coverage of a given area. While from the ground one could see only upto five kilometers, from a plane at a height of 600 meters, one could see upto 96 kilometers.¹³ An airplane with cameras could explore 4000 square miles in an hour - the equivalent of an entire season's reconnaissance by a dog team.¹⁴ Besides, technological advancement also brought about the resurgence of U.S. activities in this area. American expeditions had not frequented the Antarctic in the first couple of decades of the twentieth century. The advent of the mechanized age renewed their interest and

12 Beck, n.7, p.26. During the First World War, the use of whale's oil in soap manufacture gave a by product which was used in the production of explosives.

13 Shapley, n.11, p.35.

14 Quigg, n.8, p.29.

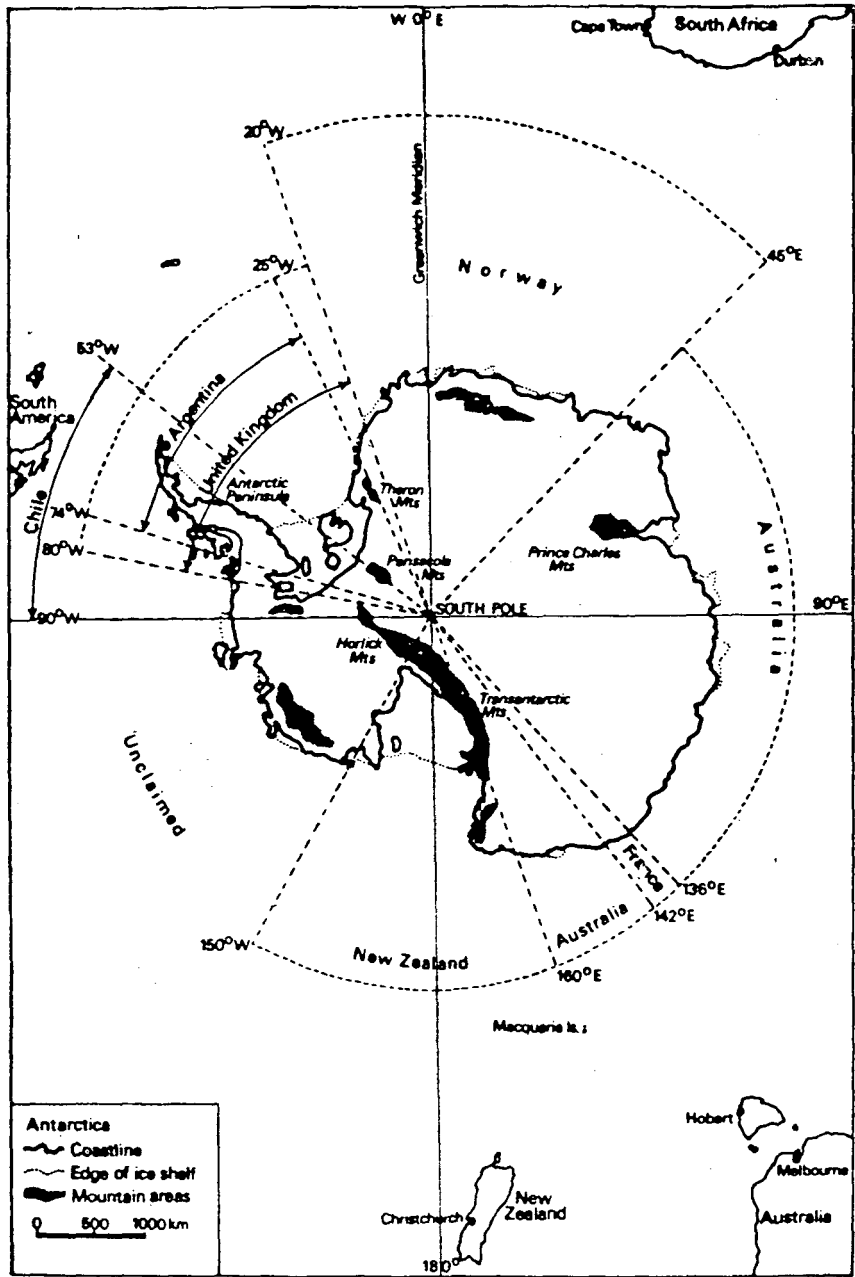
they brought the new gadgets to the Antarctic. It was Sir Hubert Wilkins who made the first flight to Antarctica in 1928, but it was the American Rear Admiral Richard Evelyn Byrd who reached the pole in 1929 and popularised the use of airplane in the region.¹⁵ Thereafter, discovery and exploration were so fast that by the middle of the twentieth century nearly all of the Antarctic landmass had been explored and surveyed by expeditions that were either European or American. While the British excelled in naval exploration, the Scandinavians made their mark in land expeditions and the Americans proved their superiority at aerial surveys. Further progress towards unravelling the mystery of the continent was made during the International Geophysical Year (IGY) of 1957-58 when nearly fifty stations were set up all over the continent and comprehensive scientific work was undertaken.¹⁶

15 Russel Owen, The Antarctic Ocean (London, 1948), p.200.

16 The International Council for Scientific Unions (ICSU) --a federation of international scientific institutions had observed the First Polar Year (1882-83) and the Second Polar Year (1931-33) to promote studies of geo-magnetism, meteorology and auroral phenomenon of the Arctic. For the third Polar Year, the whole world was included and it was renamed International Geophysical Year. Sanjay Chaturvedi, Dawning of Antarctica: A Geopolitical Analysis (New Delhi, 1990), p.86.

ANTARCTICA : ITS POLITICO - LEGAL REALITY

Existing as a remote and desolate area not easily given to human settlement, the juridical status of Antarctica has posed a challenge to traditional international law. Politico-legal problems began to trouble the region when the countries involved in the exploration of the landmass started staking claims to portions of Antarctica. The United Kingdom (UK) was the first nation to take a step in this direction. In 1908 it put forth its claim to a sector of Antarctica, justifying it on the bases of actual discovery, geographical proximity to the Falkland Island Dependencies and the administrative acts performed from the Falkland Islands. In 1923, UK awarded a part of Antarctica, the Ross Dependency, to New Zealand. In 1924, the French claimed a small sector on the basis of Frenchman Dumont d'Urville's expedition. Then, in 1933 it was Australia that upheld its claim on discovery made by its national Douglas Mawson, and on geographical nearness. In 1939, Norway cited Roald Amundsen's expedition to claim its sector. Argentina and Chile were next to follow and by the end of 1940s both had elaborated several bases for claiming their sectors in the region. Each country ascribed to Antarctica a fundamental importance and followed up its



Map of National Claims in Antarctica

Source: Gillian D. Triggs, *The Antarctic Treaty Regime: Law, Environment and Resources* (Cambridge: Cambridge University Press, 1987).

pronouncements of claims by actions of assertive and overt nature.

Claims to Antarctica have been justified for a variety of reasons which only goes to highlight the ambiguous legal status of the region. In the very first place, there is little agreement on whether Antarctica falls into the category of terra nullius i.e. territory not under the jurisdiction of a state and hence subject to appropriation, or res communis i.e. territory common to all which can never be under sovereignty of any state and therefore not available for national usurpation. Convenience and vested interests have prompted nations to accept one view or the other.

Claimant states uphold the belief that Antarctica is terra nullius and therefore available for claims of sovereignty. In this case, discovery and occupation have been put forth as the basis for staking claims. As accepted under international law, territorial possession of terra nullius can be legal when discovery, that grants an inchoate title, is subsequently and within a reasonable period of time followed and perfected by effective occupation.¹⁷ This time period however, is to

17 'Inchoate title' implies that for an indeterminate period the discoverer has the first right to perfect its title before another nation can establish a counterclaim. Quigg, n.8, p.119.

be determined by "a flexible standard that permits the discovering state a reasonable time to perfect title in light of particular conditions and circumstances of the territory in question".¹⁸ At the same time, the extent of occupation to be effective enough leads to further legal entanglement of the issue. Todd Jay Parriott applies two principles to assess whether or not an occupation is effective. According to him, these are "the intention and will of the discovering state to act as sovereign, and some actual exercise or display by the state of such authority".¹⁹ Therefore, effective occupation entails the possession of territory through a formal action and the establishment of actual administration that can ensure security to life and property there and exclude others, by force if necessary.

In view of the harsh and inhospitable conditions of Antarctica, effective occupation as prescribed by international law has not been feasible. Yet, the claimants have not budged from their stand because they have found a way out in the precedents set by lawsuits dealing with uninhabited lands where the general rules

18 Parriott, n.2, p.79, Emphasis in the original.

19 *ibid*, p.79.

of occupation have been relaxed, such as in the cases of Island of Palmas (1928), Clipperton Island (1931) and Eastern Greenland (1933). In the three instances it was established that the "actual exercise or display of authority in uninhabited areas need not be shown by both possession and administration, but may instead be shown through effective administration alone".²⁰ The rationale behind this was that sovereignty is to be exercised over people. So, in uninhabited areas, the juridical possession of territory can be justified on the basis of intermittent acts of administration. In the case of Antarctica, all claimants have shown evidence of the exercise of administrative acts.

Apart from the theory that sovereignty emanates from discovery and occupation, two other principles have also been put forward to justify acquisition of juridical rights over terra nullius. These are: the Contiguity Theory and the Sector Theory. The Contiguity doctrine states that "sovereign rights are acquired by a state over lands contiguous to the state."²¹ This theory was originally invoked by coastal states in an

20 *ibid*, p.82.

21 *ibid*, p.86.

effort to extend sovereign authority over adjacent coastal islands. In the case of Antarctica, it has been rejected by international legal commentators because of the great distances between Antarctica and even the closest of its neighbours. The contiguity theory has also been criticised for being vague and undefined because it does not set any geographical limits in its application.²²

The Sector Theory has also been advanced in support of Antarctic territorial claims by a number of countries such as Australia, France, New Zealand, Norway and UK. This principle was first proposed in 1907 by a Canadian Senator, Pascal Poitier, for drawing territorial boundaries in the Arctic. The idea was to draw a line to the pole from the extreme eastern and western meridians of each country surrounding the Arctic Ocean.²³ As applied to Antarctica boundaries are claimed on the basis of:

lines of longitude converging on the south pole from either of two types of baselines: mainland boundaries of claimant state, or a length of the Antarctic coast 'discovered' or 'occupied' by the claimant state.²⁴

22 *ibid*, p.86.

23 Quigg, n.8, p.115.

24 *ibid*, p.87

However, even this theory has been discredited because it requires a basis in either the contiguity principle or effective occupation theory, neither of which has been found to provide adequate and acceptable support for national claims.

Apart from the claimants, there exists another bloc of nations that has considered Antarctica as res communis or land common to all. It has rejected all territorial claims as illegal and called for the declaration of the region as 'common heritage of mankind' -- an area subject to international regulation and the benefits of which may accrue to all states on an equitable basis. With the successful conclusion of the Law of the Sea Convention on 30 April, 1982, the principle of 'common heritage of mankind' has for the first time been embodied in a significant substantive treaty ratified by a majority of the world's nations. This has definitely led to an increased and articulated pressure from the international community to apply a similar principle to Antarctica. Therefore, the advent of 'common heritage' argument has complicated an already confused situation. The claimants, however, have rejected this principle and disputed its application to Antarctica on the grounds of the long-standing nature of their sovereignty claims and because the region is

already under jurisdiction and hence ineligible for treatment as res communis. The argument of the claimants has been best summed up in these words of Zegers, the Chilean representative to the United Nations:

Antarctica is not, nor can be considered as res communis or a zone located outside the activity and juridical regulation of man. There exists on the continent a valid and operative juridical system of advanced maturity.²⁵

The clear division between claimants and non claimants is further vitiated by the presence of potential claimants or those countries that have explicitly reserved the right to claim Antarctic territory in the future. The US and erstwhile USSR fall in this category. Considering their leading polar roles as manifest in their level and pace of scientific activity, expenditure, personnel deployed and the number of bases in Antarctica, it would be naive to believe that they shall let the huge landmass slip easily into the lap of either claimants or non claimants. Their ambiguous position, tends to further complicate the Antarctic issue.

²⁵ Beck, n.7, p.315. Zegers was representing the Chilean case before the United Nation's Study on Antarctica in 1983, but his words echoed the argument espoused by all claimants.

Uptil now, tension and disorder that could have afflicted Antarctica considering the differing stands of national and international actors having political, strategic, economic or scientific interests, has been averted by the Antarctic Treaty concluded in December 1959 by twelve nations - Argentina, Australia, Belgium, Chile, France, Japan, New Zealand, Norway, South Africa, UK, USA and USSR. The treaty entered into force on 23 June 1961, its basis having been laid by the positive experiences of the IGY. Considering the deep divisions prevailing in the international order in the late 1950s, this contribution of the IGY was indeed remarkable. As Sanjay Chaturvedi has observed:

Despite Antarctic sovereignty disputes and the Cold War permeating the globe, the planning and implementation of the IGY were quite uniquely successful efforts at international cooperation.²⁶

On the conclusion of the IGY, a number of participating nations exhibited an eagerness to concretize the year-long spirit of cooperation. The US took the initiative in this direction by convening the 'Conference on Antarctica' at Washington on 15 October 1959. After six weeks of hectic negotiations, the AT was concluded as a twelve nation collaborative regime seeking to safeguard

26 Chaturvedi, n.16, p.86.

peace and stability in the region through the encouragement of international scientific cooperation, imposition of prohibition on military and nuclear activities and application of a freeze to the sovereignty question. The twelve original signatories assigned to themselves the designation of Consultative Parties (ATCPs) and vested in themselves all decision making powers. The AT was envisaged as a decentralised system with a functional orientation. No permanent secretariat was created and it was decided that the states would meet at suitable intervals, which has come to be every two years, for the purpose of exchanging information, consulting together on matters of common interest pertaining to Antarctica and formulating, considering and recommending to their governments measures in furtherance of the principles and objectives of the AT.

Over the years, such consultations and meetings have resulted in the conclusion of a range of agreements. Amongst these are the three important Conventions: Agreed Measures for the Conservation of Antarctic Fauna and Flora entered into force on 1 September 1966; Convention for the Conservation of Antarctic Seals in force since 11 March 1978; and Convention on the Conservation of Antarctic Marine

Living Resources that gained effectiveness from 7 April 1982.²⁷ These Conventions have laid down regulations to protect and promote a rational use of flora and fauna, the right to kill or capture native mammals and birds and minimise coastal pollution. Until recently, the ATCPs had been discussing the more thorny question of exploration and exploitation of mineral resources. The issue was naturally stimulating pressures within and outside the treaty system threatening its very stability. But fortunately, a compromise solution was reached in October 1991 under the Madrid Protocol which banned all exploration of mineral resources for at least the next fifty years.²⁸

Originally, the AT membership was limited to only the twelve nations that had participated in the IGY so as to prevent the treaty system "from being swamped by views of governments uninformed about Antarctic practicalities...."²⁹ However, a provision was made for accepting new members first as Acceding and eventually as Consultative parties after they had demonstrated a consistent and abiding commitment to Antarctic research.

27 Parriott, n.2, p.89.

28 Times of India (New Delhi), 5 October 1991.

29 Beck, n. 7, p.186.

This distinction between consultative and acceding status had been proposed by Chile in 1959 not to:

discriminate against anyone or to affect legitimate interests of other countries, but only to ensure that the countries undertaking such a responsibility would be those really active in the continent.³⁰

This provision has allowed the 12 member original agreement to expand manifold today. It is this expansion in membership that has been flaunted by the AT members to counter criticism from outsiders that the AT forms an exclusive club. Beck has quoted an American delegate to the United Nations who vindicated this viewpoint:

The AT is an open multilateral treaty... This openness has led to heterogeneous and truly representative membership representing East and West, North and South, developed and developing... non aligned and aligned as well....³¹

The AT members have even invited countries with a genuine interest in Antarctica to join the Treaty and work within the system. Therefore, the AT has continued to grow and develop not only in the institutional sense, but also in terms of enlarging its sphere of participation. Every new entrant into the system adds to its global character, enhances its stability and

30 F. Orrego Vicuna, "The Antarctic Treaty System: A Viable Alternative for the Regulation of Resource Oriented Activities", in Triggs, n.1, p.69.

31 Beck, n.7, p.184.

improves prospects of international acceptance. Over the years, the AT has evolved into a successfully functioning regime that has prudently tackled issues before they become problems. Its effectiveness has held the ATCPs from invoking the provision that allows a revision of the AT after thirty years from the date it came into force. Ensuring an effective and stable governance, the AT has kept the region free from the repercussions of conflicting sovereignty claims, politically disruptive interests and environmentally degrading activities.

ARGENTINE ENTRY INTO ANTARCTIC ARENA

Having briefly outlined the geographical and politico-legal reality of Antarctica, it would now be pertinent to establish the period, mode and motivation of Argentine entry into the Antarctic arena. Argentina, right from the time it first put forth its territorial claims to the Antarctic, has been a consistently vociferous supporter of sovereignty over its proclaimed sector. It would therefore be relevant to ask as to what role, if any, did Argentina play during the age of discovery and exploration. This question is of even greater importance considering that discovery and exploration are accepted under international law as

legitimate bases for advancing sovereignty rights over unoccupied lands.

Argentina, as an independent political entity, had not even been born when Capt. Cook navigated the waters in the neighbourhood of Antarctica. The country asserted its autonomy only in 1810 and the declaration of independence was not made until 1816. The following seven decades were spent in the consolidation of its independence. Therefore, while some nations were sending their nationals over long distances to discover and explore the Antarctic, Argentina which is situated closest to the continent, remained embroiled in its internal affairs, paying but scant attention to the gigantic landmass being discovered to its south.

In the years just after independence, Argentina was beset with a host of problems. The usual political obstacles to nation building were further aggravated by a sparse population, an inadequate system of land communication and technological backwardness which hampered the development of a strong and healthy economy. The dismal situation was exacerbated by the continuous hostility of native Indians and the unresolved dissensions between the centralizing policies patronised by Buenos Aires, and the restive provinces that favoured a political structure which would allow

them greater political autonomy. Consequently, the country was plunged into successive periods of anarchy in which power fell into the hands of provincial caudillos. The outcome then, was not only unsettling political and economic conditions, but also the loss of Islas Malvinas (Falkland Islands) and the anticipation of Chile in the occupation of Straits of Magellan.³² Argentina of the time was ill at ease with itself and outside powers.

TH-4015

It was only after the war of the Triple Alliance (1864-70) that Argentina became relatively free of tensions in the Upper La Plata basin and could direct its attention and energies to reinstate its claims to the Malvinas that had been lost to the UK in 1833. By 1880, a relatively stable political order that emerged after the fall of Juan Manuel de Rosas (1852) and the growing integration of Argentina into the world capitalist economy, presided over by the UK, had revolutionized the traditional Argentine political and economic set up. Thus it was after nearly seventy years that Argentina could emerge as a politically stable,

32. Cesar N. Caviedes, "The Emergence and Development of Geopolitical Doctrines in the Southern Cone", in Philip Kelly and Jack Child, ed., Geopolitics of the Southern Cone and Antarctica (Boulder, Colorado, 1988), p.17.

DISS
327.82089
Sa142 Ar



TH4015

-N61



economically viable and socially coherent nation.

During the first half of the twentieth century the politico-economic situation in Argentina had improved to such an extent that it came to be hailed as "the head and champion of the Latin races in the New World."³³ Encouraged by the pace of development and egged on by such reflections, Argentina of the time began to see itself "as the counter weight in the south to the United States in the north and as the natural leader of the Latin American Nations."³⁴ These perceptions naturally led to the emergence of a nationalistic impulse that infused all Argentines with "a jubilant patriotism and exuberant confidence."³⁵ Nascent nationalism was then fostered through deliberate efforts in school education, compulsory military conscription, and complemented by the unifying force of railroads and highways, newspapers and radio. Besides, a genuine concern with an Argentine ethos was cultivated among the intelligentsia as well as the middle class. Emphasis sublimated from petty regionalism to precepts of national greatness and the

33 Robert Crassweller, Peron and the Enigmas of Argentina (London and New York, 1987), p.7.

34 *ibid*, p.106.

35 Arthur P. Whitaker, The United States and the Southern Cone : Argentina, Chile, and Uruguay (Cambridge, Mass., 1976), p.40.

innate virtues of Argentines that would ensure an enviable destiny and expanding political role in the region.

An inevitable corollary to this was the adoption by Argentina of an assertive foreign policy. Jose Ortega y Gasset, the great Spanish philosopher, has aptly summed up the prevalent Argentine mood in the early decades of this century when he said that the Argentines, "do not content themselves with being one nation among others: they hunger for an overarching destiny."³⁶ Leaders of the time sought national grandeur through occupation of unpopulated territories, incorporation of contiguous disputed lands and by the development of a military force capable of realizing these two goals. For them, "expansionism was an expression of the virility of youthful nations."³⁷

It is not surprising, therefore, to see the emerging awareness about Antarctica in Argentina around the turn of this century. It was in 1901 that for the first time, an Argentine naval officer, Lieutenant Jose

36 David Rock, Argentina 1516-1982 : From Spanish Colonization to the Falklands War (London, 1986), p.xxii.

37 Philip Kelly and Jack Child, ed., Geopolitics of the Southern Cone and Antarctica (Boulder, Colorado, 1988), p.17.

M. Sobral ventured to the Antarctic Peninsula with a Swedish expedition. Argentine authorities provided valuable assistance to this expedition, and lent the use of their corvette, Uruguay, to rescue the Swedes when it met with a mishap. Then, in 1904, the Scottish meteorological station at Laurie Island (South Orkneys) was handed over to Argentina. The Argentines took possession and control of this station on 22 February 1904 and it marked the beginning of a visible Argentine presence in the region. To this day, 22 February is celebrated as Argentina's Day of the Antarctic. However, from 1904 to 1940, Argentine participation in Antarctic exploration was limited only to charting of other islands around Laurie Island --a task carried out by the annual relief trips made to the station.³⁸

Argentina did not react when the British first staked their claim to a portion of Antarctica in 1908 or claimed certain sectors for New Zealand in 1923 and for Australia in 1933. Nor remonstrated when France and Norway formalised their claims in 1924 and 1939 respectively. Contrarily, when whaling began early in this century, Argentine whaling companies made annual

38 Jack Child, Antarctica and South American Geopolitics: Frozen Lebensraum (New York, 1988), p.72.

payments to the British government for the right to use harbour and shore stations in South Georgia and South Shetland Islands.³⁹ Uptil 1940, Argentina maintained its silence on the matter, even though in 1939 it had created the Argentine National Antarctic Commission in order to facilitate its participation in the Polar Exploration Exhibition patronized by Norway in 1939.⁴⁰

It was President Juan Domingo Perón who revived Argentine claims to Islas Malvinas and also introduced new ones to Antarctica, South Sandwich, S.Orkney and S.Shetland islands. As Peter Calvert has said:

It was the charismatic Perón, in the days of his unquestioned power, who breathed new life into an old diplomatic grievance and made the expansion of Argentina into the South Atlantic and the Antarctic regions a major part of his programme to get Argentina recognised as a Latin American and world power."⁴¹

So, with Perón, in 1946, the Antarctic became one of the major thrust of Argentine political, military and

39 Quigg, n.8, p.120.

40 Later on Argentina was to adopt the position that it had not issued a formal claims statement because its Antarctic sector was an integral part of her metropolitan territory since the very foundation of the Republic. John Hannesian Jr., "National Interests in Antarctica", in Trevor Hatherton, ed., Antarctica (London, 1965), p.12.

41 Peter Calvert, The Falklands Crisis : The Rights and the Wrongs (London, 1982), p.24.

diplomatic activity. Stations were built on Graham Land and have since been maintained. A large expedition of seven ships was despatched to the region during the 1946-47 season. By 1948 Argentina had deployed two cruisers, Almirante Brown and Veinticinco de Mayo, six destroyers, two transport and some other support vehicles around the South Shetlands to defend its claim to the Antarctic from potential threats arising from the UK and Chile because the claims of the three overlap in a particular area.⁴²

Why Argentina chose to bring up its claim to the Antarctic around the latter half of the 1940s is a question that has not been satisfactorily answered. It is difficult to establish a clear cause - effect relationship, even though three major motivations can be identified as having contributed to the formalisation of Argentine claim to a sector of Antarctica. The first of these was the Cold War that began to permeate all spheres of international politics after the hostilities of the second world war ceased in 1945 and the uneasy alliance between the US led capitalist and USSR led socialist blocs broke up. Antarctica, a gigantic

42 These were countered by the British cruiser HMS Nigeria and frigate HMS Snipe and Chilean warships. Beck, n.7, p.34.

landmass with its potential resources could hardly have been expected to escape the fast crystallizing tensions. Rather, as a consequence of these, the icebound continent gained in its status as a strategic geopolitical area. Of course, the UK, the most important maritime power of the early twentieth century had long conceived Antarctica as a geopolitical unit. This is evident in the British government's intention expressed in 1920 to follow a gradual annexation policy so that, "the whole of the Antarctic should ultimately be included within the British empire."⁴³ Nevertheless, as opined by Roberto Guyer, an Argentine expert on Antarctic diplomacy, the extension of the cold war factor to Antarctica enhanced manifold its geopolitical strategic importance and motivated Argentina to claim a sector so as to establish some sort of visible presence and control over the region.⁴⁴

A second motivation can be traced to the foreign policy adopted by Gen. Perón after he assumed the Presidency. Flush with his victory in the elections, riding high on the crest of popularity, and having gained the recognition of all major countries, Perón

43 ibid, p.112.

