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THE JEWS OF GIBRALTAR BEFORE THE TREATY OF UtreCHT AND THE DEVELOPMENT OF THE JEWISH COMMUNITY SINCE


ABSTRACT: The British occupation of Gibraltar in 1704 brought in Jewish merchants from Tetuán to supply the fresh food required by the garrison. Although expelled under the terms of the Treaty of Utrecht, bad relations with Spain led to them being readmitted to bring in much-needed supplies from Morocco. They formed a large minority in the new civilian population established in Gibraltar in the 18th century and were very influential in the development of Gibraltarian society. Today the Jewish community of Gibraltar has chosen not to participate fully in Gibraltarian society in order to protect the purity of its religious practices.

KEY WORDS: Gibraltar, Jews, Morocco, Treaty of Utrecht, Sephardi, mixed marriages, civil society, synagogues.

RESUMEN: La ocupación de Gibraltar por los ingleses en 1704 trajo comerciantes judíos marroquíes de Tetuán a Gibraltar para suministrar los alimentos frescos que la plaza necesitaba. En el siglo XVIII formaban una minoría importante de la población civil e influenciaron el desarrollo de la nueva sociedad civil gibraltareña. Hoy, la comunidad judía de Gibraltar ha optado no participar en pleno en la sociedad gibraltareña para proteger la integridad de sus prácticas religiosas.

PALABRAS CLAVE: Gibraltar, judíos, Marruecos, Tratado de Utrecht, Sefardí, casamientos mixtos, sociedad civil, esnoga (denominación en haketía, el ladino de los judíos marroquíes, de sinagoga).

I. THE FIRST JEWISH SETTLEMENT IN THE IBERIAN PENINSULA SINCE 1497

When he was preparing the newly captured town of Gibraltar for the siege that would inevitably follow, Prince George of Hesse who commanded the fortress in the name of the Archduke Charles, the pretender to the Spanish throne, was faced with the problem of keeping the garrison and those few inhabitants who had remained behind, supplied with food.

Salt provisions arrived from England but to keep the garrison healthy he knew he also needed fresh provisions. As supplies from the hostile surrounding Spanish countryside were out of the question, the nearest available source

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was Morocco. The English Government\textsuperscript{2} sent Jezreel Jones, the Secretary of the Royal Society, who knew Morocco, on an embassy\textsuperscript{3}. The Prince started a correspondence with Muley Ismael, the Emperor of Morocco who at the time was besieging Ceuta with the Alcaide Ali ben Abdalah, the Basha of Tetuan\textsuperscript{4}.

Before sailing away, Admiral Rooke landed the supplies he could spare from his ships and Prince George encouraged shipping from all nations to call at Gibraltar by declaring it a free port.\textsuperscript{5} Colonel Bennet of the Engineers reported to the Inspectors of the Army in 1712 that the reason for Queen Anne’s declaration was that the Emperor of Morocco “would not allow timber, lime and bricks for the fortifications”, because he had received complaints from the Jews in Gibraltar. Principally among the complainants was Moses Ben Hatar the Nagid or leader of the Jewish community of Salé who was the Emperor’s treasurer and man of business and bought his requirements from overseas.

The foreign trade of northern Morocco was at the time conducted from Tetuan, as Tangier had only been recovered from the English 20 years before, and it appears to have been mainly in the hands of the Sephardi, Spanish speaking Jews of that city. Ben Hatar made purchases for his master from Europe through Gibraltar although he never settled there but had an agent Samuel Alevy ben Suffat.

John Methuen the English ambassador to Portugal also sent supplies but on 23 October 1704, John Knox, the Commissary in charge of supplies complained “The whole of the Garrison is about 2,600 souls including inhabitants which I victual and have no more left than will last above 10 weeks at short allowance from this time”\textsuperscript{6}.

Gibraltar had been captured on 4 August 1704, which was 27 July by English reckoning as England did not change over from the Julian to the

\textsuperscript{2} Britain, as a United Kingdom, only came into existence after the union with Scotland in 1707.


\textsuperscript{4} Sometimes referred to as the Alcaide Benabola.

\textsuperscript{5} HEINRICH KÜNZEL, «Leben und Briefwechsel… cit.», p. 440. This declaration was confirmed by Queen Anne’s Privy Council on 17 May 1705 (PC.1/31)

\textsuperscript{6} Ibidem, p. 493.
Gregorian calendar until 1752. Prince George immediately took over command and he appointed Henry Nugent, Count of Valdesoto governor in the name of the pretender Charles III, Nugent was an Irish Catholic who had been the prince’s lieutenant when he was Viceroy of Catalonia under Carlos II. When Nugent was killed by a shell at the beginning of the Siege in November 1704, Prince George, was forced by John Metheun, the English ambassador to Portugal, on whom he depended for money and supplies, to appoint an English officer to succeed him. Major General John Shrimpton arrived in Gibraltar in December 1704 and was appointed a major general in the army of Charles III.

