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# Is the Archipelago a Political Tool?

## The Role of the Falkland Islands Sovereignty Dispute in Argentine Policy During the Kirchner Era

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The dispute over sovereignty in the Falkland Islands (called *Islas Malvinas* in the Spanish-speaking world) between Argentina and Great Britain has lasted for nearly two hundred years. The archipelago has been a British territory since 1833, when the crew of HMS 'Clio' forcibly took over the islands, which had previously belonged to Argentina. The Argentine people have never accepted this loss and have since been trying to reclaim the territory, with no further effect. The aim of this paper is to analyse the role of the Falkland Islands dispute in Argentine domestic and foreign policy during the presidencies of Néstor Kirchner (2003-2007) and Cristina Fernández de Kirchner (2007-2015). The thesis of this paper is that the Falklands became a crucial factor in shaping Argentine policy during the Kirchner era, not only on the international level, but also within the country.

**Key words:** Argentina, Falklands/Malvinas, Falkland's War, Kirchner era, *kirchnerism*

### Introduction

The dispute over the Falkland Islands, called *Islas Malvinas* in the Spanish-speaking world<sup>1</sup>, is often viewed as one of the most peculiar in the international arena. The British archipelago of the Falkland Islands, consisting of two main islands – East and West Falkland – and many smaller islands, is located about 300 nautical miles east of the coast of Argentina. It occupies an area of just over 12 thousand square kilometers, and is inhabited by about 2.5 thousand people. Due to their peripheral location and small demographic potential, the Falkland Islands do not seem to be a major concern for the international community. Despite this, the dispute between

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<sup>1</sup> According to United Nations General Assembly Resolution 2065/XX from December 16, 1965, both names – Falklands Islands and *Islas Malvinas* – are equal. Given that the language of this paper is English, the name "Falkland Islands" will be used.

Argentina and Great Britain over ownership of the archipelago has lasted for nearly two hundred years. It has been crucial in shaping Argentine national interests for ages, even though the measures adopted by two governments differed from each other.

The primary purpose of this paper is to analyze the role of the Falkland Islands dispute in Argentine domestic and foreign policy between 2003 and 2015; that is, during the presidencies of Néstor Kirchner (2003-2007) and Cristina Fernández de Kirchner (2007-2015). The thesis of this paper is that the Falklands issue became a crucial factor in shaping Argentine policy during the Kirchner era, not only on the international level, but also within the country. The paper will be structured as follows: in the first section, the historical background of the Falklands dispute will be presented. A good historical understanding is necessary for clear interpretation of the current status of the conflict. The second section will elaborate on the leadership of Néstor and Cristina Kirchner, and the phenomenon of *Kirchnerism* in the context of the Falklands issue. The third section, in turn, will focus on the impact that the Falklands dispute had on Argentine domestic policy under the Kirchners. The fourth section will present the actions taken by the Argentine government on the international level. The conclusions will focus on whether the Falklands Islands sovereignty issue was a political tool that allowed the Kirchner governments to maintain popularity and stay in power.

## Historical Overview

The historical background of the Falkland Islands dispute is very long, as disagreements between the two countries date back to the time of the discovery of the archipelago. British researchers claim on the basis of credible reports that the first person who saw the South Atlantic islands was John Davis, a member of the second expedition of Cavendish in 1592. Two years later, in 1594, the coast of the Falklands' archipelago was seen by Richard Hawkins, who called them "the Maidenland" (Metford 469). However, the name "Falkland Islands" was given to the archipelago in 1690 by John Strong, who sailed to the South Atlantic on the order of his patron, the treasurer of the Royal Navy, Lord Viscount Falkland (Etchepareborda 34). According to the Argentines, the discovery of the islands was made either by Amerigo Vespucci in 1502, Esteban Gomez – a sailor from Magellan's expedition – in 1520, or by members of the Camargo expedition in 1540. This has been confirmed by Spanish navigation maps from the early 16<sup>th</sup> century (Freedman 3). The name "Islas Malvinas," used in the Spanish-speaking world, is associated with the subsequent presence of the French, who reached the archipelago in 1701. They had sailed from Saint-Malo in Brittany, and so decided to honor the discovery of the new lands by naming them *Iles Malouines*. Later, Spanish settlers changed the name to *Islas Malvinas*, which is the form used to this day (Reisman 293-294).

Beginning in the mid-18<sup>th</sup> century, consecutive settlement attempts were made by the United Kingdom, Spain, and France. Diplomatic efforts taken by the Spaniards at the end of the 18<sup>th</sup> century resulted in the withdrawal of the United Kingdom and France from the archipelago (Goldblat, Millan 3). Unfortunately, however, subjects of the Spanish Crown were not willing to settle in a distant territory administrated

from Buenos Aires. This led to a complete depopulation of the Falkland Islands. What is more, during that period, the Spanish Monarchy was concerned with external problems and wars in Europe, and thus disregarded its colonial matters. As early as the turn of the 18<sup>th</sup> and 19<sup>th</sup> centuries, despite the administrative ownership of the Spanish Crown, the Falklands had become an illustration of the term *terra nullius* (no one's land) (Greig 38).