44 ibid, p.54.

introduced his concept of justicialismo. In a world divided by the Iron Curtain, his doctrine offered an alternative to both capitalism and communism. In its foreign policy dimension, it implied the adoption of "la tercera posición" or the third position. According to him, this was an attempt to achieve effective national recognition on a foundation of independence and equidistance from the two rival world power blocs. Pursuit of this policy fitted well with Perón's political scheme that relied upon an emphasis on national sovereignty. The claim to Antarctica was then an attempt to assert Argentine autonomy in foreign policy against all kinds of international pressures. This contention is also borne out by the fact that by the 1940s, Washington was pressing for the declaration of a sector of the southern continent as the 'American Antarctic'. In keeping with the spirit of the Good Neighbour Policy and a reinvigorated Pan-Americanism, President Franklin Roosevelt had indicated that US sponsored activities in Antarctica were intended to serve all American republics. Washington had even proposed the administration of the joint sector by an Inter-American Organization.⁴⁵ But, considering the

45 Edward Milenky and Steven I. Schwab, "Latin America and Antarctica", Current History (Philadelphia), vol.82, no.481, February 1983, p.52.

nationalist - populist utterances of the Peronist regime and the historical rivalry of Argentina with USA, Argentine reluctance in accepting the American proposal was only to be expected. As Rock has observed, "The Roosevelt administration's Good Neighbour Policy towards Latin America was received in Argentina by repeated denunciations couched in coloured nationalist terms."⁴⁶ Argentina was skeptical of such overtures and averse to joint control.

There is yet another motive that can be attributed to Perón's pronouncement of a formal claim to Antarctica. This resulted from his constant appeal to and manipulation of nationalist sentiments throughout his rise to power. So much so, that he became a prisoner of his machinations and was obliged to uphold an independent line in foreign affairs at all times. Rock has made an extremely incisive observation in this regard:

Nationalism was inherent to his definition of sovereignty, and appeasing nationalist aspirations was also in some measure central to his success in holding together his coalition and keeping at bay the opposition.⁴⁷

46 Rock, n.36, p.243.

47 *ibid*, p.267.

Antarctica was then exploited for this purpose. Milenky and Schwab have commented that before the national elections in February 1946, Perón showed no active interest in the Antarctic, but "with his government established, he sought new ways to retain the political backing of ultranationalists."⁴⁸ He made the question of sovereignty over Antarctica an important focus of political, military and diplomatic activity. Antarctica, therefore, became yet another dimension of Perón's promise to create a "New Argentina" founded on "social justice, political sovereignty, and economic independence."⁴⁹ Argentina had entered the Antarctic arena and has remained a major player in the region since then.

48 Milenky and Schwab, n.45, p.53.

49 Rock, n.36, p.262.

CHAPTER-II

ARGENTINA : ITS ANTARCTIC STATUS AND GEOPOLITICAL THINKING

The four and a half decades that have elapsed since Argentina first formalised its claim to a sector of Antarctica have seen a steady rise in the country's level of Antarctic consciousness. The Antarctic issue has almost become a sort of driving force of the country that, it is believed, would propel Argentina to its destiny of greatness. Every possible measure has been adopted and basis elaborated from time to time to uphold and justify the Argentine sector of Antarctica. Indoctrination of the Argentines begins right from school itself. Through poems and songs, scholarly articles, books, pamphlets and even postage stamps, they are constantly reminded that their nation consists of three interlinked parts - the mainland, the Antarctic, and the insular. As Jack Child has put it so pithily, "To accept anything less than all three parts is to betray a sacred commitment to the fatherland and to compromise the realization of Argentine greatness."¹

ANTARTIDA ARGENTINA

The official Argentine sector on Antarctica, or Antartida Argentina forms a wedge shaped area between

1 Jack Child, Antarctica and South American Geopolitics : Frozen Lebensraum (New York, 1988), p.65.

25° West and 74° West meridians south of 60° South latitude. It is limited by the South Pole at 90° South latitude.² This amounts to a total area of about 1 million square kilometers or 550,000 square miles, most of which lies within the Antarctic Peninsula, referred to by the Argentines as Península de San Martín.³ The rationale for the limits of the sector claimed is that the 25° W meridian corresponds to a point somewhat east of the South Sandwich islands claimed by Argentina and the 74° W meridian approximates to Argentina's westernmost point on the mainland along the border with Chile.⁴

Argentine authorities have chosen to remain vague about the exact date of formalisation of the official claim, though, according to Jack Child, it was advanced

2 Peter Beck, The International Politics of Antarctica (Kent, 1986), p.119.

3 The Peninsula has also been referred to as the Palmer Peninsula by USA, Graham Land by UK and Tierra de O'Higgins by Chile. But in 1964, all the concerned English speaking nations agreed to refer to it as 'Antarctic Peninsula'. Philip W. Quigg, A Pole Apart : The Emerging Issue of Antarctica (New York), 1983, p.13. Owing to its potential resource reserves, relatively mild weather, easy accessibility, and its relation to strategic choke points, the Peninsula is considered the most valuable portion of Antarctica.

4 The exact point of Argentina's westernmost limit is actually at Cerro Bertland at 73 degrees 29 minutes and 30 seconds west longitude. Jack Child, n.1, p.66

sometime between 1943-47.⁵ In any case, the question of date seems to matter little to the Argentines who are of the belief that the Antarctic sector has been a part of their mainland territory right from the time their country gained independence from Spain in 1816.

For the people of Argentina, their claim to Antarctica is grounded in "deep-rooted historical rights which are spiritually identified with the feeling of the entire people of the nation."⁶ Consequently, from the Argentine perspective, there is no room for doubt about the validity of the claim. Yet, a variety of justifications have been elaborated to establish the legality of Argentina's position under international law.

Firstly, Argentina quotes inheritance from Spain as the basis for its Antarctic claim. After independence, Argentina automatically became legal heir to all possessions of King of Spain in the Vice Royalty of River Plate under the legal doctrine of uti possidetis juris. This theory is derived from Roman law and has been adopted by Latin American diplomacy as a fundamental principle for settling boundary demarcation

5 ibid, p.72.

6 Peter Beck, n.2, p.119.

disputes. Taking recourse to it, Argentina traces Spanish rights to the region, to a Papal Bull of 1493 and the Tordesillas Treaty of 1494 whereby the New World was divided between Spain and Portugal along the 46th meridian extending upto the South Pole.⁷ As per the agreement the area to the east of the demarcation line belonged to Portugal and that to the west constituted Spanish territory. Therefore, for Argentina its claim to the Antarctic carries historical sanction of treaties several centuries old.

Another basis on which Argentina has hinged its claim is its "superior geographical position" that places it less than a 1000 kms away from Antarctica.⁸ Proximity to the polar zone has a bearing on the country's climate, ocean currents, fisheries and even defence strategies, thereby necessitating Argentine control over the adjacent southern region. Also, Argentina uses the concept of geological contiguity with Antarctica to support its claim. Geological evidence is cited to establish a relationship between the mainland Andes mountains and the Antarctic Peninsula.

7 Deborah Shapley, The Seventh Continent : Antarctica in a Resource Age (Washington D.C., 1985), p.76.

8 Quigg, n.3, p.114.

The Argentine claim is further justified on the ground that it has operated the Laurie Island meteorological station in South Orkneys since 1904. This makes it the only nation with such a long, continuous occupation of an Antarctic site. Besides, Argentine authorities have performed several administrative acts including the establishment of the first post office in 1904, the first radio station in 1927, a human settlement in 1952 and in 1973 Argentina's Marambio base was even declared the temporary capital of the country.⁹

Therefore, Argentina's sovereignty over Antarctica Argentina, in the eyes of its citizens cannot be but legitimate, supported as it is by such a wide range of vindications. However, the validity of each one of these arguments can be contested. Firstly, contemporary international law places little value on fifteenth century treaties. Besides, if one was to strictly follow the 1494 demarcation line, South Georgia and South Sandwich islands claimed by Argentina would actually lie to the east, thereby becoming Brazilian possessions.¹⁰

9 Beck, n.2, p.129.

10 Peter Calvert, The Falklands Crisis : The Rights and the Wrongs (London, 1982), p.15.

Also, first the Dutch and later, the British and the French had begun to disregard the Tordesillas Treaty from the seventeenth century onwards. The arguments of geographical proximity and geological contiguity tend to favour the Chilean claim to Antarctica as much as or even more than Argentina. And, if the relation between the Andes and Antarctic Peninsula was accepted, then the claim could not extend to the Pole since geologically the polar plateau bears no relation to the Andes.¹¹

The uninterrupted occupation of Laurie Island station however, enjoys greater validity under international law as it signifies a form of effective occupation. But, even this has been questioned by some scholars who have decried the operation of a small meteorological base on an island off the tip of the Peninsula as being enough to qualify Argentina for claiming thousands of square miles of Antarctic territory. However, in this regard it may be mentioned that the French claim to Antarctica rests upon the discovery of Terre Adelie by its explorer Dumont d'Urville in 1840. The island was not revisited by France until 1949, though it staked a claim in 1924.¹²

11 Quigg, n.3, p.115.

12 Shapley, n.7, p.73.

In the absence of judicial precedent and established norms in international law on the most appropriate method of legalizing territorial claims in Antarctica, controversies and disagreements have persisted. However, historical, geographical and juridical contentions notwithstanding, for Argentina, its claims to Antarctica are unquestionably sacred.

ARGENTINE SCHOOL OF GEOPOLITICAL THOUGHT

Argentine inflexibility on its claims to Antarctica is, to a large extent, a function of the prevalent geopolitical thinking that has allocated top priority to the issue. For the geopoliticians, "at stake are not merely economic resources and strategic assets, but something of the soul of the nation itself."¹³ Such dogmatism is widely advocated and accepted not only by civilian geopoliticians, but also by military leaders. Considering that the Argentine military have always had a direct bearing on the country's political order and since 1930, have often occupied the seat of power, it is hardly surprising that geopolitical considerations have been blatantly applied to national and international politics. Frequent application has led to the

13 Child, n.1, p.74.

percolation of geopolitical thinking right down to the masses, so that geopolitics has not remained a mere intellectual exercise but has become a widely accepted discipline.

In simple terms, geopolitics may be defined as the interplay of geographical factors with the actual game of power politics. It is the science that evaluates the significance of geographical features such as distances between areas, type of terrain and availability of resources within states to apply them to foreign and security policies of a state.¹⁴ Even though geopolitics declined in respectability in Europe and North America after the Second World War owing to its association with Nazi-Fascist theories of world conquest, yet the concept survived and flourished in South America.

Argentine geopolitics in its initial days was not concerned so much with the problem of national space as with Brazilian expansionism. Rivalry between Argentina and Brazil can actually be traced to the existence of a similar strain between the relations of their mother countries, the problems of boundary delimitation during the colonial period and wars fought in the nineteenth century. After independence, a lack of dialogue kept the

14 ibid, p.26.

two apart and suspicious of one another. Gradually, as Brazil began to overtake Argentina in population, economic development and international prestige around the middle of the twentieth century, Argentine geopoliticians turned their attention southwards in search of a new arena from where to project power and reconstruct an alternative great future for the country. Antarctica then came to be perceived as a region that would give Argentina a spatial identity capable of recapturing its former dynamism and leadership in South America. Leslie Hepple has mentioned this shift in power balance between Argentina and Brazil to the latter's favour as the prime reason for the resurgence of Argentine geopolitical interest in Antarctica around the 1970s.¹⁵

For Hepple, another reason for the shift was the military takeover of 1976 which brought national security objectives to the top of political priorities. Geopolitical emphasis on Antarctica became a means of self justification for a powerful military establishment and also a shield behind which to hide government

15 Leslie Hepple, "Geopolitics of the Falklands/Malvinas and the South Atlantic : British and Argentine Perceptions, Misperceptions and Rivalries", in Philip Kelly and Jack Child, ed., Geopolitics of the Southern Cone and Antarctica (Boulder, Colorado, 1988), p.224. Argentine-Brazilian relations have been considered in greater detail in Chapter IV of this study.

inefficiency. A third reason, according to the same author was the development of the Argentine navy into a powerful force. Emphasis on geographical location as an important determinant of political identity propelled the Escuela de Guerra Naval to actively participate in geopolitical activities. An enhanced role of navy naturally gave a maritime orientation to Argentine political thinking and policy making, which came to stress upon the control of oceans as the best way to project power. For the naval geopoliticians, control of sea lanes of communication spelt the control of trade, transport and movement of military assets. They spoke in favour of stepping up Argentine activities in the Antarctic, especially because by that time, it had been substantially proved that the southern landmass was resource rich apart from being strategically located.

Besides the reasons that Hepple has enumerated, the revived emphasis on the acquisition of Antarctic territory was also supported by the predominant geopolitical belief that Argentina has always been a victim of geopolitical aggression from its neighbours and outside powers. As General Villegas, as quoted by Jack Child, said:

It is painful to say it, but Argentina is perhaps the only country in the world which, throughout its history from the moment of

independence to our days has given up territory, as a consequence of the fact that our ruling class has not considered space valuable as a power factor; it has not borne in mind that to diminish the space of a Nation is to reduce its power.¹⁶

Such beliefs originate from the acceptance of the organic theory of state that stresses territorial expansion as the only means of state survival in a cruel and competitive international environment that allows only the survival of the fittest.¹⁷

Argentine school of geopolitical thought consequently, has found scope for the country's territorial expansion in Antarctica. For those that espouse such an understanding, Argentine control over Antarctica is part of a wider objective of establishing a tricontinental Argentina or Atlantártida. For them the three components of Argentina, - mainland, Antarctic and insular - have a geological, political and geopolitical unity through the South Atlantic. The concept of Atlantártida was first put forward in 1978 by Admiral Fernando A Milía, a geopolitician who argued that Argentine greatness and influence in the world would

16 Child, Geopolitics and Conflict in South America : Quarrels among Neighbours (New York, 1985), p.42.

17 Child, n.1, pp.41-42.

flow from control of this geopolitical space.¹⁸ Vicente Palermo, another prominent Argentine geopolitical expert carried this line of thinking a step further when he exhorted his compatriots to undertake the task of "exploiting our maritime spaces and the conquest and colonization of our Antarctic space, tasks through which our Fatherland can project itself to further human and geographic spaces beyond."¹⁹

Such ambitions however, involve Argentina in several potential conflict situations. For example, protection of Argentine interests in Atlantártida requires the expulsion of the British from Islas Malvinas/Falkland Islands, the Southern islands and Antarctica. It also implies the rejection of Chilean Antarctic and Beagle Channel islands claims. Besides, it necessitates the blocking of Brazilian projection into the Antarctic. The implications of each one of these conflicts on Antartdia Argentina shall be discussed separately in the following chapters. For the moment what needs to be highlighted is that a distinct link is visible between Argentine Antarctic activities as performed under geopolitical tutelage and its

18 ibid, p.79.

19 ibid, p.80.

corresponding relations with other countries perceived as its potential rivals in the region.

Highly nationalist geopolitical themes have led Argentina to view its neighbours with suspicion and even hostility. Chauvinistic attitudes and vehement exhortations have excluded the possibility of compromise on the Antarctic or other related issues. Rather, they brought the country to the brink of war with Chile in late 1978 over the Beagle Channel islands and even led the country into an armed conflict with UK over Malvinas. An indignant, self righteous and combative geopolitical thinking instilled in the minds of the Argentines that geopolitical enemies had hostile designs on their country's legitimate claims to the South Atlantic and Antarctica.

However, in the short period since December 1983, when democracy and civilian administration returned to Argentina, there has been noticed a clear, though hesitant, shift in the geopolitical trends. Jack Child was first to notice that "the old, chauvinistic, aggressive and nationalistic geopolitical rhetoric of the past has been giving way to a current of cooperative and integrative geopolitical thinking."²⁰ Reasons for

20 Kelly and Child, ed., n.15, p.8.

this shift can be found in a number of new developments. Firstly, the very return to democracy in not only Argentina, but in other South Cone countries also, has brought the establishment of tolerant and accommodative political orders not given to easy swaying by rhetorical nationalist exhortations.

A second reason for the shift can be attributed to the armed conflict over Islas Malvinas in 1982. During the conflict, Argentina found itself supported by the other Latin American countries even as its ally of the time, USA, sided with its enemy, the UK. Such an American stance not only shocked Argentine political sensibilities and made it feel exposed to North Atlantic Treaty Organization, but also woke it up to the need for integration and cooperation with its own neighbours. Therefore, the post-1982 effect on Argentine geopolitics has been to place greater emphasis on Latin American solidarity.

Yet another explanation for the changing trend can be found in the selfish need of geopoliticians for survival. In the past and especially during the military rule of 1976-83, Argentine geopoliticians had justified the military establishment and governance by upholding the national security doctrine and by raising the bogey of internal security. They had even condoned the 'dirty

war' against all suspected dissension. But, the reaction against the military misdeeds after 1982, has induced the geopoliticians to alter their national security views. In fact, some have even gone to the extent of questioning the significance of the possession of Malvinas for Argentine survival and glorious destiny. In 1982, geopoliticians Alejandro Dabat and Luis Lorenzano quoted by Lesile Hepple, wrote:

In the case of the Malvinas, we are faced with a just territorial claim, but one that is secondary to other social and political demands of the nation. The reintegration of the island cannot solve any vital national needs in the long term, and much less so in the short term.²¹

Another important event that contributed to the emergence of the new trend was the existence of a dismal economic scenario during most of the 1980s in nearly all of Latin America. Stagnating national economies alongwith mounting debts and the repayment problem afflicted the entire region. Possibly, this has shown the Argentine policy makers that integration and cooperation offer a path of national recovery and growth. The need to place a higher priority on economic considerations has possibly prompted Argentine geopoliticians to grant a backseat to aggressive

21 Leslie Hepple, n.13, p.232

political aspirations.

A development related to the above one is the realization on the part of Argentina of the heavy economic price it has paid for constantly challenging the US led international order. This is even more evident when contrasted against Brazil's economic growth under a pro-American and flexible foreign policy. Having understood the reality in the emerging unipolar world order, Argentine geopoliticians have prudently argued that economic growth and prosperity would be the pre requisites for any plans to exploit the resources of the harsh southern continent. As Philip Kelly and Jack Child have pointed out:

Inadequate ships, land bases isolated from each other, airplanes with restricted cruising range, lack of modern means to conduct an active occupation and exploitation of the Antarctic, reduce all geopolitical programme to mere words and wishful thinking and surround them with a certain air of demagoguery.²²

Considering these shortcomings, it is of greater relevance for Argentina to forge constructive relations with its neighbours so as to build a strong economy and technological capability that could reap benefits from Antarctica when and if the opportunity so arose.

22 Kelly and Child ed., n.15, p.22.

As a consequence of all these factors, Argentine geopolitical thought has sought to reorient itself in the new South American context. It would be premature to assume that this line of thinking has spread all over the country. The new developments notwithstanding, it must be remembered that geopolitics in Argentina has remained wrapped around nationalist rhetoric for a long time. To believe that it would suddenly and completely break out of this shell would be naive. The tenor has mellowed for now, but nationalism is definitely not dead. For nationalists, even now, the option of replacing pressing priorities to improve socio-economic conditions by mobilization of the nation behind nationalist causes remains as attractive, if not more, considering the problems facing the country. Yet, it cannot be denied that under civilian rule, the influence of geopolitics has decreased and liberal writers have begun to argue that territorial claims to new space should not be so central to policy making.

ARGENTINE ATTITUDE TOWARDS THE ANTARCTIC TREATY

Argentine geopolitical thinking about Antarctica has naturally also had a bearing on the country's attitude towards the Antarctic Treaty (AT). Considering Argentine rigidity in its Antarctic stance, it can be

questioned as to why it became a member, in 1961, of the AT which refused to recognise its claims to the Antarctic? Also, how and why have Argentina's perceptions of the AT and its effectiveness altered over years? And to what extent are the changing geopolitical trends to answer for this?

As has already been mentioned, the AT was an attempt by the 12 nations that had actively participated in the International Geophysical Year (IGY) 1957-58, to concretize the spirit of science and cooperation that had prevailed for that one year.²³ It must be remembered that portions of Antarctic territory, by mid 1950s had already been carved out by seven nations. Of these, Australia, France, New Zealand, Norway and UK recognise each other's claims. But, owing to the overlapping of claims of Argentina, Chile and UK, the three deny recognition to the other's claims. Even in the case of Argentina and Chile, the two only accept in principle that the other has a claim to the Antarctic, but there is disagreement over the exact limits of the claimed territories. The existence of such a scenario has naturally made each one of the three nations overly sensitive to its claim. A negation of any sort, however

23 See Chapter I.

inconsequential, is construed as an attack serious enough to merit an immediate defense. Such had been the case in 1952 when an Argentine military patrol fired a machine gun over the heads of a British party attempting to land at Hope Bay claimed by Argentina. In response, the British destroyed Argentine huts on Deception Island in 1953 and arrested and returned to Argentina two of its nationals allegedly for being in British territory.²⁴

Therefore, at the time the IGY was held, the political environment of Antarctica was fraught with tension. The IGY, for sometime, had been successful in establishing science over politics, but at its close, the danger of the latter taking over loomed large. Evidence of the intensity of national sensitivities had surfaced even during the IGY over the problem of choosing an official map of Antarctica. No nation was ready to agree to a map drawn by another claimant showing its version of claims. Even the American offer of a map with no claim lines drawn was initially resisted for being political because it substantiated the official US position of not recognising any claim!

24 Child, n.1, p.73.

The overall tension in Antarctica and the Argentine - British - Chilean impasse in particular, worried the American administration not only because it involved its NATO ally, the UK, but also because it could jeopardize its desire for hemispheric solidarity with Latin America. President Eisenhower was conscious of the conflict possibilities that existed in the region when after the IGY he called for a conference to find a solution to the Antarctic issue. He was also well aware of the rigid and nationalist stances of all except New Zealand which was ready to renounce its claims. In order to secure the cooperation or atleast a favourable response to his note of 3 May 1958 addressed to all claimants, President Eisenhower stated:

It is believed that such a treaty can be concluded without requiring any participating nation to renounce whatever basic historic rights it may have in Antarctica, or whatever claims of sovereignty it may have asserted. It could be specifically provided that such basic rights and such claims would remain unaffected while the treaty is in force and that no new rights would be acquired and no new claims made by any country during the duration of the treaty.²⁵

This assurance did the trick and all the 12 nations accepted the American proposal in principle.

25 Quigg, n.3, p.143.

However, as was only to be expected considering the intensity of nationalist rhetoric over Antartida Argentina, Argentine response to this overture was a reluctant one. It conditioned its participation in the negotiations on two provisions. One, that the AT would be negotiated and operated by only those 12 governments that had participated in the IGY and therefore had the required Antarctic experience. Roberto Guyer justified this as "an apolitical standard based upon actual scientific participation in the Antarctic programme of the IGY."²⁶ The second condition was that under no circumstances would Argentina give up its claims to the Antarctic. It is in this context that the declaration made by the Chairman of Argentine delegation, Ambassador Adolfo Scilingo that Antarctica had taken "a root and established an awareness in the soul of Argentine nation" must be understood.²⁷ Subscribing to this view, Argentina rejected outright the proposal of New Zealand to renounce national claims in the interest of a genuine international regime within or closely associated with

26 Beck, n.2, p.186. A similar sentiment was expressed by Chile which stressed "the primacy of householders in the area" and refused to accept wider international participation.

27 Sanjay Chaturvedi, Dawning of Antarctica : A Geopolitical Analysis (New Delhi, 1990), p.92.

the United Nation. Argentina explicitly objected to any kind of internationalization of Antarctica. The Argentine delegation held that the Conference had not been convened to "institute regimes or create structures, it was not its mission to change or alter anything."²⁸ To some extent, the Argentine stance did strike a responsive chord among the other claimant states and accordingly, the AT was concluded as a 12 nation regime striving to safeguard the status quo.