Shrimpton was left in sole command when the prince sailed with the fleet under the Earl of Peterborough to attack Barcelona on 5 August 1705. The remaining garrison now consisted of two newly raised and half-trained English regiments and a Dutch regiment under the Baron de Waes. But Gibraltar was safe as the fighting had moved elsewhere in the peninsula and the Spanish besiegers were reduced to one regiment of cavalry stationed at San Roque.

On 19 August Shrimpton wrote to the Secretary of State in England,

We want almost everything but salt provisions, my lord Peterborough has not left us enough men to do the daily duty [...] would I have thought my Lord Peterborough would not keep his word with me I would not have stayed in the town.

In October 1706, Shrimpton decided to look for glory and left Gibraltar to join the army in Catalonia under the Earl of Galway. He left the senior English officer, Colonel Roger Elliott in charge of the garrison. When Galway was defeated at the Battle of Almansa by the Duke of Berwick on 25 April 1707, Shrimpton was captured but released later on parole and had to return to England where he died the following December. On Shrimpton’s death Elliott was appointed governor of Gibraltar by Queen Anne.

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9 CO.91/1, «Gibraltar papers», The National Archives, Kew. In this and all subsequent quotations the spelling has been modernised to make them more readily understandable.
In 1712 the new Tory government in Britain sent inspectors to enquire into the affairs of the British army in Spain and Portugal. The Inspectors found that Jewish merchants and workmen had settled in some numbers. The Jewish merchants and their European correspondents from London, Livorno and Amsterdam were by then well established in Gibraltar. The governor collected 886 dollars in rent from all newcomers, and over half of this amount was paid by Jews who are listed as follow:

Señor Nieto 6; Señor Amaro 4; Sr Mathias 10; Sr Benamore 8; 2 young Jew merchants in the Great Street (called Cardozo) 12; Moses Nementon 6; 2 Jews near the great Church 12; Benjamin the Jew 4; 28 Jew shops in the great Street 118; All other Jews cannot be known but supposed to pay 300.

Total 484.

In addition to Jews from Morocco there were some from England (Nieto), Portugal (Cardozo) and there were even some from Spain. In his deposition to the Inspectors the following year, the Franciscan friar, Francis Balbuena complained that he had been expelled from Gibraltar

More from want of money than from religion [...] and to confirm this opinion is that coming a Physician from Spain a Jew very able and utile for the good of the garrison, was likewise turned out of the Town, and they demanded of him 80 Moidores of gold to remain in the Town and he would give but thirty. And he not complying with their demands he was turned out and went to Amsterdam11.

In his researches on the Jews in Malta, David Davis has found in the papers of the Inquisition there a deposition made in 1724 by a young man who said that as a child he had been part of a secret Jewish group in Seville and had been taken to safety in Gibraltar by Rabbi Abram12, and this may have been the man mentioned by the friar.

The only mentions of Jews during those years are in the depositions of the Military Inspectors by the chief engineer, Colonel Bennet and a Spanish officer, Lieutenant Perez de Padilla.

Bennet wrote:

The Jews come daily in great numbers from Barbary, Leghorn and Portugal to inquire into every particular circumstance of the place, they have their correspondents abroad, those from Barbary have raised the price of provisions to

11 CO.91/1, «Gibraltar papers», The National Archives, Kew.
a very great degree, and indulged by their paying high fines and rents, so that they have some of the best houses in town.\textsuperscript{13}

The cost of trading in Gibraltar was high and Lieutenant Padilla blames this on the exactions made by Governor Elliott

any person that kept a shop, tavern or sold any goods openly they were obliged to pay Major Bucknall [the town major], if they were Spaniard 1 Pistole per month; if Genoese a Moeda of gold per month; and if Jews 2 Moedas of gold per month; and when thought fit to raise a large sum from the Jews, there was an order on the church door with 4 or 5 names at a time, ordering them immediately to leave the town; which they not willing to do, were obliged to raise 2 or 3 Moedas of gold each man for leave to stay, which was paid to Major Bucknall.\textsuperscript{14}

\section*{II. THE TREATY OF UTRECHT AND EXPULSION}

The pretender to the Spanish throne, the Archduke Charles became Emperor of Austria on the death of his brother and Louis XIV took the opportunity to make peace as the war was driving France into bankruptcy. Felipe V had unwillingly to follow his grandfather’s instructions but he would be unable to continue the war if the French withdrew their military support.

