

'A Twentieth Century Tordesillas': Or How Soft Power Works Sometimes

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Abstract

What could be a better exemplar of 'soft' or 'expressive' power than the anomalous actor that is the Roman Catholic Holy See on the international stage? Stalin is alleged to have sarcastically quipped 'how many divisions has the Pope?': which George Kennan alluded to with his assessment (in 1947) that the Soviet leadership only ever understood force. The realist paradigm which prevailed after 1945, however, seemed to suggest that Stalin was hardly alone in a rationalist, 'absolute gains' analysis of the vicissitudes of war and peace. A font of cultural power, such as might be wielded by a transnational religion which claims the adherence of in excess of a billion followers worldwide, is often dismissed as systemically unimportant. It has no 'leverage', no means of compulsion, and thus it is incapable of constricting hard power actors such as the Westphalian states.

I wish to briefly instance a historical precedent that could be useful to proceedings at this conference in how it demonstrates that, under certain conditions, soft power-rich (and hard power-poor) actors *can* use their influence to stave off potentially devastating conflict. This does not necessitate any amalgam along the lines of 'smart power'. The border dispute between Chile and Argentina in the Magellan Straits threatened to erupt into outright war in 1978 and was mainly defused by the timely offer of then Pope John Paul II to stand between the parties. In extending the use of his good offices to broker a settlement, John Paul II was acting just as predecessor Alexander VI had in presiding over the demarcation of borders in the New World between Portugal and Spain at Tordesillas in 1494. Catholic monarchies then, and Catholic dictatorships in 1978, seemed to have been constrained by an ancient theocracy to whom they were indebted for legitimacy. The *Ultima Ratio Regum* had been obviated.

Key Words: *Latin America; Argentina; Chile; Beagle Channel Arbitration (1971-1977); Beagle Channel Crisis (1978); Falklands War (1982-1983); The Catholic Church; Pope John Paul II; Church-State Relations; Military Dictatorships; Democracy; The Holy See/Vatican; Soft Power; Realism; Legitimacy; Diplomacy; Mediation.*

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To Brian

ἔν οἶδα ὅτι οὐδὲν οἶδα

Plato, *Apologia*, 21d

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The Nature of Papal 'Power': Sceptics and Believers

'The Pope! How many divisions has he got?'

Josef Stalin to Pierre Laval (1935)¹

'Kiss the feet of Popes provided their hands are tied.'

Napoleon I, *Memoirs of Napoleon*, (1829-1831)²

Two great military leaders, only a century apart, seem to deprecate Papal authority for entirely different reasons in a way that is telling of how circumstances shaped their perspectives.

Stalin's sarcastic barb was in response to special pleading from French foreign minister Laval that something should be done to improve the lot of Russian Catholics; so much the better to curry favour with Pope Pius XI and form a strong front against a resurgent Germany.³ For Stalin, who presided over a regimental atheistic state,⁴ the Papacy's insignificance was palpable fact of life. Re-armament was obviously the more appropriate corrective to Fascist revanchism. Furthermore, if Stalin was going to moderate his anti-clericalism whatsoever it would be in view of the far more numerous members of the Russian Orthodox Church. This he duly would do after Operation Barbarossa was launched in 1941 by invoking Orthodox-style *Ikons* of himself alongside typical Soviet propaganda and liberalising public worship in order to marshal the patriotic spirit of a populace told that they were facing 'crusaders' from the West.⁵ The cynicism of the entire effort could be glimpsed with the unceremonious return to the *status quo pre ante*

1 Josef Stalin cit. in Winston Churchill, *The Second World War*, (2 vols.: London, 1948), vol. 1, p. 105

2 Napoleon Bonaparte cit. in Louis Antoine Fauvelet de Bourrienne, *Memoirs of Napoleon*, (10 vols.: Paris, 1829-1831), vol. 2, p. 281

3 W. Churchill, *ibid.*

4 cf. Dimitry Pospelovsky, *The Orthodox Church in the History of Russia*, (New York, 1998), p. 257ff.

5 Steven Merritt Miner, *Stalin's Holy War: religion, nationalism and alliance politics, 1941-1945*, (Durham, NC, 2003), p. 13

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bellum in 1945. The Orthodox Churches were boarded up and torn down once again.⁶

Napoleon, ever sharp while in exile on St. Helena, ruminated on the dimensions of what had been his European *grand projet*. Napoleon earned the epithet of 'Antichrist' amongst Catholics with good reason: he was viewed as having debased Papal authority systematically. Be it through seizing the Papal states and Rome and taking individual Popes prisoner,⁷ or his intemperate seizure of a crown from Pius VII's hands and placing it atop his own head at the 1804 imperial coronation,⁸ Napoleon displayed utter contempt for hierocratic protocol which had prevailed in Europe since the time of Charlemagne. The established norms were that Princes ruled the earthly, temporal realm and received secular authority from Priests who were absolute authorities on matters spiritual (and finally, Christ was 'King' of all.)⁹ Napoleon formally abolished this ideology writ large in the form of the Holy Roman Empire, in 1806.¹⁰

Yet Napoleon had clearly felt it necessary to do all this in the furtherance of his own hold on power – why bother to 'tie their hands' otherwise? After the tumult of the revolutionary period, and the Robespierrean turn, the French people had willingly returned to the bosom of the established Church of the *ancien regime*.¹¹ Napoleon, whilst he tore his crown from Pope Pius' hands as a calculated insult had still compelled him to appear in Paris to lend him legitimation

6 S. Merritt-Miner, op. cit., p. 328ff.

7 Owen Chadwick, *A history of Popes, 1830-1914*, (Oxford, 2003) p. 2 – this was Pius VI; his successor, Pius VII, was also kidnapped and brought to France in 1809 and later imprisoned in 1812.

8 Reginald M. Woolley, *Coronation Rites*, (Cambridge, 1915), pp. 106-107

9 cf. Walter Ullmann, 'The Hierocratic Doctrine' in B. Tierney (ed.), *The Middle Ages*, (2 vols.: New York, 1983), vol. 2, ch. 21, pp. 223-236

10 Napoleon forced the Emperor of Austria, after military defeat, to abdicate the Imperial throne by the Fourth Treaty of Pressburg and formed the Rhine Confederation of 16 German states on 12th July, 1806, cf. Fondation Napoleon, 'The History of Two Empires' at napoleon.org -

<http://195.154.144.20/en/Template/chronologie.asp?idpage=464577&onglet=1> (accessed: 25/04/2011)

11 Edward R. Norman, *The Roman Catholic Church: an illustrated history*, (San Francisco, 2007), pp. 139-142

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(Pius had vacillated about putting in an appearance.)¹² When Napoleon absorbed the final remnants of the Papal States into the French Empire, in 1809, he still made great show of granting compensation for the loss, amounting to 2 million francs per annum, to the Papacy.¹³

As much as Napoleon was capable of coercing the Papacy it still had something to offer him which he could not easily concoct for himself or simply win on a far flung field of battle: cultural cachet and moral authority.¹⁴ It was, for these reasons, that Napoleon signed the 1801 concordat between the Papacy and France.¹⁵ The Bourbon revival which succeeded Napoleon after 1815 relied partly upon the groundswell of pro-papal conservatism (such as in the form of the Ultramontane party) which Napoleon's policies had served to exacerbate.¹⁶

It is telling then that Pierre Laval, of all diplomats; speaking for the French Third Republic in 1935, would beg on behalf of Catholic Church interests even in the most hopeless of cases (such as Stalin's USSR was.) Laval's government was itself a neat encapsulation of the Napoleonic contradiction. The Republic had passed (and would remain committed to) the 'Law of Separation' in 1905 in retaliation for condemnations and reprimands of its policies by the unworldly and obstinate Pius X.¹⁷ The law abolished religious education in public schools, secularised existing institutions of education which hitherto held religious patronage, and also decreed that henceforth no state money would be paid to any university or school which wished

12 Charles W.C. Oman, *England in the nineteenth century*, (New York, 1899), p. 13

13 John Holland Rose, *The life of Napoleon I: including new materials from the official British records*, (London, 1929), p. 191

14 Stephen Englund, *Napoleon: a political life*, (Harvard, MA, 2005), p. 247ff.

15 William Roberts, 'Napoleon, the 1801 concordat and its consequences' in Frank J. Coppa (ed.), *Controversial concordats: the Vatican's relations with Napoleon, Mussolini and Hitler*, (Washington D.C., 1999), p. 34ff.

16 David Nicholls, *Napoleon: a biographical companion*, (Santa Barbara, CA, 1999), pp. 193-194

17 *inter alia*, Pius X refused to grant French president Emile Loubet a right of audience on Loubet's visit to Italy in 1904 because he had visited King Vittorio Emanuele III beforehand; cf. Frank J. Coppa, *Politics and the Papacy in the Modern World*, (Westport, CN, 2008), p. 71ff.

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to teach theology.¹⁸ And now the French government gained an appreciation for fighting the corner of a man who remained *the* religious leader for a majority of the Republic's citizens.

In truth the measure of Papal influence could be said to peak and trough over time in the French case. However, I should like to argue that the legitimation provided by the Holy See to a ruler is a soft power asset especially prized when the government in question is a.) autocratic (and perhaps not very popular) and b.) rules over a culturally Catholic country. Leverage is thus achieved by a soft power actor over a hard power actor when there is either an explicit or implicit threat that legitimacy will no longer flow from on high. Benito Mussolini's many extremely favourable concessions to the Holy See during the Lateran Treaty and Concordat negotiations are, after all, almost *de rigueur* knowledge.¹⁹ Similarly, Francisco Franco's grip of the reins in Spain stipulated a nexus between the Falangists and old-fashioned Tridentine Catholicism (which persists today amongst Spain's neo-falangist movements.)²⁰

In spite of these, in truth, historical mundanities for those steeped in the subject few are the political scientists who would (mostly) be termed realists that readily acknowledge and accept the implications of them.²¹ Much as when George Kennan, in his 'X article' of 1947, complained that Stalin only understood force, the realist paradigm is fixated on hard power in a way that hasn't really changed since Thucydides. That the strong do what they will and the weak do what they must, regardless of the moral rights or wrongs, remains instructive in describing realist

18 There was also a renunciation of the concordat between France and the Papacy in 1906; F.J. Coppa, *ibid.*

19 e.g. Edward Townley, *Mussolini and Italy*, (London, 2002), p. 90ff.

20 Stanley G. Payne, *The Franco regime, 1936-1975*, (Madison, WI, 1988), p. 201ff.

21 Robert Keohane, *After hegemony: Cooperation and discord in world political economy*, (Princeton, MA., 1984), p. 14 – Keohane summarises realism as the contention that 'power and interests' determine state behaviour in anarchy; cf. James G. Cussen, 'Can "international anarchy" be overcome to achieve world peace?' at internationalrelations.ie, (April, 2011), vol. 2, no. 1, pp. 1-21, p. 3ff. - <http://internationalrelations.ie/home/?p=389> (accessed: 25/04/2011)

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theory.²² What is perhaps frequently overlooked by realists invoking their ancestors, however, is that Thucydides was making a literary decision in *The Peloponnesian War* to depict Athenian hubris. The benighted Melians, appealing to morality and not arms, foreshadow what will happen when their oppressor, Athens, falls at the hands of nemesis Sparta some chapters later.²³

Certainly, I do not think I am being particularly novel: a trail has been blazed before me by the likes of Jodok Troy,²⁴ or David Ryall,²⁵ who both do a thorough job of explicating the significance of the Papacy as a 'soft' or 'expressive' power actor which is underestimated or ignored in realist canon.²⁶ The extent of my originality will be to test for the presence of 'soft power leverage' amongst two South American, predominately Catholic, autocracies: in Chile and Argentina, during a border crisis between those two countries in 1978. This was such that the Pope of the day *could* make a diplomatic intervention to avert a war with a reasonable expectation of success and knowing too that if his proposal was rejected it would result in an unacceptable 'loss of face' for the dictatorships in question. All of this being within the capabilities of the world's smallest recognised state, scarcely 'armed' with a merely ceremonial bodyguard unit.²⁷

22 Thucydides, *History of the Peloponnesian War*, §5.89 - 'Right, as the world goes, is only in question between equals in power, while the strong do what they can and the weak suffer what they must.'