Some of the major provisions of the 14 article AT can briefly be described so as to gauge its tenor and to indicate those articles that Argentina pressed for. Article I provides that Antarctica shall be used for peaceful purposes only and prohibits any measure of a military nature, such as the establishment of military bases and fortifications, the carrying out of military maneuvers or the testing of weapons. It permits military personnel or equipment to be used only for scientific or other support purposes. Articles II and III regulate freedom and cooperation in scientific investigation in Antarctica. These provisions posed no challenge to Argentine claims and were accepted. It was Article IV however, that probably clinched Argentina's support for

28 Quigg, n.3, p.148.

AT. It states that :

Nothing contained in the present Treaty shall be interpreted as:

- a) a renunciation by any contracting party of previously asserted rights of or claims to territorial sovereignty in Antarctica;
- b) a renunciation or dimunition by any contracting party of any basis of claim; and
- c) prejudicing the position of any contracting party as regards its recognition or non-recognition of any other state's right or basis of claim to territorial sovereignty in Antarctica.²⁹

This ingenuous formula facilitated cooperation among rival nations. Freed of nationalistic inhibitions, the countries could take a wider view of national and international interests. In Argentina, while the geopolitical thinking of the time had expressed concern over the way the Treaty permitted other nation's scientific and political activity in the Argentine sector, Article IV protected the claims of their country and did not affect Argentina's basic status as an Antarctic power. Moreover, Buenos Aires realized that working outside the treaty in isolation would not serve the nation's interests either.

Article V prohibits nuclear explosions or disposal of radioactive waste material in Antarctica. This

29 Article IV of Antarctic Treaty, 1961.

provision was suggested at the treaty drafting stage by Argentina which was concerned with the possibility of nuclear fallout from any future Antarctic nuclear tests. Then as Shapley has commented, "Since Argentina was also a claimant that might have trouble getting the treaty ratified at home, the others agreed to accommodate Argentina's concern on this point".³⁰

One another provision of Antarctic Treaty that was influenced by Argentina was Article XI that lays the procedure for settlement of any dispute that may arise between two or more contracting parties. It provides the option of referring the dispute to the International Court of Justice (ICJ) but whose decision shall not be binding. While the US had been in favour of compulsory jurisdiction of the ICJ, Argentina, Chile and USSR lobbied against it and won the case.

On the whole, Argentina appears to have got its way during the negotiations and conclusion of the AT. All its preconditions for participation in the negotiations were accommodated as were the provisions it proposed and supported. Therefore, the predominant geopolitical attitude towards the AT has been one of acceptance since it does not challenge the country's

30 Shapley, n.7, p.95.

claim in any way. The words of an Argentine analyst quoted by Child sum up the above attitude towards the AT:

The Treaty is not optimum, but it is not bad either. It is relatively good. It harms our rights much less than many believe. It is not an obstacle which will stop us from pursuing and deepening our presence and perfecting our titles."³¹

At the same time of course, there is no dearth of staunch nationalists who have decried Argentine acceptance of AT because it compromises the country's realisation of full sovereignty over Antarctica. They tend to view the AT as a diluted form of an international condominium that accepts and allows the presence of Argentina's long-time rivals - Chile and UK - in Antartida Argentina. However, by and large, public opinion supports the view that Argentina has gained by becoming a member of the AT which has allowed it to keep its sovereignty claims over Antarctica intact while also providing it with the opportunity to apply decision making powers at par with other treaty members to all matters of the region. The successful functioning of the AT is largely the result of permitting the co-existence of varying national viewpoints, that has encouraged and

31 Child, n.1, p.93.

fostered forbearance and willingness among the ATCPs not to press their legal positions to the limit. A most severe test that the AT was put to was in 1982 when the armed conflict broke out between Argentina and UK over Islas Malvinas that stand at the doorstep of demilitarized Antarctica. Yet, even after seizing Malvinas, South Georgia and South Orkneys, Argentina did not cross the internationally accepted boundary at 60°S latitude. As hostilities continued, the treaty parties proceeded with meetings on the sensitive resource issue and inside the meeting room one could never guess that two of the nations represented were at war.

Such resilience of AT has naturally reinforced faith in its ability to safeguard international stability over Antarctica. Argentina, too, has come to realize the advantages that it offers, especially after the emergence of two new developments. One of these is the Third World led Pan-Antarctic Movement that proposes to internationalize the region, either through a more open treaty system or under the banner of making it a 'common heritage of mankind'. Both possibilities threaten Argentina's share of power in Antarctica. Therefore, despite itself belonging to the ranks of developing countries and anxious to secure the bloc's support on the Malvinas issue which Argentina has

projected in a colonial light, in the case of Antarctica, Argentina places itself with the other members of the exclusive club of AT and rejects all attempts at internationalization.

The second development has been the ban for at least the next fifty years, starting from 1991, on any exploration for oil and other minerals in Antarctica under the Madrid Protocol.³² The resource issue had generated much anxiety and hypersensitivity amongst all nations of the world - whether claimants, potential claimants or supporters of the common heritage principle. Any kind of measure towards exploitation of Antarctic resources would not only have breached open the question of sovereignty, but also triggered off a scramble for the resources. The ban could, therefore, sidestep all such political issues to uphold environmental protection and international stability.

For Argentina, the ban on exploration of minerals has removed all perceived threats from other nations. Argentine geopolitical thinking is secure in its belief that their country has not only no particularly urgent need to develop the Antarctic resources -- self sufficient as it is in its energy and food requirements,

32 Times of India, (New Delhi), 5 October 1991.

but also has not yet developed the required level of technology to be able to reap the riches of the ice bound continent.³³ Therefore, Buenos Aires has been emboldened to join the other nations in hailing the ban for its environmental merits.

To sum up, it may be said that Argentine attitude towards the AT which was one of reluctant acceptance, in its initial stages, has, over the years, blossomed into an active and open appreciation of the effectiveness of the AT system. It has strongly countered all criticism of the regime by non treaty parties and even championed its continuance. Its response to the Study on Antarctica requested by General Assembly Resolution 38/77 of October 1982 concluded with a strong plea in favour of AT, stating that:

any comprehensive revision or replacement of the treaty system may destroy it, to the detriment of international law and order, and could have grave consequences for international peace, security and cooperation. It would be somewhat unrealistic to think that in the present world situation, a new or better legal regime could be agreed upon for Antarctica....³⁴

33 Carlos Moneta, "Antarctica, Latin America and the International System in the 1980s", Journal of Interamerican Studies and World Affairs (Miami, Florida), vol.23, no.1, February 1981, p.50.

34 Child, n.1, p.95.

CHAPTER III

ARGENTINA AND THE CLAIMANT STATES : CHILE AND THE UNITED KINGDOM

The distinction between claimant states, potential claimants and non claimants has already been established.¹ Nations belonging to each one of these categories find representation in the Antarctic Treaty, which consequently, exists as an amalgam of different interests. The nature of Argentine participation in the AT derives from its claimant status. This fact combined with other compulsions emanating from Argentina's existence as a regional, hemispheric and international actor, enjoin on the country a certain set of perceptions which govern its relations with other nations of the above mentioned three groups. For instance, as shall be established in the course of this chapter, while interacting with members of a certain category, Argentina needs to hike its rhetoric on territorial claims over Antarctica. Yet, compulsions of relations with another nation, at times, force it to tone down its rigidity in stance. The Argentine politics of Antarctica involves a gamut of inter-related elements--legal, economic, strategic, geopolitical, diplomatic, scientific, and domestic. These considera-

1 See Chapter I of this dissertation.

tions condition the reflexes and responses of Argentina and, determine the extent to which its position on Antarctica has a bearing on relations with the countries of the three above mentioned categories.

Under the Antarctic Treaty, seven claimant states have been recognised.² All of them had advanced their claims to particular sectors of Antarctica before the Treaty came into force in 1961. Thereafter, under Article IV of the Treaty, the situation was frozen at status quo. Nations were prohibited from advancing any new territorial claim or from enlarging an existing one during the period of operation of the Treaty. Besides, the article also stipulated that no acts or activities undertaken by countries with Antarctic interests could constitute a basis for asserting, supporting or denying a claim while the Treaty is in force. Nevertheless, all the seven claimants have consistently upheld their sovereignty over sectors of Antarctica. Therefore, their activities in this region, though ostensibly of scientific nature, have not been devoid of political connotations. Politics might have become less manifest and overt, but it has never disappeared from the

2 As has already been mentioned these are :
Argentina, Australia, Chile, France, Norway, New
Zealand and the U.K.

Antarctic. Rival claimants, Argentina and Chile, for instance have shown a preference for deployment of military personnel over civilians in Antarctica, justifying this as a function of the manner in which Antarctic research is being organized and conducted. Peter Beck recounts that in March, 1982, the Argentine base, San Martín had 23 inmates, all of whom were military personnel, with only two of them carrying out meteorological observations and no other scientific research being conducted.³

Undoubtedly, for the claimants, the political aspect of Antarctica has not been completely overshadowed by science. Elaborate bases have been set up as much for scientific purposes as for maintaining a token presence in the region and for enhancing domestic and international visibility of claims, in the hope that these acts shall pass muster as effective occupation if and when the issue of territorial sovereignty is considered.

Of the seven claimants, there are two nations with which Argentina's Antarctic interests particularly

3 Peter Beck, The International Politics of Antarctica (Kent, 1986), p.71. Article I of the AT permits military personnel or equipment to be used in Antarctica for scientific or other support purposes.

clash. These are Chile and the United Kingdom. Dissensions among the three arise because their territorial claims largely overlap. Consequently, each has sought to vindicate the superiority of its respective claim. Apart from the frictions generated by the overlapping, Argentina's relations with Chile and the UK have been complicated further by the fact that its claims to certain other islands in the region are also disputed by either of the two. Possession of these islands has been deemed crucial by Argentine geopoliticians for reinforcing the country's claims to Antarctica. Naturally then, Argentina's reactions to the claims and actions of the other two countries has been conditioned by its own commitments to Antarctica and in accordance with the perceived national interests and compulsions. At times, Buenos Aires has decried the other's Antarctic stance and on some occasions, the three have stood united. In the following paragraphs an attempt has been made to identify similarities and differences in approaches of the three. Their positions on the following specific issues when examined, reveal situations that have prompted a joint approach and others that have promoted strife:

- a) Compulsions of past bilateral relations;
- b) Attitude towards Antarctic claim;

- c) Stance on the AT;
- d) Perception of geopolitical challenges;
- e) Response to resource management and environmental conservation.

A. COMPULSIONS OF PAST BILATERAL RELATIONS

The manner in which Argentina perceives the historico-legal positions of Chile and the UK is largely a function of its past bilateral relations with each one of them. Notwithstanding the fact that as rival claimants in Antarctica, the three are anyway pitted against one another, strains of tension or friendliness can be traced to their historical relations which have a definite bearing on the extent of rigidity shown on the territorial claims to the icebound continent. For this purpose, a brief historical sketch of Argentina's bilateral relations with both, Chile and the UK has been attempted.

i) **Argentina and Chile** : Over the last century and a half, Argentina and Chile have shared little in common except the towering Andes, a host of territorial disputes, a tradition of lofty political ambitions and a deep -rooted mutual suspicion. This is despite the fact that Chile provided some of the first settlers in what is now Argentina and, Argentina's expeditionary force led by General José de San Martín contributed to the

liberation of Chile from Spain. But, independence snapped their common bond of Spanish rule and thereafter, the neighbours have often been at odds with one another.

A major source of disagreement and tension has been the long and largely un-demarcated boundary. In the absence of a mutually acceptable frontier, the matter of boundary delimitation has provided ample opportunity for nationalists on both sides of the Andes to circulate exaggerated accounts of territory lost due to illegal occupation.

Chile achieved internal cohesion and institutional stability before Argentina, so that from the mid 1800s, it could undertake endeavours to claim and actively occupy areas of Patagonia, Tierra del Fuego and Magellan Straits.⁴ These overtures were facilitated on the one hand by the authoritarian and expansionist policies of Diego Portales and the startling commercial success of the mercantile policy in the South Pacific, and on the other hand by the disturbed politico-economic conditions within Argentina. Both factors contributed to the

4 Cesar N. Caviedes, "The Emergence and Development of Geopolitical Doctrines in the Southern Cone Countries", in Philip Kelly and Jack Child, ed., Geopolitics of the Southern Cone and Antarctica (Boulder, Colorado and London 1988), p. 16.

development of the ideology of exalted nationalism that perceived Chile to be as great a power as the United Kingdom.⁵

Meanwhile, Argentina struggled to build a stable political system and achieve economic prosperity. It was only in 1852, with the fall of Rosas and the end of caudillismo, that these came within its reach. By the last quarter of the nineteenth century, Argentina too had evolved into a nation with visions of a great future for itself. Consequently, relations between the two nations, from early 1890s until 1902 were predictably tense. As Whitaker has observed, "Chile was cocky over its victory and rich conquests in the recent War of the Pacific, and Argentina was in much the same mood because of its spectacular development in the 1880s...."⁶ War between the two seemed imminent in the 1890s, but was narrowly averted and in May 1902, under Pactos de Mayo both agreed to recognise the Pacific as Chile's sphere of influence and the Atlantic as Argentina's. The Pactos also established naval parity and formalized a system for balance of power between the two.⁷ In the new found

5 ibid, p.16.

6 Arthur P. Whitaker, The United States and the Southern Cone (Cambridge, Mass., 1976), p.34.

7 G. Pope Atkins, Latin America in the International Political System (Boulder, Colorado, 1989), p.39.

spirit of friendliness, the two erected a statue called the Christ of the Andes, on their frontier as a pledge of perpetual peace.⁸ The perpetuity, however, ended as soon as the monument had been dedicated. The era of good relations was brought to an abrupt end by a strengthening of naval forces in Brazil, whereupon Argentina and Chile cancelled their naval limitation pact.⁹

Thereafter, relations between Buenos Aires and Santiago have shown a predominance of tension and suspicion with only occasionally expressed desires to smooth over mutual differences. The distrust, in fact, was reinforced during the late 1970s and early 1980s when the military government in Argentina reacted with acute suspicion to every move of the geopolitically inclined Chilean military President, General Pinochet. It is only since the return of civilian administration in both countries that an attitude of friendliness has been discernible. It is beyond the purview of this dissertation to go into the reasons for this. But, it is pertinent to mention that Argentine Foreign Minister, Guido di Tella, on 31 October, 1991, after signing an

8 Whitaker, n.6, p.35.

9 *ibid*, p.35.

agreement providing for arbitration of the Laguna del Desierto border dispute in the Southern region said:

We believe there is genuine, real and deep brotherhood and fraternity, and I hope new generations will very soon find it difficult to understand why there were ever disagreements between us.¹⁰

If this emerging trend of cordiality should strengthen itself in the future, it could have widespread repercussions on the neighbours' positions on Antarctica, as shall be discussed in the next section.

ii) **Argentina and United Kingdom** : Heavily populated by European immigrants, Argentina has traditionally been oriented towards West Europe. Of the European nations, however, it was the UK with which it enjoyed close commercial and political ties for more than a century after independence. Relations between the two were established soon after Argentina broke free from the colonial fetters of Spain. The UK being the world's leading commercial, industrial and maritime power of the time, Buenos Aires hoped to obtain from it benefits that Spain had failed to provide such as wider trade opportunities, broader markets, cheaper imports and infusion of new resources and investments.

10 Foreign Broadcast Information Service (Washington D.C), vol. 91, no.212, 1 November 1991.

Moving ahead with this aim, by 1822 UK had become the source of almost half of Buenos Aires' total imports and catered for nearly all the local demand of manufactured goods.¹¹ Capital and credit came from London and the Argentine debt incurred during the independence struggle was largely underwritten by the British community.¹² In exchange, Argentina not only let UK enjoy commercial superiority in Rio de la Plata, but also granted major concessions to British nationals and their descendents, such as exemption from military service and freedom of religion. The significance of these rights was immense considering the politically chaotic and religiously conservative nature of Argentine society of the 1820s. Commenting upon the state of bilateral relations, Scobie has rightly observed that, "Argentina had exchanged the tutelage of Spain's administration for that of England's trade."¹³

This trend further strengthened during the course of the entire nineteenth century and contributed to the consolidation of Argentina's economy. In the words of

11 David Rock, Argentina, 1516-1982 : From Spanish Colonization to the Falklands War (London, 1986), p.100.

12 James R Scobie, Argentina : A City and a Nation (New York, 1971), p.100.

13 *ibid*, p.100.

Rock, "Towards 1870, Britain became an expanding market for Argentine exports, which improved the stability of the Argentine economy and British investment financed the physical transformation of the Pampas."¹⁴ In fact, he goes a step further to indicate political benefits that accrued to Argentina because of its relations with UK. According to him, the unification of Buenos Aires and the provinces was accomplished as a result of the spurt in exports and a foreign investment boom that resulted from the bilateral relation.

Its tacit alliance with UK gave Argentina yet another advantage. It allowed Buenos Aires "a heavy dose of audacity in dealing with the United States."¹⁵ Harboring its own hegemonic aspirations in the region, Argentina was opposed to US interference in its domestic or hemispheric concerns. In 1889, when USA proposed the Pan-American Union, "Argentine statesmen, faithful to pro-British sentiments stood as a bulwark against yanqui attempts at hemispheric solidarity."¹⁶

14 Rock, n.11., p.119.

15 Grabendorff and Roett ed., Latin America, Western Europe and the United States:Reevaluating the Atlantic Triangle (New York, 1985), p.26.

16 Scobie, n.12, p.218.

Close commercial relations between Argentina and UK began to wane after the first World War. The British share of the Argentine market fell from 30 per cent in 1911-13 to only 19 per cent in 1929-30.¹⁷ The conclusion of the Roca-Runicman Pact of 1933 somewhat corrected the situation. As per the Pact, UK agreed to continue purchases of foodstuffs and wool from Argentina but in exchange obtained an Argentine commitment to buy British goods, even at the expense of domestic resources. The tilt in favour of UK was obvious and the relationship no longer remained beneficial for Argentina. This, naturally, led to the strengthening of nationalist arguments that "Argentina was bound in thralldom and that the national ills originated overseas."¹⁸ From then on, Argentine foreign policy that had been a reflection of economic interests came under the dominant influence of nationalism. In late 1940s, with the formalisation of territorial claims to sectors of Antarctica, Islas Malvinas and other Southern Ocean islands that were also being claimed by UK, the political relations of the two emerged from the shadow of economic ties.

17 Rock, n.11, p.198.

18 Robert Crassweller, Perón and the Enigmas of Argentina (London and New York, 1987), p.76.

In 1982, Argentina invaded Malvinas with the intention of asserting its rights over the islands. With this, diplomatic relations were severed. The stalemate continued until February 1990, when full diplomatic relations were restored. Since then, though occasional instances of disagreement surface, relations between the two have remained cordial -- a situation that can have significant repercussions on the stance of both on their overlapping claims to Antarctica.

B. ATTITUDE TOWARDS ANTARCTIC CLAIM

Argentina, Chile and UK have withheld recognition to one another's claims. Considering the conflict potentially inherent in such a situation, it becomes imperative to examine the rationale of Chilean and British claims and how it compares with the arguments of Argentina.

i) **Argentina and Chile:** The border disputes and the ensuing tensions between Argentina and Chile spilled southwards into the Antarctic when the Antartida Argentina fell within much of the same sector that Chile had earlier claimed. With this, rivalry between the two found a new arena.

On 6 November, 1940, Chilean President Pedro Aguirre Cerda promulgated a decree, Decreto Supremo

Numero 1747 that made him famous as the "geopolitician of integration of national economic space."¹⁹ The decree stated:

All lands, islands, islets, reefs of rocks and glaciers, already known or yet to be discovered, in their respective territorial waters in the sector between longitudes of 53° and 90° W of Greenwich constitute the Chilean Antarctic or Chilean Antarctic Territory.²⁰

The claim is supported by elaborate justifications. It is held that "Antarctica is for Chile, something more than just a part of its territory, a strategic region or the scenario for activities of worldwide importance. Chile and Antarctica were born together in history."²¹ Poet Alonso de Ercilla y Zuñiga (1533-1594) in his poem La Araucana has hailed Chile as "an Antarctic nation from its beginnings, with a role to play and rights that cannot be renounced."²²

Historically, Chile declares itself to be the only legitimate Spanish heir to territories, "stretching from

19 Jennie K. Lincoln and Elizabeth G. Ferris, The Dynamics of Latin American Foreign Policies : Challenge for the 1980s (Boulder, Colorado, 1984), p. 131.

20 Jack Child, Antarctica and South American Geopolitics : Frozen Lebensraum (New York, 1988) p.108.

21 Cultural Department, Embassy of Chile to Singapore, Chile and the Pacific (Singapore, 1986), p.141.

22 *ibid*, p.148.

the Southern shore of the Strait of Magellan as far as the South Pole," because by exclusive concessions, these territories were granted by Charles V to one Pedro Sanchez de Hoz and in due course to the Captaincy General of Chile.²³ A royal decree of 1558 is cited in which the Governor of Chile was requested to send "a report on all the territories situated on the other side of the Strait and to take possession of them."²⁴ Later, ports that now comprise Chilean territory waved off sealers and sailors who first sighted Antarctica.²⁵ After liberation, Chile's independence hero, O'Higgins authorized vessels to sail southwards. Chile claims that one of these ships, the Dragón was the first to land a man on the Antarctic Peninsula in 1820.²⁶ Also, in the beginning of the twentieth century, from 1902-06, Chile granted fishing concessions to other countries, in contrast to Argentina which sought permission from UK.²⁷ Concerted Chilean activity in the Antarctic commenced in 1946 with the departure of the first Chilean expedition.

23 Philip W. Quigg, A Pole Apart: The Emerging Issue of Antarctica (New York, 1983), p.114.

24 *ibid*, p.114.

25 Child, n.20, p.108.

26 *ibid*, p.109.

27 *ibid*, p.111.

In 1948, the General O'Higgins base was built and President Gabriel Videla travelled to the region to inaugurate it. Thereafter, consistent efforts have been undertaken to uphold sovereignty over the claimed polar region which is taken as constituting a "natural prolongation of the national soil...."²⁸

Therefore, Chilean justification of its Antarctic claim matches and at times, even surpasses that of Argentina. The two have indulged in a show of one-upmanship in this regard. For example, if Argentina has claimed credit for its national -- baby Emilio de Palma -- being the first ever to be born in Antarctica at its base Esperanza in January 1978, Chile has planned an international getaway city in the polar region.²⁹ In 1984, Chile established a family settlement at its Teniente Marsh base for a two year period so as to be able to plan the city. Six 3-bedroom houses were built and furnished with carpeting, central heating and electrical appliances.³⁰ One of the members of this

28 Peter Beck, "International Relations in Antarctica: Argentina, Chile and the Great Powers", in Michael A. Morris, ed. Great Power Relations in Argentina, Chile and Antarctica (London, 1990), p.111.

29 Reader's Digest, Antarctica and Great Stories From the Frozen Continent (London, 1985), p.253.

30 Beck, n.3, p.129.

experimental group exclaimed, "This is an act of patriotism, not a flag waving stunt... We are here to learn how to make life easier for future settlers".³¹ Then, if Argentina declared its Marambio base in Antarctica as the temporary capital of the country in 1973, Chile went a step ahead and held a Congress session at its Capt. Arturo Prat Navy base on 8 November, 1991.³²

Every move made by one nation has been viewed by the other claimant with utmost suspicion and hostile motives imputed to it. Yet, both have accepted, in principle, the other's right over a portion of Antarctica, only, demarcation of the limits of the sector has proved a thorny issue. The Danoso-La Rosa declaration of March 1948 stated:

Until a settlement is reached by amicable agreement regarding the boundary limits in the adjacent Antarctica territory of the Argentine Republic and Chile... both governments will act in mutual agreement in the protection and legal defence of their rights in the South American Antarctic, lying between meridians of 25° W and 90° W, within the territory of which the Argentine Republic and Chile are recognised as having unquestionable sovereign rights.³³

31 N.C., "Pioneers Test Family Life in Antarctica", Indian Express (New Delhi), 5 November, 1984.

32 Beck, n.28, p.129; and Foreign Broadcast Information Service, vol.91, no.212, 1 November, 1991.

33 Beck, n.23, p.34.

The concept of a 'South American Antarctic' was reaffirmed in February 1978 by the Argentine-Chilean Act of Puerto Montt, though no concrete agreement over limits of sectors has emerged until now. Rather, both nations have continued to treat their respective sectors in a possessive manner and the Antarctic issue as a matter of prime policy interest.

ii) **Argentina and United Kingdom** : By Letters Patent of 21 July, 1908, UK became the first country to stake claim to territorial sovereignty in Antarctica. The Governor of the Falklands islands was instructed to administer the "undefined lands to the south", which included a portion of Antarctica, the South Shetlands, S.Orkneys and S.Sandwich islands and also the southern 425 miles of Argentina and Chile.³⁴ This claim stood uncontested and unchanged until 1917 when a superseding letter modified the limits. The new claim delimited territory on Antarctica between 20° and 80° W longitudes and removed the South American area earlier included. In the post 1920 period, UK played a prominent role in the exploration of Antarctica and formulated a strategy that, "the whole of the Antarctic should ultimately be

34 Sanjay Chaturvedi, Dawning of Antarctica : A Geopolitical Analysis (New Delhi, 1990), p.44.

included within the British Empire...."³⁵

Pursuing such a policy of Antarctic imperialism, UK announced in 1924 its control, albeit under New Zealand's administration over the Ross Dependency sector of Antarctica and a decade later it established the Australian Antarctic Territory. Consequently, by 1933, the UK and its dominions had laid claims to about two-thirds of Antarctica.