Spain lost its control over the Falklands in the first two decades of the 19<sup>th</sup> century when, in 1810, the United Provinces of La Plata declared their secession from Spain. In 1820, privateer David Jewett, by order of the authorities in Buenos Aires, officially took over the islands in the name of Argentina, without any protests from European countries (Zalewski 44). British interest in Falklands increased in the early 1830s, when British authorities started to protest against Argentina's actions and laid claim to the islands. Then, in 1833, the British made an attempt to regain the archipelago. Frigate HMS 'Clio', commanded by Captain James Onslow, forcibly took over Puerto Soledad, announcing it subordinate to the British Crown (Chehabi 216). Within a short period of time, the capital of the Falklands, Port Stanley, became one of the most important ports for those travelling from the Atlantic to the Pacific Ocean. The Argentines, although forced to acknowledge the physical loss of the archipelago, never acknowledged their loss of sovereign rights thereto. On the contrary, the majority of society, including the elites, believed that the archipelago was their own territory, illegally occupied by the United Kingdom (Etchepareborda 54).

The establishment of the United Nations was a turning point in the Anglo-Argentine dispute over the Falklands. The objective of the UN was not only to ensure global peace and security, but also to facilitate the process of decolonization. The Decolonization Committee, established in 1961, decided to qualify the Falklands issue as a colonial dispute, and indicated the need to solve it through negotiations, taking into account the provisions of the Charter of the United Nations. This was confirmed by a United Nations General Assembly Resolution in 1965, recommending that both sides start negotiating a peaceful settlement of the dispute, and keep the United Nations informed about the progress of the talks ("Resolution 2065 (XX)", *United Nations*). Unfortunately, the diplomatic success of Argentina and the internationalization of the Falklands issue did not translate to real progress in the talks with the British. Indeed, Argentina reluctantly approached the negotiations on the archipelago, categorically refusing to discuss its sovereignty. Similar resolutions aimed at diplomacy were adopted by the General Assembly in 1973 ("Resolution 3160 (XXVIII)", *United Nations*) and 1976 ("Resolution 31/49 (1976)", *United Nations*), but again without effect.

The tension surrounding control over the Falkland Islands peaked during a period of military dictatorship in Argentina (1976-1983). The military *junta*, one of the most brutal Latin American regimes of that time, not only violently repressed its people, but plunged Argentina into economic crisis. As a result, the military decided to divert the social frustration caused by deteriorating living conditions and the lack of democracy at the issue of the Falklands, which was close to every Argentine. What is more, the decisions made by Argentine dictators at that time were deeply ideologically biased. They stressed a strong, historical bond between the nation and the territory, thus propagating an organic concept of nation and state (Finchelstein 153). On April 2, 1982, the Argentine army launched an armed attack on the Falkland

Islands, annexing the archipelago. Such measures were met with a quick response from the international community. The United Nations Security Council issued a resolution condemning Argentina ("Resolution 502 (1982)" *United Nations*); and persistent attempts at mediation, undertaken mainly by the United States, were not successful. The United Kingdom thus decided to retake the occupied territory. On June 11, a decisive British offensive was launched, which resulted in the recapture of the Falklands from the hands of Argentina. The Argentines refused to surrender and fought till the very end, despite having fewer soldiers and weapons (Kubiak 44). Subsequently, a cease-fire and the capitulation of Argentina were signed on June 14. The conflict caused the death of almost 1,300 people and led to significant financial losses for both sides. The Argentine military *junta* collapsed in the aftermath, which subsequently allowed Argentina to move towards democracy (Floria, Garcia Bel-sunce 264-265).

As a result of the war, diplomatic relations between the two countries were broken off. Until the end of the 1980s, relations between Argentina and the United Kingdom remained tense, as Buenos Aires had still not accepted the British presence in the South Atlantic. As mentioned above, the history of the Falkland Islands has remained an important issue of the security and national interest of Argentina<sup>2</sup>, even though the measures adopted by its presidents have been different. Even President Carlos Menem (1989-1999), who was relatively willing to negotiate with the British and managed to cooperate with them economically (Tondini 55-56), never changed the Argentinean position on the sovereignty of the Falkland Islands. In 2003, Néstor Kirchner, a representative of the Peronist left-wing, came into power and reversed the conciliatory attitude adopted by Menem. This was continued by his wife, Cristina Fernández de Kirchner, who ascended to the presidency in 2007. Ever since the Kirchners' rise to power, the Falklands issue has become a major concern of Argentine foreign policy.