23 Ian Hall, 'Review: Robert Jackson, *Classical and modern thought in International Relations: from anarchy to cosmopolis*, (London, 2005)' in *International Affairs* (2006), no. 3, pp. 575-576

24 cf. Jodok Troy, 'The Catholic Church: an underestimated and necessary actor in International Affairs' in *The Georgetown Journal of International Affairs*, (Winter/Spring 2008), pp. 65-73

25 cf. David Ryall, 'How Many Divisions? The Modern Development of Catholic International Relations' in *International Relations*, (August, 1998), vol. 14, no. 2, pp. 21-34

26 In the unlikely event this conference needs to be reminded, soft power can be wielded by non-states and NGOs unlike hard power which is the demesne of the state cf. Joseph S. Nye, *Soft power: the means to success in world politics*, (New York, 2004), p. 91ff.; and for a pithy re-statement of the concept cf. Joseph S. Nye, *op. cit.*, p. ii 'Soft power is the ability to get what you want through attraction rather than coercion or payments. It arises from the attractiveness of a country's culture, political ideals, and policies. When our policies are seen as legitimate in the eyes of others, our soft power is enhanced.'

27 For an English-language overview see Robert Royal, *The Pope's army: 500 years of the Papal Swiss Guard*, (New York, 2006); superior academic studies in Italian include Christian-Roland Marcel Richard, *La Guardia Svizzera Pontificia nel corso dei secoli*, (Rome, 2005)

Pinochet's Chile and the Argentine Junta – Territorial Nationalism and Catholicism to 1978

'[He is] correct, polite, puritanical to excess, deeply Catholic and one who shows understanding.'

- An appraisal of General Jorge Rafael Videla, President of Argentina, in *Stuttgarter Zeitung*, 1976²⁸

'Don't forget that in the history of the world, there was a plebiscite, in which Christ and Barabbas were being judged, and the people chose Barabbas.'

- Augusto Pinochet on the Chilean plebiscite to restore democracy, 25th October 1988²⁹

Central and Southern America, together Latin America, was witness to the floruit of a distinctive brand of politicised Catholicism, from the late 1950s through to the early 1980s, branded by adherents and detractors alike as 'Liberation Theology'.³⁰ This theology derived a radical 'option for the poor' from accounts of the life and teachings of Jesus Christ, arguing that Christ had preached a call for freedom from economic deprivation and exploitation. It followed that the Church, as a community of believers, should stand up to vindicate the essential human dignity of its marginalised members (whom Christ arguably cherished the most.)³¹

This should not have augured well for Church-State relations during an era of clientelist or U.S. sponsored regimes in Latin America whose corruption and systemically embedded economic inequality had been directly responsible for such radical theological outpourings.³²

28 cit. in Maritta Tkalec, 'Argentinien: Recht oder Ordnung' in *Berliner Zeitung*, (5th March, 2004), p.1

29 cit. in Pamela Constable and Arturo Valenzuela, *A Nation of Enemies: Chile under Pinochet*, (New York, 1993)

30 Angel F. Mendez Montoya, 'Latin America' in James J. Buckley et al. (eds.) *The Blackwell Companion to Catholicism*, (London, 2005), pp. 182-183

31 cf. Leonardo Boff, 'The New Evangelisation: New Life Burst In' in *Concilium*, (1990), pp. 130-140, p. 137 – 'the popular church, the church of the poor ... Christianity which is ecumenical, democratic, militant in the struggle for a new society'.

32 Enrique Dussel (ed.), *The Church in Latin America: 1492-1992*, (2 vols.: New York, 1992), vol. 2, p. 165 – 'with the State Department in the hands of Henry Kissinger ... Latin America underwent a reign of terror'.

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Unfortunately the greatest intellectual strength of Liberation Theology, which was its pluralism and openness to a variety of emerging discourses (such as those of feminism and LGBT rights),³³ proved also to be its greatest weakness. The theological movement faced criticism, formal censure and repudiation as heresy in turn by a more conservative Catholic Church hierarchy both locally and at Rome.³⁴ Reflecting on the entire movement in 1984, when handing down final penalties of excommunication for some clerics, then Cardinal Joseph Ratzinger of the Holy See's 'Congregation for the Doctrine of the Faith' (CDF) opined that the error of 'radical' Liberation Theology had not been in merely prescribing a political viewpoint, or preaching a 'call to action.' Instead the error rested in focusing on politics almost exclusively.³⁵ The moral hazard in this was evident to Ratzinger as Liberation theologians were regular allies of local Marxist agitators and appeared to espouse Marxist style class-struggle.³⁶ The tension within the Latin American Church was between clerics 'committed to the popular classes ... and those committed to the ruling classes'.³⁷

Indeed, this all hints at the solidarity shared by a conservative Catholic hierarchy and the military dictatorships born of many *coups d'etat* between 1964 and 1976; each ostensibly launched to save respective Latin American states from the 'contagion' of international communism.³⁸ Generalissimo Augusto Pinochet assumed power in Chile on 11th September 1973

33 A.F.M. Montoya, op. cit., p. 183; L. Boff, ibid. - 'a Christianity ... that incorporates the feminine dimension'.

34 A.F.M. Montoya, ibid. - 'The Church renewal ... soon met harsh criticism and rejection.'

35 cf. Joseph Cardinal Ratzinger, Congregation for the Doctrine of the Faith, 'Instruction on certain aspects of the "Theology of Liberation."', (6th August, 1984) at *vatican.va* - http://www.vatican.va/roman_curia/congregations/cfaith/documents/rc_con_cfaith_doc_19840806_theology-liberation_en.html (accessed: 24/04/2011) - '§X.5 - The mistake here is not in bringing attention to a political dimension of the readings of Scripture, but in making of this one dimension the principal or exclusive component. ... §X.12 - An exclusively political interpretation is thus given to the death of Christ. In this way, its value for salvation and the whole economy of redemption is denied.'

36 A.F.M. Montoya, op. cit., p. 184

37 A.F.M. Montoya, op. cit., p. 183

38 E. Dussel, op. cit., p. 167 - 'Dependent capitalism cannot function without repressing the people: this was recognised in the anti-insurrectional, National Security regime model proposed by Kissinger to Presidents Nixon and Ford. Key dates for the installation of such regimes are 31st May 1964 ... Brazil; 21st August 1971 ... Bolivia;

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by toppling the socialist government of Salvador Allende, whose free and fair election to office was arrogantly assigned to the 'irresponsibility' of the Chilean voters by Henry Kissinger.³⁹ Pinochet, in short order, declared that the aim of his military rule was not to create a 'nation of proletarians but a nation of entrepreneurs'.⁴⁰ In May 1973 Pinochet could also have been assured of the support of one salient force in Chilean society, namely the Chilean Christian (i.e. Catholic) Democratic Party. At its national assembly that month, the party denounced President Allende as:

'seeking the totality of power, which means Communist tyranny disguised as the dictatorship of the proletariat.'⁴¹

The party was one of the few not proscribed immediately by Pinochet (it would take until 1977) and formed an oxymoronic and quite obviously ineffective 'loyal opposition' to him for much of the duration of military rule.⁴² Otherwise, the Church hierarchy (most especially in its global expression as the Holy See) was relatively lenient towards Pinochet's regime. While, locally, the Chilean hierarchy turned from welcoming military rule at first to (fitfully) documenting its excesses,⁴³ one could still find Chilean Cardinal Francisco Errazuriz Ossa praying that God would 'not consider the wrongdoings' of Pinochet at the dictator's funeral in 2006.⁴⁴ The corollary here being that whatever crimes he was guilty of were outweighed by perceived good deeds such as 'saving' Chile from Marxism.

27th June 1973 ... Uruguay; 11th September 1973, Augusto Pinochet; 28th August 1975 ... Peru; 13th January 1976 ... Ecuador; 24th March 1976 ... Argentina.'

39 Henry Kissinger cit. in Wolfgang B. Sperlich, *Noam Chomsky*, (London, 2006) p. 90

40 Augusto Pinochet cit. in BBC News, 'Pinochet's rule: repression and economic success' at [bbc.co.uk - http://news.bbc.co.uk/2/hi/americas/63821.stm](http://news.bbc.co.uk/2/hi/americas/63821.stm) – (accessed: 24/04/2011)

41 cit. in Lester A. Sobel, *Chile and Allende*, (New York, 1974), p. 123

42 Charles D. Ameringer, *Political Parties of the Americas, 1980s to 1990s: Canada, Latin America and The West Indies*, (Westport, CN., 1993), p. 173ff.

43 i.e. through the closely watched 'Vicariate of Solidarity' established in Santiago in 1976, cf. Fundación Príncipe de Asturias, 'Prince of Asturias Awards 1986 – Vicariate of Solidarity' at [fpa.es - http://www.fpa.es/en/awards/1986/vicariate-of-solidarity/text/](http://www.fpa.es/en/awards/1986/vicariate-of-solidarity/text/) (accessed: 24/04/2011)

44 'Chilean cardinal prays God will disregard Pinochet's wrongdoings' at *Catholic Online* – catholic.org, (12th November, 2006) - http://www.catholic.org/international/international_story.php?id=22309 (accessed: 24/04/2011)

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For Pope John Paul II's part, the Holy See officially made an appeal for the British government to release Pinochet from custody on 'humanitarian grounds' during his 1999 extradition hearing relating to a Spanish indictment for crimes against humanity.⁴⁵ Earlier, in 1987, John Paul II had graced Pinochet with a pastoral visit: ministering communion to the dictator at a public mass and appearing with the dictator on the balcony of the presidential palace.⁴⁶ This might be contrasted with the 1998 Papal visit to Cuba where he declaimed that Fidel Castro should release all prisoners of conscience at once.⁴⁷ No such demands (in public at least) were made of Pinochet; whose regime was far more murderous and bloody-minded, having engineered numerous 'disappearances' of political foes since 1973. This was widely known in 1987.⁴⁸ The fact of Castro's communism and anti-clericalism can only do for an explanation of the discrepancy.⁴⁹

In Argentina, a similar story unfolded. 'Peronism', an idiosyncratic style of governance named for dictator Juan de Perón, consisted of a mixture of populism, the timely use of violent coercion and 'third-way' Corporatism and had operated in Argentina since the end of the Second World War.⁵⁰ Corporatist thought is co-opted directly from Catholic Social Teaching; being most

45 John Hooper and Clare Dyer, 'Shock at Pope's Pinochet Plea' in *The Guardian*, (20th February, 1999) at [guardian.co.uk](http://www.guardian.co.uk) - <http://www.guardian.co.uk/world/1999/feb/20/pinochet.chile> (accessed: 24/04/2011)

46 'Sodano, el contacto de Chile en el Vaticano' in *El Mercurio* (21st November, 2004) at [elmercurio.cl - http://diario.elmercurio.cl/detalle/index.asp?id={e635c013-5037-4e40-9d8a-ccd277c32645}](http://diario.elmercurio.cl/detalle/index.asp?id={e635c013-5037-4e40-9d8a-ccd277c32645}) (accessed: 24/04/2011) – Sodano, now Dean of the College of Cardinals, arranged for the Pope to appear on the balcony with Pinochet even though this photo opportunity was not listed in the official itinerary of the visit.

