



FOREIGN POLICY

GIBRALTAR: BROKEN UNANIMITY

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The Government of Rodríguez Zapatero has given us a new lesson in what not to do in foreign policy. Through his unilateral concessions, he has abandoned Spain's position regarding its claims on Gibraltar, humiliating the Spanish nation as a whole. A thread in Spain's international policy that has been pursued over the last three centuries has thus been compromised and our nation has diminished a little further. This is another example of a governmental strategy that has now become a habit: preventive surrender.

The Origins of the Dispute

In 1704 Spain was immersed in a terrible civil war. The end of the Habsburg dynasty, in the figure of Charles II The Bewitched, had led to a process of succession that, strictly speaking, should have commenced and concluded with the enthronement of Philip of Bourbon, as King of Spain. However, fear of a Franco-Spanish Alliance

provoked an immediate international reaction and the emergence of an alternative candidate in the form of the Austrian Archduke Charles. The latter was supported by Holland, the Empire and especially England, which under no circumstances wished to see a strong power emerge on the continent. **On 4th August of that year, the city, castle and fortress of Gibraltar were attacked by a combined Anglo-Dutch force. Gibraltar, like almost all of Spain, had sworn obedience to Philip V of Bourbon,** and naturally decided to resist an attack carried out by troops representing the interests of the Archduke Charles. This resistance was doomed to failure in view of the enemy's superiority and, finally, both the local inhabitants and the garrison surrendered.

At that time, the territory of Gibraltar consisted of the coastal strip along the Bay of Algeciras and, with its city of over five thousand inhabitants, was the capital of an extensive area larger than some Spanish provinces. In theory, this action needn't have had any special significance, to the extent that, as we have stated, the English and the Dutch were the allies of a pretender to the Spanish throne and were only taking up positions on territory belonging to the Spanish nation. Unfortunately, **the English admiral, Rooke, decided to ignore such basic ground-rules and, through and act that can only be described as piracy, took possession of the Rock not in the name of the Austrian Archduke Charles, but in the name of England's Queen Anne.** The 1879 edition of the Encyclopedia Britannica, Volume 10, page 586, did not desist from highlighting the craftiness of this action, describing the act carried out by Rooke as "his own responsibility" and adding that, without any doubt, **England had tainted its honour by sanctioning and ratifying an occupation as devoid of principles** as this. Rooke's behaviour, according to the Britannica text, had been one of "unscrupulous patriotism" and it was therefore not surprising that the Spanish had deeply felt the injustice perpetrated against them.

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Unfortunately, that episode was to be only the first in a long series of English abuses. Of course, it was not surprising that Philip V should attempt to re-conquer the Rock in September 1704, and that he should be so profoundly irritated when reminded of England's villainy. With time, the king would fall into a regrettable state of mental disarray –a subject I have addressed in some of my books– but as far as the issue of Gibraltar is concerned, he was undoubtedly right. At the end of the day, Gibraltar had formed part of Spanish territory since the times of Roman colonization, and had never ceased to be subject to Spanish political government –either Christian or Moorish– and was even mythologically associated with the founding of Spain by Hercules himself. In chronological terms, various Spanish

political institutions presided over the Rock for a period that was more than eight times longer than that of the existence of the British colony. In fact, when the **Peace of Utrecht** put an end to the War of the Spanish Succession and reflected England's occupation of Gibraltar in Article X, Spain was extremely careful not to accept the legitimacy of this act. Furthermore, the surrender was conditional upon the abolition of trade between Gibraltar and the neighbouring territory, a prohibition for certain individuals to reside in Gibraltar in order to guarantee Spanish security and England's respect for Catholic worship on the Rock. Finally, the text included a **clause relating to the resolution of the crisis which stated that, if Great Britain at any time should decide to "give, sell or transfer ownership" of Gibraltar it would give "the Spanish Crown first refusal in recovering the island"**. From that moment on, Spain would attempt time and again to recover its own territory, whilst Great Britain would insist on preserving its colony.

The abuses committed by England were, as we have said, many. For example, the negotiations leading up to the Treaty of Madrid on 13th June 1721 established the return of Gibraltar to Spain as a prior condition. The English minister in Madrid, William Stanhope, and the Spanish Secretary of State, the Marquis of Grimaldi, thus undertook that the Treaty would not be ratified until George I of England announced the return of Gibraltar. On 1st June, George I sent the corresponding letter. However, once Spain had ratified the Treaty on 5th July of the same year, the English king went back on his word.