## The Kirchner Era

Néstor Kirchner was elected president in April of 2003, when Argentina was struggling with the consequences of its biggest economic crisis since the 1930s. As a former governor of the southern province Santa Cruz and unknown to the broader public, Kirchner faced a very difficult task. He had to rebuild the country after the crisis and gain legitimacy among Argentinean citizens.<sup>3</sup> During his presidential

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<sup>2</sup> The first temporary provision of the Constitution of the Argentine Nation refers to sovereign Argentine rights over the territories located in the South Atlantic. It states that "the Argentine Nation ratifies its legitimate and non-prescribing sovereignty over the Malvinas, Georgias del Sur and Sandwich del Sur Islands and over the corresponding maritime and insular zones, as they are an integral part of the National territory. The recovery of said territories and the full exercise of sovereignty, respectful of the way of life of their inhabitants and according to the principles of international law, are a permanent and unrelinquished goal of the Argentine people" ("Constitution of the Argentine Nation", *Senado de la Nación Argentina*).

<sup>3</sup> In the first round of Argentinean presidential elections in 2003, the best results were achieved by Carlos Menem (24% of votes) – who was eager to return to power after being President in 1989-1999 – and Néstor Kirchner (22% of votes). The second round was not

campaign, Kirchner had presented himself as a “man of the people”, who represents and understands his fellow Argentines. This was meant to separate him from previous neoliberal regimes, whose mismanagement had led to the biggest economic crisis in decades. He announced the beginning of a new period in Argentinean history in which the state would be the priority, both in terms of economic and social issues (Montero, Vincent 126). Indeed, his efficient and rational actions quickly brought economic recovery to the country. Not only did he manage to pull millions of Argentines out of poverty, mostly by expansion of redistributive social policies, but he also restructured the country’s foreign debt. In 2005, Argentina managed to finish repaying its debt to the International Monetary Fund (Novaro 298). Kirchner’s direct support of social movements and trade unions, prosecution of those responsible for human rights abuses during the last military dictatorship, and nationalization of privatized sectors (Argentine Airlines, Correo Argentino Postal Service) inspired wide belief in the capacity of political elites to change Argentina’s *status quo* (Murillo 57). At the end of his political term, Néstor Kirchner was a popular, strongly respected, and highly rated politician. His decision not to seek reelection, and his announcement of the candidacy of his wife, Cristina Fernández de Kirchner, was a huge surprise for society. Despite this, Cristina victoriously received 45% of the vote in the first round of the presidential elections of October, 2007. In 2011, a year after Néstor’s death, she was reelected with 54% of the vote.

The political strategy adopted by Néstor Kirchner was smoothly continued by his wife. She managed to strengthen the “Kirchnerist identity” by invoking Argentine nationalism and patriotism. Starting in 2007, the parallels between Kirchner’s presidency and the classic Peronism of the 1940s and 1950s became strongly visible. Cristina herself was often compared with Evita Perón, the second wife of President Juan Domingo Perón and a symbol of commitment to the poor and working classes (see e.g. Toomey 48-55). Although she continued her husband’s policies, the circumstances that governed her term were different from those in 2003-2007. Argentina felt the impact of the global crisis and the economy started to slow down (Murillo 57). It is often said that Néstor Kirchner’s policies were only successful due to favorable international conditions. This meant that for Cristina, creating and maintaining the broadest possible social base was even more important.

As presented above, the goals of *Kirchnerism* were to develop a new, coherent social project based on mutual political trust and the belief that the *status quo* could be changed. The Kirchners achieved these goals by distancing themselves from the pre-crisis neoliberal governments and choosing alternative political paths. Néstor Kirchner stressed the importance of economic and social reforms, but was aware that such changes would not be sufficient for the creation of a new identity. Indeed, symbols would be needed to do so. The president quickly realized that the key to generating symbolism could be found on the small archipelago located in the South Atlantic.

The issue of sovereignty in the Falklands became a major concern of Argentinean foreign policy during the Kirchner Era. The sense of injustice and loss caused by the British presence in the territory, which used to be a part of Argentina, was

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carried out due to the resignation of Menem. Consequently, Néstor Kirchner was announced the winner of the Argentinean presidential elections of 2003. Due to the manner in which he was elected, the new President only enjoyed the support of less than one-fourth of the voters.



