

THE HISTORY OF MIGRATIONS TO GIBRALTAR POST 1704

The history of migrations to Gibraltar and the legislation underpinning the status of migrants on the Rock is intrinsically caught up with historical events that took place in 18th century Europe. Up until 1704 Gibraltar was part of mainland Spain and had been so since 1462 when she was taken by the Kingdom of Castile. Gibraltar had until that point been under Muslim Moorish rule since 711; the Spanish had managed to recapture Gibraltar during a short period between 1309 and 1333 but for the most part, Gibraltar had been under Moorish rule for almost 700 years. As such we can see that this is an area informed by multiple occupancies and by cultural and religious diversity. Gibraltar remained Spanish until she was captured in 1704 by an Anglo-Dutch force in support of the Hapsburg pretender to the Spanish throne, an action that took place under the umbrella of the Wars of Spanish Succession, which came to an end with the signing of the Treaty of Utrecht in 1713 when Gibraltar was ceded to Great Britain.

These historic events led to a major shift in the understanding of the politics of space that defined the area. Whereas Gibraltar and the hinterland had historically always been considered as one and the same territory, post 1704 this area became divided by a border that demarcated two separate countries, Spain and British Gibraltar.

In terms of demographics, most of the Spanish families living on the Rock at the time of capitulation opted to leave, setting up home in the hinterland in the hope that Gibraltar would eventually be recovered. This never happened, but their leaving created a void in that the British Garrison needed to very quickly find people to work in support their development of Gibraltar as a military base and as a thriving economy. Opportunities were therefore to be had for economic migrants. The years following 1704 saw an almost complete renewal of the Gibraltar population, one comprised almost entirely from migrants from other parts of Europe and North Africa and newcomers from Spain. Still, important as was the demand for migrant workers, Gibraltar had lost its territorial integrity, having been reduced to approx 3 square miles of space and not all of it habitable. Space was an issue that was to inform the terms under which Gibraltar was able to develop given the restrictions placed upon the remaining territory.

The earliest extant census for Gibraltar is the 1777 List of Inhabitants which classifies under the following headings:

1. British or Protestant Inhabitants, amongst which are natives and non natives.
2. Roman Catholic Inhabitants to include English and Irish, Minorkeens, Natives (of Gibraltar), Genoese and Savoyards, Portuguese, Spaniards and French.
3. Jews, mostly from North Africa which are classified as either natives or strangers.

We can see that Gibraltar became a magnet for those seeking economic security in the relative safety of a British Garrison that was fast expanding and looking for skilled workers. As an economy, Gibraltar was declared a Free Port in 1706 which in turn brought merchants from around Europe who sought to take advantage of the financial gains to be had. It must also be noted that Article V of the 1704 terms of capitulation agreed to respect the freedom of religion practices in Gibraltar, that is, to respect Roman Catholicism, which made it very attractive for Catholics wishing to settle on the Rock. Equally interesting is the fact that Article X of the Treaty of Utrecht states that no Jews would be permitted to settle in Gibraltar, something that was not observed by the British, who had years earlier entered into a Treaty with the Emperor of Morocco and which clearly led to the establishment of a multi-racial, multi-faith community on the Rock. The fact that Gibraltar formed part of British Empire brought other British subjects to the Rock such as the Maltese, who started to arrive at Gibraltar in the late 1800s, as did migrants from India who also started to arrive in the latter part of the 19th century.

Gibraltar's geographical location at the crossroads between Europe and Africa has certainly brought a rich diversity to the ethnic demography informing the place but we cannot undermine the importance of the land frontier with Spain as a constant entry point to Gibraltar for trans-border workers and for migrants hoping to be able to settle in Gibraltar. In 1849 the average number of workers, termed as aliens, entering Gibraltar was 1,500 daily although the number could exceed 4,000 on a single day. By 1871 this figure was as high as 4,500 but numbers could exceed 5,000 in a single

day. These applications for admission had to be attended to by the Police Magistrate, and so mechanisms, such as a permit system, were in place to monitor these entries and to ensure that only those 'who could provide good service to the Garrison' were admitted. Admissions were often refused to applicants who were married and had children because of the risk that they would settle, or that any children born in Gibraltar would gain rights to residence. Space or rather the lack of it to accommodate so many people was clearly an issue, but so were the military imperatives that informed Gibraltar as a Garrison. The limited space available most certainly impacted on the management of a civilian population and led to the implementation of controls restricting further settlement. Space, therefore, or the lack of it, emerges as a topic of great importance when we look into the question of migrations.

Gibraltar was an extremely regulated place and a permit system provided a fundamental means of surveillance over the territory and its inhabitants. Official and administrative measures controlling borders and entry points were in place, although not always effective. These administrative concerns led to a law, the Aliens Order in Council (1873), which served to reiterate permit control for migrants and workers (referred to as aliens) and to enforce the prevention of births within the Garrison. To this end, children born from alien women or native women married to aliens would not acquire rights to neither citizenship nor residency. The Aliens Order in Council and subsequent laws right up to the 20th century have served to regulate not only migrants but also a civilian population in Gibraltar that had grown from ongoing migrations since 1704. Obtaining rights in Gibraltar has not been straightforward but a civilian population comprised of migrants nevertheless thrived.

Migrations to Gibraltar have not ended. A new wave of migrations came in 1969 following the closure by Spain of its border with Gibraltar. This meant the withdrawal of all the Spanish trans-border workers who had been a key element of the workforce and of Gibraltar's cultural and linguistic backdrop. To prevent the economy from coming to a standstill, some 5,000 workers from Morocco were brought in. These workers were, however, subject to similar draconian laws as established by the Aliens Order, the aim being to prevent the acquisition of residency and citizenship. Laws determining the rights of Moroccans in Gibraltar have greatly improved over these last 10 years; Moroccans and their families can now enjoy residency and are fully fledged citizens in Gibraltar's community. The full opening of the land frontier with Spain in 1985 has also reintroduced the question of trans-border migrant workers who originate from Spain and other parts of a now borderless Europe and who reside in the bordering

Spanish town of La Linea. They enter Gibraltar every day in their thousands, many trying to gain a foothold as those that entered in the 18th and 19th century. The laws governing the entry of aliens and strangers and migrants to Gibraltar may be less draconian but the reality is that Gibraltar is also a very small territory and only so many can be absorbed. At the same time, we cannot deny the fact that culturally and ethnically as a country, Gibraltar has been enriched by this process, one which has come to define us as a community.

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**SPECIAL CASES OF PEOPLE WHO CAN TESTIFY IN
THE ENCYCLOPEDIA OF MIGRANTS:**

Daily Transborder Migrants (DTM)

Gibraltar, as a frontier town, has a category of migrant that is unique to it among the other 7 cities on the project, these we term Daily Transborder Migrants (DTM's). There are two categories to this group:

- On the one hand the over 5 000 people from Spain that commute across the frontier but actually live in the neighbouring town. They pay their taxes and social security in Gibraltar but cannot enjoy any of the privileges as they do not actually live here. Nevertheless, on a daily basis they probably spend more time in Gibraltar than in their hometown. They are also instrumental in keeping Gibraltar functioning given the jobs they perform, very often the lower paid, manual jobs.

- At the other hand, are Gibraltarians that live in Spain (where their higher purchase power allows them a better standard of living) some of them in gated communities with large numbers of Gibraltarians in them making almost Gibraltarian colonies in the hinterland. As these Gibraltarians do have an address in Gibraltar they also benefit from what Gibraltar has to offer (free schools, health care, university, etc.) in direct opposition to what Spanish people working in Gibraltar have.

We will only include the first category of DTM in The Encyclopedia of migrants.