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British promises were repeated on occasions when Great Britain believed itself to be threatened by enemies more powerful than Spain, but they never came to anything. As if that were not enough, England compounded its diplomatic outrages with a long list of breaches of the Peace of Utrecht, starting in the 18th century itself. The list is so long that twelve articles such as this one would be required to describe them all. Thus, as soon as the agreement was signed, English troops proceeded to secure the military occupation of the Torre del Diablo on the east coast and El Molino on the west coast, which were not included in the agreement. **On 19th August 1723, William Stanhope stated, with obvious impertinence, that England had the right to extend the territory transferred under the Peace of Utrecht to “all land covered by the artillery on the Rock”, although he acknowledged that this measure was not provided for in the text signed by the two nations.** In 1815, for example, a yellow fever epidemic decimated the English population on Gibraltar. Spain offered generous humanitarian aid to the British and the latter took advantage of the situation to annex further Spanish territories within

the region. In 1854, the British authorities were to once again use a similar occasion –the generous Spanish aid provided to combat an epidemic– to continue the expansion process. **In 1908, as a clear precedent to Berlin’s Wall of Shame, the British Government built a wrought-iron fence to physically separate Spain from the Gibraltar colony,** a colony that had not ceased to expand in territorial terms in recent decades.

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By this time, the English were more than aware that the colony was incapable of supporting itself –unlike other colonies under the British flag– and they realized that Gibraltar was only able to survive thanks to illegal activities such as smuggling. On 25th August 1841, for example, Lord Palmerston, in an embarrassing note sent to the Spanish legation in London, stated that the smugglers’ boats would be armed with cannons so that they could defend themselves from the Spanish coastguard. Nobody denied the fact –as nobody denies today– that Gibraltar was not economically viable except through a combination of criminal economic practices and British colonialism. This issue alone would provide more than enough material for a voluminous doctoral thesis.

British Criticism of the Colony

Of course, not all the British greeted this series of violations with open arms. In 1856, Sir **Robert Gardiner**, in his “Report on Gibraltar: A Fortress and a Colony” inquired: “How must the Spanish feel to see this noble Rock, always within their sight, occupied by foreigners?” Six years later, **John Bright** stated that **“the Rock of Gibraltar was taken and occupied by England when we were not at war with Spain and its appropriation was contrary to all laws of morality and honour”**. They were not the only ones.

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Naturally, Gibraltar, which has never been anything other than a colony, was directly affected by the de-colonization process. **In 1950, The British Government initiated a re-population process in Gibraltar which was supposed to help legitimize the survival of the colony.** This action –an absolute mockery of

international law— was even contested in Great Britain. In February 1951, for example, **William C. Atkinson** described how England had behaved in the Gibraltar situation by adding “insult to injury”. On 17th September 1954, **Halliday Sutherland** stated that the occupation of Gibraltar in 1704 “was an act of piracy” and in 1966, **Arnold J. Toynbee** highlighted the injustice of the British occupation of Gibraltar by asking: “Would the British people like to see a Russian or Chinese fortress on Land’s End or on the Channel Islands?”

The UN Resolution and the Spanish Position

However, the most important development was that the **UN publicly recognized that Gibraltar was not British territory but a colony**. The Committee set up by Resolution 1654 (XVI) of 27th November 1961 to examine questions relating to the de-colonization process—a committee that, as of 17th December 1962, would have twenty-four members—solemnly proclaimed in its resolution of 16th October 1964 that “the provisions relating to the Declaration on the granting of independence to colonial countries and nations wholly apply to the territory of Gibraltar”.

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On 16th December the following year, a plenary session of the 20th General Assembly of the UN approved a draft resolution on Gibraltar in which it once again insisted on the colonial nature of this enclave. The Resolution was passed by 96 votes in favour and none against.

The truth is that this step, of great historic importance, reflected what had been an unflinching process. In fact, we should stress the fact that, **throughout the history of Spain, few causes have been defended more unanimously by Spaniards** of all kinds than that of Spanish sovereignty over Gibraltar. Of course, as we have indicated, this cause was **supported by kings** such as Philip V and Charles III and dictators such as Miguel Primo de Rivera and Franco. **However, the same cause was also supported by four presidents of the First Republic:** Figueras, Pi i Margall, Salmerón and Castelar.