47 Anita Snow, 'Cuba mulls Pope's plea on prisoners', Associated Press [AP], (28th January, 1998) at *Florida International University - fiu.edu* - <http://www2.fiu.edu/~fcf/cubamulls12998.html> (accessed: 24/04/2011)

48 Anthony Boadle, 'Pope's visit to Chile sparks controversy' in *Sun Sentinel* (28th March, 1987), at [sun-sentinel.com - http://articles.sun-sentinel.com/1987-03-28/features/8701200187_1_pope-john-paul-chile-president-augusto-pinochet](http://articles.sun-sentinel.com/1987-03-28/features/8701200187_1_pope-john-paul-chile-president-augusto-pinochet) (accessed: 24/04/2011) - 'The authorities, bracing for trouble at mass meetings planned with slum dwellers, Indians and fishermen, hope the first papal visit to Chile will legitimize Pinochet's 13-year-old regime ... Church leaders in Santiago say John Paul II is bound to give Pinochet some rebukes, *in private* if not in public.' (my emphasis)

49 Owen Chadwick, *A History of Christianity*, (Cambridge, 1995), p. 266ff. - The Cuban Communist Party withheld membership from those who professed Catholicism and discriminated against Catholics in education (by closing Church-run schools) and in public employment (which required party-membership to have any hope of advancement.)

50 Christian Buchrucker, 'Interpretations of Peronism: old frameworks and new perspectives' in James P. Brennan (ed.), *Peronism and Argentina*, (Wilmington, DE, 1988), p. 3 ff., esp. pp. 8-12 – Peronism might seem like Fascism, but it only fits within a broad conception of such a rubric.

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notable in the writings of Pope Pius XI (1922-1939).⁵¹ Corporatism emphasises cross-class dialogue and supposedly rejects unbridled capitalism as much as it does Marxist revolution in preference to a society that comprises 'one body'. In practice prudent economic regulation usually took a back-seat to the enrichment of a select few wealthy stakeholders.⁵² Generalissimo Perón's most progressive reforms (from 1952 to 1955) looked like upsetting the status-quo too much and were the very reason his army turned against him.⁵³ Perón would only return from exile briefly, in 1973, to lead the country once again.

When Perón's third wife, Isabel de Perón, succeeded him at his death in 1974 she was unable to clamp down on increasingly militant socialist protests over inequality.⁵⁴ These protests culminated in running street battles between far-left and far-right factions in March 1976, whereupon General Jorge Videla and the Argentine military recited the familiar justification and swept to power.⁵⁵ This was duly compared by Monsignor Adolfo Tortolo, President of the Argentinian Bishops' Conference, to the Easter resurrection of Christ.⁵⁶ Throughout the 'dirty war' waged by Argentina's military Junta (ruling council of generals) against left-leaning political adversaries, from 1976, its soldiers were ministered to by the Catholic 'Vicariate of the Armed

51 cf. Pius XI, *Quadragesimo Anno*, cit. in Sabina P. Ramet, *Catholicism and politics in communist societies*, (Durham, NC, 1990) pp. 33-34 – 'Pius insisted on the principle of subsidiarity ... "[A]s it is wrong to withdraw from the individual and commit to the community at large what private industry and enterprise can accomplish so, too, it is an injustice ... for a larger and higher organisation to arrogate itself functions which can be performed efficiently by smaller and lower bodies" ... the underlying ideas of corporatism ... [include] workers sharing in ownership and some decision-making.'

52 Ibid. - 'the misuse of corporatist ideas by Fascist Italy and Nazi Germany brought the term into disrepute'.

53 David M. De Ferranti, *Inequality in Latin America: breaking with history?*, (New York, 2004) p. 122

54 Howard J. Wiarda and Harvey F. Kline (eds.), *Latin American Politics and Development*, (Boulder, CO., 2010), p. 118 – 'Isabel ... was incapable of running a government much less able to deal with Argentina's serious social and economic problems.'

55 Jorge Videla interdicted enemies ideologically – 'A terrorist is not just someone with a gun or a bomb but also someone who spreads ideas which are contrary to Western and Christian civilization', cit. in Edward Epstein and David Pion-Berlin (eds.), *Broken Promises? The Argentine crisis and Argentine democracy*, (Lanham, MD., 2006), p. 185

56 Anthony James Gill, *Rendering unto Caesar: the Catholic Church and the state in Latin America*, (Chicago, 1998), p. 163 – Tortolo, in late 1975, had ominously spoken of an impending 'process of purification'; suggesting that he knew of the coup d'etat which was planned at that stage.

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Forces.⁵⁷ Some soldiers have testified in recent years that priests were sought to render absolution to those who carried out political violence and counsel on the most 'humane' ways to carry out such killings.⁵⁸ One suggestion along these lines, apparently adopted by the Junta, was to sedate internees and throw them from helicopters into the Rio de la Plata (River Plate).⁵⁹ President Carlos Menem's notorious 1989 pardoning of Junta members for their war-crimes was supported by the Argentinian clergy of the day.⁶⁰

The extent of the Church's complicity with Latin American regimes after this type extended to disowning or abandoning its own clerics wherever these men became a visible (and embarrassing) part of civil-society, democratic protests. Bishop Oscar Romero being told by the Holy See not to 'exaggerate' claims of political violence by the ruling military in Guatemala prior to his assassination in 1980 springs to mind.⁶¹ One could also cite the Church's reticence about the murder of Bishop Enrique Angelelli in Argentina (1976);⁶² or how Amnesty International (and not the Holy See) has been the most vocal in seeking answers about the death of British priest Fr. Michael Woodward. Fr. Woodward was allegedly tortured and killed by the Chilean Navy during the coup of September 1973.⁶³

57 Many such military dioceses were established starting in the 1950s to minister to the military dictatorships of Latin America, cf. Philippe Levillain, *The Papacy: An Encyclopedia*, (3 vols.: New York, 2002), vol. 2, p. 991

58 e.g. Adolfo Francisco Scilingo cit. in Paul Gray, 'Argentina: waves from the past' in *Time*, (27th March, 1995), vol. 145, no. 13 - 'His first death flight so disturbed Scilingo that he went to a navy chaplain: "He told me that it was a Christian death because they did not suffer, that it was necessary to eliminate them".' Scilingo, a navy captain, was convicted of war-crimes and the murder of 30 prisoners in a Spanish court in 2005.

59 Horacio Verbitsky, Esther Allen (trans.) *The Flight: Confessions of an Argentinian dirty warrior*, (New York, 1996), pp. 74-76 – the book includes Scilingo's testimony.

60 Michael A. Burdick, *For God and Fatherland: religion and politics in Argentina*, (New York, 1995), p. 256

61 cf. Philip Kennedy, *A modern introduction to theology: new questions for old beliefs*, (London, 2006), pp. 196-197 – Before his assassination the Holy See had planned to move Romero out of his position as Archbishop of El Salvador due to his 'incessant' criticism of the Salvadoran military regime. In 1979 the Holy See quietly notified Georgetown University in Washington D.C. to cancel the awarding of an honorary doctorate to Romero.

62 A.M.F. Montoya, op. cit., p. 184

63 Amnesty International, 'Document – Chile: Torture and the naval training ship the 'Esmeralda'', at <https://www.amnesty.org/en/library/asset/AMR22/006/2003/en/c353580b-d6d5-11dd-ab95-a13b602c0642/amr220062003en.html> (accessed: 24/04/2011)

If the military regimes in Chile and Argentina had a similar genesis then this portended for the similar, and eventually intertwined, nature of their domestic ills. Focused mainly on annihilating leftist forces arraigned against them rather than addressing underlying socio-economic discontent, the regimes proceeded to order further market liberalisation if only to be seen not to be communist.⁶⁴ Although Chile's economy underwent the so-called 'Chilean miracle',⁶⁵ levels of poverty in the country rose steeply and were kept 'in check' only with further oppression and violence. Social indicators of economic performance only improved after Pinochet's departure.⁶⁶ Argentina was not even as lucky – and grappled with food price inflation, dropping living standards, currency devaluation and a lack of direct outside investment.⁶⁷ As befitted such army-led governments, the solution which presented itself was to re-double domestic energies on external enemies so as to galvanise the resulting 'home-front' with a tawdry Manichean and ultra-nationalist discourse of 'them' and 'us'.⁶⁸

64 H.J. Wiarda and H.F. Kline, op. cit., p. 120ff. – 'In order to fix Argentina's economy, labor (sic) unions needed to be tamed and state-run industries needed to be privatised. In these ways foreign investment could be attracted ... With respect to the organized labor movement, the military junta attacked the central labor confederation, the CGT, and jailed many prominent labour leaders.'

65 The phrase is attributable to Milton Friedman; cf. PBS, 'Commanding Heights: Milton Friedman' at [pbs.org - http://www.pbs.org/wgbh/commandingheights/shared/minitext/int_miltonfriedman.html#10](http://www.pbs.org/wgbh/commandingheights/shared/minitext/int_miltonfriedman.html#10) (accessed: 24/04/2011) – Friedman suggests that economic liberalisation produced growth and toppled Pinochet's Junta from within, *contra* Amyarta Sen, *Development as freedom*, (Oxford, 1999), p. 156 – Sen believes Chile actually shows the failure of 'Austrian School' or 'Chicago' economics and that political protest in pre-democratic Chile, and not consumerism, would be better implicated in the fall of the regime there.

66 cf. Walden Bello and John Kelly, 'The IMF and Chile: a parting of ways?' in *The Multinational Monitor*, (1983), vol. 4, no. 4, at [multinationalmonitor.org - http://multinationalmonitor.org/hyper/issues/1983/04/bello.html](http://multinationalmonitor.org/hyper/issues/1983/04/bello.html) (accessed: 24/04/2011) - 'The rising cost of living and the economic policies of President Augusto Pinochet sparked public protests during the last week of March [1983]. As the demonstrations turned riotous, they were met with a show of police force not seen since the 1973 military coup.'

67 Klaus Friedrich Veigel, *Dictatorship, democracy and globalization: Argentina and the cost of paralysis, 1973-2001*, (Philadelphia, PA, 2009), p. 81ff.

68 Upon the failure of the Malvinas diversion in July 1982 Argentine novelist Ernesto Sabato spoke for a widespread view of the straw which had broken the camel's back: 'our military men are not even fit to wage war', cit. in 'Argentines are seeking ways to overcome their losses' in *New York Times*, (July 12th, 1982); cf. Carlos Escude, 'Argentine territorial nationalism' in *Journal of Latin American Studies*, (May, 1988), vol. 20, no. 1, pp. 139-165, p. 161 – 'Argentina waited 150 year to wage war for the Malvinas. This is not the product of our patience ... but of the fact that previous generations were far too pragmatic to engage in such folly. And three years before that war Argentina nearly went to war with Chile ... it would appear that the increasing national frustration, political chaos and recurrent economic crises after World War II have increased the importance of the perception of territorial losses'; also infra note 88; note 139; note 141.

Conveniently enough, a long and at times acrimonious history between Chile and Argentina centred on a disputed border between the two countries in the Magellan Straits close to Antarctica. The vagaries of a boundary treaty of 1881 entailed disagreement about precisely where the 'Beagle Channel', a maritime course supposed to function as part of the border, 'ended'.⁶⁹ The Argentine claim shortened the length of the channel so as to give itself ownership of several small islands and a line of longitude extending directly down to the Antarctic continent.⁷⁰ The Chilean claim had the channel run further along the shoreline, denying the Argentine claims, as the diagram below demonstrates:



Fig 1.1 – The caption reads: 'The Course of the Beagle Channel in the view of the signatories to the Treaty of 1881; (top) Chilean Version; (bottom); Argentine Version'⁷¹ The three islands which can be discerned at the mouth of the channel are those of Picton, Nueva and Lennox. These were in dispute.