familiar to almost everyone within the country. Moreover, the issue of the Falklands was deeply connected to Argentine national identity, and so could be addressed in terms of patriotism, which was crucial to *Kirchnerism* and its goals. Additionally, the uncompromising attitude of the Kirchners towards the British and the Falklands was a big change compared to the country's pre-crisis policy. During Carlos Menem's term Argentine-British relations were based on cooperation, made possible due to suspension of the sovereignty dispute (Bologna 359). The Kirchners wanted to distance themselves from this policy, perceiving it as insufficient, ineffective, and humiliating for those who believed in historical truth. With respect to the Falklands, this strategy also had another advantage for them: it could be used both to gain and maintain social support. The Kirchners' policy towards the islands may thus be considered a coherent project that started in 2003 and lasted until the end of Cristina's term in 2015. Its characteristic features were both domestic and international. As mentioned above, at the domestic level, the Falklands issue was used as a means to create Kirchnerist identity. Nevertheless, gaining support from the Argentine people was not the only thing that mattered to the Kirchners. They also used the dispute to display the position of Argentina in the international arena, its role in Inter-American and global systems, and its ability to influence other actors.

## The Falklands and the Domestic Situation in Argentina

In case of domestic affairs in Argentina, the main goal of both Néstor Kirchner and Cristina Fernández de Kirchner was to reinforce society's conviction that the Falkland Islands archipelago is a territory that is part of its national legacy. The measures taken by the Kirchner governments were aimed at strengthening and developing political myths, i.e. the myth of the Falkland Islands belonging to Argentina (*Las Malvinas son Argentinas*), and the myth of the Falklands war. According to Christopher Flood (9, 44), a political myth is an ideologically marked narrative which purports to give a true account of past, present, and predicted political events. He also claims that myths should always be considered in a discursive context, taking into account the social and historical circumstances of their formulation at any given time. Understanding political myths in this way is crucial, as it allows us to grasp their functional aspect; namely, that they are created and developed to serve in a particular political and social context. This is visible when analyzing the case of the Falklands.

As early as May 25, 2003, during his inaugural speech, Néstor Kirchner referred to the Falklands issue: "I come from the south of the country, from the land of the Falklands culture and continental ice. We uphold our claim of sovereignty over the Falkland Islands" ("*Discurso de asunción del Presidente Néstor Kirchner*"). Such a declaration, addressed primarily to the nation, was aimed at strengthening collective memory of the great loss and historical injustice suffered by the Argentine people. Since 2003, the Argentine government has taken several steps to reach this goal. The fact that the Falkland Islands have always been included on Argentine maps as part of the Patagonia province was not enough. The issue was seen as something that unites the entire nation-state, thus the average Argentine citizen needed to be reminded of both its history and its contemporary relevance. During the Kirchner

Era, signs claiming Argentina's sovereignty over the archipelago were erected on roads near its borders. What is more, according to law 27.023, since January 2015, all Argentinean public transport vehicles operating both within and outside the country should prominently display the message, *Las Islas Malvinas son Argentinas* – "The Falkland Islands are Argentinean". This message should also be visible at every train or bus station ("Ley 27.023", *Información Jurídica*). The Kirchner governments also used postage stamps to illustrate the history of the Falkland Islands and make political claims to the territory. The stamp sets related to Falkland Islands were issued in 2007, 2008, 2009, 2012 and 2014 ("Plan de Emisiones", *Correo Argentino*). Moreover, in 2014, a new 50-peso banknote was issued by the Central Bank of Argentina. On one side, the new bill features a map of the Falkland Islands; on the other, a picture of Antonio Rivero, an Argentine who led an uprising against the British when the Falklands were seized by the United Kingdom. According to president Cristina Fernandez Kirchner, the new 50-peso banknote is an expression of a historical, social, and political act vindicating Argentinean rights (Wiñazki, *Diario Clarín*). Filling the public space with memories that the Falkland Islands are a part of the national territory was combined with strong audiovisual messages from both public and private media. Despite the conflict between the Kirchners and the biggest media conglomerates in Argentina (mainly *Clarín* Group and *La Nación*), the idea that the Falkland Islands were a sovereign territory of Argentina enjoys support from all media. This is illustrated by a government-produced commercial from April 2010 featuring an imaginary morning radio program that could be aired if the Falkland Islands were Argentinean sovereign territory. It starts with the words, "Good morning Argentines, good morning islanders", and presents certain points stereotypically connected with the Falkland Islands and Argentina. For example, a woman drinking English tea is presented in contrast with a man drinking Argentinean yerba mate. The commercial ends with the words "This is the future that we dream of for the Malvinas. To work in peace, to realize this is the best way to honor the memory of our fallen soldiers". It shows the peaceful coexistence of both Argentinean and British traditions, and was aired by all of the main public and cable stations, including those owned by The *Clarín* Group (Benwell, Dodds 444– 445).