The British Antarctic Territory (BAT) stretching over 700,000 square miles remained undisputed until the 1940s.³⁶ Thereafter, the articulation of Chilean and Argentine claims to the same portion of land, brought UK into conflict with the two south American nations. Of the two, the possibility of an Argentine claim caused greater concern owing to Argentine sympathy for Nazi Germany and activities of German naval raiders in the Southern Atlantic. Consequently, in 1944-45, UK launched a secret naval expedition, Operation Tabarin, to establish permanent British stations in Antarctica which, "should be there in actual possession if any

35 Peter Beck, "Britain's Antarctic Dimension", International Affairs (Guildford), vol.59, no.3., Summer 1983, p.443.

36 Beck, n.3, p.122.

intruders arrived".³⁷

As was only to be expected, the delimitation of the Argentine sector lent an acrimonious tone to the relations between London and Buenos Aires. The situation worsened in 1947-48 when warships were introduced into Antarctica. An Argentine naval force of two cruisers and six destroyers escorted troopships into the harbour at Deception island and proceeded to build a base close to a long established British station. London despatched a cruiser and a frigate of the Royal Navy in response to the Argentine overture. But, by the time they arrived, the Argentine warships had departed leaving behind ten people. The British did not remove the party and the station has been manned since then. Steadily, Argentina built its Antarctic presence and by 1955, had almost as many bases and more number of personnel on the peninsula as UK.³⁸

In a bid to resolve the issue of overlapping claims, UK repeatedly suggested in 1947, 1951, 1953 and 1954 that the three nations (Argentina, Chile and UK) submit their claims for consideration to the International Court of Justice. The proposal, however, always met with rejection from Buenos Aires and

37 Quigg, n.23, p.121.

38 Deborah Shapley, The Seventh Continent : Antarctica in a Resource Age (Washington D.C., 1985), p.71.

Santiago. In 1955, UK even applied unilaterally for arbitration by the ICJ, but the case was dropped after Argentina and Chile asserted that the Court did not have jurisdiction in the matter.

The contentious issue of sovereignty was resolved, to some extent, when the three nations became members of the Antarctic Treaty in 1961. Thereafter, they were obliged to deal with all matters concerning the region through negotiations. This, perhaps, generated a sort of complacency in UK over BAT as was evident in the lessening of interest and fiscal support to British Antarctic Survey (BAS) which is responsible for the physical, administrative and scientific presence of UK in Antarctica. During late 1970s and early 1980s the fiscal problems of BAS, arising mainly from years of level funding and escalating costs became serious enough to cause a curtailment of its research programme and staff.³⁹

However, UK was shaken in 1982 when the Anglo-Argentine conflict over Islas Malvinas compelled it to adopt a more positive and committed policy towards the

39 Beck, n.35, p.430.

region. In the words of Beck:

The military conflict focussed British attention upon Antarctica, albeit only indirectly, and for the first time many people, including some politicians, realized that Britain possessed territory there.⁴⁰

The ignorance amongst the Britons about the nature of their country's activities in the far off South Atlantic can be attributed to the fact that Britain has traditionally adopted a low key approach on sovereignty issue preferring to stress research instead. In this regard, UK has been most unlike Argentina which has placed an overt emphasis upon sovereignty over the claimed Antarctic sector and never lost an opportunity to impute imperialist motives to British activities. This must, however, not be taken to mean that UK would give up BAT to its contestant. Rather, its complacency in the matter has arisen from a sense of security provided by the AT.

C. STANCE ON THE ANTARCTIC TREATY

The current attitude of the three claimant countries under study, towards the AT provides a classic example of the possibility of a united stand over an otherwise contentious issue. Of course, this attitude

40 ibid., p.435.

has developed through diverse circumstances and under different compulsions.

i) **Argentina and Chile** : Unlike Argentina which moved with reluctance to accept the kind of international arrangement envisaged under the AT, Chile not only supported it, but also claims to have prompted the idea. As Jack Child puts it:

Much of the AT literature in Chile is actually almost possessive in regard to the drafting of the 1959 treaty. Chilean authors give their country credit for events leading to the conference and for drafting of key portions of the treaty.⁴¹

It is believed that Julio Escudero Guzmán, a Chilean jurist had suggested in 1948 a modus vivendi that would establish a status quo in the Antarctic on matters of sovereignty. Then, an year later, José Daniel, legal advisor to Embassy of Chile in Egypt suggested a treaty allowing freedom of scientific research, demilitarization of the continent and a regulated exploitation of living resources.

Eventually, in 1958, almost a decade after the initial idea was put forth, a Chilean initiative led to the formation of a preliminary working group in Washington to draft the outline of the AT.⁴² The AT in

41 Child, n.20, p.126.

42 Cultural Department, n.21, p.143.

its final form incorporated the Chilean concept of status quo on territorial claims. Furthermore, the need for a permanent secretariat of AT was also resolved by Chile which suggested entrusting administrative duties 'pro tempore' in rotation to the government of the country where a consultative meeting was held.⁴³

Ever since the adoption of the AT, Chile professes to have upheld the tradition of contributing to its efficient functioning by being always, "in the forefront of efforts to make the Antarctic a vast region of peace, a great scientific laboratory and a gigantic ecological reserve".⁴⁴ More recently, in the wake of attacks on AT from non-treaty nations, Chile has stepped up its support for the AT system. Denying the need for UN participation in treaty functioning, the Chilean representative to the UN, Zegers, held that the AT "represents a subsystem integrated into the overall international system, which confirms and gives expression to the principles and purposes of the UN".⁴⁵

Such views are akin to what Argentina has begun to express after having realized the effectiveness of the AT. This commonness in approach provides proof that in

43 ibid, p.144.

44 ibid, p.145.

45 Beck, n.3, p.150.

the context of the AT, cooperation is possible among nations of colliding geopolitical interests.

ii) **Argentina and United Kingdom:** UK has been a supporter of the AT right from the days of its formulation. Averse to the idea of UN involvement in Antarctica because that would have allowed the erstwhile communist power, USSR, a say in the matter, UK responded favourably to the American proposal, in 1948, for a condominium of eight nations - the seven claimants and USA itself. The idea however, came to naught due to the opposition, reluctance or stalling tactics of other claimants.⁴⁶

Nearly, ten years after the above proposal, negotiations commenced for drafting the Antarctic Treaty and UK had to reconcile with the idea of Soviet involvement in the exercise. UK actively participated in the talks and on many occasions after the adoption of AT, London has reaffirmed "its traditional policy of favouring the relative permanence of the AT system".⁴⁷

46 Quigg, n.23, p.136. While Chile and Argentina opposed the suggestion, Norway saw no need for such an international arrangement, Australia expressed doubts, France stalled and New Zealand favoured the idea of UN trusteeship.

47 Beck, n.35, p.438.

Reposing firm faith in the durability and adaptability of the treaty system, alternative proposals involving the UN or suggesting the creation of an international regime modelled on the International Seabed Authority created by Law of the Sea Convention, have held little attraction in London. In fact, in 1982, Mrs Thatcher, the British Prime Minister then, categorically stated that:

If the Antarctic were brought under the control of a worldwide agency possibly within the UN, it would be far more difficult to achieve the level of cooperation that has been possible within the AT framework.⁴⁸

The above observation as also those in the previous chapter, show that, for the present, all the three nations - Argentina, Chile and UK, stand by the AT system. It provides them with the most apt framework within which to pursue and maximise not only international cooperation and stability, but also specific and disparate national interests. Consequently and most significantly, all the three countries have campaigned for the maintenance and strengthening of the AT system.

48 ibid, p.438.

D. PERCEPTION OF GEOPOLITICAL CHALLENGES

Active schools of geopolitical thought in Argentina and Chile and grandiose British visions have frequently clashed over perceived geopolitical challenges.

i) **Argentina and Chile** : Highly influential geopolitical schools of Argentina and Chile have constantly fuelled the fears of rivalry and jeopardized chances of reconciliation. For the Chilean school, Argentina has attracted suspicion and evinced hostility because of the widely held view that Chile has ceded "a total of 1,264,600 square kilometers of territory to Argentina in negotiated or arbitrated disputes".⁴⁹ On the other hand, Argentine geopolitical thought has espoused the idea of the loss to Chile of vast portions of Patagonia and the Straits of Magellan. In fact, the presence of thousands of Chileans in Argentine Patagonia where they constitute over one-third of the work force and where over a 100 Chilean radio stations broadcast, is a cause for concern in Argentina.⁵⁰ In the event of a war,

49 Lincoln and Ferris, n.19, p.128.

50 James L. Garrett, "The Beagle Channel Dispute: Confrontation and Negotiation in the Southern Cone", Journal of Interamerican Studies and World Affairs (Miami, Florida) vol. 27, no.3, Fall 1985, p.84. Also see Caviedes, n.4, p.27.

extensive Chilean influence in a region sparsely populated by Argentines themselves is perceived as potentially dangerous.

An important issue over which the geopolitical notions prevalent on both sides of the Andes have clashed most often is that of the ownership of the three Beagle Channel islands. From the time of independence, this region remained a point of discord and ever since the formalisation of territorial claims to Antarctica, it assumed even greater strategic importance.⁵¹

Considered objectively, the three tiny islands averaging only slightly more than 40 square miles each are of little significance by themselves.⁵² But, the area involves competing geopolitical, strategic and commercial calculations. Firstly, the possession of the islands would offer control over additional territory on the basis of the 200 - mile limit of the territorial sea. Chilean possession of these islands, therefore, would make Chile an Atlantic nation, thereby threatening the bioceanic principle, which according to Argentine

51 The 125 mile long Beagle Channel, on the one hand links the Atlantic to the Pacific and on the other, it separates Tierra del Fuego from the small islands that dot the way south to Cape Horn. Garrett, n.50, p.82.

52 *ibid*, p.82.

interpretation allows it "a right to the whole of the coasts, islands and waters of the Southern Atlantic, and Chile that same right to the coasts, islands and waters to the Southern Pacific."⁵³ Protagonists who visualise Argentine role as a "keeper of doorway" from the Atlantic to the Pacific have cautioned against any Chilean intrusion into the area.⁵⁴ Notwithstanding, the prevailing spirit of understanding between Argentina and Brazil, the possibility of Chile as an Atlantic nation cementing bonds with Brazil and claiming membership in any future South Atlantic collective security arrangement is not attractive to Argentina.⁵⁵

Apart from this, there are positive economic benefits that could accrue to Chile. Argentina estimates that the region could produce more than 3 million dollars worth of minerals, petroleum and fish annually.⁵⁶ Of these products, it is petroleum that would be most attractive for Chile. The nation's

53 Lincoln and Ferris, n.19, p.91.

54 Jack Child, Geopolitics and Conflict in South America : Quarrels Among Neighbours (New York, N.Y., 1985), p.45.

55 Lincoln and Ferris, n.19, p.91.

56 Garrett, n.50, p.84.

continental shelf on its Pacific Coast where oil drilling is taking place is only 20-30 miles wide, whereas in the Beagle Channel region, the shelf extends upto about 200 miles, at an average depth of less than 650 feet.⁵⁷

A basic boundary treaty signed between Argentina and Chile in 1881 had established that "to Chile shall belong all the islands to the south of Beagle Channel upto Cape Horn", but the matter was not settled because Argentina disputed the very course of the channel.⁵⁸ In 1971, Argentina and Chile agreed to allow UK to arbitrate the dispute. After six years, an award was handed down that largely favoured the Chilean claim to the island and which Argentina rejected, bringing the countries on the verge of war in late 1978. Fortunately hostilities were averted because the Holy See's observer to the Organization of American States promptly proposed Papal mediation which was accepted by both sides on 1 January, 1979. In December 1980, the Pope presented his peace proposal which was acceptable to Chile, though Argentina stalled. Finally, in 1984, soon after Raúl

57 *ibid*, p.84.

58 Nicholas Asheshov, "Battle of Cape Horn", Sunday Times (London), 29 October, 1978.

Alfonsín established the democratic civilian administration, the two countries signed a declaration pledging to solve the matter within the framework of the Papal decision. The promise was fulfilled on 29 November, 1984, when the two signed the Tratado de Paz y Amistad (Treaty of Peace and Friendship) at the Vatican.

Under the Treaty, Chilean possession of the three islands was recognised with sovereignty extending south to Cape Horn. Chile also gained maritime jurisdiction over a surrounding 12 mile zone in which Argentina could exercise free navigation. At the same time, specific limitations on Chilean rights removed the possibility of maritime projection or claims of sovereignty that would normally accompany territorial possession so that Chile had physical access to the Atlantic Ocean but did not hold juridical rights. Argentina was given maritime jurisdiction over the area outside the 12 mile zone.⁵⁹ Hence, the treaty upheld the bioceanic principle. As Pope Atkins has rightly observed, "The agreement was a clear compromise aimed at satisfying the fundamental concerns of each side."⁶⁰

59 Pope Atkins, n.7, p.318.

60 *ibid*, p.318.

Before accepting the treaty, a referendum was held in Argentina to submit the solution to a popular vote. 73 per cent of the electorate turned up for the exercise.⁶¹ Surveys conducted thereafter have shown that a majority of Argentines -- 82 per cent approved of the treaty.⁶² The Treaty has been a significant achievement in conflict resolution between the two nations and offers a hope towards greater economic and political cooperation. Nonetheless, it entails no impact on the proffered claims of both nations to the Antarctic. Rather Article 15 of the Treaty explicitly mentions that their Antarctic status would remain unaffected. Yet, if the general trend of reconciliation continues, an agreement over Antarctica could also be expected.

ii) **Argentina and the United Kingdom :** The British geopolitical challenge to Argentine Antarctic interests derives mainly from the conflict over the possession of Islas Malvinas/Falkland Islands. Control of these islands affects each nation's Antarctic interests and susceptibilities.

61 NC, "Argentina Gives a Lesson", International Herald Tribune (Paris), 3 December 1984.

62 Howard T. Pittman, "Harmony or Discord : The Impact of Democratization on Geopolitics and Conflict in the Southern Cone", in Kelly and Child ed., n.4, p.39.

The Malvinas/Falklands consist of two main islands - Soledad or East Falkland, and Gran Malvina or West Falkland, and about 200 smaller islets constituting, a hardly impressive total surface area of 6,400 square miles in the South Atlantic, some 300 miles east of Islands of Tierra del Fuego.⁶³ But, the importance of the islands stems from their strategic location. For UK, the islands have a historic geopolitical importance as they were one of the many original outposts of British Empire, selected for their proximity to maritime choke points. Then, from early twentieth century onwards upto the time BAS was constituted, BAT was administered from the Falklands. Presently, the islands are important for UK mainly because they can serve as a logistical base of operations near the Antarctic claim.

On the other hand, for Argentina, the need to acquire the islands is not so much for logistical support of its Antarctic activities, as to thereby deny them to UK. For Argentine geopolitical writers, British presence on the islands weakens Argentine claims to Antarctica by vitiating the ideas of tricontinental

63 Child, n.54, p.112.

unity and Atlantártida.⁶⁴ Moreover, beyond the strategic value lie profound emotions and nationalism. Robert Cox has indicated that for the Argentines, Malvinas have a special purpose to perform, that of facilitating national unity in a country whose political and economic aspirations have been frustrated. He writes:

Only one thing remains of Argentina that was a promised land; the belief, learned alongwith the alphabet, the national anthem and two plus two equals four, that the Islas Malvinas are Argentine.⁶⁵

Roots of the Anglo-Argentine dispute go deep down into history. It was in 1764, after the Bourbon invasion of Spain, that Louis Antoine de Bougainville, acting on authority of King Louis XV of France colonized the eastern part of the islands, Islas Malvinas that had been sighted earlier by French sailors.⁶⁶ In response to Spanish protests that followed soon after, the French transferred the claim to Spain on 25 February 1767, in return for an indemnity of 24,000 Pounds.⁶⁷ Meanwhile,

64 See Chapter II of this dissertation.

65 Robert Cox, "Argentina's Dream," The New Republic (Washington D.C.) Issue 3513, 12 May, 1982, p.16.

66 Peter Calvert, "Sovereignty and the Falklands Crisis", International Affairs (Guildford), vol.59, no.3, Summer 1983, p.406.

67 *ibid*, p.406.

the British flag had also been hoisted in West Falkland in 1765 by John Byron who after seeing no trace of habitation took possession in the name of King George III.⁶⁸ In due course, Spain protested to London and in 1770 even turned away the British settlers from the islands.⁶⁹ Long negotiations followed and finally, Spain agreed to restore British settlements, while Spanish nationals themselves settled in East Falkland. But in May 1774, UK evacuated the Spanish settlement.⁷⁰ In 1776, the islands were included in the jurisdiction of Vice Royalty of Rio de la Plata, and that is how Argentina claims to have inherited them from Spain after independence. In 1820, representatives of the United Provinces of River Plate landed on islands and formally took possession.⁷¹ Later, in a decree of 10 June 1829, the government of Buenos Aires formally declared that it had succeeded the Spanish claims to the islands. This early Argentine settlement was, however, destroyed by a

68 Shapley, n.38, p.69.

69 Calvert, n.66, p.406.

70 Laurio H. Destefani, Malvinas, Georgias y Sandwich del Sur, Ante el Conflicto con Gran Bretaña, (Buenos Aires, 1982), pp.57-58.

71 Child, n. 54, p.112.

US naval vessel in 1832 that declared the islands free of all governments.⁷² But, an year later, the British government reasserted its claim and has occupied the islands since then.

Formal notes protesting British occupation of the islands have been a constant feature of Argentine foreign policy from the nineteenth century onwards. The British Foreign Office on its part, has ignored all such notes. In fact, uptil mid 1960, UK had been dismissing the Argentine claims as "unsubstantiated."⁷³ It was the December 1965 resolution of the United Nations directing UK and Argentina to negotiate terms on final sovereignty of the islands that established the existence of a dispute. Negotiations began in March 1967 when London for the first time formally expressed willingness to cede sovereignty over the islands provided the wishes of the islanders were respected. Periods of negotiations and tensions alternated uptil 1982 when Argentina, ostensibly despairing of British policy of pessimism resorted to armed conflict.

72 ibid, p.112.

73 Ruben de Hoyos, "Islas Malvinas or Falkland Islands: The Negotiation of a Conflict, 1945-82," in Michael A. Morris and Victor Millán ed., Controlling Latin American Conflicts : Ten Approaches (Boulder, Colorado, 1983), p.186.

The conflict has been explained as a failure of diplomacy and the result of contradictory signals given by London from 1980 onwards. As Wallace has observed:

A combination of continuing neglect of the islands economy, with an apparent immobilism towards negotiations on sovereignty, persuaded some within the Argentine government that confrontation - and if necessary, occupation - would resolve the dilemma.⁷⁴

This feeling was reinforced by the fact that between 1969-79, Argentina had extended economic cooperation to the islanders. In 1972, the first airstrip in the island was built as part of a package of measures to improve communications with the mainland. In 1974, the Argentine oil monopoly, Yacimientos Petroliferos Fiscales, assumed charge of satisfying the islander's oil needs. Also, Argentina made its educational system available to them through scholarships.⁷⁵

Viewed in the context of the above facts, Argentine invasion of the islands was launched with predictions of success by the military government. However, within a couple of months of its occupation, Argentine troops were made to surrender by British force

74 William Wallace, "How frank was Franks?," International Affairs, vol.59, no.3, Summer 1983, p.454.

75 Hoyos, n.73, p.187.

that again hoisted the Union Jack at Port Stanley, the island's capital. Thereafter, UK has stepped up its activity in the islands and the region in general, allocating more finances for its development and enhancing its military capability under operation 'Fortress Falklands'.

At the Argentine end, the defeat has not weakened the resolve to reclaim the islands, though the note of belligerence has faded. In 1984, President Alfonsin reiterated that any solution to the problem "must be based on the recognition that the Malvinas are, were, and will be Argentine."⁷⁶ More recently, President Carlos Menem too has spoken on similar lines, "I do not know when, but I do not have the slightest doubt that the Malvinas islands once again will return to Argentine sovereignty."⁷⁷

Therefore, for the Argentines, the Malvinas continue to enjoy utmost importance. As Peter Calvert has aptly remarked, "Argentina wants sovereignty over the Falklands, but they do not require it today, tomorrow, next week or next year; it is sufficient at

76 Pittman, n.62, p.40.

77 Times of India (Bombay), 7 January 1992.

this stage that it should be on the agenda."⁷⁸ Meanwhile, for UK, the political, symbolic and emotional response that the invasion evoked has further compounded the British resolve to defend and retain a presence on the islands. This is despite the fact that UK and Argentina have begun to explore possibilities of organizing joint ventures, though always under the "umbrella formula through which each country claims sovereignty over the islands."⁷⁹ For the time being, therefore, the "quarrel between two bald men for possession of a comb", continues, as Jorge Luis Borges remarked.⁸⁰

E. RESPONSE TO RESOURCE MANAGEMENT AND ENVIRONMENTAL CONSERVATION

The resource question has always remained central to the international politics of Antarctica. In a world where man and his needs have constantly multiplied and the available resources have steadily declined, the

78 Peter Calvert, "British Relations with the Southern Cone States," in Kelly and Child ed., n.4, p.54.

79 Foreign Broadcast Information Service, vol.91, no.231, 2 December 1991.

80 Simon Collier, "The First Falklands War? Argentine Attitudes", International Affairs, vol.59, no.3, Summer 1983, p.459.

Antarctic has been globally viewed as a resource rich continent. Naturally then, the question of ownership of the resources has provoked a debate among all nations, irrespective of their stance on its juridical status.

The claimant states start from the position that resources found in their claimed territory must belong exclusively to them and that no exploitation can be undertaken by other nations in their sectors. The resource issue has been of special importance for Argentina, Chile and UK because the region that they claim is not only relatively more accessible but is also believed to have a significant mineral potential. However, the manner in which the three respond to the question of resource exploitation is to a large extent a function of their need for those resources.

Abundant fish in the Southern Oceans has, traditionally been the most attractive resource of the region. In this case, the stance of a country with fishing interests, like Chile, has been different from that of non fishing ones, like Argentina and UK, on matters of exploitation vis - a - vis conservation. A natural tendency of the fishing nations is to oppose all conservation measures, interested as they are in short term gains, in contrast to a more futuristic approach of

the non fishing countries. Even though the Chilean share in fishing accounts for less than 1 per cent of the total annual catch of about .5 million tonnes, it still pits Chile against Argentina and UK, neither of which figure in the annual statistics.⁸¹ The bulk of the harvest is taken by USSR and Japan.

As regards the other minerals known to exist in Antarctica, such as oil, natural gas or precious metals, it is estimated that presently they have no economic value, considering the climatic, technological and cost constraints that their exploitation would involve. Nevertheless, Argentina, Chile and UK supported mineral regime negotiations so as to avoid an unregulated scramble for resources as and when exploitation should become feasible. In this case, the three have exhibited a shared interest as reflected in their participation in special meetings held in 1980s by all claimants to evolve a common position on a minerals regime.⁸² The issue of mineral resource exploration and exploitation has, however, been resolved for the next fifty years by the Madrid Protocol of October 1991. The decision has

81 Beck, n.28, p.121.

82 *ibid*, p.109.

been accepted as being a most prudent one by the three claimants under study. Chilean Congressmen hailed the ban in November 1991, saying, "We, Chileans, oppose economic exploitation of the Antarctic. It must remain a sanctuary for scientific research, a sanctuary of purity...."⁸³

With the resolution of the mineral resource issue, the concomitant question of its impact on environment has also subsided to a large extent. Traditionally, Argentina, Chile and UK have stressed the importance of environmental protection, partly owing to a sense of responsibility for the sound management of the continent and partly because of the global significance of treating Antarctica as a specially protected region. At the same time, it must also be mentioned that conservation is perceived by the governments as a less important policy interest than political and legal related considerations. While at the rhetorical level, all the three have expressed great concern for the Antarctic environment, yet, this has not deterred them from establishing bases and even family settlements in the fragile environs.