The disagreement had been aired in the rival production of maps and school textbooks to this point, and the destruction of lighthouses built on islands in the channel in 1958 ('The Snipe Incident'),⁷² together with five British-sponsored arbitration attempts between 1902 and 1966.⁷³

69 James L. Garrett, 'The Beagle Channel Dispute: Confrontation and Negotiation in the Southern Cone' in *Journal of Interamerican Studies and World Affairs*, (Autumn, 1985), vol. 27, no. 3, pp. 81-109, p. 82

70 Ibid.

71 Original Diagram: 'Two versions of the Beagle Channel course' at [wikipedia.org - http://en.wikipedia.org/wiki/File:Kanalarme.es.png](http://en.wikipedia.org/wiki/File:Kanalarme.es.png) (accessed: 26/04/2011); cf. J.L. Garrett, op. cit., p. 83 for corroborating map.

72 J.L. Garrett, op. cit., p. 89

73 Mark Laudy, 'The Vatican mediation of the Beagle Channel dispute: crisis intervention and forum building' in Melanie C. Greenberg et al. (eds.), *Words over War: mediation and arbitration to prevent deadly conflict*, (Oxford, 2000), ch. 11, p. 299

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Most recently, the dispute had been peaceably submitted to a specially convened, five-judge, international 'court of arbitration' in 1971 when both Chile and Argentina had been under civilian rule (or at least something nominally 'civilian' in the latter case).⁷⁴ This court was due to make its finding and produce an 'arbitral award' delineating the border between Chile and Argentina in 1977.

Queen Elizabeth II formally recommended the court's judgement (rendered in February 1977) on 2nd May 1977 to immediate Argentinian consternation.⁷⁵ The Chilean interpretation was completely upheld by the court and so it retained the ownership of three disputed islands: Lennox, Picton and Nueva.⁷⁶ However, Argentina did not reject the court award immediately and instead negotiations about the implications of the arbitral award were held between Chilean and Argentinian representatives in July and October 1977.⁷⁷

These talks transpired to be largely unsuccessful as the favourable verdict had buoyed Chile to complicate matters and promulgate a legal decree, in July 1977, definitively enumerating its territorial baselines in the Beagle Channel area.⁷⁸ Argentine counter-proposals, such as one of

74 Todd L. Allee and Paul K. Huth, 'Legitimizing Dispute Settlement: International Legal Rulings as Domestic Political Cover' in *The American Political Science Review*, (May, 2006), vol. 100, no. 2, pp. 219-234, p. 232ff. - The authors find a statistically significant correlation between democracies and the usual participants in successful international arbitration. This is not only due to democracies being accustomed to operating under the rule of law *per se*, but also because an unfavourable verdict of an external court will not be attributable to a single decision of any politician by the domestic public. Greater accountability to the public provokes a greater evasion of its consequences thereof by politicians. In this case, strongly nationalist publics were being placated.

75 Thomas Edward Princen, *Intermediary Intervention: A model of intervention and a study of the Beagle Channel case*, (PhD Thesis; Harvard, MA, 1988), p. 105 - quoting the Argentine foreign minister on 5th May, 1977, - 'no commitment obliges a country to comply with that which affects its vital interests or that which damages rights of sovereignty'.

76 M. Laudy, *op. cit.*, p. 299

77 M. Laudy, *op. cit.*, p. 300

78 'Decree no. 416 of 14th July, 1977' in 'Law of the Sea – National Legislation' at [un.org - http://www.un.org/Depts/los/LEGISLATIONANDTREATIES/PDFFILES/CHL_1977_416.pdf](http://www.un.org/Depts/los/LEGISLATIONANDTREATIES/PDFFILES/CHL_1977_416.pdf) (accessed: 27/04/2011) – 'The straight baseline system of Chile comprises 75 points situated as follows: ... 75. Point XX, the eastern limit of the 1977 arbitral award'.

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December 1977 conceding the three islands but proposing shared jurisdiction of islands far south of the disputed zone,⁷⁹ were dismissed for enlarging the problem. Chile then proposed, in January 1978, to submit the dispute before another judiciary, this time the International Court of Justice in The Hague, so as to produce a binding award.⁸⁰ Argentina knew that international law was no longer likely to give it the desired result, and worst of all a result against which it could not appeal, and so repudiated the 1977 arbitral award on 25th January 1978.⁸¹ Chile responded by unilaterally declaring the arbitral award 'binding' and 'un-appealable' the following day.⁸²

The warmongering which ensued over the course of 1978 was truly feverish and has entered annals as 'the Beagle Channel crisis'. Historian Luis Alberto Romero sketches the political geography of the Argentine Junta usefully in this period:

By that time, a bellicose current of opinion had arisen among the military and its allies, an attitude rooted in a strain of Argentine nationalism, which drew substance from strong chauvinistic sentiments. Diverse ancient fantasies in [Argentine] society's historical imagination - the "patria grande", the "spoliation" that the country had suffered - were added to a new fantasy of "entering the first world" through a "strong" foreign policy.⁸³

It must be remembered these islands were materially insignificant outcrops of rock in the South Atlantic. Using ownership of the islands to assert larger territorial claims in Antarctica was not a route of instant gratification: all nations' claims over the polar continent were formally suspended under the Antarctic Treaty System ratified in 1961 (which also forbade military

79 M. Laudy, op. cit., p. 300

80 T.E. Princen, op. cit., p. 115

81 Evelina Teubal de Alhadef, 'Argentina-Chile: Negotiation and conclusion of border dispute agreement' in *International Legal Materials*, (Jan., 1985), vol. 24, no. 1, pp. 1-31, p. 1 - 'Background'

82 Ibid.

83 Luis Alberto Romero, *Argentina in the Twentieth Century*, (Philadelphia, PA, 1994), pp. 242-243

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operations and resource extraction within 200 km of Antarctica.)⁸⁴ While there was speculation about possible hydrocarbon finds along the exceptionally wide continental shelf underlying the islands,⁸⁵ Argentina was already extracting oil from local derricks in 1979 which provided 90% of its domestic needs.⁸⁶ Subsequently, the only provable fossil fuel reserves have (awkwardly) occurred within the 200km British Exclusive Economic Zone [EEZ] which surrounds the Falklands/Malvinas.⁸⁷

A comparative view of the behaviour of Chile and Argentina in this period seems to support Romero's contention that the real 'interests' here were bravado and both domestic and international standing or 'face',⁸⁸ and not crudities such as power and resources. Direct negotiations between Chile and Argentina continued in 1978 but under the explicit threat made by Jorge Videla, at the Puerto Montt summit in February, that for Chile to walk away would mean war.⁸⁹ Argentina can be said to have conducted an aggravating or contending form of 'public diplomacy' throughout 1978 designed both to antagonise Chile and whip up its own

84 G. Pope Atkins, 'Conflict resolution in the Southern Cone' in *Bulletin of Latin American Research*, (Jan., 1984), vol. 3, no. 1, pp. 129-133, p. 130

85 J.L. Garrett, op. cit., p. 84

86 Michael A. Morris, *The Strait of Magellan*, (London, 1989), p. 46

87 Patrick Armstrong et al., 'The Falkland Islands and their adjacent maritime area' in *Maritime Briefing*, (1997) vol. 2, no. 3, pp. 1-41, p. 21

88 cf. Howard Pittman, 'Algunas Tendencias Geopolíticas Específicas en los Países del ABC' in *Revista de Ciencia Política*, (1981), vol. 1, no. 2, pp. 27-70, p. 59, cit. Admiral Fraga of Argentina, venting his alarm about the demographic composition of the southern territories: 'Patagonia is not only full of Chileans, it's empty of Argentinians!'; Gen. Juan Gugliamelli, 'Argentina: Geopolítica y Frontera' in *Estrategia*, (Mar. - Apr., 1979), vol. 57, pp. 5-15, p. 10 - 'the case of the Beagle [Channel] and the (1978) world soccer tournament showed, on the level of healthy national passion, the necessity of grand motivations to affirm and consolidate the unity of all Argentines.' - Gen. Gugliamelli was a geo-strategist in service of the Junta; J.L. Garrett, op. cit., p. 85 - 'National pride was also at stake in the conflict ... Chile belongs in the Pacific and Argentina belongs in the Atlantic.'; C. Escude, op. cit., pp. 156-157 - 'The perception of huge territorial losses makes the Argentines extremely sensitive to territorial disputes ... insignificant controversies, such as the recently solved one with respect to the Beagle Channel islands, acquire disproportionate importance ... the myth of Argentine territorial losses is basically transmitted by the education system'; M. Laudy, op. cit., p. 298 - 'The Beagle Channel became a rallying point for extreme nationalist elements ... a conciliatory approach to Chile came to be regarded as a sign of weakness.'

89 J.L. Garrett, op. cit., pp. 94-95; cf. Gen. Juan Gugliamelli, 'Cuestión del Beagle. Negociación directa o diálogo des armas' in *Estrategia*. (Jan. - Feb., 1978), vol(s). 49-50 - 'the direct negotiations are the *only* peaceful route to resolve the conflict.' (my emphasis)

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population into a frenzy. Examples include the expulsion of thousands of Chilean citizens from the country;⁹⁰ the organisation of 'blackout' exercises in major Argentinian cities well out of range of the Chilean air forces;⁹¹ repeatedly closing (and then re-opening) the land border with Chile⁹² and provocative statements by Junta figures who were apt to characterise invading Chile as being akin to a holiday.⁹³ By contrast, Chile's government was not given over to such spectacle and did not wish to alarm its own public.⁹⁴ U.S. Ambassador to Argentina, Raúl Castro, detected just such a shift in tone when he visited Santiago:

'I found a a calmer atmosphere amongst the Chileans. There was [no] resoluteness to cross the border immediately. I didn't see any thing like [the Argentinian belligerence] in the Chilean Army.'⁹⁵

The extent of Chile's share in the neurosis of 'territorial nationalism' was to be as obstructive of the talks as possible owing to the appearance that they were now taking place under duress.⁹⁶

All jingoism aside, Argentina's military most definitely *had* developed a plan for an aggressive war against Chile. This was code-named *Operación Soberanía* or 'Operation Sovereignty'.⁹⁷ The

90 Fabio Vio Valdivieso, *La mediación de su Santa Sede el Papa Juan Pablo II*, (Santiago, 1984), p. 111

91 T.E. Princen, op. cit., pp. 112-13

92 Ibid.

93 General Luciano Menendez cit. in Luis Bruschtein, 'Act of historical redress' in *Página12*, (24th September, 2003) at [pagina12.com.ar](http://www.pagina12.com.ar) – <http://www.pagina12.com.ar/diario/elpais/1-25897-2003-09-24.html> (accessed: 27/04/2011) - 'If [the government] let us attack the Chileans we will chase [them] back to Easter Island, we will celebrate the New Year's Eve in La Moneda and afterwards we will piss our champagne into the Pacific ocean. '; cf. Patricia A. Clavel and Francisco Bulnes Serrano, *La escuadra en acción: 1978, el conflicto Chile-Argentina visto a través de sus protagonistas*, (Madrid, 2005), p. 226 - 'We will cross the Andes, we will eat the chickens and rape the women' – attributed by the authors to an unnamed 'pseudo-Patton' military commander.

94 '20 years of the Treaty of Peace and Friendship between Argentina and Chile' at *El Mercurio online* – emol.com – http://www.emol.com/especiales/tratado_chileargentina/guerra2.htm (accessed: 27/04/2011) – 'In contrast with Chile, where preparations for war were undertaken inconspicuously in order to not alarm the public, Argentina conducted mobilisation amid loud fanfare and demonstrations.'