What is particularly striking when analyzing the domestic tools used by the Kirchner governments is permanent recourse to the 1982 war. In fact, Néstor Kirchner was the first Argentine president to use the event not only to honor the fallen soldiers, but mainly to stimulate Argentinean nationalism. This was later continued by Cristina Kirchner, during whose term the Museum of the Falkland Islands and the South Atlantic was opened in 2014 (*Museo Malvinas e Islas del Atlántico Sur*). However, the circumstances of the Falklands war, especially the fact that it was caused by a violent military junta responsible for the deaths of thousands of Argentines, forced the Kirchner governments to adopt a specific approach to the issue. The goal was to make a myth out of the fight against occupation, without promoting the military dictatorship that contributed to its eruption. In other words, it was necessary to present the conflict as a heroic battle of young Argentines, dreaming of freedom and willing to sacrifice their lives for their homeland by fighting against the brutal and better equipped British troops, who were headed by violent Gurkha brigades. This message is especially visible when analyzing content aimed at Argentinean children. Argentine policymakers knew that the young generation's awareness of

the event was crucial in creating the new identity; therefore, the increased number of children's programs, commercials, and educational materials on Falkland history and the Falklands War hardly comes as a surprise. One of the most prominent examples may be *La asombrosa excursión de Zamba en las Islas Malvinas* ("The Amazing Adventure of Zamba in the Malvinas"), a cartoon about the Falklands War produced by state-run Argentine TV channel Paka Paka. Zamba, widely regarded as the Argentine answer to the Americans' "Dora the Explorer," goes back in time and, in the company of a brave Argentine pilot, witnesses the war. It is worth stressing that the stereotypical image of British soldiers is not the only thing that makes an impression when watching the cartoon; the other is how the circumstances of the war are depicted. The animation presents General Leopoldo Galtieri, Argentine president and member of the military *junta* in 1982, as a vicious man forcing the Argentines to sacrifice their lives. An extremely negative picture of the Argentine generals is also present in another cartoon, in which Zamba visits the Casa Rosada Presidential Palace (*La asombrosa excursión de Zamba en La Casa Rosada*).

As is evidenced by the above, the myth of the Falklands war needed to be separated from the negative experiences of the last military dictatorship. The Kirchner administrations thus could not focus on the ones who sent the Argentines to war. Instead, they needed to concentrate on the symbolic sacrifice of the ones who were fighting. Néstor Kirchner, during his speech on October 5, 2004, said to veterans of the Falklands war that they are "a living example of the force that is needed to rebuild Argentina and recover its symbols" ("Discurso de Néstor Kirchner a los veteranos de guerra de Malvinas"). It is no coincidence that the 2<sup>nd</sup> of April, i.e. the day when the Falklands War started, is officially celebrated in Argentina as the Day of Veterans and Fallen in the Malvinas War.

What is also interesting is the fact that during the Kirchner Era, the myth of the Falklands war was also strengthened by an appeal to other traditions and phenomena that are close to every Argentine. One good example is the Argentinean national football team. Strong links between sport and politics have always been a distinctive feature of Argentina. In 1978, when Argentina was organizing the World Cup for the first time, one of the main goals of the military dictatorship was to create a positive image of the state, not only for the rest of the world, but also for Argentines themselves. Argentina's win in the final against the Netherlands was perceived as a victory for the entire country (Duke, Crolley 113). Football was also used as a political tool during the Kirchner era. Nationalization of football broadcasting and the creation of a new TV program entitled *Fútbol Para Todos* ("Football for everyone") improved Cristina Kirchner's image in the country (Bullrich 14). That being said, it is once again no surprise that the Falklands issue eventually cropped up in a sports context. In June 2014, during warm-ups before a friendly match in La Plata with Slovenia, Argentine footballers displayed a huge banner declaring that "The Falklands are Argentine". The banner had already appeared at earlier Argentinean matches, but the public reaction was much more pronounced in 2014 due to the close proximity of the World Cup in Brazil (Withnall, *Independent*).

The examples presented above clearly prove that the Falklands dispute has been a constant element of Argentina's domestic policy, and was used by the Kirchners in a number of different contexts. It has been closely linked with patriotism and treated as one of the key factors defining the Argentine nation.



## The Falklands and the Foreign Policy of Argentina

As emphasized above, the Falklands issue has not only been internal. Given the fact that the sovereignty dispute has been between the two states – the first of which is the second largest Latin American country, and the second of which is still considered a world power – the international context of the conflict is crucial to analyzing the issue.