83 Foreign Broadcast Information Service, vol.92, no.219, 13 November 1991.

As is evident from the above analysis, Antarctic affairs have possessed the dual ability to bring together countries at variance with one another as also to force wedges of differences between them. The three claimants under study share their very basic aim of upholding territorial claims over Antarctica through diplomatic and politico-scientific activities.

The operation of the Antarctic Treaty System has facilitated the formation of a cooperative Anglo-Argentine-Chilean relationship. As AT members, the three have endeavored to ensure an effective participation in collective decision making, while safeguarding their claims from treaty or non treaty encroachments.

At the same time, differences highlighted in nationalist opinions and geopolitical perceptions abound. For instance, though Argentina and Chile are united as claimants, Latin American actors and supporters of the concept of 'South American Antarctic', yet they are divided by historical and geopolitical perceptions. In this regard, Moneta opined that the two would gain a lot if they should decide to cooperate within the framework of Antarctic sector. He wrote:

Taken together and added to their favourable geographical location, their financial, scientific and technological resources would give them much more leverage as regards the

other actors and would enable them to develop more autonomous and effective policies...⁸⁴

But, to date, both nations have operated in an individual and competitive manner. So much so, that Argentine geopoliticians have been constantly hounded by the fear of a British - Chilean alliance. Long standing military, diplomatic and economic links between UK and Chile have sown the seeds of suspicion. Chile's neutrality during the 1982 Anglo-Argentine conflict heightened this fear, despite the fact that relations between UK and Chile had somewhat waned after the military takeover in the latter state. The transfer to Chile of the British base at Adelaide after the war was especially resented by Argentina because it falls within Antártida Argentina. The transfer was interpreted as a "definite political message for Argentina," because it cast a shadow over Argentina's projection into Antarctica and hinted at a British-Chilean alliance.⁸⁵

More recently, however, a growing spirit of friendliness has begun to overtake such views, though

84 Carlos Moneta, "Antarctica, Latin America, And The International System in the 1980s", Journal of Interamerican Studies and World Affairs, vol.23, no.1, February 1981, p.52.

85 Child, n.20, p.90.

they are definitely not defunct. For Argentina, both Chile and UK are still its adversaries in Antarctica and it needs to deal with them with caution. Yet, there is a growing awareness within Argentina of the political and economic costs of maintaining geopolitical conflicts that are largely hangovers from the last century.

Yet another point to be noted is that whatever may be the character of inter relations between the three nations, there remains little doubt that vis-a-vis non treaty countries, they would adopt a united stand. Though divided as claimants of the same sector, the three realize the advantages of ignoring their differences in the face of outside challenges to the exclusive club of the Antarctic Treaty.

CHAPTER IV

ARGENTINA AND POTENTIAL CLAIMANTS

In 1961, when the Antarctic Treaty (AT) came into force, there were two nations that explicitly reserved their rights to claim territory in Antarctica. These were the two superpowers of the time - the United States of America and the erstwhile Union of Soviet Socialist Republics. Both adopted an ambivalent stand on the issue of claiming sovereignty in the icebound continent. On the one hand, they refused to recognize the territorial claims advanced by the seven nations, while on the other hand, they kept open their option of asserting territorial sovereignty in the future, on the basis of discoveries and explorations made by their nationals. A provision was incorporated into the Treaty for safeguarding the potential exercise of such rights, just as the asserted claims were guaranteed against any kind of encroachment. It was stated that nothing in the Treaty would be interpreted as a "renunciation or diminution by any Contracting Party of any basis of claim to territorial sovereignty in Antarctica...."¹ Hence, assured that their rights were secure and could be exercised when the need or opportunity arose, the two

¹ Subsection (1) (b) of Article IV of the Antarctic Treaty. (Emphasis added).

countries felt no urgency in delineating their portions in the southern continent, though deeming it as terra nullius.

Although the AT froze the issue of territorial claims to Antarctica and excluded the possibility of new claims being made during the period of its operation, yet Brazil has emerged as another potential claimant. In fact, Brazil had been excluded from AT negotiations on the ground that it did not have the requisite experience, not having participated in the IGY. At the time, Brazil protested and reserved the right to make a claim to Antarctica in the future.² Brazil's nascent status as an emerging power and the desire to share the anticipated resources of Antarctica generated, almost a decade ago, a serious national interest in the southern continent. Brazil acceded to the AT in 1975 and was granted consultative status in 1983.³ At present, it is constrained by treaty provisions from officially making a territorial claim to the region. This, however, has not deterred its active school of geopolitical thought from elaborating informally, though in a most

2 Jack Child, Antarctica and South American Geopolitics: Frozen Lebensraum (New York, 1988), p.137.

3 *ibid*, p.133.

transparent manner, several bases to validate the country's claims.

Potential claimants remain a cause of concern for Argentina because not only do they not recognize Argentine claims, but neither have they demarcated their sectors on Antarctica. Both these factors constitute a constant threat to Antártida Argentina, lest the potential claims of the nations encroach upon its territory. Of the three possible bidders USA and Brazil are the ones with whom Argentina has dealt with special caution, ever conscious of their Antarctic policies and perceptions. Argentina, Brazil and USA are hemispheric actors, the first two having regional and the third being a superpower, even broader extra-national pretensions; all three are members of the AT for different reasons; and also members of the Rio Treaty of 1947, of which they have dissimilar perceptions. These facts have resulted in several expected and unexpected permutations and combinations of the three which shall be explored in the following sections.

ARGENTINA AND USA

Historically, Argentina has been an opponent of the United States for longer periods of time and its ally only for short, spasmodic intervals. This is

despite the fact that when the United Provinces of River Plate declared their independence from Spain, USA was the first non - European country to grant it recognition.⁴ Soon though, relations began to sour for various reasons. In the nineteenth century, Argentina's globalist aspirations, its affinities with Europe and its pioneering advocacy of the principles of non - intervention and juridical equality of all states as formulated in the Drago principle, clashed with US sponsored concepts of Pan-Americanism and hemispheric solidarity as embodied in the Monroe doctrine and the interventionist policy developed under the Roosevelt Corollary. Argentina chose to remain neutral during World War I, and its studied neutrality during the early phase of World War II was especially irksome to USA because Argentina rejected outright the kind of military cooperation sought by Washington. Perón's virulent brand of nationalism was evident even before he assumed the Presidency in 1946, and it dimmed the chances of rapprochement between the two nations. Shorter phases of

4 Camilo Rodriguez Berrutti, "Diplomacy of the United States and Great Britain in the History of Argentine Borders" in Michael A. Morris ed., Great Power Relations in Argentina, Chile and Antarctica (London, 1990), p.30.

cordial amicability did arise, but they existed in the shadow of a general air of anti-Americanism. Rock has observed that during most of the two terms of Perón and later under, Isabel Perón, "US citizens and business firms were the chief foreign targets of organized violence...."⁵

More recently, however, and especially during the administration of President Menem, there has been a perceptible reversal of policy, with Argentina extending a hand of friendship towards the giant to its north. In November 1991, Menem made an official visit to USA. On his return to Argentina, he described the trip as 'good' and said, "Argentina is a friend to everyone, but an ally of the US. That is the way it is and everyone should know that we are an ally of that power and that power is our ally."⁶ Whatever be the political compulsions for this shift in policy, it could signify far reaching repercussions in their relations, extending even upto the positions held by both in Antarctica.

5 Arthur P. Whitaker, The United States and the Southern Cone : Argentina, Chile and Uruguay (Cambridge, Mass., 1976), p.424.

6 Foreign Broadcast Information Service (Washington D.C.), 20 November 1991, p.15.

US interest, activity and objectives in Antarctica have differed substantially from those of Argentina. Despite the fact that both have considered the gigantic southern continent to be terra nullius, there is little agreement over the very basic question of the theory of sovereignty to be applied to the unique polar region. Yet, on certain issues, both nations have found themselves on the same side of the fence. To further distinguish between the stands of the two, it is necessary to undertake a brief historical survey of US interests in Antarctica and analyze it in the light of the already elaborated Argentine position.

US Involvement in Antarctica: Involvement of American nationals in the southern landmass has been traced to 1790 when sealing expeditions went as far as into the vicinity of South Georgia islands.⁷ The US Government claims credit for its national, Nathaniel Palmer, as being the first person to sight Antarctica in 1820. Thereafter, several officially sponsored expeditions travelled to the region, the most important being that

7 Parriott, "Territorial Claims in Antarctica : Will the US be Left Out in the Cold? Stanford Journal of International Law (California), vol.22, no.1, Spring 1986, p.101.

of Wilkes in 1838-42.⁸ American interest in the region waned a little towards the close of the nineteenth century. It was rejuvenated, however, soon after World War I and since then, USA has been most active in Antarctica.

American explorers, from Palmer to Byrd, pressed upon their government to claim the Antarctic territory being discovered. Byrd even considered himself as the "custodian of Antarctica" until his government took over.⁹ But, no official pronouncement of this nature was forthcoming. Rather, US State Department dismissed discovery as sufficient basis for claiming territory. In 1924, Secretary of State, Evan Hughes based American Antarctic policy on the doctrine of "constructive occupation."¹⁰ He stated that mere discovery coupled with a formal taking of possession were insufficient for staking a claim and had to be substantiated by actual settlement. He further clarified that:

where for climatic or other reasons actual settlement would be an impossibility, as in the case of Polar regions, such conduct on his (explorers) part would afford frail

8 Deborah Shapley, The Seventh Continent : Antarctica in a Resource Age (Washington D.C., 1985), p.18.

9 *ibid*, p.43.

10 *ibid*, p.42.

support for a reasonable claim of sovereignty.¹¹

Therefore, Washington upheld the opinion that discovery had to be followed by subsequent exploration, a formal claim of possession and administrative acts to constitute a valid claim for sovereignty.

This doctrine has formed the basis of US Antarctic policy upto now. Of course, there have been instances of deviation from this stand. For example, in the late 1930s, the State Department allowed American Antarctic expeditions to indulge in acts of administration which could later be invoked for advancing a claim. President Roosevelt, in 1939, gave instructions to Byrd to take "apt steps such as dropping written claims from airplanes, depositing such writings in cairns etc., which might assist in supporting a sovereignty claim by the US Government".¹² Also, in 1948, at the time of proposing a limited internationalization of Antarctica through an eight nation condominium, Washington made it known to London that it was not "neutral in the affairs of the distant Antarctic, nor an arbiter of other's troubles, but would, at a Conference, become a formal

11 Sanjay Chaturvedi, Dawning of Antarctica : A Geopolitical Analysis (New Delhi, 1990), p.53.

12 Shapley, n.8, p.47.

claimant to certain Antarctic territory."¹³

However, as it turned out, no official pronouncement to this effect was made and by the time the IGY began in 1957, nationalist elements of US Antarctic policy had been subordinated to international cooperation in the name of science. As Shapley has observed, "The emergence of scientists as a new constituency for US Antarctic policy ended the nationalist, expansionist phase of Antarctic activities."¹⁴

Several other factors also made it inadvisable to advance a claim. The US State Department itself mentioned the costs involved in maintaining and defending a claim, as also the possible damage to diplomatic relations with other friendly governments as deterrents to such a move.¹⁵ Shapley has mentioned another reason. According to her argument, since the purchase of Alaska in 1867, the US has shied from an

13 Albert Norman, The Falkland Islands, their Kinship Isles, the Antarctic Hemisphere, and the Freedom of the two Great Oceans : Discovery and Diplomacy, Law and War, vol. II, (Vermont, 1986), p.69. The condominium was to comprise of the seven claimants and USA.

14 Shapley, n.8, p.51.

15 Philip W. Quigg, A Pole Apart : The Emerging Issue of Antarctica (New York, 1983), p.138.

outright annexation of foreign territory, decrying colonialism as being incompatible with American democratic ideals. In the past, when such opportunities arose as in the cases of Cuba and Philippines, Washington helped in their liberation. Therefore, to stake a claim in Antarctica would have tarnished the image of being "an antidote to imperialism."¹⁶ This argument, however, can be refuted on the ground that USA has considered Antarctica as terra nullius. Hence, staking a claim would not amount to 'colonialism' which implies extension of power of a state to another territory through conquest or subjugation of its population. Neither of these would be applicable in Antarctica. USA also faced a difficulty in deciding upon a suitable area to claim because the only sector that remained unclaimed was both "materially unattractive and relatively inaccessible," and constituted a paltry 15 percent of the entire continent. Official opinion, meanwhile, felt that "US interest lay more in access to the whole continent than in exclusive control of just a part of it."¹⁷

16 Shapley, n.8, p.21.

17 Chaturvedi, n.11, p.66.

Consequently, no claim was concretized, though neither was the option categorically given up. In the long run, this policy of ambivalence has benefitted USA. Had it asserted its own claim, it would have meant granting recognition to claims of others, thus relinquishing open access to the region. Now, US scientists have enjoyed the freedom of moving and establishing stations all over Antarctica. At the same time, USA has maintained a station at the geographic South pole which symbolically falls into the sector of each of the claimants and serves as a reminder to others of the US right to claim its own sector.

US role in Antarctica has been described as that of a 'broker, advisor and peace maker'.¹⁸ This may be attributed to Washington's repeated attempts through the 1940s and 1950s to resolve the issue of sovereignty over Antarctica. Its endeavours in this direction were essentially of two types - first, by not aggravating the situation through statement or action; and secondly, by positively working towards finding a solution. Evidence of the former can be found in the US stand on certain tricky provisions of the 1947 Inter-American

18 Shapley, n.8, p.205.

Treaty of Reciprocal Assistance or the Rio Treaty. Article IV of the treaty extended the limits of the military defensive ring to a good part of the Antarctic, Falkland islands and some others claimed by Argentina. But, as Norman has observed, USA managed to avoid a confrontation by declaring that the Rio Treaty "has no effect upon the sovereignty, national or international status of any of territory included in Article IV of the Treaty".¹⁹ A similar stand was also taken during the Inter-American States Conference at Bogota for founding the Organisation of American States in 1948. Argentina made use of this occasion to get a resolution adopted against European territorial possessions in non-European regions. The concerned resolution stated:

The American states have fixed a zone of continental security to which extra continental conflicts should not extend, as might happen in consequence of the existence on the continent of dependent territories or those occupied by non-American countries.²⁰

As is evident, this was aimed at pressurizing the UK to give up its control over the Malvinas/Falklands and it placed Washington in a difficult position. It then responded by not only abstaining from voting on the

19 Norman, n.13, p.372.

20 *ibid*, p.75.

resolution, but also by categorically stating that the question of territorial possessions involved too many aspects - historical, geographical and legal - to be settled merely through the adoption of a resolution.²¹

Apart from such contributions towards averting tensions, USA also made some more positive moves for solving the imbroglio in Antarctic relations. The first of these was made in the year 1948, when USA proposed an eight nation condominium for regulating Antarctic affairs. This proposal, however, came to a naught as it met with varying degrees of unfavourable response. Argentina, while complimenting Washington's 'worthy endeavour', expressed its inability to accept the proposal because "a national territory such as the Argentine Antarctic could not in any case be incorporated in a system of internationalization".²²

Failure of this attempt, however, did not deter the US from searching for alternative solutions. On 2 May, 1958, Washington, as sponsor, sent out invitations to eleven governments to attend a "Conference on Antarctica", where finally the AT was drafted. Despite

21 ibid, p.75.

22 ibid, p.488.

the fact that USA had been the prime force behind the conference, its product, the AT met with a mixed response at home. Some authors and sections of the press vehemently criticised it as "a giveaway of American rights", and the inevitability of Russian involvement led Senator Thomas Dodd to sarcastically ask in the Senate, "Do we want to spread the disease of communism even to the penguins?"²³ The majority, however, welcomed the Treaty as "a notable instance of US initiative, preceded by careful planning and followed by patient and skilful negotiation".²⁴ Consequently, on 10 August 1960, the US Senate ratified the AT by a vote of 66 to 21. USA became a consultative party. From then on, an oft-repeated American objective has been to ensure the smooth continuance of the Treaty. For itself, USA has been content to work within the AT framework which has allowed it the benefit of keeping open its option of staking claims in the future, while also ensuring international cooperation and stability.

USA also has significant political, strategic, economic, scientific and environmental interests in

23 Chaturvedi, n.11, p.97.

24 Quigg, n.15, p.154.

Antarctica. The US State Department has never considered the possibility of abandoning its interests and rather has maintained an active and influential presence in the region. Of all interests, the military and economic have been most manifest. That Washington has considered the Antarctic and the South Atlantic regions as strategic is borne out by its stand on the question of ownership of the Malvinas/Falklands --an issue that is so crucial for Argentine Antarctic interests. USA has traditionally espoused international freedom of commerce and of the seas as a cardinal element of its naval strategy. The southernmost part of South America with Drake's Passage and Cape Horn have therefore been of critical importance. Believing that absolute freedom of the seas in that part could not possibly be guaranteed by Argentina which is neither a global, nor a potent naval power, Argentine political and military preponderance in the region has never been supported by USA.²⁵

Meanwhile, as technological advancement has gradually made resource exploitation in the harsh Antarctic environs feasible, American economic interests

25 Albert Norman, vol.I, n.13, p.17.

have perceptibly sharpened. While Washington has welcomed the Madrid Protocol banning mineral exploration and exploitation for the next fifty years, in the early part of the 1980s, US stand on the resource issue had been different. In fact, on the questions of economic interests, environmental goals and protection of US historic rights, a certain amount of inconsistency can be noticed in US Antarctic policy which Parriott has described as being "incoherent and vacillating".²⁶ These adjectives however seem too harsh. The policy has indeed been changing but, in response to external and internal political and technological developments which has given it a certain amount of coherence. It has not been guided exclusively by stiff and uncompromising legal principles as Parriott would have preferred. For instance, prior to any substantial resource exploration or exploitation, the US policy was in favour of both these activities. But, as a number of nations began harvesting krill, a resource of tremendous potential but one in which USA had no immediate interest, Washington expressed "a concern with the equitable use of resources". This, according to Moneta, was motivated by

26 Parriott, n.7, p.106.

a desire to "ensure itself access to living resources in the event that it should desire such access".²⁷ Later, when exploration revealed potentially vast reserves of oil and gas, the US policy shifted to "free non discriminatory access to mineral resources".²⁸

As is evident from the above analysis of US interests in Antarctica, the American and Argentine stands on the issue have developed along different trajectories. Firstly, there have been differences over the theory of sovereignty as applicable to the region. While USA has upheld constructive occupation, Argentina has considered mere cession to be ground enough for sovereignty. Consequently, while the former has abstained from formalizing a claim to Antarctic territory despite having the most extensive record of Antarctic activities, the latter has used every possible argument and opportunity to substantiate and uphold its claim. Argentine position on Antarctica has been

27 Carlos Moneta, "Antarctica, Latin America and the International System in the 1980s", Journal of Inter-american Studies and World Affairs (Miami, Florida), vol.23, no.1, February 1981, p.33.

28 Parriott, n.7, p.107. The USSR, in view of its backward technology advocated "a definite postponement of mineral activity".

coloured by extreme nationalism, while USA has sought to maintain a more internationalistic approach. Quigg observed that of all the nations with Antarctic interests, the US, "on balance, has been the most innovative, the most flexible and the most inclined to seek international cooperation".²⁹

Viewing USA as its traditional rival for hegemony in South America, South Atlantic and Antarctica, Argentina has responded to every American move with caution and suspicion. These emotions guided Argentine response to President Roosevelt's suggestion in 1939 of asserting a US claim on behalf of all American republics. Expressing his views to Under Secretary Summer Wells in 1939, the President spoke of:

9104-A1

a claim to sovereignty of the whole sector lying south of the Americas in behalf of and in trust for the American Republics as a whole... and in future if the American sector proved valuable in any shape, manner or form, its sovereignty could be managed by an inter-American Republic governing body.³⁰

The proposal was rejected, however, by Buenos Aires and ~~Washington and~~ Chile, both of whom put forth individual claims to Antarctica instead. It is significant that

29 Quigg, n.15, p.218.

30 Chaturvedi, n.11, p.55.



Argentina has built more permanent stations in Antarctica than has the United States and in 1980, Argentina and USA had roughly equal capital investments of between 250 and 275 million dollars in the region.³¹

However, there have been a few instances, when the two nations have stood together - as when responding to the challenge posed by the 'common heritage of mankind' principle. Both have opposed an international regime to govern Antarctica on the ground that the AT has an open door membership for nations genuinely interested in Antarctica. Also, on the resource issue, both have welcomed the ban on resource exploration and exploitation, though for different reasons. While for USA, the ban has provided a means of avoiding or at least postponing the possibility of international discord, for Argentina it has come as convenient at a time when it does not have the requisite level of technology to exploit the resources, and neither any urgent need to do so.

Meanwhile, USA shall continue to be a threat for Antártida Argentina as long as it remains a potential claimant. And, Washington has maintained a firm stand

31 Parriott, n.7, pp.117-18.

on this. As recently as in 1984, the US State Department upheld its policy objective of "preserving any basis for a claim to territorial sovereignty which existed prior to the effective date of the AT."³² It is also significant that some US political writers, such as Parriott, have cautioned Washington against forgetting or foregoing its significant national interests in Antarctica. Parriott has even proposed a 'national model' whereunder USA must first and foremost establish and assert a national claim of territorial sovereignty in Antarctica.³³ Naturally, ~~the~~ such an initiative would result in international discord and the consequences could be dangerous if the US claim were to overlap with that of an already marked territory. This possibility has never ceased to trouble the Argentine geopolitical psyche.

ARGENTINA AND BRAZIL

Argentina's relations with Brazil are a curious mixture of geopolitical, economic, cultural and even psychological factors. Historically, both have been suspicious of the territorial aspirations of the other.

32 ibid, p.112.

33 ibid, p.116.

The competition for regional influence has been overt as well as covert. Argentine fears of Brazil emanate mainly on two accounts : Brazilian expansionism; and the possibility of a Brazil - US alliance. Both these factors have a bearing on Argentina's Antarctic interests and need to be examined in some detail.

i) Brazilian Expansionism : The roots of Brazilian political and territorial restlessness can be traced to the days when it was a colony. This was to account for the fact that when independent Brazil came into being, it was not a nation bound by the limits decreed by the 1494 Tordesillas Treaty. Rather, Brazil had extended its boundaries greatly by gaining territory from nearly all its neighbours, except Peru.³⁴ In fact, in 1750, Spain and Portugal agreed upon a new line to demarcate their colonial possessions in the New World. This new limit more than doubled the Portuguese territory from what had earlier been decreed in 1494.³⁵

After independence, Brazil retained the colonial policy inherited from Lisbon, of being closely

34 G. Pope Atkins, Latin America in the International Political System (Boulder, Colorado, 1989), p.39.

35 Harold E. Davis, "Colonial Backgrounds" in Harold E. Davis, John J. Finan, F. Taylor Peck, Latin American Diplomatic History : An Introduction (Baton Rouge and London, 1977), p.27.

associated with and even intervening in River Plate affairs. This led to the war of 1825 between Brazil and the United Provinces of River Plate, present day Argentina. In 1850, Brazil joined a campaign to overthrow Juan Manuel de Rosas, who governed the province of Buenos Aires by signing a treaty to this effect with Uruguay and the Argentine provinces of Corrientes and the Entre Rios. Brazilian troops joined the trinational army that defeated Rosas in the Battle of Caseros in 1852.³⁶

Meanwhile, Argentina's growing prosperity and political stability in the later part of the nineteenth century were perceived as serious threats within Brazil. In Brazilian official circles during the Old Republic Years from 1889-1930, Argentina was described as "an aggressive, expansionist state" that sought to isolate Brazil as a "Luso-African island in an Indo-Spanish archipelago".³⁷ Divergent policies during World War I resuscitated fears of a military confrontation which were fuelled by mutual suspicions, reflected in the large military appropriations in Argentine budgets.

36 ibid, p.89.

37 Stanley E. Hilton, "The Argentine Factor in 20th Century Brazilian Foreign Policy Strategy", Political Science Quarterly vol.100, no.1, Spring 1985, p.28.