95 Raúl Castro cit. in Marina Aizenk, 'Un plan secreto para la guerra: El papel de la Embajada' in *Clarín*, (20th December, 1998) at [clarin.com](http://www.clarin.com/suplementos/zona/1998/12/20/i-01101e.htm) - <http://www.clarin.com/suplementos/zona/1998/12/20/i-01101e.htm> (accessed: 27/04/2011)

96 cf. Augusto Pinochet Ugarte, *Geopolítica*, (Mexico City, 1978), p. 165 'however much one wants to think of law as an equalising element among categories of nations, one always confronts the hard reality that the strongest country ... has an advantage in the litigation of frontiers. '; Roberto Russell, 'El Proceso de toma de decisiones en la política exterior argentina (1976-1989)' in R. Russell (ed.) *Política Exterior y Toma de Decisiones en América Latina*, (Buenos Aires, 1990), pp. 44-45

97 R. Russell, op. cit., pp. 49-50

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plan envisaged Argentine forces landing on the disputed islands in the Beagle Channel, the occupation of the two major cities in the southernmost Chilean province of 'Magallanes' and air attacks against the Chilean airforce. Simultaneously, defensive positions would be assumed in Patagonia facing the Andean frontier with Chile.⁹⁸ Afterwards, the Chilean response would be gauged and it was hoped they would relinquish their territorial claims. The failure of negotiations, conditional for the launching of the plan, was now regarded as being a matter of 'when' and not 'if'. The stage appeared to be set as direct negotiations reached a fresh impasse and were broken off by Argentina on 12th December 1978. On 14th December, the Junta quietly approved *Soberanía* for execution at 8 p.m. on 22nd December, 1978.⁹⁹

What has focused analytical attention in the aftermath was the equally clandestine cancellation of *Soberanía* at 2 p.m. on 22nd December, 1978.¹⁰⁰ What or whom might this sudden volte-face be attributable to?

98 Alejandro Luis Corbacho, 'Predicting the probability of war during brinkmanship crises: the Beagle and Malvinas conflicts', *Universidad de CEMA – Buenos Aires*, Documento de Trabajo no. 244, (Sept., 2003), pp. 1-34, at Social Science Research Network [SSRN] - <http://ssrn.com/abstract=1016843> (accessed: 27/04/2011), p. 28

99 A.L. Corbacho, op. cit., p. 9

100 A.L. Corbacho, *ibid.*; J.L. Garrett, op. cit., p. 97; M. Laudy, op. cit., p. 302

Deficiencies in a likely 'Hard Power' analysis of *Operación Soberanía's* cancellation.

'It's, well, soft.'

- Historian Niall Ferguson describes the ineffectiveness of 'soft power' in *Foreign Policy*, 2003¹⁰¹

How might a (neo-)realist diminish the significance of the Beagle Channel crisis as a potential anomaly within his grand theory? Firstly, it might be charged that it was not an example of 'true' brinkmanship in that all it amounted to was empty sabre-rattling and pique with neither party *really* having the stomach for a war. In such an event the intervention of the Holy See (which we shall broach shortly) would be meaningless: as there was nothing seriously intended which needed to be averted and the Papal peace proposals in fact conveniently permitted everyone to save face.

Basic facts speak otherwise, unfortunately. Augusto Pinochet seemed to be taking Argentina's threatening behaviour seriously – he even prognosticated that a protracted guerilla warfare in mountainous terrain might rage for years.¹⁰² The Argentine Junta looked equally as sanguine and was prepared to lose between 30,000 and 50,000 men prosecuting the war.¹⁰³ There is also the salutary fact of the deployment of the entire Chilean fleet to the Beagle Channel in December 1978 in anticipation of an attack by Argentina.¹⁰⁴ Neither can one discount the mobilisations undertaken by Argentina at various points along the Chilean frontier between

101 Niall Ferguson, 'Think Again: Power' in *Foreign Policy*, (March/April, 2003), pp.18-24

102 Augusto Pinochet, cit. in Maria E. Oyarzun, *Augusto Pinochet, dialogos con su historia*, (Santiago, 1999), p. 178 - 'a guerrilla war, killing every day, shooting people, by both sides, and in the end, by a matter of fatigue, we would have reached peace'

103 Martin Prieto, 'Regressive Argentine military considers betraying agreement on Beagle' in *El Pais*, (25th January, 1984) – 'the best-case war games developed by the [Argentine] army and air force planned to thrust toward Santiago through the Andes at a cost of an estimated 50,000 casualties.'; Julio Cesar Moreno, 'The war that did not happen' in *La Nacion*, (13th April, 2005) – 'It is estimated that in the early days of a war, had it happened, some thirty thousand would have died.'

104 David R. Mares, *Violent Peace: Militarized Interstate Bargaining in Latin America*, (New York, 2001), p. 143

November and December 1978: and the counter-mobilisation ordered by Chile which hoped to cut off the Argentine navy's supply line by occupying Tierra del Fuego.¹⁰⁵ Chile also laid several minefields and dynamited mountain passes in anticipation of troop sorties.¹⁰⁶ Indeed, Argentinian sources attest that their forces briefly crossed the Chilean border on 22nd December 1978.¹⁰⁷ Furthermore, historians continue to debate whether or not Argentina attempted to induce Peru to launch an attack on Chile's northern frontier at the same time.¹⁰⁸

So, the ruling Junta knew that victory over Chile would not be achieved at 'low-cost' – and this does not seem to have been much of a deterrent for them.¹⁰⁹ The appetite for war had been so great that it led Argentina to be dismissive of Chilean capacity early on in 1978 when it had contemplated even entering the Chilean capital, Santiago, and meeting no formal resistance.¹¹⁰ A

105 P.A. Clavel and F.B. Serrano, op. cit., p. 182

106 cf. Landmine and Cluster Munition Monitor, 'Chile – Mine Action' at *the-monitor.org* - http://www.the-monitor.org/index.php/cp/display/region_profiles/theme/267 (accessed: 28/04/2011) - 'The mines were all laid on Chile's borders with Argentina, Bolivia, and Peru during the Pinochet regime in the 1970s, when Chile's relations with its neighbors were strained ... In March 2010, the Chilean navy announced it had cleared all mines from Hornos Island, on the edge of the Beagle Channel near the entrance to the Drake Passage, which leads to the Antarctic.'

107 Alberto Amaro, 'The warmongering dictators' in *Clarín*, (20th December, 1998) at *clarin.com* - <http://edant.clarin.com/suplementos/zona/1998/1/20/i-00401e.htm> (accessed: 28/04/2011) – a source describes the mood around the military committee (Comite Militar) table on 22nd December: "All looked as if to say now what do we do? And there followed a very tough discussion. It was not easy to stop the war machine because it had already been given orders; the ships were sailing towards their targets and the planes were warming up engines. In this climate it was very difficult to say 'guys, let's stop'" ... Military sources consulted by *Clarín*, which, like others, asked that their names be omitted, admitted that while Air Force aircraft failed to take off, there were helicopters that certainly did. Some of these vehicles also violated Chilean territory, in accordance with their orders to advance, until Operation Sovereignty was cancelled.'; cf. M. Laudy, op. cit., p. 305

108 Kalevi Jaako Holsti, *The state, war and the state of war*, (Cambridge, 1996), p. 159 – 'Argentina ... requested a Peruvian attack in Chile's north. The request was rejected but Peru did order partial mobilisation.'; *contra* D.R. Mares, op. cit., p. 142 – 'Argentina had never been a credible ally for the Peruvians ... There is no record of discussions between Argentina and Peru concerning joint military action.' This outright contradiction doesn't seem easily resolved. Holsti is the earlier source, which ought to give Mares the edge, but it is equally possible that Mares has overlooked information. Holsti does not cite a source but neither does Mares. Although Mares is making a claim in the negative, which might seem to preclude citation, we still have the problem of absence of evidence not being evidence of absence.

109 D.R. Mares, pp. 143-146. - 'In 1978, the Argentine Junta could not be very confident that war would produce a low-cost victory against Chile ... The officer corps was willing to assume the military costs of confronting Chile.'

110 Raul Castro (U.S. ambassador to Argentina) cit. in M. Aizenk, op. cit. - 'They supposed that they were going to invade Chile, Santiago especially. It seemed to them something very easy; Just a matter of crossing the border and that the Chileans were going to surrender right away. And I told them: No, no, you are mistaken. They have a better Navy than yours. They are well armed, and are very strong.'

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revision of Argentine military planning set more realistic goals, of course, but wasn't any less jingoistic. When one examines Argentine military spending between 1976 and 1978 it is found to be, at points, in excess of five times greater than the Chilean military spend (although Chilean military spending was still a greater proportion of its GDP.)¹¹¹ One is therefore tempted to co-opt the analysis of Stephen M. Walt as to why the U.S. seems 'addicted' to war: because there is no point in buying all this hardware if it is not going to be used.¹¹²

However, the cancellation of *Operación Soberanía* on 22nd December, 1978 and the return of the Argentine fleet to port six hours ahead of the projected start-time,¹¹³ might also be explained away as resulting from a very materialist, or zero-sum, calculation by the Argentine Junta and *not* a Papal injunction. Alejandro Luis Corbacho, in his article on the crisis, uses material from a series of retrospectives and interviews carried in the Argentinian *Clarín* newspaper and says that decision-makers were fearful about:

'a possible regionalisation of the conflict ... as a consequence the conflict could acquire great power proportions ... the great powers could take sides ... the conflict would not depend on the combatants, but on the countries that supplied the weapons.'¹¹⁴

Three things should provide a useful corrective here. First of all, an act of the United States Congress had stopped arms exportation to both Chile and Argentina, due to mounting evidence of each country's appalling Human Rights record, in 1976 and 1978 respectively.¹¹⁵ To climb

111 cf. Sabrina Melidoni, *Distribution of capacities in the Southern Cone: Neorealism and the Beagle Conflict between Chile and Argentina, 1976-1980*, (Buenos Aires, 2006), p. 45

112 Stephen M. Walt, 'Is America Addicted to War?' in *Foreign Policy*, (4th April, 2011) at [foreignpolicy.com - http://www.foreignpolicy.com/articles/2011/04/04/is_america_addicted_to_war](http://www.foreignpolicy.com/articles/2011/04/04/is_america_addicted_to_war) (accessed: 24/04/2011) - 'when you've got hundreds of planes, smart bombs, and cruise missiles, the whole world looks like a target set'.

113 supra note 100

114 A.L. Corbacho, op. cit., pp. 28-29 - the author only posits this as an alternative explanation - which he does not subscribe to and if it was an opinion held in military circles then this was only the case amongst the 'mid-liners'.

115 This was the Humphrey-Kennedy Amendment to *International Security Assistance and Arms Export Control Act of 1976*, which was expanded to include Argentina in 1978, cf. 'Una enemida clave para la region' in *La Nacion* (27th August, 2009), at [lanacion.com.ar - http://www.lanacion.com.ar/nota.asp?nota_id=1167392](http://www.lanacion.com.ar/nota.asp?nota_id=1167392) (accessed: 28/04/2011)

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down from this position in favour of one side or the other would not have been received well (seeming like hypocrisy and being contrary to US law too) and was unlikely to be considered for that reason. Meanwhile, Argentine naval supply contracts with European firms such as Blohm & Voss (Germany) or Vickers (Britain), to this point, were purely profit-driven arrangements and would have been untenable as soon as hostilities erupted – with the European press likely to devote unwelcome attention to arms exports being made to either of the belligerents.

But perhaps the Argentinian generals may not have understood or perceived it this way.¹¹⁶ So I would suggest that a second attempt to eliminate materialist calculation from the explanation consists of looking to Argentina's later conduct during the Malvinas/Falklands war of 1982. This was an invasion where the variables were much more cut and dry: an attack on Britain was an attack on a permanent member of the UN Security Council, a direct ally of the United States (unlike Chile – which was increasingly isolated in 1978),¹¹⁷ and a member of NATO. Argentina, of course, calculated that Prime Minister Thatcher did not have many forces stationed on the island and that she might be loathe to defend them in an election year if the invasion was accomplished swiftly.¹¹⁸ But surely the possibility of a geopolitical swing against Argentina was far more reckonable (tending closer towards inevitability) in this instance than in a similar attack

116 e.g. Richard Ned Lebow, *Between Peace and War. The Nature of International Crisis*, (Baltimore, 1981), p. 101 – 'misperception is a major cause of war in a brinkmanship crisis', and presumably a corollary also holds true (in a rationalist account) that when one overestimates the strength of a foe the likelihood of waging war against them subsides.