When analyzing the international dimension of the Falklands problem, the first characteristic element of the Kirchners' policy that should be stressed is their effort to change the character of the dispute from bilateral to multilateral. Néstor Kirchner was not the first Argentine president to involve the international community in the dispute, but it was during his tenure that Argentina started to create an international support group for its aspirations in the South Atlantic. In contrast to Carlos Menem, who treated the United States as a main partner of Argentina in the Western Hemisphere, Kirchner focused his attention on Latin America, and especially on ideologically similar governments that had embraced the recent regional trend of new left-wing populism.<sup>4</sup> Maintaining cordial relations with these leftist governments allowed Argentina to gain a group of allies who strongly supported its claims in the international arena. Already at the beginning of Kirchner's presidency, the Bolivian Interior Minister, Rafael Puente Calvo, allegedly criticized the Organization of American States for failing to help Argentina in its claim to the Falkland Islands (Taylor, Miller 22). Additionally, strong criticism towards the United Kingdom was formulated by Venezuelan president Hugo Chávez in February 2006. He demanded from British Prime Minister Tony Blair that the islands be given back to Argentina. One year later, in 2007, Chávez called for revenge against the United Kingdom for the Falklands War, threatening to use Iranian and Russian weapons against the British if any task force approached the South Atlantic (Gardiner, *The Telegraph*). In 2010, during the Summit of Latin American and Caribbean Unity held in Mexico, former Brazilian President Lula da Silva said, "What is the geographic, political and economic explanation for England to be in the Malvinas? It is not possible that Argentina is not the owner of the Malvinas, but instead a country that is 14-thousand kilometers from there" (Collizzolli, *Portal del Sur*). Very similar views were expressed by Bolivian president Evo Morales, who claimed that the islands, located in Latin America, should in no way belong to the Europeans. According to Ecuadorian president Rafael Correa, the Falklands case is still a brutal and imprudent example of colonialism in the Americas (Collizzolli, *Portal del Sur*). Support for Argentina's claims was also expressed by international organizations such as MERCOSUR, UNASUR, and CELAC.<sup>5</sup>

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<sup>4</sup> The symbol of new left-wing populism in Latin America was Venezuelan president Hugo Chávez. His political project, called "Socialism of the 21<sup>st</sup> century", was a leftist response to the contested and discredited neoliberalism. The project introduced large-scale state control over the economy, but rejected extreme solutions from the real socialism of the Soviet Union. Other Latin American presidents, such as Rafael Correa in Ecuador, Evo Morales in Bolivia, and Daniel Ortega in Nicaragua largely followed Chávez's beliefs.

<sup>5</sup> MERCOSUR – Southern Common Market (Spanish: *Mercado Común del Sur*), UNASUR – The Union of South American Nations (Spanish: *Unión de Naciones Suramericanas*), CELAC – The Community of Latin American and Caribbean States (Spanish: *Comunidad de Estados Latinoamericanos y Caribeños*).

In recent times, Argentina has also been raising the Falklands issue in the global area, especially within the United Nations. Starting from the beginning of Néstor Kirchner's presidency, Argentina consistently presented their case to the UN General Assembly and the Decolonization Committee, demanding that the British respect the recommendations contained in previous UN resolutions and start negotiating the sovereignty of the islands. In February 2012, Argentine Foreign Minister Hector Timerman made a formal complaint to the United Nations Secretary General, Ban Ki-moon, about Britain's militarization of the South Atlantic. The protest was a response to the Royal Navy sending a modern destroyer (HMS "Dauntless") to the region, and the deployment of Prince William to service on the Falkland Islands. The Argentine government also expressed its concerns that the British may be sending nuclear weapons to the South Atlantic (Carroll, *The Guardian*).<sup>6</sup> Even before that, in 2007, in response to the inclusion of the Falkland Islands into British territory in the European Union Treaty of Lisbon, Argentina sent a formal petition calling EU institutions to use the double name Falklands/Malvinas, and to officially recognize the sovereignty dispute over the islands (Colonna, *La Nación*).

It is important to underline that in response to the aggressive campaign unleashed by the Kirchners, the British attitude towards the Falklands issue has stiffened. When commenting on the accusations made by Argentina, British Prime Minister David Cameron said that "as long as the Falkland Islands want to be sovereign British territory, they should remain sovereign British territory – full stop, end of story" ("Cameron on sovereignty of Falkland Islands", *BBC News*). Cameron's approach was confirmed by the results of a referendum on political status held at the Falkland Islands on 10–11 March 2013. The Falkland Islanders were asked to answer the question, "Do you wish the Falkland Islands to retain their current political status as an Overseas Territory of the United Kingdom?" Among 1,517 valid votes (91.94% voter turnout), 99.8% voted to remain a British territory, with only three votes against it ("Results of the referendum on the Political Status of the Falkland Islands," *Falkland Islands Government*). The referendum was not recognized by the Argentinean government.