World War II brought new tensions as Argentine leaders took the country down a Pro-Nazi 'neutralist' path. Brazil was alarmed by the establishment in Argentina in mid 1943 of a military regime with an overt nationalist policy. In the post-war period, Argentina not only maintained a high level of expenditure on military, but Perón also embarked upon a vigorous campaign to promote closer ties with adjacent Spanish speaking states. A host of financial, commercial and cultural agreements were signed with Bolivia, Chile, Peru and Uruguay aggravating Brazilian fears of the creation of a "Platine confederation dominated by the Argentines".³⁸ Brazilian response, to the perceived Argentine threat included the improvement of national defense through weapon modernization, maintenance of an official cordiality with Argentina, intensification of bilateral economic and other ties with other South American nations as well as the construction of a special relationship with USA.³⁹

38 ibid, p.33.

39 ibid, p.40. Brazil maintained an outward appearance of 'ceremonious friendship' with Argentina. In 1943, Brazil was among the first countries to recognise the new government. In 1970, when Perón died, President Geisel decreed an official three day mourning in Brazil.

A new dimension was added to the traditional Argentine-Brazilian rivalry in the 1960s when Brazil began to overtake Argentina in population, economic growth rate and international prestige. Between 1960-80, Brazilian population increased steeply from 72.3 million to 119 million, whereas the Argentine population limped from 20.3 million to 27.9 million.⁴⁰ During the same period, Brazilian GDP shot up from \$ 55 billion to \$ 229 billion, while the Argentine GDP marked a relatively marginal increase from only \$ 32.7 billion to \$ 62.6 billion. Such a dramatic shift in balance of power induced uneasiness in Argentina which began to experience a "sense of frustration in failing to achieve a supposedly destined clear supremacy within South America." ⁴¹

The emergence of Brazil as a strong military and economic power of the region impelled Argentina to search for an alternative glorious destiny elsewhere which led to a resurgence of Argentine interest in Antarctica. Soon, however, Brazil too followed Argentina

40 Wayne A. Selcher, "Brazilian-Argentine Relations in the 1980s : From Wary Rivalry to Friendly Competition", Journal of Interamerican Studies and World Affairs (Miami, Florida), vol.27, no.2, Summer 1985, p.27.

41 *ibid*, p.26.

into this new area, thereby making Antarctica a new power factor in the relation of the two.

Decree No.086829 of 12 January 1982, issued by the Brazilian government established the National Commission for Antarctic Affairs under the Chairmanship of Minister of External Affairs.⁴² This step marked the beginning of the Brazilian activities in Antarctica. In 1982 itself, Brazil sent its first expedition to the region and one year later, was granted consultative status under the AT.

Brazilian geopolitical concern for Antarctica has been traced to exist even in the 1950s, though it held little sway since the nation had never had a strong maritime orientation. Concerned more with the consolidation of its control over the hinterland, Brazil of the time had little Antarctic consciousness. This grew gradually through the consistent efforts of geopoliticians who focussed attention on the South Atlantic as a natural arena for power projection by Brazil as an emerging regional and eventually a global power. The geopoliticians, among whom Gen. Carlos de Meira Mattos is the most prominent, argued for the

42 Norman, n.13, p.245.

maintenance of Brazilian maritime trade and communications with the world as being vital to the country's survival. Therefore, the emphasis was on the need to protect important oceanic choke points, especially the Beagle Channel and Magellan Straits which are the most dependable paths to the Pacific. Antarctica took on an increasing importance in this context because it stands adjacent to these choke zones.⁴³

The Brazilian school of geopolitics also took recourse to the 1947 Rio Treaty to justify Brazil's interest in Antarctica. According to the school, the Treaty placed a major security responsibility on Brazil to fill the power vacuum in the South Atlantic region. In 1975 when Brazil acceded to the AT, an official declaration stated, "Brazil, by virtue of possessing the most extensive maritime coast in the South Atlantic... has direct substantial interests in Antarctica".⁴⁴

Yet another reason for the growing Brazilian interest in Antarctica is to be found in the anticipated economic benefits of the region. Oil and hydrocarbons

43 Philip Kelly, "Geopolitical Themes in the Writings of General Carlos de Meira Mattos of Brazil", Journal of Latin American Studies (London), vol.16, no.2, November 1984, p.441.

44 Child, n.2, p.135.

are especially attractive to Brazil that is lacking in fossil energy resources. Some coal deposits are to be found in southern Brazil, but they are mostly of an inferior quality. Hence, wood has traditionally been the major source of energy, though more recently hydroelectricity and nuclear energy have also received attention. Yet, having to import nearly 80 per cent of crude petroleum that Brazil uses and whose demand is constantly increasing, imposes a major economic constraint on Brazilian foreign policy. For this reason, Antarctic resources have been perceived as a panacea for Brazil's energy shortage and the country's oil monopoly, Petrobras has been an active and consistent supporter of Brazilian Antarctic activities.⁴⁵

Consequently, Brazil has chosen to look upon Antarctica as terra nullius, rather than as any nation's sovereign territory. Geopoliticians espousing this viewpoint have not hesitated in delineating, albeit unofficially, the limits of a Brazilian sector in the southern continent. The envisaged sector's eastern limit runs along 30 degree west longitude and is bound

45 Robert Wesson, The United States and Brazil : Limits of Influence (New York, N.Y., 1981), p.15.

by longitude 47 degree in the west.⁴⁶ These boundaries include the islands of South Georgia and South Orkney, besides a good part of Antártida Argentina

Justifications for the claim are taken as emanating primarily from the frontage theory. Some writers have pointed out that the Brazilian flag flew in Antarctica even in 1898 when the Belgian explorer, Gerlache, took it there to express his appreciation for Brazilian support extended to his expedition, and that in 1908 a French explorer named a few Antarctic geographic features after Brazil's figures and places.⁴⁷ However, these can hardly constitute a ground viable enough for staking a territorial claim. The emphasis, therefore, has been on frontage theory.

As put forward by Therezinha de Castro and Delgado de Carvalho, the frontage theory argues that each South American nation that has a 'frontage' to the Antarctic, that is, it has an open, sea exposure to the region, unblocked by another nation, is entitled to have a sector on it corresponding to the eastern and

46 Norman, vol.III, n.13, p.278.

47 Child, n.2, p.137.

westernmost meridians of its mainland territory.⁴⁸ The practical implications of the theory lie in the suggestion that the portion of Antarctica facing South America should be divided among six nations--Argentina, Brazil, Chile, Ecuador, Peru and Uruguay.⁴⁹ Initially, the theory had laid greater stress on a joint South American Antarctic sector extending from longitudes 24 to 90 degree west in an apparent attempt to appeal for South American unity. But, Argentine and Chilean reactions, and encouragement from Brazilian nationalists led to a shift in emphasis to an independent Brazilian sector.

Naturally, Brazilian involvement in Antarctica has been seen with growing suspicion and apprehension in Argentina. Argentine geopoliticians have been the most vehement critics of the frontage theory not only because of the Brazilian and other nations' encroachments on Antártida Argentina, but also because it has the potential to create differences between Argentina and its traditional ally Peru or its 'semi-client buffer

48 Jack Child, Geopolitics and Conflict in South America : Quarrels Among Neighbours (New York, N.Y, 1985), p.37.

49 Child, n.2, p.134.

state', Uruguay.⁵⁰ In fact some Argentine geopoliticians have imputed political motives to the theory. It has been decried as an attempt by Brazil to cause friction between the Spanish American states while assuring itself of allies in the region.

Apart from a direct threat to its claimed territory, Argentine apprehensions have also stemmed from the possibility of Brazilian exploitation of Antarctic resources. Lack of energy resources within Brazil has been perceived by Argentina as a restraint on the former's ambitious plans of industrialization and development. Access to oil and hydrocarbons in the southern continent would serve as a great boost to Brazil's progress. In this context, Moneta has drawn attention to Brazil's excellent economic links with the industrialized countries and its advanced industrial and technological development, "making it one of the first non-central countries potentially capable of mining the ocean".⁵¹ He has also pointed towards the possibility of

50 *ibid*, p.144. Another writer Robert N. Burr has also mentioned the formation of an Argentine-Peru axis several times during the 19th and 20th centuries as against a Brazil-Chile-Colombia alliance. See Burr, "The Balance of Power in 19th Century South America: An Exploratory Essay", Hispanic American Historical Review, vol.35, no.1, February 1975, pp.37-60.

51 Moneta, n.27, p.53.

Brazil serving as a vehicle for outside transnational actors looking for an indirect access to the Antarctic.

All the above situations are most unwelcome for Argentina. Therefore, Brazilian participation in Antarctica and AT affairs has been eyed with suspicion and even hostility. Argentina's school of geopolitical thought has never lost track of any Brazilian move in the region while constantly reiterating Argentina's superior claims to the region.

ii) Possibility of a Brazil - U.S. Alliance : The close relations that existed till not very long ago between Brazil and USA caused much anxiety in Argentina. Historically, a spirit of friendship had begun to emerge soon after Brazil declared its independence from Portugal and gradually began to abandon its traditional alliance with U.K to replace it with USA. This happened as Argentina was emerging as a leading critic and diplomatic adversary of USA. Since then, the tradition of close cooperation between Brazil and USA has continued unbroken, except for short periods of anti-Americanism. In fact, in 1976, during a visit of US Secretary of State, Kissinger to Brasilia, both nations, much to the chagrin of Argentina, signed an accord providing for semi-annual consultations between

the two governments on the full range of foreign policy matters. On the occasion, Kissinger described Brazil as "a nation of greatness" -- a description that was extremely unpalatable for Argentina which had always visualized itself in the slot.⁵²

For some years, Brazilian inclination towards the United States carried the possibility of an alliance between the two potential claimants on the issue of Antarctica and this generated fears in Argentina. Argentine geopoliticians went to the extent of decrying Brazil's Antarctic programme as a "tool of the superpowers or the multinationals looking for opportunities to exploit Antarctic resources".⁵³ This fear was reinforced during the years when USA expressed a desire to conclude a mini-treaty beyond the purview of AT, between industrialized countries and emerging powers such as Brazil to exploit Antarctic resources.

However, since the beginning of President Menem's administration, it is Argentina which has drawn closer to USA thereby undercutting the possibility of a Brazil-US alliance. More recently, Argentina, and not Brazil

52 Whitaker, n.5, p.427.

53 Child, n.2, p.145.

has been seen as a trusted friend of the US. It is also significant that since the 1980s, a strain of friendliness has crept into Argentine-Brazilian relations. Therezinha de Castro has attributed this to a realization on the part of Brazil that "belonging to the western bloc did not mean integrating itself into the First World".⁵⁴ This awareness gave birth to the philosophy of responsible pragmatism promoting a mature relationship with the US instead of an automatic alignment.

The visit of Brazilian President Figueiredo to Argentina in May 1980 heralded a new era in bilateral relations. On the occasion, the Argentine Foreign Minister Carlos Pastor declared that the two nations would abandon "competitive schemes" and try to forge "a zone of peace and security that embraces an entire fringe of South Atlantic".⁵⁵ Figueiredo, on his part, described the two nations as "newly weds who are now thinking about how many children they are going to

54 Therezinha de Castro, "The Southern Cone and the International Situation", in Kelly and Child ed., Geopolitics of the Southern Cone and Antarctica (Boulder, Colorado, 1988), p.96.

55 Hilton, n.37, p.27.

have".⁵⁶ The immediate outcome of these pronouncements was the signing of several commercial, technical and scientific agreements providing for an exchange of information, experts etc. The budding friendship was further strengthened during the Anglo-Argentine conflict of 1982, when Brazil, though visibly embarrassed by the Argentine military operation, stood by Argentine claims over the disputed islands.

This contemporary trend of friendship and integration between the two nations could, in the words of Kelly, "represent a major watershed in the geopolitics of South America".⁵⁷ The promotion of joint projects and the economic integration as seen in the emergence of Mercosur, could have a significance for Antarctica too. Until now, the three Southern Cone nations with Antarctic interests - Argentina, Brazil and Chile - have been operating independently and competitively. For instance, Chile has developed an active fishery programme to study the use and marketing of krill through joint ventures with such distant

56 ibid, p.49.

57 Philip Kelly, "Traditional Themes of Brazilian Geopolitics and the Future of Geopolitics in the Southern Cone", in Kelly and Child ed., n.54, p.120.

nations as China, France, South Korea etc. Meanwhile Argentina has entered into fishery agreements with Japan, South Korea, Spain and West Germany.⁵⁸ The two have not looked to each other for help and collaboration. But, if the three were to join hands in matters of the Antarctic, together they could defend their interest against outside encroachments. Individually, each one has little chance of reaping any substantial economic benefits from the harsh region, considering their limited financial, scientific and technological resources. But, Argentine and Chilean experience when combined with Brazilian technological expertise could make a marked difference to their possibilities of not only resource exploitation, but also of avoiding their own exploitation at the hands of more industrialized nations or the multinational corporations.

Undoubtedly, the three nations would stand to gain from a joint position on the Antarctic. This would, however, call for a tremendous effort on the part of each to overcome the long and by now deeply entrenched traditions of mutual hostility and suspicion. A toning

58 Moneta, n.27, p.52.

down of the nationalist rhetoric in favour of a more regional stance would be necessary -- a proposition far more difficult for Argentina and Chile than it would be for Brazil which is only a potential claimant. Though belonging to different categories, the differences of the three are definitely not irreconcilable, provided there exists the will to do so.

CHAPTER V

ARGENTINA AND THE NON CLAIMANTS

With the advance of the twentieth century, Antarctica has progressively shed its image as a frontier region and assumed a higher international profile. Antarctic affairs have become more frequently and directly integrated into the policies of an increasing number of governments. To a large extent, this has been the outcome of reports that have established Antarctica's considerable resource potential - ranging from living marine resources to precious minerals; and from utilising Antarctic ice as a source of fresh water to harnessing its high velocity winds as a source of energy.

In a world where the prevailing pattern of economic development has been fast exhausting the known resources, concern for having enough to meet the needs of future has often bordered on panic. Consequently, every prospect of new resource reserves, even if buried deep under the thick Antarctic ice cap has attracted tremendous attention. In fact, the anticipated resources have, on the one hand, made the claimants more possessive of their sectors, and on the other hand, generated interest among the resource starved nations of the Third World. For the developing nations of the South who have often emphasized that their objective is

the establishment of a 'New International Economic Order', resource rich Antarctica symbolizes a means to bridge the North-South divide.

A majority of the developing countries have no history of involvement in Antarctica; their interest in the region being of recent origin. Also, nearly all of them are non claimants that neither recognize the territorial claims of others and nor make any of their own. They uphold the view that the Antarctic cannot be the exclusive preserve of only a handful of nations but that the landmass and its resources belong to all mankind. At this juncture, it would be pertinent to point out that there is no such thing as a single and firm Third World view on Antarctica. While a majority of Third World nations are united on the juridico-legal status of Antarctica as res communis, yet, dissimilarities exist in their attitudes towards the Antarctic Treaty (AT). For instance, a few nations like India and Brazil that have joined the AT as consultative members (ATCPs) speak in favour of the Treaty's continuance. Meanwhile, some others as Malaysia and Sri Lanka have launched an offensive against it.

Both these viewpoints signify a challenge to Argentina and its claimant status. The degree, of

course, varies; the latter posing a greater threat than the former which by virtue of being members and defendants of the AT are perceived somewhat as allies. Nevertheless, the general position of the non claimants comes in for a clash with that of Argentina since both begin from diametrically opposite premises on Antarctica's legal status. An elaboration of the views of non claimants that are not Treaty Members in the succeeding paragraphs shall try to bring this out. The position of non claimant ATCPs shall be discussed at a later stage.

ARGENTINA AND NON CLAIMANT, NON TREATY NATIONS

Perceiving the Antarctic as res communis, the non claimants argue that the region belongs to all nations and consequently, they advocate a just and rational distribution of its resources. Under international law, the concept of res communis was initially applied only to high seas because these could not be appropriated and were taken to be beyond national jurisdiction. More recently, the applicability of the concept has been extended to other areas that are not easily accessible, such as the outer space and Antarctica. Res communis has given birth to the concept of 'common heritage of

mankind', whereby it is deemed that certain spaces on planet Earth belong to all nations and cannot be exclusively owned by only one or a few countries.

Today, the concept of 'common heritage of mankind' has come to signify a novel and alternative approach to the legal status of Antarctica. It not only denies the validity of existing territorial claims in the region, but also questions the acceptability of the Treaty. Prime Minister Mahathir-bin-Mohammed of Malaysia, an ardent supporter of this standpoint, asserted in the General Assembly of the United Nations (UN) in 1982, "Uninhabited lands... the largest of which is the continent of Antarctica... do not legally belong to the discoverers as much as the colonial territories do not belong to the colonial powers."¹ Criticising the AT for its exclusivity, unaccountability and secrecy he further said, "Antarctica, as the common heritage of mankind requires a regime that is truly international in character...."²

With the intention of creating just such an 'international regime', the non claimants have

1 Peter Beck, The International Politics of Antarctica (Kent, 1986), p.115.

2 Gillian D.Triggs, ed, The Antarctic Teaty Regime : Law, Environment and Resources (Cambridge, 1987), p.53.

repeatedly endeavoured to take Antarctica into the wider international forum of the UN. In fact, the notion that the UN should have some role in Antarctica had existed even before the AT came into being. A proposal to this effect had been made by New Zealand, a claimant state, in 1956 when its Prime Minister Nash suggested the establishment of Antarctica as a 'World territory' under UN trusteeship.³ Less than a decade earlier, in 1948, USA, a potential claimant, too had suggested UN participation in the resolution of the issue of territorial claims to Antarctica. However, both proposals were unacceptable to the other claimant states that preferred an independent legal regime for the region that would allow them a greater role in decision making.

From among the non claimants, India was the first to request inclusion of the question of Antarctica in UN General Assembly (UNGA) in 1956 on the ground that, "its size and international importance render it apt and timely for all nations to agree and to affirm that the area will be utilised entirely... for general welfare."⁴

3 Philip W.Quigg, A Pole Apart : The Emerging Issue of Antarctica (New York, N.Y., 1983), p.165.

4 Triggs, "The Antarctic Treaty System : Some Jurisdictional Problems", in Triggs, ed., n.2, p.108.

Two years later, in 1958, yet another attempt was made by India to take the issue to the international forum after Prime Minister Nehru expressed before the Indian Parliament his desire to prevent Antarctica from becoming a scene of chaos.⁵ On both occasions, however, the Indian initiative fizzled out because at the time of its consideration by the General Committee for inclusion in UNGA items of business, the Indian delegation withdrew it on the ground that there was a "heavy agenda for the session."⁶ As India hesitated and most of the other developing nations remained oblivious to the significance of the region, twelve nations went ahead to draft and ratify the AT in 1961. Thereby, the legal lacunae that had existed in the region and that could have justified a UN role was filled. Since then, the AT powers have opposed UN intervention in the Antarctic on the ground that the region has been successfully managed by the AT.

The argument, nevertheless, did not deter the non claimants from persevering in their attempts to have the

5 Beck, n.1, p.52.

6 Brij Mohan Kaushik, "India and the Antarctica", Strategic Analysis (New Delhi), vol.8, no.8, November 1984, p.771.

Antarctic issue discussed in the UN. Throughout the 1970s, the subject was raised in different UN bodies. In January 1971, the Committee on Natural Resources of the UN's Economic and Social Council considered preparing summaries and evaluations of world's natural resources, including those of Antarctica. The AT powers, however, blocked this attempt by informing the UN that such matters were already under consideration in their meetings.⁷ Then, in 1975, United Nations Environment Programme proposed to involve itself in the protection of Antarctic environment, but even this met with failure as the AT powers convinced the forum that they were devoting their attention to the conservation of the fragile polar environment.⁸ One year later, the United Nation's Development Programme directed the Food and Agricultural Organisation to execute a Southern Ocean Fisheries Survey Programme. To be undertaken at a time when harvesting of krill, a small fish with 15 per cent protein content was catching on, the Programme was deemed as being beneficial to the undernourished and protein starved masses of the Third World.⁹ Naturally,

7 Beck, n.1, p.276.

8 *ibid*, p.276.

9 Sanjay Chaturvedi, Dawning of Antarctica : A Geopolitical Analysis (New Delhi, 1990), p.166.

the ATCPs and particularly the fishing nations among them perceived this as a major threat. They argued that there was no need for undue haste since the commercial exploitation of krill was nowhere near its limits. In a bid to divert attention from what they considered was 'their region', the ATCPs suggested that priority be accorded instead to assisting developing countries "to promote their own economic zones and not to waste energy on a new, unproven fishery."¹⁰

Despite the failure of attempts to internationalize the issue of Antarctica, Third World interest in the region and its resources continued to grow. In 1975, Sri Lanka called for Antarctic resource exploitation to be "subject to a regime of rational management and utilisation to secure optimum benefits for mankind as a whole and in particular for the developing countries."¹¹ In 1979, Peru requested a "comprehensive political debate on question of Antarctica".¹² However, it was not until 1982 that the Antarctic issue could reach the UN at a Malaysian

10 ibid, p.130.

11 ibid, p.130.

12 Quigg, n.3, p.169.

initiative. Alleging that the AT was a neo-colonial document that did not reflect the spirit of the UN, Prime Minister Mahathir called for a renunciation of all claims so that either the UN could administer the region or the present occupants could act as trustees for all nations of the world.¹³ Subsequently, the Secretary General was requested to prepare a 'Study on the Question of Antarctica' as a first step towards finding an alternative to the existing situation.

Even as the study was under preparation, the ATCPs, reaffirmed, in one voice, their opposition to UN intervention. The Australian government, acting on behalf of all ATCPs delivered a note to the Malaysian representative to UN on 29 July 1983, that cautioned against any attempt to revise or replace the Treaty because it would undermine the system of peaceful cooperation and imply serious and far reaching consequences for the world as a whole.¹⁴ Argentina and Chile went further to categorically express their unwillingness to participate in any other regime.

13 Triggs, "The United Nations in Antarctica? A Watching Brief", in Triggs, ed., n.2, p.229.

14 Chaturvedi, n.9, p.141.

However, the UN Secretary General did prepare a comprehensive report that was debated and deliberated upon in UNGA. The claimants and non claimants used the occasion to put forth their viewpoints. But, apart from providing an airing ground for views the initiative yielded little of benefit for the Third World. On the contrary in fact, in many places the study tacitly acknowledged and admitted the merits of the AT. While referring to the generally unsatisfactory situation in Antarctica because of the conflicting approaches of states to sovereignty issue, the study supported the ATCP contention that in the absence of the AT, "a confrontation on a world wide scale might have erupted over the area".¹⁵ Meanwhile, the ATCPs have paid scant regard to UN debates or resolutions. In 1986 and 1988, the UNGA adopted resolutions calling for a moratorium on mineral negotiations until all members of the international community could fully participate in them. But, the ATCPs ignored both of these and went on with their mineral regime negotiations and even accelerated efforts in an attempt to conclude a regime at the earliest.¹⁶ Whatever the benefits of the non claimant

15 ibid, p.143.

16 ibid, p.173.

initiative, it did facilitate a survey of views of different nations and signified a step in the direction of wider international discussion on Antarctica.

ANTARCTICA AND UNCLOS

The sudden emergence of the question of Antarctica in the UN after so many aborted attempts may, to a large extent, be attributed to the success achieved by Third World nations in 1982 to reach a Convention on the Law of the Sea (LOS). The concept of 'common heritage of mankind' as accepted in the context of LOS provided the non claimants with a legal rationale and powerful precedent for intervention in Antarctica. In view of the possibilities offered by shared utilisation of sea bed and ocean floor as common heritage of mankind, the LOS was universally perceived as a major triumph of the developing nations towards establishing a new international economic order .

Before going any further, a brief summary of the rationale behind LOS and its major provisions would be in order. Until the second half of the nineteenth century, the high seas had essentially been used only for fishing and navigation. At the time, fish was considered an inexhaustible resource and navigation was

a prerogative of only a handful of marine powers. As chances of international clashes on both these uses were remote, the concept of freedom of the seas was largely accepted. As propounded by Hugo Grotius (1583 -1645) at the beginning of the seventeenth century, the concept envisaged that "all nations and their citizens have the right to use all parts of the high seas without hindrance, subject only to the duty of paying reasonable regard to the interests of other users."¹⁷ The situation began to change with the beginning of more efficient fish harvesting and offshore hydrocarbons exploitation in moderate depths of water. This led, in 1945, to US President Truman's proclamation claiming jurisdiction and control over resources of the continental shelf.¹⁸ Soon thereafter, a number of coastal states, including Chile, Ecuador and Peru asserted sovereignty over the sea extending beyond their territorial waters. Such attempts at enclosing the seas within national territories necessitated the conclusion of a law of the sea. Consequently, a Conference (UNCLOS) was convened

17 Arvid Pardo, "The Emerging Law of the Sea", in Don Walsh, ed., The Law of the Sea : Issues in Ocean Resource Management (New York, N.Y., 1977), p.34.