117 supra note 115 – the *cause celebre* here was the high-profile assassination of Chilean politician in-exile Orlando Letelier in Washington D.C. in 1976, cf. John Dinges and Saul Landau, *Assassination on Embassy Row*, (London, 1981)

118 Alexander Haig cit. in 'Haig: Malvinas was my Waterloo' in *La Nacion*, (10th August, 1997) at [malvinasonline.com.ar](http://www.malvinasonline.com.ar) - <http://www.malvinasonline.com.ar/index.php/el-conflicto/articulos/articulos-posteriores/63-haig-qmalvinas-fue-mi-waterloo.html> (accessed: 28/04/2011) – 'The Junta – Galtieri – told me he never believed the British would fight. He believed the West was corrupt. The British had no God ... I could never convince him that not only would they fight, they would win.' - Haig was Reagan's secretary of state.

on Chile: and yet the Junta proceeded with scant regard (or naïve *disregard*) for it.¹¹⁹ In short, Argentina's belligerence was not that of a coldly rational actor and the political activities of its military had blunted its strategic acumen.¹²⁰

Thirdly, as a disciple of the historical method, I should also like to invoke chronology or the chain of causation. Postponing an invasion just six hours before it is due to commence does not suggest a window of time conducive to such a radical reversal of thinking (i.e. giving in to a rationalist, materialist assessment) on the part of decision-makers. The build-up to the invasion had been ongoing since the rejection of the Beagle Channel arbitral award in January 1978. Surely the eleven months between then and December 1978 was more likely to be witness to dithering, second-guessing, and ultimate shelving of an invasion plan? Why wait almost until the point of no return like some latter-day Bethmann Hollweg (and *without* the similar, concrete revelation that a great power was not going to remain neutral?)¹²¹

I believe it more appropriate, consequently, to attach significance to two events which took place immediately prior to the cancellation of *Soberanía*. Firstly, on 22nd December 1978 a winter storm swept up through the Magellan straits, churning up the sea and reducing visibility. These were not ideal conditions in which to conduct naval combat and land Argentine troops safely

119 President Ronald Reagan to Gen. L.F. Galtieri, cit. in David Lewis Feldman, 'The United States' role in the Malvinas crisis, 1982: misguidance and misperception in Argentina's decision to go to war' in *Journal of Interamerican Studies and World Affairs*, (1985), vol. 27, no.2, pp. 1-22, p. 17: 'I understand from your words, Mr. President [Galtieri], that Argentina reserves the right to use force. I want to make clear that the relationship between your country and mine will suffer gravely ... Great Britain, Mr. President, is a very close friend of the United States.'

120 Deborah Lee Norden, *Military rebellion in Argentina: between coups and consolidation*, (Omaha, NE, 1996) p. 64ff.; Guillermo O'Donnell, 'Modernisation and Military Coups' in Gabriela Nouzeilles and Graciela R. Montaldo (eds.), *The Argentina reader: history, culture, politics*, (Durham, NC, 2002), pp. 418-420

121 cf. Hew Strachan, *The First World War*, (3 vols.: London, 2004), vol. 3, p. 22 – Hollweg, now understanding that Britain was no longer going to remain neutral in a continental war, was too late when he asked General von Moltke to countermand the German army's march into Belgium

onto the disputed islands in the Beagle Channel.¹²²

The other event which took place on the morning of 22nd December was a round of urgent phone calls by Pope John Paul II to the leadership in Chile and in Argentina. Acting 'on his own initiative', and thus clearly in receipt of good intelligence,¹²³ he informed the respective governments that he was dispatching a special Papal envoy to visit Buenos Aires and Santiago on a mission of 'good offices' seeking to mediate the dispute.¹²⁴ Three days later John Paul II's legate, Cardinal Antonio Samoré, arrived in Buenos Aires (Christmas Day 1978) and began arduous 'shuttle' diplomacy: flying back and forth between Argentine and Chilean capitals trying to ease tensions.¹²⁵ The outcome of this process was the Act of Montevideo, signed by Argentina and Chile in Uruguay's capital city on 9th January 1979, formally requesting Papal mediation in their dispute and ending the immediate threat of a war between the countries.¹²⁶ The Pope was immensely facilitated by the adverse weather forecast but that would not, *ipso facto*, have led to a prolonged postponement and he correctly judged the situation as urgent.

Any assessment must view Pope John Paul II as the game-changer in pure right of his stature as the head of the majority religion in both Chile and Argentina.¹²⁷ Ongoing 'talks about talks' between Chilean and Argentine foreign ministers had broken up on 12th December 1978 without

122 J.L. Garrett, op. cit., pp. 96-97

123 T.E. Princen, op. cit., p. 119; p.130 idem.; A.L. Corbacho, op. cit., p. 29 – the Pope believed that Christians would not go to war with each other over Christmas but had been swiftly disabused of this notion by his local representatives and envoys from the United States. One of these representatives, Nuncio Pio Laghi, had been informed by Jorge Videla that a decree to occupy the Beagle Channel islands was signed on 15th December.

124 A.L. Corbacho, op. cit., p. 12; M. Laudy, op. cit., p. 302

125 J.L. Garrett, op. cit., p. 98; M. Laudy, op. cit., p. 308

126 UN Doc S/13016, (9th January, 1979) cit. in 'Argentina-Chile: Agreement to accept papal mediation of dispute involving the Beagle Channel region' in *International Legal Materials*, vol. 18, no. 1, (Jan., 1979), pp. 1-3

127 cf. M. Laudy, op. cit., p. 316 – 'Every negotiator interviewed for this paper indicated, generally without qualification, that the two countries would have gone to war in the winter of 1978-79 had the Vatican not intervened.'; infra note 134

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agreement on who a mediator should be. A European head of state, such as King Juan Carlos I of Spain had been mooted, along with U.S. President Jimmy Carter.¹²⁸ These were evidently unsatisfactory options for post-colonial milieux,¹²⁹ but when the Pope was then proposed as a mediator (without his knowledge) the Chileans enthused about this and were ready to sign up.¹³⁰ However, events overtook the Argentine delegation as it was suddenly deprived of plenipotentiary power by the Junta. This precluded any agreement.¹³¹

The Junta was, at this juncture, captive to the very vocal faction of hard-liners within it set on war (such as General L.F. Galtieri);¹³² whilst those generals who viewed the conflict as more dubious either preferred to acquiesce to their more belligerent colleagues or were cut out of decision-making processes (e.g. General Jorge Videla, by this time.)¹³³ Furthermore, these hard-liners did not wish the Pope to become involved in light of his popularity and influence within both Argentina and Chile and acceptability to the Chilean delegation.¹³⁴ Once the Pope became

128 A.L. Corbacho, op. cit., p.8

129 C. Escude, op. cit., p. 152ff.; esp. p. 161 – 'Argentina's traditional foreign policy arrogance which ... manifested itself basically vis-a-vis the United States ... I am referring to a sort of superiority complex ... a majority of [Argentines] think: (1) that the world has a great deal to learn from Argentina; (2) that Argentina has nothing to learn from the world ... (5) that Argentina deserves an important place in the world'.

130 M. Laudy, op. cit., p. 301

131 T.E. Princen, op. cit., p. 117

132 A.L. Corbacho, op. cit., p. 6 – 'During the Beagle crisis, Argentine policymakers were divided into ... hardliners and softliners'; cf. R.N. Lebow, op. cit., p. 71ff. – Lebow cites the Fashoda incident (1898) and the Sino-Indian border clashes (1962) as examples of intra-elite competition (i.e. between hard-liners and soft-liners) which caused these brinkmanship crises.

133 cf. A.L. Corbacho, op. cit., p. 11 – 'President Videla and the foreign minister were not invited to Comite [Militar] meetings.'; idem., during the failed talks of 12th December: 'the Chilean minister received a phone call from Minister Pastor [Argentine Foreign Affairs Minister], informing him that *neither* President Videla nor Minister Pastor had been authorised by the Junta to sign the mediation agreement.' (my emphasis); T.E. Princen, op. cit., p. 118 – Videla confided in Argentina's Papal nuncio that he rubber-stamped decisions of the hard-line militarists for fear he would have been removed otherwise.

134 cf. T.E. Princen, op. cit., pp. 127-128 – 'on both sides of the Andes, the local churches took an active role in promoting the resolution of the dispute ... high level officials of the Church on both sides of the Andes conferred with each other and encouraged support [for mediation] at the parish level.'; M. Laudy, op. cit., p. 293 – 'the Vatican, whose supreme moral authority and influence over the large Catholic populations in each country made it a mediating body that parties could not ignore.'; idem. p. 317 – 'The Vatican appears to have been very conscious of this leverage point [public opinion] and exploited it to maximum advantage ... [Cardinal] Samore made substantial use of the media in publicly exhorting the parties to avoid confrontation.' A.L. Corbacho, op. cit., p. 13 – 'Vatican diplomacy was decisive in avoiding the military confrontation because it combined significant moral influence over the parties with subtle yet firm and pragmatic diplomacy'.

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involved war could not be pursued with the expectation of as much domestic support as if he had *not* become involved. The Pope might even have found it apt to publicly criticise Argentina if it waged aggressive war on Chile in spite of his offer of mediation. This could have proved a veritable public-relations disaster for the Junta.¹³⁵

And what hard-liners did not reckon on was this ideal mediator making himself very publicly apparent without invitation as he did on 22nd December. Almost at once the 'mid-liners', who held the balance of power between hawks and doves within the Junta, found their voice in advocating mediation.¹³⁶ Pope John Paul II's very election in October 1978, after all, was as unexpected as the extremely worldly style of his pontificate. He was a variable few anywhere had anticipated, and the first non-Italian pontiff in over four centuries.¹³⁷

As this paper foregrounded when treating the domestic situation in both Chile and Argentina up to 1978, territorial nationalism was a handy device for both regimes (and especially Argentina) with which they propped up their waning popularity and deflected attention from economic stagnation *inter alia*. A contemporaneous editorial of the *New York Times* assessed it this way:

'The Beagle Channel controversy that has brought the military regimes of Argentina and Chile to the brink of war is an expression of the turbulent revisionism underway in Argentina in reaction to frustrations in national life.'¹³⁸

Likewise, the other critical ingredient for these regimes' success (which had been absent for Allende at his demise in 1973 while it had always been present for the Peronists and their

135 e.g. Cardinal Samore publicly criticised both Chile and Argentina at one point for 'intransigence', cf. M. Laudy, *op. cit.*, p. 317

136 R. Russell, *op. cit.*, p. 52; A.L. Corbacho, *op. cit.*, pp. 12-13

137 Peter Hebblethwaite, *Pope John Paul II and the Church*, (Lanham, MD, 1995), p. 17ff. - even Poles themselves were given over to asking 'why a Polish pope?'

138 Juan de Onis, 'Argentina, Chile feud masks other troubles' in *New York Times*, (31st December, 1978), p. E3

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successors) was the assertion of strong Catholic and anti-communist credentials. This ensured compliance and even complicity from the Church in the maintenance of military rule, with all of its attendant abuses. Sure enough, face was saved by the Act of Montevideo but only because it resembled obeisance to Rome and the alternative – to launch aggressive war – could no longer be as useful an outlet for the national malaise.¹³⁹ It is a mark of the extent to which the Junta had to relent (and wished to be seen to relent) that the Act of Montevideo vouches the Papacy significant freedom of speech as a holder of sagely wisdom. One simply cannot imagine the following remit being granted to Jimmy Carter or Juan Carlos I:

'they [the high contracting parties] will raise no objection to the expression by the Holy See, during these proceedings, of such ideas as its thorough studies on the disputed aspects of the problem of the southern zone may suggest to it, with a view to contributing to a peaceful settlement acceptable to both Parties. They declare their readiness to consider such ideas'.¹⁴⁰

The subsequent Malvinas/Falklands war of 1982 should be usefully differentiated then from the Beagle Channel crisis in that a.) the domestic situation was even more perilous for the Argentine Junta at that stage,¹⁴¹ which absolutely demanded a successful military adventure (as shown by the return of democracy to Argentina following the failure of the invasion.) And b.) Britain was

139 A.L. Corbacho, op. cit., p. 24 – 'the prospect of war was critically affected not by misperceptions about the existence of an adversary's vulnerable commitment, but mainly by environmental conditions (such as the survival of the regime) under which the decision makers operated ... when domestic threats to the initiator are severe, military considerations are not critical to decision-making.'; idem. p. 25 – 'Unlike the Malvinas crisis, in the Beagle crisis the military *could* back down without losing face or confronting their dismissal from power.'; idem. p.13, re: Beagle crisis – 'The decision of the Pope to send his personal delegate gave President Videla and his government a diplomatic exit from its hard-line course.'