The second characteristic element of the Kirchners' policy towards the Falklands was disruption of economic life there (Dodds 687). This involved systematic obstruction of actions taken in the South Atlantic not only by Falkland Islanders, but by all who supported British rights to the islands. In November 2003, shortly after taking office, Néstor Kirchner withdrew permission for charter flights to fly through Argentinean airspace on their way to and from the Falklands (Miller 2). What is more, in 2008, the Argentine Congress approved a bill that sanctioned fishing companies operating in the Argentine Sea, including in waters near the Falkland Islands. Under the new legislation, fishing in those areas without having an Argentine license was punishable by high fines (Miller 13). The "strategy of disruption" applied by the Kirchners was also visible in Presidential Decree No. 256/2010, issued on February 16, 2010, requiring all ships coming to and from the Falkland Islands, South Georgia,

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<sup>6</sup> Under the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean signed on February 14, 1967 in Mexico City, Tlatelolco a region of Latin America and the Caribbean is an absolute nuclear-weapon-free zone. According to Argentina, the presence of British nuclear ships in the South Atlantic is a violation of the provisions of the Treaty.

and South Sandwich to request prior permission from the Argentine government to cross Argentine waters. What is more, in December 2011, the MERCOSUR states (Argentina, Brazil, Paraguay, Uruguay, and Venezuela) issued a Joint Declaration prohibiting Falkland-flagged vessels from entering their ports. The position of the MERCOSUR states was supported by other Latin American governments which joined the sanctions, broadening them to affect not only ships from the Falklands, but all British ships as well. For instance, in 2012, British vessel HMS "Montrose" was prevented from entering the Peruvian port in Callao (Dodds 289). This situation proves that for Argentina, continental solidarity regarding the situation in the Falklands was not only declarative, but had practical implications as well.

One of the crucial issues shaping the Argentine-British dispute over the Falkland Islands is the extraction of hydrocarbons therefrom. The question, regulated during the presidency of Carlos Menem, resurfaced at the end of the presidency of Néstor Kirchner. The president and his administration came to the conclusion that the Joint Declaration on Cooperation over Offshore Activities in the South West Atlantic,<sup>7</sup> signed by Argentina and the United Kingdom in 1995, did not work in practice and was a tool used to justify all British unilateral activities in the South Atlantic, including drilling of exploratory wells in the waters of the Falkland Islands. In March 2007, on the 25th anniversary of the war, the Argentine government decided to withdraw from the declaration (Freije 14). It held that the discussion about the exploration of natural resources in the South Atlantic should be integrated with negotiations on the sovereignty of the archipelago. However, this was not acceptable for the United Kingdom.

After withdrawing from the agreement with the United Kingdom, the next step that the Kirchners needed to take was to discourage or even eliminate international investors – especially in the oil and gas sector – from the Falkland Islands area. When exploitation of oil reserves on the Falklands shelf started in 2010, the Argentine government immediately demanded the cessation of works, accused British companies of illegal activity and stealing Argentine natural resources, thus violating international law. Shortly after that, Argentine Foreign Minister Hector Timerman sent a letter to the London Stock Exchange in which he mentioned five companies that are, according to the Argentine government, involved in illegal activities in the South Atlantic: Argos Resources Ltd; Borders and Southern Petroleum PLC; Desire Petroleum PLC; Falkland Oil and Gas Ltd; and Rockhopper Exploration PLC. The Minister warned that any company implicated in hydrocarbon exploration in the Falklands area would face punitive sanctions from Argentina (Dodds 689). Neither the British government of David Cameron nor the oil companies responded to the Argentine statement. In November 2013, in response to increasing exploration of hydrocarbons in the South Atlantic, the Argentine Congress passed a bill providing for prison sentences of up to 15 years for persons directly responsible for oil and gas drilling in the waters of the Falkland Islands (Macalister, *The Guardian*).

Given the lack of effectiveness of previous arguments, Cristina Kirchner's government also tried to present British exploitation of the islands' natural resources as an

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<sup>7</sup> In September 1995, the two governments agreed to designate part of the South West Atlantic as an Area of Special Cooperation, and to co-operate through a Joint Hydrocarbons Commission to encourage the exploration and exploitation of hydrocarbons in the area by the offshore gas and oil industry (Taylor, Miller 14).

ecological threat. According to Daniel Filmus, the former Argentine Secretary for Matters Relating to the Falkland Islands, drilling for oil in the territorial waters around the Falklands has severe consequences for the environment, and may result in a disaster greater than the one in the Gulf of Mexico in 2010 (Niebieskikwiat, *Diario Clarín*).

The initiatives presented above are just examples of actions taken by the Argentine government from 2003-2015. Argentina's continued campaign on the Falklands issue was an integral part of the Kirchners' foreign policy. Its actions aimed at internationalizing the dispute with the United Kingdom and creating a support group among Latin American countries – as well as asserting its rights to the islands in international organizations – confirm the importance of the Falkland Islands for Argentine authorities during the Kirchner Era.