18 *ibid*, p.35.

under the aegis of the UN in 1958. The second UNCLOS was held in 1960 and then the third in 1973. On 30 April 1982, after several weeks of meetings since 1973, the third UNCLOS adopted the Convention on LOS by a recorded vote of 30 in favour, four against and seventeen abstentions. ¹⁹

The successful conclusion of the LOS caused considerable consternation among the ATCPs who feared that a joint offensive would be mounted against the AT next. Emboldened by this major achievement, it was only to be expected that the Third World nations would soon turn their attention to the Antarctic. It was feared that once UNCLOS ended, a battalion of international lawyers would have nothing better to occupy them than to challenge the exclusive rights of the AT powers."²⁰ The fears were compounded when after signing the LOS Convention, the Malaysian delegate Ghazali Shafie proclaimed, "it is time now to focus our attention on Antarctica where immense potentialities exist for the benefit of all mankind."²¹

19 B.S. Chimni, "Law of the Sea : Winners are Losers" Economic and Political Weekly (Bombay), vol.17, no.24, 12 June, 1982, p.987.

20 Quigg, n.3, p.171.

21 Chaturvedi, n.9, p.141.

Three major threats can be identified as emanating from the LOS for the ATCPs. The first of these was the LOS provision for demarcating Exclusive Economic Zones (EEZs). The concept of EEZ obtained formal embodiment as a maritime jurisdictional concept in Part V of the LOS.²² It was established that coastal states had sovereign rights of exploring and exploiting, conserving and managing natural resources, living or non living, of the sea bed and subsoil in the superjacent waters upto a limit of 200 nautical miles. This provision was expected to heighten interest in the Southern Oceans because as traditionally long distance fishing nations would be excluded from waters they had long exploited, they would be forced to look for alternative fishing banks and would turn to the Southern Ocean fisheries. The consequent infusion of new countries into the region was naturally expected to complicate the situation in Antarctica.

Secondly, the LOS added a new and alarming dimension to the issue of territorial claims in Antarctica. Since the LOS legitimised EEZs for coastal

22 Christopher C. Joyner, "The Exclusive Economic Zone and Antarctica : The Dilemmas of Non-Sovereign Jurisdiction", Ocean Development and International Law (New York, N.Y.), vol.19, no.6, 1988, p.469.

states off their shores, the claimants could also legally claim EEZs emanating from their sectors in the region. This, however, presented several practical difficulties such as those of ascertaining a baseline for Antarctica's coast, and an appropriate acceptable sovereign authority. Consequently, the possibility of a re-emergence of the difficult and as yet unresolved question of legality of territorial claims was made imminent. Thirdly, the LOS put psychological pressure on AT powers to deal with the issue of resource exploitation from a global perspective and keeping the interest of all mankind in mind.

Hence, while the LOS could on the one hand, strengthen the unity and resolve of the Third World to jointly challenge the AT powers, on the other hand, it could create differences and divisions within AT countries by opening up the issue of territorial claims. In view of the above scenario, ATCP clarifications on the applicability of the concept of 'common heritage of mankind' to the high seas but not to Antarctica had begun to be made even before the LOS crystallized. The AT members rejected the analogy drawn between the high seas and Antarctica on two grounds. One, because the latter had been subject to sovereignty claims and

secondly, because the region was being administered by a specific legal arrangement embodied in the AT.²³ As Zegers, a senior Chilean diplomat said in 1977:

Through the actions of the active parties to the Treaty, it has been possible to establish naval and aerial transportation network which, although limited allows access to and permits human activity in the area... All this has been accomplished with the help and support of the system established by the Treaty.²⁴

Accordingly, in the IX Consultative meeting of AT in 1977, as the LOS deliberations were still going on, the AT powers asserted their special responsibility in the region and declared that "that they had earned the right to manage the region south of 60 degree South latitude"²⁵ In the same year, an American official dismissed the 'common heritage of mankind' argument as :

a banner which cloaks a neo-imperialist ethic that large number of countries which collectively form a political unit in the United Nations should be given functional sovereignty over two-thirds of the earth's surface because they asked for it as a kind

23 F.Orrego Vicuña, "The Antarctic Treaty System : A Viable Alternative for the Regulation of Resource Oriented Activities", in Triggs, ed., n.2, p.74.

24 Deborah Shapley, The Seventh Continent : Antarctica in a Resource Age (Washington D.C., 1985), p.233.

25 *ibid*, p.233.

of symbolic compensation for prior decades of western imperialism.²⁶

Apart from the LOS, two other Treaties have been perceived as potential threats by AT powers. These are the Outer Space Treaty and the Moon Treaty of 1967 and 1979 respectively. Article I of the former reads in part:

... the exploration and use of outer space, including the moon and other celestial bodies, shall be carried out for the benefit and in the interest of all countries, irrespective of their degree of economic or scientific development, and shall be the province of all mankind.²⁷

Article II of the Treaty also reinforces the above argument by placing outer space beyond the realm of national appropriation. The Moon Treaty too, on similar lines provided in Article XI that "the moon and its natural resources are the common heritage of mankind."²⁸

However, Roberto Guyer, an Argentine expert on Antarctic diplomacy has argued that Antarctica and outer space are not comparable. According to him, the Antarctic continent is "finite and controllable" and national activity preceded international law there.

26 Beck, n.1, p.280.

27 Quigg, n.3, p.174. Emphasis added.

28 ibid, p.175.

Meanwhile the outer space is "infinite and uncontrollable" and "law is being made for it in advance of national activities there." ²⁹ He further argued that however inchoate the rights of AT powers might have been in 1959, but over the years, they had earned by "customary international law and responsible management, a right to manage the region...."³⁰

As is evident, Argentina, as also the other ATCPs have been wary of all attempts made by the non claimant, non Treaty nations to internationalize the Antarctic. In contrast, their attitude towards the non claimant ATCPs has been a little different as can be noticed from the following analysis.

ARGENTINA AND NON CLAIMANT ATCPs

A clear cut division was cleaved amongst the Third World nations on the issue of Antarctica when two major developing countries, Brazil and India accepted consultative status within the AT at a special meeting in Canberra on 12 September 1983.³¹ While Brazil

29 Shapley, n.26, p.232.

30 ibid, p.232.

31 Satish Misra, "India and 'The Antarctica Treaty' Challenges and Prospect", in R.C. Sharma, ed., Growing Focus on Antarctica (New Delhi), p.235.

expressed itself to be a potential claimant whose position has already been elaborated in the last chapter, India elected to remain a non claimant supporting the view that Antarctica should be 'common heritage of mankind'. As Chaturvedi has stated:

India joined the AT System (ATS) with clear policy declarations that she does not recognise the existing claims in Antarctica and will project and further the Third World views in the ATS alongwith its own.³²

In contrast to the Malaysian led attack on AT and the campaign for its replacement by an international regime, India categorically stated in its reply to UN Secretary General's 'Study on Question of Antarctica' that :

to build a new regime would be unrealistic and counterproductive. Any attempt to undermine the ATS could lead to international discord and instability as well as the revival of conflicting territorial and other claims.³³

Countering arguments on the exclusivity of the ATS, India stated:

it is an evolving institution whose structures and organisational framework are conceived in a flexible manner... India does not believe that this framework is intended to exclude any country from its purview...³⁴

32 Chaturvedi, n.9, p.168.

33 ibid, p.169.

34 ibid, p.169.

Considering the above stance of India which is a much diluted version of the sharp and vitriolic offensive of the Malaysian led bloc, it was hardly surprising that India was welcomed into the AT and granted consultative status within three years of its first expedition to the region in 1981. For Argentina, as also for the other ATCPs, the Indian entry into the AT was sort of a mixed blessing. For one, India as an AT member gave them the advantage of numbers. In the opinion of Shapley, China's accession with its one billion people had brought one-fourth of the world's population into the Treaty. With the inclusion of India and its substantial population, "the treaty group could assert that most of the mankind was inside and not outside its tent."³⁵

Secondly, it foreclosed the threat of India taking the matter of Antarctica to the United Nations. This possibility had loomed large for the ATCPs because India had been among the first nations in 1956 to raise the issue in the UN. Yet another initiative of the kind in the wake of the Convention on LOS and with the assured support of a majority of Third World nations could have been frustrating for the AT powers.

35 Shapley, n.24, p.224.

Thirdly, the ATCPs believed that the Indian decision to join the ATS signified, in a sense, a defeat for those nations working for the replacement of treaty by some form of UN control. India's advocacy on behalf of the ATs served to dull the impact of criticism from the developing world, while also retarding Malaysian efforts to secure more effective support from Non Aligned Movement against the Treaty. Keeping these advantages in mind, the ATCPs paid little heed to voices, such as that of Beck, which expressed the fear that "India intends to exploit entry in order to destroy the Antarctic club from within and to exacerbate the existing internal divisions...."³⁶

Much as the non claimant, non treaty nations would have liked this apprehension of Beck to come true, India has remained a defender of the AT. In fact, when India had mounted its first expedition to Antarctica in 1981, the first sent by a nation outside the treaty framework, it was construed by some scholars and countries as a first step in the direction of leading an attack on AT on behalf of the developing world. But, such hopes were belied when India attained AT membership and some Third World nations deemed it as a betrayal of their cause.

36 Chaturvedi, n.9, p.171.

Meanwhile for India, its involvement in Antarctica has been a logical extension of its geographical position and interest in scientific research. Nearly 6000 kilometers of Indian coastline and sea frontage, including that of Andamans and Lakshadweep look across the Indian Ocean to the high Plateau of Eastern Antarctica.³⁷ Antarctica is separated from India by a single sheet of water with no intervening or obstructing landmass. As Chaturvedi said, "To no other virtually contiguous frame of coastline in the world is Antarctica so exposed."³⁸ This unique geographical position justifies the need for scientific research in the region, especially to add to India's knowledge of monsoon and allied meteorological phenomenon. In the words of S.Z. Qasim, the leader of first expedition to Antarctica:

Unlike the Pacific and Atlantic Oceans which communicate with both the Arctic in the North and Antarctic in the South..., the Indian Ocean has its northern boundaries closed by landmass. Thus, it only communicates with the Antarctic Ocean in the south from which it derives most of its fertility and energy on which the economy of

37 ibid, p.161.

38 ibid, p.161.

almost all the Indian Ocean countries is dependent.³⁹

Given this importance of the region, India has rightly supported the view that Antarctica is common heritage of mankind'. On 24 February 1982, after the visit of the first Indian team to Antarctica, the late Prime Minister Mrs Gandhi said in the Upper House of the Parliament, "We do not subscribe to the view that only a very few rich countries have the right to such uninhabited, secluded places, I think we and other countries have an equal right."⁴⁰ Upholding this viewpoint, India has campaigned for a stake of its own and that of the rest of the Third World countries to a share in the Antarctic resources. In fact, in this regard, India found itself in a delicate position on the question of mineral negotiations. On the one hand, AT membership imposed on it certain compulsions and obligations to work for a consensus solution and to refrain from jeopardising AT stability. On the other hand, as a champion of the Third World cause, India could hardly become party to an agreement that merely paid lip service to the interests

39 ibid, p.165.

40 Salamat Ali and Michael Richardson, "An Eye on Antarctica", Far Eastern Economic Review (Hong Kong), vol.119, no.4, 27 January 1983, p.32.

of the developing countries. Faced with the dilemma of harmonising both these compulsions, India has been much relieved by the solution suggested in the Madrid Protocol of 1991.⁴¹

The dilemma faced by India is to a certain extent also confronted by Argentina. It is a notable irony that Argentina, the most determined claimant and an ardent defender of AT should also be a member of the group of developing countries. In this capacity, Argentina has had the membership of various Third World groupings. Having taken a prominent part in previous Third World attempts to promote the concept of 'common heritage of mankind', especially at UNCLOS, Argentina finds itself in an invidious position of having to oppose the concept in the case of Antarctica. In fact, this predicament became most evident in the forum of Non Aligned Movement (NAM) where the matter of Antarctica had surfaced several times when Argentina was its member.⁴² In 1976, at the NAM conference at Colombo, Argentina was upset by the Sri Lankan reference to the

41 See Chapter I

42 Argentina announced its withdrawal from NAM on 20 September 1991. Foreign Broadcast Information Service (Washington D.C.,) vol.91, no.212, 1 November 1991.

"importance of reconciling the management and use of resources south of 45 degree latitude with the interests of the international community."⁴³ However, at the time, it was able to secure the deletion of the topic from the Conference Resolution. But, a similar omission was not possible in 1983 at the New Delhi NAM conference. At Malaysia's initiative, the final declaration noted that "prospecting and exploitation of Antarctic resources must be undertaken for the benefit of all mankind."⁴⁴

Therefore, on the issue of Antarctica, Argentina has found itself wearing two hats and not feeling completely comfortable with either. On the one hand, it has never mentioned renouncing its claims to the polar region or its AT membership and on the other hand, it has often described itself as a developing country anxious to promote a regime that will favour international cooperation. Argentina has also realized the fact that claimants are now outnumbered by non claimants in the AT. Besides, a persistence of the

43 Beck, n.1, p.277.

44 E.F. Jung, "Antarctica in World Affairs", Aussen Politik (Hamburg), vol.35, no.1, 1984, p.85.

claimants in carrying their claims to maturity provide the developing countries with a political lever and justification to press for drastic modifications in the present Antarctic regime--a prospect that is most unattractive for Argentina. Consequently, it has dealt with the non claimants with the utmost caution and circumspection.

In the modern times, the situation of isolation in which the AT was negotiated and ratified no longer exists. The economic dimension of Antarctica has motivated the developing countries to resist an exclusive AT control of the region and to criticise it as a colonial hangover that is anachronistic in the modern world. The acceptance of the concept of 'common heritage of mankind' in certain cases carries the possibility of the analogy being applied also to Antarctica. On the other hand, virtually all members of AT are untied in opposition to any involvement of the Third World in Antarctica if it jeopardises the chances of AT survival and their own position as policy makers for the region. Whether a compromise shall be possible only time will tell. For the time being, the fifty year ban on mineral exploration and exploitation has provided a breather to both sides. In the absence of any

immediate possibility of a scramble for resources, the defences of claimants and non claimants have been lowered and for now, the need to resolve the Argentine dilemma as regards its relations with other developing countries on the issue of Antarctica has been postponed.

CHAPTER VI

CONCLUSION : POSSIBLE FUTURE TRENDS

Keen observers of Antarctic affairs waited throughout 1991 for the polar region to occupy the centerstage of international politics. 1991 being the year when the Antarctic Treaty (AT) was to become available for revision, it was speculated that either a claimant or a non-claimant member of the AT shall prise open the question of sovereignty claims in the region. The stimulus for such an initiative was believed to emanate from a heightened interest in the resource potential of Antarctica. Throughout the 1980s, the ATCPs negotiated amongst themselves to finalise a minerals regime, while the argument of developing countries to declare Antarctic resources as 'common heritage of mankind' gained legitimacy with the conclusion of Law of the Sea in 1982. These developments were expected to disturb the equilibrium within the AT as also between the AT and non AT nations and necessitate a reassessment, if not a total change in the Treaty.

The much awaited revision, however, never took place. On the contrary, the ATCPs reconciled their differences on the issue of resource management through an ingenuous formula embodied in the Madrid Protocol of 1991. Postponement of mineral resource exploration and exploitation for the next half a century was welcomed by

all ATCPs and its merit could hardly be denied by the non treaty nations. In one stroke, therefore, the most difficult problem was neutralised, if not overcome altogether. Once again, the Antarctic was immunized against the danger of disputes from competing national claims and controversies of resource exploitation. Consequently, far from seeking a review of the AT system (ATS) Treaty members have repeatedly extolled its virtues and argued for its continuance.

Argentina, an ardent advocate of its claimant status, has also expressed similar views. Initially, a reluctant entrant into any kind of a multinational regime for Antarctica that did not recognise its claims, it is today a vocal supporter of the ATS. By freezing the question of sovereignty claims at status quo, the AT has provided it with an opportunity for the safekeeping of claims, while demanding no compromise of the nationalistic stance on the issue. That the question of sovereignty has evoked high pitched patriotic fervour is borne out by the fact that since the formalization of its claim, Argentina has maintained a high profile in the polar arena. A well articulated and influential school of geopolitical thought has periodically provided it with the rationale and impetus for doing so.

In the process of maintaining a visible physical presence in the icebound continent, Argentine interests and activities have often collided, and sometimes colluded with those of other nations involved in the region. Clashes have been most frequent with other claimants, and most particularly with Chile and the UK since the claims of the three overlap on the same sector in Antarctica. Consequently, the three have exhibited hyper-sensitivity on matters relating to Antarctica. Nationalistic opinions in each country have moulded perceptions of geopolitical challenges and dimmed the possibility of a solution for the overlapping claims of the three.

Potential claimants with their ambivalent stand, meanwhile, have added yet another dimension to the situation in Antarctica. A chapter has dealt in detail with the Argentine position vis-a-vis that of Brazil and USA. Even though harbouring clearly distinct positions on the question of Antarctica and other related issues, Argentina in recent times, has begun to consider its political relations with both these nations in a less antagonistic manner -- a change that could have a bearing on its dealings with the two on the issue of Antarctica.

Argentine stance on Antarctica has also cast its shadow on the country's relations with non claimants. The manner and motivation of the emergence of this category of nations has been largely the outcome of the anticipated mineral potential of the region. Within this category, Argentina has looked more favourably towards those that have joined the AT and champion its cause. On the other hand, non claimants non treaty nations that have pressed for change in the ATS have met with strident criticism and loud protests.

Observations made throughout the study on the various aspects of the dynamics of Argentina's activities in Antarctica have helped to understand its perception and policy towards the region. While rhetorically reiterating its firmness on the issue of territorial claims, Argentine policy on other Antarctic matters has tended to be more pragmatic, especially when other countries with which it has a wider spectrum of relations have been involved.

POSSIBLE FUTURE TRENDS

In the thirty years since the AT was concluded, changes in Antarctica have been considerable. Activity in the region that was minimal then, has increased

manifold today. By the end of the last decade, more than 40 stations were wintering over in the harsh region.¹ Such instances were remote in the early 1960s. A region that initially attracted a few explorers and researchers, today has a population of no less than 4000 personnel in the summer.² Tourist cruises to the region have also become an annual feature. The most significant change of all, however, has been that Antarctic resources are no longer speculative, but their existence has been proved beyond doubt.

The world outside is also a very different place from what it was before 1961. For one, there has been the transformation of the international community from the imperial to post colonial era. Consequently, UN membership has grown from a mere 81 nations in 1959 to 175 in 1992.³ A majority of these newly independent nations, though poor and backward, have carried a substantial political voice. According to Parsons, with their advent have emerged three important themes in

1 Anthony Parsons, Antarctica : The Next Decade (Cambridge, UK, 1987), p.6.

2 ibid, p.6.

3 UN Press Release (New York), 25 February, 1992.

modern international life. These are : a suspicion of older international agreements made before they appeared on the international stage; a belief in the principles of universality and 'One-State-One-Vote' in the management of the world affairs; and a desire to change the international economic order so as to better reflect the balance of interests of the new nations.⁴ All these postulates carry the potential of dictating changes in the Antarctic scenario.

Neither has Argentina remained the same as it was in 1961. Its foreign policy perceptions have considerably altered. This change is most evident in the following statement made by Foreign Minister, Guido di Tella on 12 November 1991:

In the past, Argentine foreign policy was often rhetorical and confrontational, which did not benefit the people's real interests. That position was characterised by the country's isolation and lack of willingness to cooperate.⁵

He expressed the government's resolve to make the foreign policy "more cooperative, less confrontational."

4 ibid, p.7.

5 Foreign Broadcast Information Service
(Washington) vol.91, no.222, 18 November, 1991,
p.38.

In view of these changes in Antarctica, the international political system and Argentina's own foreign policy orientations, it stands clear that the current situation is not devoid of the possibilities of either polarization between AT states and outsiders or a breakdown of the ATS from within. It would, therefore, be pertinent to examine both, the possible options that can be adopted to foreclose the eventuality of Antarctica becoming a region of international discord, and the probable Argentine response to each option. In the absence of divine inspiration, prophesying can be a risky business. This is even more so in as dynamic a sphere as that of international relations, yet, on the basis of past precedents, prevailing situations and circumstantial compulsions, a prospective view of future trends can be attempted. Solutions to the Antarctic problem could take the following forms:

- 1) National Territorial Model : Joyner, as quoted by Rothwell has argued in favour of allowing the claimants to establish complete control over their claimed sectors.⁶ According to him, this option would be as

6 Donald Rothwell, "Antarctica : What are the options?", Current Affairs Bulletins, vol 66, no.5, October 1989, p.4.

beneficial for the claimants as for the world at large. For the former it would provide an opportunity to "realise tangible benefits" from their substantial investments. Meanwhile, the latter would also gain because national ownership and control would ensure sound resource management and conservation in the region --objectives which might otherwise be difficult to obtain.

This model, however, appears a little simplistic and even utopian. For one, Joyner has offered no solution to the most difficult question of overlapping claims of Argentina, Chile, UK. He also remains silent on who shall be responsible for the governance of the unclaimed sector. Secondly, the acquiescence to such a solution by the potential and/or non claimants seems highly unlikely given the increased interest in the region's resource potential. Thirdly and most importantly, it must also be mooted whether such a solution would be in the best interests of the claimants themselves. Exclusive ownership of a unique region such as Antarctica would entail additional responsibilities which not all countries might be able to carry out satisfactorily.

Within Argentina, two distinct strains of thought can be discerned. The first is that of the hardliners who brook no compromise on national claims and would naturally welcome Joyner's solution. In fact, Child has even spoken of their influence in prodding Argentina to take "unilateral action to make good its sovereignty claims".⁷ Hope, however, can be taken from the existence of a more moderate and liberal approach that encourages a rational evaluation of the net benefits of pursuing a rigid position. Fortunately, it is this line of thinking that is influential in the administration of President Menem. It can be expected to make a more sagacious appraisal of the option. And given Buenos Aires' desire to move away from the path of confrontation, it is highly unlikely that current Argentine political circles would welcome or accept the hardliners' model.

2) Condominium Model : As suggested by Joyner and Westermeyer, this envisages a joint sovereign regime in which all parties share equal rights after there has been a final resolution of claims.⁸ The authors,

7 Jack Child, Antarctica and South American Geopolitics : Frozen Lebensraum (New York, 1988), p.196.

8 Rothwell, n.6, p.5.

however, have not mentioned how this resolution of the thorny question is to be achieved. The solution to this problem would indeed have to be an ingenuous one to be acceptable to all the concerned nations.

Argentine response to this model would be largely dependent on the solution offered to the issue of claims. Having remained a claimant for so long, to accept a regime in which all parties share equal rights shall not be easy. Yet, if faced with the option of foregoing all rights to the region altogether and of enjoying some sort of a role in Antarctica under this model, Argentina would possibly be compelled to re-examine its traditional position.

3) Spitsbergen Model : Spitsbergen is an archipelago between Northern Greenland and Fran Joseph Land.⁹ It has no indigenous population owing to the inhospitable polar weather and consequently, no effective claim to sovereignty has been made. However, Norway, on account of its role in the discovery, is recognised as having an inchoate title to the region. Such a concession, nonetheless, does not disfavour other countries in any way which are guaranteed absolute equality with Norway

9 ibid, p.8.

for the conduct of maritime, industrial, mining and commercial activities. Given the archipelago's similarities with Antarctica, a regime on similar lines has been suggested for the polar region too. This would involve, as Quigg has said, "an internal accommodation among treaty powers that would give claimant states a role in managing the areas as recompense for not flying their national flags too ostentatiously."¹⁰ Meanwhile, the other Treaty parties would have equal access to the resources.

The acceptance of this model by Argentina does not seem likely. Granted that it would permit the realization of sovereignty over the claimed sector, but in the event of equal access of other states to resources all over, the sovereignty would mean little. It is not the desire of Argentina, or of the other claimants, to be allowed only to fly their flags. Rather, their stake to the territory stems more from the resource potential of the area. Besides, it seems difficult to envisage how the apparently contradictory positions of the claimants 'managing their areas', while other states have 'equal rights' can be reconciled.