140 UN S/13016, Annex I, §10; cf. M. Laudy, op. cit., p. 317 – '[the Pope] had exactly the kind of power that was so important to Chile ... he could not be ignored. If the dispute had been mediated by Henry Kissinger or the King of Spain, Argentina might well have felt at liberty to .. resume a hostile posture.'

141 A.L. Corbacho, op. cit., p. 25 – 'there are brinkmanship cases like the Malvinas crisis where leaders confront domestic threats that appear as no-win situations. They are compelled to create a crisis ... because of domestic pressures'; cf. R.N. Lebow, 'Miscalculations in the South Atlantic: The Origins of the Falklands War' in Robert Jervis et al. (eds.), *Psychology and Deterrence*, (Baltimore, 1985), p. 120 – 'the generals were caught between the military facts, which dictated a settlement, and the political facts at home, which indicated that ... their tenure as Argentina's leaders was unlikely to survive any settlement they had any chance of reaching.' - This would seem to only undermine Lebow's own thesis of 'miscalculation' as this suggests the generals *consciously* appreciated the dynamic they were operating under and opted for a preferred poison.

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not a predominately Catholic nation (Anglican-Catholic ecumenism was still embryonic)¹⁴² and the Pope consequently made no substantive effort to intervene beyond undertaking a pastoral visit to Argentina during the war and calling for peace.¹⁴³ Thatcher, it can safely be said, would not have brooked 'meddling' by the Pope in any event.¹⁴⁴

It has been demonstrated how the Pope was capable of making a meaningful intervention, but why did he do so? A desire for peace amongst Christians almost goes without saying – this is perhaps the most worldly mission of the Church which counts St. Augustine and St. Thomas Aquinas as its brains trust.¹⁴⁵ Given what we know about John Paul II though (the Polish Pope who carried the chip of his country's subjugation by the Soviet Union on his shoulder) then the reason he held sway over the South American military regimes – anti-communism – was, naturally, also an animating ideological principle. Two stolid and solid bulwarks of anti-communism threatened to cannibalise each other in 1978. What if a Marxist insurgency took advantage of the likely vacuum?¹⁴⁶

142 The Second Vatican Council [1962-1965] furnished the first real impetus for inter-faith dialogue, with the Archbishop of Canterbury visiting Rome in 1966. However, the first product of the process, a set of nine agreed statements on the authority of scripture, was only published in 1981. Sectarian troubles in Northern Ireland, and the enduring question of Catholic civil rights, did not behove either the HM's government or the Holy See well towards one another. It must be remembered too that Anglicanism is the established church governed by Britain's monarch and head of state. Pope Benedict XVI, in 2010, was the first Pope to make an official state visit to Britain (not a pastoral visit, like John Paul II's 1982 sojourn) and also the first pontiff to come and meet the Archbishop of Canterbury at Lambeth palace in London, cf. Ella Pickover, 'Pope makes history with Lambeth palace visit' in *The Independent*, (17th September, 2010); more generally, cf. Stephen Cavanaugh (ed.), *Anglicanism and the Roman Catholic Church: reflections on recent developments*, (San Francisco, 2011)

143 Javier Perez de Cuellar, *Pilgrimage for peace: a Secretary-General's memoir*, (London, 1997), p. 390 – 'He would arrive in Buenos Aires on 9th June. It had been publicly emphasised that the Pope's sole intent was religious. He would not engage himself in any way in the conflict between Argentina and the United Kingdom.' The stop-off in Argentina was hastily arranged so as to cancel out the effect of the long-scheduled visit to Britain the week before.

144 After all, this was the Prime Minister who delivered the infamous 'out, out, out' speech following the 1984 Anglo-Irish conference, dismissing all proposals for greater involvement by Dublin in the formulation of policy towards Northern Ireland, cf. Margaret Thatcher, 'Press conference following the Anglo-Irish summit', (19th November, 1984) at [margaretthatcher.org](http://www.margaretthatcher.org) - <http://www.margaretthatcher.org/document/105790> (accessed: 29/04/2011)

145 cf. George Weigel, 'World Order: What Catholics Forgot' in *First Things*, (May, 2004), pp. 31-38

146 *contra* M. Laudy, op. cit., p. 317 – 'he was, in short, a neutral mediator'.

The rocky course of Papal mediation: 1979 -1984



Pope John Paul II (centre) receives the Chilean (right) and Argentine (left) delegations in Rome at the beginning of mediation talks in 1979.

The Pope may claim infallibility on occasion, but he certainly is not omnipotent like the deity to whom he pays homage. Certainly, we have shown that he has far more potency than realists might ever dare to credit him with – but the course of his mediation efforts from 1979 onward was waylaid with setbacks.

Inarguably, the Pope had already accomplished the toughest part of the assignment by bringing the two parties to his table in preference to a battlefield.¹⁴⁷ It must also be admitted that the Papal mediation was innovative and pragmatic by comparison with its juridical fore-bearers in a number of respects. Where jurisprudential approaches had been concerned with deriving a solution by way of 'correct' interpretation of the Treaty of 1881,¹⁴⁸ the Pope preferred to help

147 M. Laudy, op. cit., p. 308 – 'pure crisis intervention'.

148 J.L. Garrett, op. cit., pp. 93-94 – 'Argentine diplomats expected that, at worst, the court would allow Argentina one island ... The court did not choose between alternative theses; it relied on the text of the treaty to make the award.'; M. Laudy, op. cit., p. 306 – 'The arbitral court, charged with resolving the narrow question of international law, did not have the flexibility to interweave such doctrinally unorthodox, but politically expedient, elements into its result.'

craft a deal with a 'sweetener' for Argentina's sake. Between May 1979 and December 1980 talks took place quietly, i.e. out of the public eye, and sometimes on 'neutral' ground in Rome, with the novel *modus operandi* of 'disaggregating' or separating out the various components of the dispute from one another so that positive achievements on non-contentious issues could be used to build consensus on more contentious ones.¹⁴⁹ This was a tried and tested approach which worked at easing tensions as part of Sino-Soviet and Sino-American *detente*, for example.¹⁵⁰

Proceedings reached an apogee with a formal Papal proposal for settlement, issued to the high-contracting parties on 12th December, 1980 (two years to the day that direct negotiations between Argentina and Chile broke up.)¹⁵¹ John Paul II rendered his opinion on the condition that the parties treated it in strictest confidence so that they would not be forced negotiate in the goldfish bowl environ of public (nationalist) opinion.¹⁵² The Pope's proposal once again kept the disputed islands in Chile's hands, but ensured that Argentina was awarded full navigation rights in the area and permission to build radar and weather stations on the islands.¹⁵³ Most important

149 M. Laudy, op. cit., p. 306ff. - 'the Vatican separated the issue of territorial possession of the islands from the problem of maritime jurisdiction. This was the critical development that ultimately made the settlement acceptable to Argentina'; Indeed, one might also consider the restoration of diplomatic ties between Britain and Argentina in 1989 which placed 'sovereignty' questions to one side for the sake of the relationship, cf. 'Joint statement of 19th October, 1989: Re-establishing Consular Relations Between Britain and Argentina, and Agreeing a Framework on Sovereignty Which Would Allow Further Talks' at [falklands.info](http://www.falklands.info/history/1989agreement.html) - <http://www.falklands.info/history/1989agreement.html> (accessed: 29/04/2010)

150 A sort of 'Gordian Knot' type solution, cf. John Garver, 'Chinese foreign policy in 1970: the tilt towards the Soviet Union' in *The China Quarterly*, no. 82 (Jun., 1980), pp. 214-249 – China and the Soviet Union 'decoupled' contentious border issues in the interest of their shared goals at a time when China felt increasingly threatened by the United States; The later Shanghai Communique (1972) issued jointly by the United States and the P.R.C. made use of what Kissinger called 'constructive ambiguity' in that each side laid out its position without prejudice to the other and common ground emerged in the absence of pressure to 'concede', cf. Document 203, 'Joint Statement following discussions with leaders of the People's Republic of China – Shanghai, 27th February 1972' in *Foreign Relations of the United States* [FRUS], vol. 27, 'China, 1969-1972' - 'There are essential differences between China and the United States in their social systems and foreign policies. However, the two sides agreed that countries, regardless of their social systems, should conduct their relations on the principles of ... non-interference in the internal affairs of other states, equality and mutual benefit, and peaceful coexistence ... The United States and the People's Republic of China are prepared to apply these principles to their mutual relations.'

151 J.L. Garrett, op. cit., p. 98

152 M. Laudy, op. cit., p. 310 – '[disclosure] might diminish confidence in the proceedings and limit the freedom of action of both governments'.

153 M. Laudy, op. cit., p. 312

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though, in how it showed that Papal dispute resolution was guided by a sentiment of accommodation and not strict legalism, was John Paul's 'sea of peace' conceit.

The 'sea of peace' envisaged the creation of a common Argentine-Chilean economic zone extending outward from the Beagle Channel islands for up to 200km. This was to be bounded in the east by Chile's new maritime border (which swung sharply around the Beagle Channel island group back into the Pacific ocean)¹⁵⁴ and in the west by a line drawn equidistant from both the Chilean and Argentine coasts.¹⁵⁵ This obliged Chile to share no less than half of all proceeds from resource extraction undertaken inside the buffer zone with Argentina and vice versa.¹⁵⁶ This, surely, should have served to assuage any materialist concerns about the loss of potential hydrocarbon and fishing revenues.¹⁵⁷

However, in what is perhaps an indicator (again) that neo-realist materialism is not substantially at play here, Chile immediately accepted the Papal plan while Argentina professed agnosticism.¹⁵⁸ Argentina later confided in the Holy See that it had 'serious misgivings' about the optics of Chile retaining the islands, in March 1981,¹⁵⁹ but then subsequently demonstrated tremendous bad faith, first, by closing the border with Chile in April,¹⁶⁰ and, second, by leaking the contents of the Pope's plan to the Argentine press in August of that year.¹⁶¹

154 J.L. Garrett, op. cit., p. 98; idem. p. 102, this adhered to the 'bi-oceanic principle' which Argentina clung to so dearly – namely that Argentina belonged in the Atlantic and Chile in the Pacific.

155 M. Laudy, op. cit., p. 312

156 Ibid.

157 supra note 85

158 Simon Collier, 'Argentina: Domestic Travail, International Censure' in *International Affairs*, (Summer, 1981), vol. 57, no. 3, pp. 477-481, p. 479

159 Ibid.

160 'History of the holy mediation' in *Clarín*, (20th December, 1998) at [clarin.com - http://edant.clarin.com/suplementos/zona/1998/12/20/i-00801e.htm](http://edant.clarin.com/suplementos/zona/1998/12/20/i-00801e.htm) (accessed: 29/04/2011) – 'In the Vatican the news of the closure fell like a bomb.'