Estanislao Figueras stated that “the objective of the nation must be in this, as in all things, to seek enhancement and prosperity, so that this policy will lead us towards Gibraltar”. **Francisco Pi i Margall** declared that “the nation is diminished because it has been amputated by the exclusion of Gibraltar”. **Salmerón** stated: “England continues to extend its dominion on Spain’s territory” and **Emilio Castelar** proclaimed: “I very much admire the English nation. Furthermore, I declare that it cannot be our ally while it holds on to Gibraltar”. **The same stance was maintained by the two presidents of the Second Republic, Alcalá Zamora and Azaña.** Alcalá Zamora stated the following: “Between England and Spain only one problem arises: that of Gibraltar. More than two centuries have already passed, and many more may

pass, and this problem still remains”. Manuel Azaña wrote: “I touched on the question of the Straits, pointing out the importance of ensuring our dominion in case of war. I examined the question of Gibraltar and informed the Council of my intention to prepare the necessary plans through the Ministry of War in order to achieve this dominion”. This point of view was even held by left-wing leaders such as the Anarchist, Federica Montseny, and the Socialist, Luis Araquistain, who stated that: “Gibraltar is an historical anachronism that puts all Western Europeans to shame, not only the Spanish and the English”. It is hardly necessary to mention that the most important intellectuals were of the same opinion. Joaquín Costa stated that “English control is humiliating for Spain and should not be tolerated ...”, whilst Salvador de Madariaga declared that “Nobody in England today believes it is possible to deny Spain’s right to Gibraltar”. “As far as the politicians are concerned, with regard to this issue, they do not believe a word of what they say”.

This state of affairs did not change when a democratic regime was set up in the late 1970’s. **Both the UCD and PSOE Governments maintained their insistence on regaining Spanish sovereignty over Gibraltar**, a national position that was safeguarded in the Declaration attached to the Treaty of Adhesion of the European Community. Nevertheless, Community law, in line with Spain’s colonial plight in Gibraltar, established in Article 299 - 4 of the Treaty on the European Economic Community (TEEC) that “the provisions of this Treaty shall apply to European territories whose foreign relations are assumed by a Member State”. That is to say, **the Gibraltarians, according to Community law, do not have their own voice in foreign affairs, given that this area of policy is assumed by the United Kingdom.**

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Furthermore, **the foreign policy pursued by the Partido Popular Government throughout its two terms in office maintained a stance that Spain had pursued over three centuries, achieving some truly notable progress** under Foreign Minister Josep Piqué regarding the question of sovereignty. No agreement was reached in the end, since Great Britain sought to make co-sovereignty a definitive solution and insisted that the inhabitants of Gibraltar be consulted, whilst Spain rejected both possibilities. However, it signified a new **British acknowledgement of Spanish rights.**

Zapatero’s Irresponsible Policy

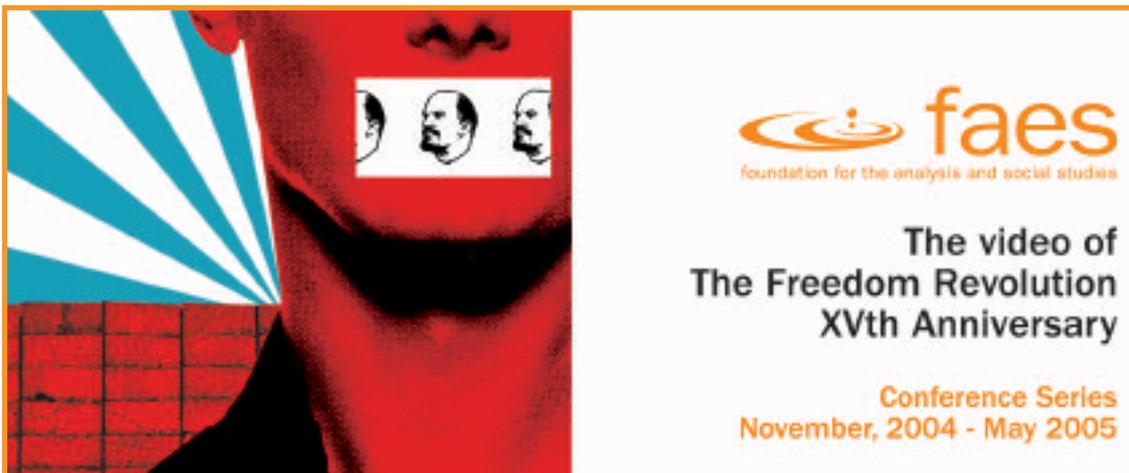
These favourable developments, backed, as we have said, by three centuries of Spanish unanimity, have been incomprehensibly dropped by the foreign policy measures pursued by Rodríguez Zapatero and his Minister for Foreign Affairs, Miguel Ángel Moratinos. On the one hand, the steps taken by **Rodríguez Zapatero**