10 Deborah Shapley, The Seventh Continent : Antarctica in a Resource Age (Washington D.C., 1985), p.238.

4) Common Heritage of Mankind Model: This would entail a renunciation of all claims and the declaration of Antarctica as common heritage on the lines of the seabed and outer space. The model is the least acceptable to Argentina as has already been detailed in the last chapter. Child, too, has opined that if forced to choose between the ATS and the Third World, Argentina would stay with the ATS.¹¹

5) South American Quadrant Model : An Uruguayan analyst, Crawford, recommended in the early 1980s, the creation of an 'Ibero-American Club' before the AT review in 1991. The intention was to declare the resources of the area between 25 degree and 150 degree West longitude as 'common heritage of America'.¹² This concept received support from an association of geopolitical thinkers of most of South American nations. In 1984, this body resolved to champion the sovereignty of Latin American Antarctic sector as a reserve for future exploitation and to formulate a common strategy

11 Child, n.7, p.196.

12 Howard T. Pittman, "Harmony or Discord : The Impact of Democratization on Geopolitics and Conflict in the Southern Cone", in Kelly and Child ed., Geopolitics of the Southern Cone and Antarctica (Boulder, Colorado, 1988), p.43.

and organise joint operations in the zone as a way of preserving it from outside interests.

Considering the prevailing spirit of cordiality and cooperation in Latin America as a whole and the Southern Cone in particular, the possibility of a regional condominium for safeguarding a joint Latin American sector cannot be discounted. Margaret L. Clark has indicated the Argentine desire that :

The South American continent should be integrated into a single, monolithic economic and power bloc in order to be able to deal internationally with superpowers and the European Economic Community on a more equitable basis.¹³

Many Latin American analysts have recommended a strong and cohesive regional stand on the issue of Antarctica so that a more positive impression on the larger international arena be made.

However, optimism in the matter comes under the shadow of political differences, historical animosities and national prides of these nations. While to constitute Mercosur or undertake joint projects for development is one thing, for a claimant like Argentina to cooperate with another rival claimant like Chile or a

13 Margaret L. Clark, "Cooperation on Ice : The Potential of Collaboration in the Southern Cone", in Kelly and Child ed., n.12, p.208.

potential claimant like Brazil is quite another. It appears unlikely that Argentina would accept this option without seeking major concessions. Also, given the dynamic shifts in governments in the region, a lot shall depend on how long and how effectively democracy is able to last because only a solution accepted by a democratic regime and not one imposed by an authoritarian government can be expected to enjoy a certain amount of permanence.

6) Modified AT Model : This suggests an expansion of AT by modifying the rules and conditions for accession and attainment of consultative status. All the ATCPs, including Argentina, have spoken in favour of AT continuance and of their contribution to the greater good of mankind by maintaining peace and conducting science for the benefit of all. As a British observer had noted in 1959:

The question is how to safeguard the interests of countries other than those represented at this Conference. We should not wish our deliberations to raise doubts in the minds of other nations, and particularly of those who, although hitherto not actively interested in the Antarctic, may question the right of any single group of countries even to give the appearance of legislating on a matter of worldwide concern.¹⁴

14 Philip W. Quigg, A Pole Apart : The Emerging Issue of Antarctica (New York, N.Y., 1983), p.203.

An expansion of ATS to accommodate new members and to strip it of its aura of exclusivity would definitely be a most rational option. By doing so, the ATCPs would also be able to coopt enough Third World nations to undercut the push to internationalize Antarctica and its resources. But, for this, a flexibility in approach is required so that the conflicting principles of universalism and exclusivity can be harmonised.

In fact, such a compromise should not be very difficult in view of the great deal of common ground that exists between the critics of AT and its protagonists. Firstly, all wish to see Antarctica preserved as a genuine zone of peace. Secondly, all are in favour of continued freedom of scientific activity and preservation of the region's unique environment. Thirdly, none wishes the revival of the question of national claims to segments of Antarctica. And lastly, none desires a free competition for resources. In view of these commonalties, Parsons has suggested discussions, informal to begin with and without prior commitment, between a limited number of representatives chosen by the Malaysian led group demanding a change in the AT and the Treaty members.¹⁵

15 Parsons, n.1, p.118.

Argentina is most likely to endorse this solution. It appears the most in keeping with its new found realization as expressed by President Menem in November 1991, "We Argentines have learned to appreciate the concept of alliance in a world where nobody is self sufficient and the arrogant are condemned to extinction."¹⁶ Therefore, the most probable Argentine response appears to be a preference for the enlargement of AT and the encouragement of a common Latin American stand within the AT. For Argentina, the AT has proved most beneficial by keeping the claims in a state of legal limbo while allowing it to participate in the affairs of the region without openly having to shed its claimant status. This has allowed the dual advantage of exploiting the issue domestically when the need arises, while internationally ensuring for itself a reputation as a seeker of international peace and stability. Anyway, carrying the claim to maturity would not serve the country much considering that Argentina does not have the financial or technological capability to reap commercial gains from the region. The state of things, as it is today suits Argentina the best and it is most likely to strive to keep it so.

16 Foreign Information Broadcast Service,
vol.91, no.218, 12 November 1991, p.28.

SELECT BIBLIOGRAPHY

Primary Sources

(i) Government Documents

Antarctic Treaty (Washington D.C.: U.S. Government Printing Office, 1961).

Cultural Department, Embassy of Chile to Singapore, Chile and the Pacific (Singapore : Cultural Department, 1986).

(ii) Parliamentary Publications

UK, Commons, Debates, 2 April - 15 June 1982.

(iii) United Nations Documents

Declaration by Ministers of Foreign Affairs of the States Members of the Group of 77, A/34/611, 23 October, 1977.

General Assembly Official Records, session 6, 1 May 1974.

-----, session 38, mtg.97, 15 December 1983.

-----, session 39, May - October 1984.

-----, sessions 40-41, mtgs. 48-55, 1985-87.

Official Records of the Third United Nations Conference on the Law of the Sea, vol.17, A/CONF. 62/122.

United Nations Economic and Social Council, Permanent Sovereignty Over Natural Resources, A/9716, 20 September 1974.

Secondary Sources

Books:

Albonico, Rodrigo Diaz, ed., EL Tratado de Paz y Amistad Entre Chile y Argentina (Santiago de Chile : Editorial Universitaria, 1987).

Atkins, Pope G., Latin America in the International Political System (Boulder, Colorado: Westview Press, Inc., 1989).

- Beck, Peter, The International Politics of Antarctica (Kent : Croom Helm Ltd., 1986)
- Calfisch L., and F. Tanner, ed., The Polar Regions and Their Strategic Significance (Geneva : Swiss Commission for Polar Research, 1989).
- Calvert, Peter, The Foreign Policy of New States (Sussex : Wheatsheaf Books Ltd., 1986).
- , The Falklands Crisis : The Rights and the Wrongs (London : Frances Pinter Publishers Ltd., 1982).
- Chaturvedi, Sanjay, Dawning of Antarctica : A Geopolitical Analysis (New Delhi : Segment Books, 1990).
- Child, Jack, Geopolitics and Conflict in South America : Quarrels Among Neighbours (New York, N.Y. : Praeger Publishers, 1985).
- , Antarctica and South American Geopolitics : Frozen Lebensraum (New York, N.Y.: Praeger Publishers, 1988).
- Crassweller, Robert, Peron and the Enigmas of Argentina (New York, N.Y. and London : W.W. Norton and Co., 1987).
- Davis, Harold Eugene and others, Latin American Diplomatic History : An Introduction (Baton Rouge and London : Louisiana State University Press, 1977).
- Destefani, Laurio H., Malvinas, Georgias y Sandwich del Sur, Ante el Conflicto con Gran Bretaña (Buenos Aires : EDIPRESS S.A, 1982).
- Dillon, G.M., The Falklands, Politics and War (Hampshire, MacMillan Press, 1989).
- English, Adrian J., Latin America : Regional Defence Profile No.1. (London : Jane's Publishing Co. Ltd., 1988).
- Goldhamer, Herbert, The Foreign Powers in Latin America (New Jersey : Princeton University Press, 1972).

- Grabendorff, Wolf, and Riordan Roett, ed., Latin America, Western Europe and the United States : Reevaluating the Atlantic Triangle (New York, N.Y. : Praeger Publishers, 1985)
- Hanke, Lewis, Contemporary Latin America : A Short History (Princeton, New Jersey : D.Van Nostrand Co., 1968).
- Hatherton, Trevor, ed., Antarctica (London : Methuen and Co. Ltd., 1965).
- Hoffmann, Fritz L., and Olga Mingo Hoffman, Sovereignty in Dispute : The Flaklands/Malvinas, 1493-1982 (Boulder, Colorado : Westview Press, Inc., 1984).
- Kelly, Philip, and Jack Child, ed., Geopolitics of the Southern Cone and Antarctica (Boulder, Colorado : Lynne Rienner Publishers, Inc., 1988).
- Lillich, Richard B., and J.N. Moore, ed., Readings in International Law from the Naval War College Review 1947-77 : Role of International Law and an Evolving Ocean Law (Rhode Island : Naval War College Press, 1980).
- Lincoln, Jennie K., and Elizabeth G. Ferris, ed., The Dynamics of Latin American Foreign Policies : Challenges for the 1980s (Boulder, Colorado : Westview Press, Inc., 1984)
- Morris, Michael A., ed., Great Power Relations in Argentina, Chile and Antarctica (London : Mac Millan Press Ltd., 1990).
- Morris, Michael A., and Victor Millan, ed., Controlling Latin American Conflicts : Ten Approaches (Boulder, Colorado : Westview Press, Inc., 1983).
- Norman, Albert, The Flakland Islands, Their Kinship Isles, the Antarctic Hemisphere, and the Freedom of the Two Great Oceans : Discovery and Diplomacy, Law and War, Volumes I,II & III (Vermont : Albert Norman, 1986).
- Owen, Russell, The Antarctic Ocean (London : Museum Press Ltd., 1948).

- Parsons, Anthony, Antarctica : The Next Decade (Cambridge : Cambridge University Press, 1987).
- Perry, William, and Peter Wehner, ed., The Latin American Policies of U.S. Allies : Balancing Global Interests and Regional Concerns (New York, N.Y. : Praeger Publishers, 1985).
- Pitman, Potter B., The Freedom of the Seas in History, Law and Politics (New York, N.Y. : Longmans, Green and Co., 1924).
- Quam, Louis O., Research in the Antarctic (Washington D.C. : American Association for the Advancement of Science, 1971).
- Quigg, Philip W., A Pole Apart : The Emerging Issue of Antarctica (New York, N.Y. : McGraw-Hill Book Co., 1983).
- Reader's Digest, Antarctica : Great Stories From the Frozen Continent (New South Wales : Reader's Digest Services, Pty. Ltd., 1985).
- Rock, David, Argentina 1516-1982 : From Spanish Colonization to the Falklands War (London : I.B. Tauris and Co. Ltd., 1986).
- Schneider, Ronald M., Brazil : Foreign Policy of a Future World Power (Boulder, Colorado : Westview Press, Inc., 1976).
- Scobie, James R., Argentina : A City and a Nation (New York, N.Y. : Oxford University Press, 1971).
- Shapley, Deborah, The Seventh Continent : Antarctica in a Resource Age (Washington D.C. : Resources for the Future Inc., 1985).
- Sharma, R.C., ed. Growing Focus on Antarctica (New Delhi : Rajesh Publications, 1986).
- Tella, Guido di, Argentina Under Peron, 1973-76 : The Nation's Experience with a Labour-based Government (London : MacMillan Press Ltd., 1983).

- Triggs, Gillian D., ed., The Antarctic Treaty Regime : Law, Environment and Resources (Cambridge : Cambridge University Press, 1987).
- Varas, Augusto, Militarization and the International Arms Race in Latin America (London : Westview Press, Inc., 1985).
- Walsh, Don, ed., The Law of the Sea : Issues in Ocean Resource Management (New York, N.Y. : Praeger Publishers, 1977).
- Wesson, Robert, The United States and Brazil : Limits of Influence (New York, N.Y. : Praeger Publishers, 1981).
- Whitaker, Arthur P., The United States and the Southern Cone : Argentina, Chile and Uruguay (Cambridge, Mass. : Harvard University Press, 1976).

Articles in Periodicals:

- Ali, Salamat, and Michael Richardson, "An Eye on Antarctica", Far Eastern Economic Review (Hong Kong), vol.119, no.4, 27 January 1983, pp.32-33.
- Anderson, and Rudolph, "On Solid International Ground in Antarctica : A US Strategy for Regulating Environmental Impact on the Continent", Stanford Journal of International Law (California), vol.26, no.1, Fall 1989, pp.93-152.
- Auburn, F.M., "Consultative Status Under the Antarctic Treaty", The International and Comparative Law Quarterly (London), vol.28, no.3, July 1979, pp.514-22.
- Bath, Richard C., "Latin American Claims on Living Resources of the Sea", Inter-American Economic Affairs (Washington D.C.), vol.27, no.4, Spring 1974, pp.59-84.
- Beck, Peter J., "Cooperative Confrontation in the Falkland Islands Dispute : The Anglo-Argentine Search for a Way Forward, 1968-81", Journal of Inter-American Studies and World Affairs (Florida), vol.24, no.1, February 1982, pp.37-58.

- , "The Antarctic Treaty System After 25 Years", The World Today (London), vol. 42, no.11, November 1986, pp.196-99.
- , "Britain's Antarctic Dimension", International Affairs (Guildford), vol.59, no.3, Summer 1983, pp. 429-44.
- , "New Polar Factor in International Relations", The World Today, vol.45, no.4, April 1989.
- Beri, H.M.L., "Falklands Crisis : An Assessment", IDSA Journal (New Delhi), vol.14, no.4, April-June 1982, pp. 70-73.
- Bluth, Christopher, "The British Resort to Force in the Falklands/Malvinas Conflict 1982 : International Law and Just War Theory", Journal of Peace Research (Oslo), vol.24, no.1, 1987.
- Brown, Chester L., "Latin American Arms : For War? The Experience of the Period 1971-80", Inter-American Economic Affairs, vol.37, no.1, Summer 1983, pp. 61-66.
- Chaturvedi, Sanjay, "Antarctica and the United Nations", India Quarterly , vol.42, no.1, January- March 1986, pp.1-26.
- , "India and the Antarctic Treaty System: Realities and Prospects", India Quarterly, vol.42, no.4, October-December 1986, pp. 352-80.
- Chehabi, H.E., "Self Determination, Territorial Integrity and the Falkland Islands", Political Science Quarterly (New York, N.Y.), vol.100, no.2, Summer 1985, pp. 215-225.
- Child, Jack, "Strategic Concepts of Latin America : An Update", Inter-American Economic Affairs, vol.34, no.1, Summer 1980, pp.61-82.
- , "Geopolitical Thinking in Latin America", Latin American Research Review (Austin, Texas) vol.14, no.2, 1979, pp.89-111.
- Chimni, B.S., "Law of the Sea : Winners are Losers", Economic and Political Weekly (Bombay) vol.17, no.24, 12 June 1982, pp. 987-92.

- Clad, James, "Breaking the Ice", Far Eastern Economic Review, vol.122, no.48, 1 December 1983, pp.25-6.
- Collier, Simon, "The First Falklands War? Argentine Attitudes", International Affairs, vol.59, no.3, Summer 1983, pp.459-464.
- Cox, Robert, "Argentina's Dream", The New Republic (Washington D.C.), no.3513, 12 May 1982, pp.16-18.
- Escude, Carlos, "Argentine Territorial Nationalism", Journal of Latin American Studies (London), vol.20, no.1, May 1988, pp.139-65.
- Garrett, James L., "The Beagle Channel Dispute : Confrontation and Negotiation in the Southern Cone", Journal of Inter-American Studies and World Affairs, vol.27, no.3, Fall 1985, pp.81-109.
- Gorman, Stephen M., "Present Threats to Peace in South America : The Territorial Dimensions of Conflict", Inter-American Economic Affairs, vol.33, no.1, Summer 1979, pp.51-71.
- Grabendorff, Wolf, "Interstate Conflict Behaviour and Regional Potential for Conflict in Latin America", Journal of Inter-American Studies and World Affairs, vol.24, no.3, August 1982, pp.267-94.
- Hilton, Stanley E., "The Argentine Factor in Twentieth Century Brazilian Foreign Policy Strategy", Political Science Quarterly, vol.100, no.1, Spring 1985, pp.27-51.
- Joyner, Christopher C., "Antartic Minerals Negotiating Process", American Journal of International Law (Washington, D.C.) vol.81, no.4, October 1987, pp.888-905.
- , "Antarctica and Law of the Sea : An Introductory Overview", Ocean Development and International Law (New York, N.Y.), vol.13, no.3, 1983, pp.277-90.
- , "Evolving Antarctica Minerals Regime", Ocean Development and International Law, vol.19, no.1, 1988, pp.73-96.

- , "Exclusive Economic Zone and Antarctica: The Dilemmas of New Sovereign Jurisdiction", Ocean Development and International Law, vol.19, no.6, 1988, pp.469-92.
- , "Antarctica and the Indian Ocean States : The Interplay of Law, Interests and Geopolitics", Ocean Development and International Law, vol.21, no.1, 1990, pp.41-70.
- Joyner, Christopher C., and Theis, "United States and Antarctica : Rethinking the Interplay of Law and Interests", Cornell International Law Journal (Nebraska), vol.20, no.1, Winter 1987, pp.65-102.
- Jung, Ernst Friedrich, "Antarctica in World Affairs", Aussen Politik (Hamburg), vol.35, no.1, 1984, pp.80-86.
- Kabir, Mohammad H., "Antarctica : Condominium or Res Communis?", Bangladesh Institute of International and Strategic Studies (Dhaka), vol.5, no.3, 1984.
- Kaushik, Brij Mohan, "India and the Antarctic", Strategic Analysis (New Delhi), vol.8, no.8, November 1984.
- Kelly, Philip L., "Geopolitical Themes in the Writings of General Carlos de Meira Mattos of Brazil", Journal of Latin American Studies, vol.16, no.2, November 1984, pp.439-61.
- Kimball, L., "Whiter Antarctica?", International Studies (Columbia), vol.11, no.3, Spring 1985, pp.16-22.
- Kiss, Alexander, "The Common Heritage of Mankind : Utopia or Reality?", International Journal (Canada), vol.40, 1984-85, pp.423-441.
- Koch, Howard E., "Some Theoretical Notes on Geography and International Conflict", Journal of Conflict Resolution (California), vol.16, March 1960.
- Lowell, Gustafson, "The Principle of Self-Determination and the Dispute about Sovereignty over the Falkland (Malvinas) Islands", Inter-American Economic Affairs, vol.37, no.4, Spring 1984, pp.81-99.

- Luard, Evan, "Who Owns the Antarctic?", Foreign Affairs (New York, N.Y.), vol.62, no.5, 1984, pp. 65-72.
- Macdonald, C.A., "The Politics of Intervention : The United States and Argentina, 1941-1946", Journal of Latin American Studies, vol.12, no.2, pp. 365-96.
- Makin, Guillermo A., "Argentine Approaches to the Falklands/Malvinas : Was the Resort to Violence Forseeable?", Intenational Affairs, vol.59, no.3, Summer 1983, pp.391-404.
- Milenky, Edward, and Steven Schwab, "Latin America and Antarctica", Current History (Philadelphia Pa.), vol.82, February 1983, pp. 52-3.
- Moneta, Carlos J., "Antarctica, Latin America and the International System in the 1980s : Toward a New Antarctic Order?", Urquidi, trans., Journal of Inter-American Studies and World Affairs, vol.23, no.1, February 1981, pp.29-68.
- Morris, Michael A., "Maritime Geopolitics in Latin America", Political Geography Quarterly (New Castle upon Tyne), vol.5, no.1, January 1986, pp.43-54.
- , "Southern Cone Maritime Security After the 1984 Argentine-Chilean Treaty of Peace and Friendship", Ocean Development and International Law, vol.18, no.2, 1987, pp.235-54.
- Negroponete, John D., "The Success of the Antarctic Treaty", Department of State Bulletin (Washington D.C), vol. 87, no.2123, June 1987, pp.29-30.
- Parkinson, Fred, "Latin America and the Antarctic : An Exclusive Club", Journal of Latin American Studies, vol.17, no.2, November 1985, pp.433-51.
- Parriott, Todd Jay, "Territorial Claims in Antarctica : Will the United States Be Left out in the Cold?", Stanford Journal of International Law, vol.22, no.1, Spring 1986, pp.67-121.

- Parsons, Anthony, "The Falklands Crisis in the United Nations, 31 March - 14 June, 1982", International Affairs, vol.59, no.2, Spring 1983, pp.169-78.
- Peterson, M.J., "Antarctica : The Last Great Land Rush on Earth", International Organisation (Wisconsin) vol.34, no.3, Summer 1980, pp.377-403.
- Pinto, M.C.W., "The International Community and Antarctica", University of Miami Law Review (Florida), vol.33, no.2, December 1978, pp. 478-87.
- Pohl, Reynaldo Galindo, "Latin America's Influence and Role in the Third Conference on the Law of the Sea", Ocean Development and International Law, vol.7, no.1-2, 1979, pp.65-87.
- Puri, Madan Mohan, "Geopolitics in the Indian Ocean : The Antarctic Dimension", International Studies, vol.23, no.2, April-June 1986, pp. 155-68.
- Raja Mohan, C., "Antarctic Regime : Conflict and Change at the Frozen Frontier", IDSA Journal (New Delhi), vol.16, no.2, October-December 1983.
- Richardson, Michael, "Strategic Tensions Simmer", Pacific Defence Reporter (Sydney), vol.14, no.1, July 1987, pp.10-12.
- Roett, Riordan, "Brazil Ascendant : International Relations and Geopolitics in the Late 20th Century", Journal of International Affairs (New York N.Y), vol.29, no.2, 1975, pp.139-54.
- Rosenbaum, "Argentine - Brazilian Relations : A Critical Juncture", World Today, vol. 29, December 1973, pp.537-42.
- Rothwell, Donald, "Antarctica : What are the Options?", Current Affairs Bulletin (New South Wales), vol.66, no.5, October 1989, pp.4-11.
- Rouquie, Alain, "Argentina - The Departure of the Military : End of a Political Cycle or Just Another Episode?", International Affairs, vol.59, no.4, Autumn 1983, pp.575-586.

- Selcher, Wayne A., "Brazilian-Argentine Relations in the 1980s : From Wary Rivalry to Friendly Competition", Journal of Inter-American Studies and World Affairs, vol.27, no.2, Summer 1985, pp.25-53.
- Sen, Biman, "Antarctica : Significance of the Indian Expedition", Mainstream (New Delhi), vol.20, no.28, 13 March 1982, pp.13-14.
- Shapley, Deborah, "Pax Antarctica", Bulletin of Atomic Scientists (Chicago), vol.40, no.6, June-July 1984, pp.30-33.
- Singh, Jasjit, "Antarctica : Crisis Region of the 1990s?", Strategic Analysis, vol.8, no.9, December 1984.
- Subramaniam, R.R., "Antarctica : Icy Frontier Ripe for Political Confrontation", Strategic Analysis, vol.12, no.7, October 1989, pp.731-38.
- Vacs, Aldo, "Delicate Balance : Confrontation and Cooperation Between Argentina and the United States in the 1980s", Journal of Inter-American Studies and World Affairs, vol.31, no.4, Winter 1989, pp.23-60.
- Vannucci, Albert P., "The Influence of Latin American Governments on the Shaping of U.S. Foreign Policy: The Case of U.S. - Argentine Relations, 1943-48", Journal of Latin American Studies, vol.18, no.2, November 1986, pp.355-82.
- Viola, Eduardo, and Scott Mainwaring, "Transition to Democracy : Brazil and Argentina in the 1980s", Journal of International Affairs, vol.38, no.2, Winter 1985, pp.207-15.
- Wallace, William, "How Frank was Franks?", International Affairs, vol.59, no.3, Summer 1983, pp.453-58.
- Watson, Cynthia Ann, "Will Argentina Go To the Bomb After the Falklands?", Inter-American Economic Affairs, vol.37, no.4, Spring 1984, pp. 63-80.
- Wettern, Desmond, "Lessons Learned from the Falklands Conflict", Janes Defence Weekly (London), vol.8, no.4, 1 August 1987.

Newspapers:

Christian Science Monitor (Boston, Mass.)

Indian Express (New Delhi)

International Herald Tribune (Paris)

National Herald (New Delhi)

New Straits Times (Kuala Lumpur)

New York Times

Observer (London)

Sunday Times (London)

Times of India (New Delhi and Bombay)

Washington Post



1642