161 J.L. Garrett, op. cit., p.106

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Mark Laudy discerns this phase of the mediation, the longest; running between 1981 and late 1983, as witness to blatant stalling tactics.¹⁶² It is no coincidence either that this period overlaps with the rise to power within Argentina's Junta of 1979 hard-liner General Leopoldo Galtieri at the expense of Videla's 'elected' successor, Roberto Viola.¹⁶³ Domestic conditions in Argentina deteriorated faster and further during Galtieri's tenure,¹⁶⁴ but there was a consequent 'displacement' of war-lust from the usual Chilean target, ensconced in the mediation procedure, to a British one.¹⁶⁵ 1981 marked a new foray for Argentine foreign policy with its pursuit, for the first time, of recognition from the British government of Argentine claims over the Malvinas/Falklands island group.¹⁶⁶ This went in tandem with so conspicuous a military build-up that Margaret Thatcher was well-briefed by her naval intelligence wing and warned President Reagan of what Argentina appeared to be planning.¹⁶⁷ The invasion of the Falklands by Argentine special commandos in 1982 was no such surprise, and was something of a risky 'accumulator' bet too in how Galtieri saw a desirous resolution of the Beagle Channel dispute as contingent upon success in the Falklands:

'Chile have to know what we are doing now [in the Malvinas], because they will be next'.¹⁶⁸

Fortunately for Chile the invasion went quite awry (Argentine forces were summarily expelled from the Falklands two months after they had landed)¹⁶⁹ and fatally discredited the Junta

162 M. Laudy, op. cit., p. 308

163 M. Laudy, op. cit., p. 316

164 Lawrence Freedman, *The official history of the Falklands campaign: war and diplomacy*, (London, 2005), p. 93ff. – Argentina's annual inflation was running at 130% at the end of 1981.

165 L.R. Romero, op. cit., p. 243 - 'The aggression against Chile, stymied by papal mediation, was transferred to Great Britain'.

166 A.L. Corbacho, op. cit., p. 17; C. Escude, op. cit., p. 161

167 A.L. Corbacho, op. cit., p. 20; cf. Lawrence Freedman and Virginia Gamba-Stonehouse, *Signals of War. The Falklands Conflict of 1982*, (Princeton, NJ, 1991), pp. 94-96

168 Gen. L.F. Galtieri cit. in 'After the Falklands, we're going to attack Chile' in *Perfil*, (22nd November, 2009) at [perfil.com - http://www.diarioperfil.com.ar/edimp/0420/articulo.php?art=18309&ed=0420](http://www.diarioperfil.com.ar/edimp/0420/articulo.php?art=18309&ed=0420)

169 K.J. Holsti, op. cit., p. 176

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amongst the Argentinian public.¹⁷⁰ The restoration of democracy under President Raul Alfonsín, who declared his wish to resolve the Beagle Channel dispute with utmost speed,¹⁷¹ followed popular revolt and free elections in December 1983.¹⁷² The log jam broke in a flood, with the Vatican announcing in January 1984 that the principles of John Paul's 1980 proposal had been conceded by both sides and that work was afoot to draft a final treaty for signature.¹⁷³ In the meantime, Chile and Argentina signed a 'Declaration of Peace and Friendship' (*Paz y Amistad*) on 23rd January, 1984, renouncing the use or threat of war in their relationship.¹⁷⁴

With stakes no longer so high, the drafting followed a relatively languid timetable; in the main because the Vatican wanted to make certain that full agreement was reached by both sides. On 18th October, 1984, this was achieved and the resultant treaty, affixed with the signatures of the respective diplomatic teams, was deposed to the Chilean and Argentine governments for ratification.¹⁷⁵

For Chile, still firmly in Pinochet's grip, this was a mere formality.¹⁷⁶ In newly democratic Argentina however, in addition to the normal legislative route for ratification, Alfonsín kept a promise made in July 1984 that the treaty would be put to the public in a non-binding 'consultative' plebiscite within thirty days of signature being reached.¹⁷⁷ He did this above the

170 supra note 68; cf. Antonius Robben, *Political violence and trauma in Argentina*, (Philadelphia, PA, 2005), p. ix

171 M. Laudy, op. cit., p. 314 – Alfonsín's government had been elected on the basis of easing tensions with Chile and re-doubling energies on 'the real question – of the Malvinas.'

172 J.L. Garrett, op. cit., p. 99

173 Ibid.

174 Randall R. Parish Jr., 'Democrats, Dictators and Co-operation: the transformation of Argentine-Chilean relations' in *Latin American Politics and Society*, (Spring, 2006), vol. 48, no. 1, pp. 143-174, p. 160ff. - although the 'sea of peace' buffer was discarded, the new maritime border for Chile remained quite similar to that contained in the 1980 proposal. John Paul had at least concentrated minds, cf. M. Laudy, op. cit., p. 319

175 M. Laudy, op. cit., p. 315

176 R.R. Parish, op. cit., p. 162 – Admiral Jose Merino, for example, was ordered to resign by Pinochet due to his resistance to the treaty: and the navy had been the most vocally nationalist wing of Chile's military dictatorship. Although Pinochet felt the deal was not the 'fully satisfactory' it was sufficient for him, cf. J.L. Garrett, op. cit., p. 98

177 R.R. Parish, op. cit., p. 161

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protests of military cadres and extreme nationalists, who knew that even they could no longer 'go against popular pronouncement',¹⁷⁸ and who were fearful of an adverse result. On a turnout of 70%, the the treaty was overwhelmingly approved, by a margin of 82% in favour to 16% against, on 25th November, 1984.¹⁷⁹ This reflected the great esteem in which the Pope was held as an 'honest broker'; in 1981 the Argentine public, before the leak of any of the details, had supported the acceptance of the rumoured Papal proposals simply because the Pope was viewed as being so fair-minded.¹⁸⁰ A grandiloquent ceremony depositing the completed treaty at Rome followed in May 1985.¹⁸¹

It cannot be denied that the democratic turn in Argentina was critical for the ultimate success of mediation, but this is no reason whatsoever to diminish the importance and effect of Papal influence. Again, we must remind ourselves that the Papacy stepped between the two parties when they had both been autocracies and averted a war then. No mediation would have been embarked upon but for this, and the dismal failure of seventy-five years of British-sponsored mediation, since 1902, should be borne in mind.¹⁸² In hindsight, the complete incompatibility of a former colonial power like Britain with both of the aggrieved parties (when it was both culturally and religiously dissonant) seems obvious. Not to mention the appearance of British vested interests.¹⁸³

178 J.L. Garrett, op. cit., p. 100, cit. *Listin Diario*, (27th July, 1984), p. 1

179 'Beagle Channel Treaty approved in Argentina' in New York Times, (26th November, 1984) at [nytimes.com - http://www.nytimes.com/1984/11/26/world/beagle-channel-treaty-approved-in-argentina.html](http://www.nytimes.com/1984/11/26/world/beagle-channel-treaty-approved-in-argentina.html) (accessed: 29/04/2011) – 2% of the ballots were spoiled.

180 J.L. Garrett, op. cit., p. 98 – 'popular feeling rested largely on the assumption that the Pope would only have proposed a just solution.'

181 'Argentina and Chile sign pact at the Vatican' in New York Times, (3rd May, 1985) at [nytimes.com - http://www.nytimes.com/1985/05/03/world/argentina-and-chile-sign-pact-at-vatican.html](http://www.nytimes.com/1985/05/03/world/argentina-and-chile-sign-pact-at-vatican.html) (accessed: 29/04/2011)

182 supra note 73

183 G. Pope Atkins, op. cit., p. 130 – 'The United Kingdom has a military presence in the South Atlantic only to enforce its own limited claims.'

Generalised Lessons?



*Pope Benedict XVI at a ceremony commemorating John Paul II's mediation in the Vatican with President Christina Kirchner (Argentina – back left) and President Michelle Bachelet (Chile - foreground) in 2009. Kirchner and her husband, Nestor, were amongst the Peronist faction in the Argentinian parliament which advocated a rejection of the Beagle Channel treaty in 1984.*¹⁸⁴

In 1494, Pope Alexander VI (known more widely, and infamously, as the 'Borgia pope') settled the question of colonial spheres of influence in South America between the two Catholic monarchies of the Iberian peninsula: Portugal and Spain. The resultant Treaty of Tordesillas, which drew two lines of longitude in the East and West,¹⁸⁵ endures today – Brazil is the only Portuguese speaking South American country whereas The Philippines speaks Spanish and East Timor, Mozambique and Angola do not. All in all, a most successful wheeze even if Portugal was subjected to Spanish rule for a brief period in the 16th century.¹⁸⁶

184 cf. Nicolas Winzaki, 'The Kirchners rejected the deal' in Clarin, (28th November, 2009), at [clarin.com - http://edant.clarin.com/diario/2009/11/28/elpais/p-02050640.htm](http://edant.clarin.com/diario/2009/11/28/elpais/p-02050640.htm) (accessed: 29/04/2011)

185 Richard Lee and Ilan Alon, *Globalisation, language and culture*, (New York, 2006), p. 1ff.

186 Antonio Henrique R. de Oliveira Marques, *Breve historia de Portugal*, (Lisbon, 1972), p. 322

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Argentina and Chile, claiming succession to erstwhile Spanish dominion, even today invoke the broad sweep of Tordesillas in staking out sectors of the Antarctic continent.¹⁸⁷ The Beagle Channel episode easily counts within this long tradition. The Pope has no divisions, but what we might do well to learn at the conclusion of these proceedings is that he, or another totemic religious personality, could hold the key to conflict resolution in the right circumstances and between the right parties (a caveat of case-dependency.)¹⁸⁸ South America and the African continent are areas of religious, and particularly Christian, growth and fervour today.¹⁸⁹ It would be euro-centric to assume because religion's death knell harks ever closer in the first world that it is becoming ever more irrelevant to the study of International Relations. We cannot succumb to the 'is-ought' problem either of aspiring to secularism and admonishing states who enjoy cosier relationships with churches. Instead we should see a measure of opportunity, where such situations exist, to exploit this favourably in order to avert conflict and despoliation. Naturally, churches *should* facilitate despotism and tyranny far less - but ideally without prejudicing their 'leverage' over such regimes. I abdicate the task of working out the parameters of this utilitarian balancing act to other scholars for the present moment!

 J.G.C.

(apud Corcagium mensis Aprilis mmxi)

187 Robert E. Wilson, 'National interests and claims in the Anatarctic' in *Arctic* (1964), vol. 17, pp. 15-31, p. 17; Roberto Laver, *The Falklands/Malvinas case*, (New York, 2001), pp. 67-9

188 M. Laudy, op. cit., pp. 319-320 - 'specific and generally applicable recommendations are not immediately apparent ... [but] the Vatican mediation is a textbook illustration of the value of patience ... The Beagle Channel case also illustrates the value of flexibility ... while the conflict was rooted in a very particular historical and geographical context, the choice of mediator with a compelling moral authority ... could be very useful even in post-Cold war cases of secession, internal conflict or minority rights.'

189 John Parratt, *An introduction to Third World theologies*, (Cambridge, 2004), pp. 1-2 - '[in North America and Europe] ... professing Christians probably number no more than 15 percent or so of the population ... in sub-Saharan Africa reasonable estimates would indicate that more than 60 percent would claim to be Christian ... the growth of Christianity in Africa and Asia is simply its return to its original heartlands.'

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Notes

1. Throughout, the Holy See, the Papacy, the Vatican etc. have been used interchangeably to mean the governing body of the Roman Catholic Church personified by the Pope (a.k.a. Bishop of Rome; Pontiff/Pontifex Maximus; *Primus Inter Pares*). This usage is not particularly precise, and was not intended to be in aid of convenience.
2. Academic Abbreviations (Old Oxford style): *op. cit.* – this author's specific work already cited; *supra* – above; *infra* – below; *idem.* – in that same place; *ibid.* – refer to immediately preceding citation; *cf.* - confer/consult; *ff.* – following/theme continues over several pages from that point; § – section or sub-section therein; pp. – pages (plural); *re:* – in the matter of; *contra* – disagreeing with/an opposing viewpoint to the immediately preceding author.