



If Spain wants Gibraltar, when it it planning to give up Olivença?

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Posted By: Daniel Hannan at Mar 13, 2009 at 00:12:21 [General]

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What if it had been the other way around? What if Spain had helped itself to a slice of someone else's territory, forced the defeated nation to cede it in a subsequent treaty, and hung on to it? Would Madrid behave as it wants Britain to behave over Gibraltar? Âi Ni pensar!

How can I be so sure? Because there is precisely such a case. In 1801, France and Spain, then allies, demanded that Portugal abandon her ancient friendship with England and close her ports to British ships. The Portuguese staunchly refused, whereupon Bonaparte and his Spanish confederates marched on the little kingdom. Portugal was overrun and, by the Treaty of Badajoz, forced to give up the town of Olivença, on the left bank of the Guadiana.

When Boney was eventually defeated, the European powers met at the

Congress of Vienna to produce a comprehensive settlement of Europe's borders. The ensuing treaty urged a return to the pre-1801 Hispano-Portuguese (or, if you prefer, Luso-Spanish) frontier. Spain, after some hesitation, eventually signed up in 1817. But it made no move to return Olivença. On the contrary, it worked vigorously to extirpate Portuguese culture in the province, first prohibiting teaching in Portuguese, then banning the language outright.

Portugal has never dropped its claim to Olivença, though it has made no move to force the issue (it toyed with the idea of snatching the town during the Spanish Civil War, but eventually backed off). Although Portuguese maps continue to show an undemarcated frontier at Olivença, the dispute has not been allowed to stand in the way of excellent relations between Lisbon and Madrid.

Now let's consider the parallels with Gib. Gibraltar was ceded to Great Britain by the Treaty of Utrecht (1713), just as Olivença was ceded to Spain by the Treaty of Badajoz (1801). In both cases, the defeated power might reasonably claim that it signed under duress, but this is what happens in all peace settlements.

Spain complains that some of the provisions of the Treaty of Utrecht have been violated: that Britain has extended the frontier beyond that originally laid down; that it has bestowed a measure of self-government on Gibraltar incompatible with the outright British jurisdiction specified by the Treaty; and (although this point is rarely pressed) that it has failed to prevent Jewish and Muslim settlement on the Rock. With how much more force, though, might Portugal argue that the Treaty of Badajoz has been abrogated. It was annulled in 1807 when, in violation of its terms, French and Spanish troops marched on Portugal in the Peninsular War. A few years later, it was superseded by the Treaty of Vienna.

Of course, the Spanish might reasonably retort that, whatever the legal niceties, the population of Olivença is loyal to the Spanish Crown. While the issue has never been tested in a referendum, it certainly seems that most residents are happy as they are. The Portuguese language has all but died out except among the very elderly. The town (Olivenza in Castilian) hosts one of the most important bullfighting ferias of the season, attracting breeds and matadors beyond the dreams of any similarly sized pueblo. Portuguese rule would mean an end to Spanish-style bullfighting, and a return to provincial obscurity.

I'm sure you can see where this is going. This blog has always made the cause of national self-determination its own cause. Spain's claim to Olivença (and Ceuta and Melilha) rests on the knock-down argument that the people living there want to be Spanish. But the same principle surely applies to Gibraltar, whose inhabitants, in 2002, voted by 17,900 to 187 to remain under British sovereignty.

Britain, by the way, has every right to link the two issues. The only reason the Portuguese lost Olivença is that they were honouring the terms of their league with us. They are our oldest and most reliable allies, having fought alongside us for 700 years - most recently, and at terrible cost, when they joined the First World War for our sake. Our 1810 treaty of alliance and friendship explicitly commits Britain to work for the restoration of Olivença to Portugal.

My real point, though, is that these issues ought not to prejudice good relations between the rival claimants. While Portugal has no intention of renouncing its formal claim to Olivença, it accepts that, as long as the people there want to remain Spanish, there is no point in pushing the issue. It is surely not too much to expect Spain to take a similar line vis-à-vis Gibraltar.

Since this post is likely to attract some crotchety comments from

**Spaniards, I ought to
place on the record that you're not likely to find a more convinced
Hispanophile than me.
I like everything about your country: its people, its festivals, its
cuisine, its music,
its literature, its fiesta nacional. Tomorrow night, you will find me in
Sadler's Wells,
transported to a nobler and more sublime place by the voice of Estrella
Morente. Believe
me, señores, it's nothing personal: it's just that you can't have it both
ways.**