## Conclusions

The analysis conducted above confirms that the issue of sovereignty over the Falkland Islands was a constant theme of Argentine policy during the Kirchner era, both domestically and internationally. Will it allow us to answer the question in the title of this paper, namely, „Is the archipelago a political tool?”

Undoubtedly, the Falkland Islands sovereignty dispute was a means by which the Kirchners tried to build a coherent picture of their presidencies. As aforementioned, the need to regain the territory that was once taken from Argentina is one with which every Argentine can identify. Despite the controversial and populist policy of the Kirchners, the Falklands were the only issue that united all Argentines. Both Néstor and Cristina Kirchner used British unwillingness to discuss the sovereignty of the islands to rally popular support for their governments, which were painted as an exponent of Argentine national sentiment. Paradoxically, however, this sentiment, resulting in growing feelings of nationalism in Argentina, had been previously invoked by the Kirchners themselves.

Despite the fact that the Falklands dominated the public sphere of debate during the Kirchner Era, it is difficult to believe that the words and actions of the Argentinean government were truly motivated by a desire for compromise and factual presentation of information. As mentioned above, the Kirchners were interested in strengthening the myth of the Falklands war; the myth of brave Argentine soldiers fighting for their country to regain what was taken from them. Recently published testimonies from participants of the war indicate that they were abused by their own army superiors, which casts a shadow of doubt over the proud statements coming from the government (Lawler, *The Telegraph*). Similarly, it is important to remember that, apart from the majority of veterans whose sacrifice and bravery is cherished by the government every year, there are ex-soldiers who are being denied veteran status. It has been more than seven years since ex-combatants and their representatives gathered on the southern side of the main square of Buenos Aires (Plaza de Mayo) to protest the government's lack of will to consider them veterans (Gómez, *Diario Clarín*).

According to some observers, the major attention that the Kirchner governments paid to the Falklands was a result of its internal problems, such as lack of economic credibility<sup>8</sup>, inflation, corruption, and political scandals (Gilbert, *The Telegraph*; Neild,

<sup>8</sup> Positive trends and the road to development after the bankruptcy of the state in 2001

Gilbert, *CNN*). The focus on the Falklands instead of on domestic problems has been called a red herring intended to divert public opinion away from the country's real problems. This is somewhat analogous to the 1982 war, during which the Argentine government escalated the conflict in the Falklands in an effort to redirect social frustration and bring the nation together. However, direct comparison of then and now is too imprecise and simplified. It is necessary to remember that nowadays, the nature of the Argentine-British dispute is more complex than it was three decades ago. The Falkland Islands can no longer be perceived only as a strategically located archipelago, as the military and economic potential of the territory have visibly grown in the last years.

The Kirchner Era came to an end with the election of the current Argentine president, Mauricio Macri. It is extremely difficult to anticipate how the Falklands dispute will develop from this point forward. Undoubtedly, the topic will be present in the public sphere of debate, as it is too important for the Argentine nation to abandon. However, a potential solution to the dispute may lie with the International Court of Justice (ICJ) in Hague. Until now, the authorities in Buenos Aires have refused to take the Falklands case before the ICJ in fear of an unfavorable judgment which is not appealable. Nevertheless, in September 2015, the ICJ accepted jurisdiction for the Bolivia-Chile sea access land dispute ("Press Release 2015/23"). Bolivia lost its access to the ocean in 1884 as a result of the War of the Pacific against Chile. Similarly to the Argentines and the Falklands, the Bolivians have never accepted this loss and have been trying to encourage Chile to negotiate. In 2013, they took the case to the ICJ. Its jurisdiction over the Bolivia-Chile dispute may shed new light on Argentine claims to the Falkland Islands. According to the Bolivian president Evo Morales, the Argentine government should support Bolivia's claims to Chile. If the claims are honored, it will be easier for Argentina to recover the Falkland Islands ("Falklands' claim and sea access for Bolivia in the same package for Evo Morales", *MercoPress*).

No matter the future of the Falklands issue in Argentina, the presidencies of Néstor and Cristina Kirchner show perfectly how important this problem is to the nation, and how frequently it was used to mobilize social support. Undoubtedly, the slogan *Las Malvinas son Argentinas* ("The Falkland Islands are Argentine") will long be associated with the Kirchner era.

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have proven short-lived. Nowadays, as a result of the global economic crisis, citizens' lack of confidence in their own currency, and the populist actions of the government, Argentina's economic situation is worrying. Due to the low credibility of the statistics published by the Argentine government, "The Economist" resigned from using them in their analyses. What is more, the value of the Argentine peso on world markets is continuing to decline. In January 2014 came the biggest decline in the value of Argentine peso since the crisis of 1999-2002 (11%). On the 30th of June 2014, as a result of failure to pay its liabilities, Argentina was once again recognized as a formally insolvent state.



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