have understandably created an enormous sense of insecurity and uncertainty among Spain's allies. Spain has ceased to be a trustworthy ally and become a nation governed by a prime minister who is not exactly characterized by his sense of responsibility and political maturity. On the other hand, in an entirely unjustified manner, Rodríguez Zapatero has refused to negotiate sovereignty, has accepted that the Gibraltarians have a right to participate in the discussions, has agreed that they should have a right of veto that does not legally correspond to them and has made a series of concessions without securing any gains in return.

“The only just and reasonable solution to the Gibraltar dispute continues to be the restitution of Spanish sovereignty over the Rock. This would rectify an historic injustice and resolve the only remaining disagreement that exists between two great nations, formerly enemies but today friends and allies. It would also free Europe from a shameful blight: the continuing existence of a colony. However, if our much-desired goal is, today, more distant than ever, we owe it to the incompetence, negligence and lack of national feeling of the government headed by José Luis Rodríguez Zapatero”

Until just a few days ago, only two reasons prevented Gibraltar from following the direction of other British colonies such as Hong Kong, and being reincorporated into the sovereign state it legally corresponds to, that is to say, Spain. The first was **Britain's eagerness to maintain a colonial influence in a fortunately post-colonial world**. The second, which is even more shameful, was to continue to conceal the mass of **illegal activities for which Gibraltar provides a base and which have been denounced time and again from the most diverse quarters**. It is obvious that neither of these reasons are acceptable within the framework of the European Union or from the perspective of the most basic international law. Now they have been compounded by the attitude of the government headed by **Rodríguez Zapatero, which is determined to carry out policies that go against everything that has been done before, even though this may mean gravely damaging Spanish interests**. For the first time in our history, **our government is much more guilty for the state of affairs regarding Gibraltar than the British authorities**.

Today, **the only just and reasonable solution to the Gibraltar dispute continues to be the restitution of Spanish sovereignty over the Rock**. In fact, when this finally happens, this will not only rectify an historic injustice, but resolve the only remaining disagreement that exists between two great nations, formerly enemies but today friends and allies. Above all, it will also free Europe from a shameful and disgraceful plight: the continuing existence of a colony. However, if our much-desired goal is, today, more distant than ever, we do not owe it to the actions of “Perfidious Albion”, but to the incompetence, negligence and lack of national feeling of the government headed by José Luis Rodríguez Zapatero.



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One of the most significant images of the 20th century took place on 9th November 1989, when members of an excited crowd demolished the Wall of Shame with their bare hands. The Fall of the Berlin Wall was an historic event that marked the moment in which millions of individuals who, for decades, had lived under the repressive régimes of Communist tyranny finally recovered their freedom. This was the day the Freedom Revolution took place.

Through a combination of historical and contemporary images, special audio effects and an unexpected and surprising ending, the FAES Foundation has produced a video to commemorate the 15th Anniversary of the Fall of the Berlin Wall. With this video we aim to encourage viewers to reflect upon the world threat entailed by the expansion of totalitarian régimes and the new threats that currently hang over the most important of Western values: Freedom.

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Furthermore, FAES has organized a cycle of conferences featuring the participation of important figures from the worlds of politics and thought, both from the West and the East. Entitled "The Freedom Revolution", these conferences are being staged between November 2004 and May 2005.

NEXT CONFERENCES

● 14th January 2005

Bronislaw Geremek. Professor of History, thinker and advocate of freedom. Co-founder of Solidarity and Minister of Foreign Affairs of Poland (1997-2000) Member of the European Parliament

● 21st January 2005

Helmut Kohl. Chancellor, Federal Republic of Germany (1982-1998)

● 15th February 2005

Carlos Alberto Montaner. Writer and journalist. Author of the book "Las raíces torcidas de América Latina".

Other participants at the Freedom Revolution:

Vaclav Havel, George Schultz, Adam Michnik, Richard Perle, Angela Merkel, Robert Kagan, Ehud Barak, Mario Vargas Llosa, Jesús Huerta de Soto y Gregory Yavlinsky.

Conferences Series at Fundación Universitaria San Pablo - CEU (Aula Magna) C/ Julián Romea, 23 - 28003 Madrid. 12,00 horas.

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