A peace congress was opened at Utrecht in January 1712 to continue the preliminary negotiations that had already been carried on for some months. The British delegates to the congress were instructed by Queen Anne’s ministry to obtain the Asiento [the right of selling slaves to the American colonies] and to keep Port Mahon and Gibraltar “from these three key points no extremity shall oblige her to depart”\textsuperscript{15}.

The discussions about the cession of Gibraltar included the question of the Jews already settled there. When he was informed that Spain insisted on having Jews and Moslems excluded from settling there, the Secretary of State, Lord Dartmouth wrote “His Catholic Majesty has no right to intermeddle in the Affairs of Religion or any other matter whatsoever relating to the Government of those places”. But the Spanish negotiators were adamant

\textsuperscript{13} \textit{British Library}, Ad Manuscripts, 10034.

\textsuperscript{14} \textit{British Library}, Ad Manuscripts, 38329 f 169. A pistole was a small Spanish gold coin worth about seven shillings and the Portuguese Moeda de Oro was worth 28 shillings.

“about the Jews and Moors they put to know their care for religion”\textsuperscript{16}. When the treaty was signed, article 10 dealing with the cession of Gibraltar “to the Crown of Great Britain the full and entire propriety of the Town and Castle of Gibraltar, together with the port, fortifications and forts belonging” it carried the rider “Her Britannic Majesty at the request of the Catholic King does consent and agree that no leave shall be given under any pretence whatsoever either to Jews or Moors to reside or have their dwellings in the said Town of Gibraltar.” The cession of Minorca did not have this condition as Jews only arrived in the island some years later.

On 28 November 1713, Ambassador Lexington wrote to Brigadier Congreve the lieutenant governor of Gibraltar, informing him that the Queen wanted article 10 of the treaty “scrupulously observed” and Congreve subsequently reported to Bolingbroke that he had had discussions with Lieutenant Colonel Perez who commanded the cavalry at San Roque about how we were to have provisions from the country, and concerning the Moors and Jews [...] that they should all be gone immediately; and upon this subject I beg leave to give your Lordship this short account of them, of the Moors seldom, or ever any have been here, and the, only just come and go, and of the Jews there are about one hundred and fifty, two thirds of which are natives of Barbary, and the rest from England and Holland, but most from Italy\textsuperscript{17}: and as they have dealings in all parts, your Lordship will soon judge the loss their correspondents must have, if they are sent away without settling their accounts, and paying what they owe, for want of a reasonable time allowed them for the purpose\textsuperscript{18}.

Obviously if Spain was going to supply the fresh provisions required by the garrison there was no reason to allow the Jews to remain in Gibraltar. Bolingbroke replied:

It is [...] the Queen’s pleasure that you do not suffer under any pretence whatsoever any Jews or Moors to inhabit at Gibraltar, and that you take care, that such as are at present settled there, do within the space of a month, from the receipt of these Orders, make up their accounts, remove or otherwise dispose of their effects and transport their persons and families from thence. They will have no reason to complain that the term limited for their removal is too short, when it shall

\textsuperscript{16} CO.91/5 «Gibraltar papers», The National Archives, Kew. Ambassador Lord Lexington to Dartmouth, 20 October 1712; Dartmouth to Lexington, 7 November 1712.

\textsuperscript{17} The Jews of Morocco had strong connections with the large and rich Sephardi community of Leghorn in Tuscany.

be considered that they have had for several months already knowledge of what is stipulated regarding them.  

On 13 May 1714, Congreve reported that all Jews had been removed “except six principal Jews of Barbary kept as hostages upon petition of the commander of the Mediterranean squadron Admiral Sir James Wishart. But they were either never expelled or they returned, for the truth was that the Jewish merchants in Gibraltar were too important to the military to be dispensed with altogether, for not only did they bring in much needed supplies, but their presence permitted the governors and other officials to pocket the substantial sums they received for rents and permits. 

Supplies of food were always a problem. Provisions were sent from Britain but never enough, for as Commissary of Stores, John Conduit explained in 1714:

“The three months supply sent from England only lasted 9 weeks because it was for 500 men only but 2000 persons are victualled, the officers receiving provisions for their wives, children and servants that are on the spot and the Spaniards for themselves and their families.”

And if any of the supply ships were wrecked or delayed, as happened when the ship *John and Ann* did not arrive, the garrison had to be put on short rations, for supplies were not available in sufficient quantities from Spain. In 1715 several peasants were shot for exchanging supplies for tobacco. Morocco was still an important standby. What was more, the Jewish merchants conducted an important entrepôt trade with that country which added to the affluence of the small garrison town and the governor’s personal revenue. Matters did not change much whilst relations between Britain and Spain were distant but these began to improve. Colonel Stanhope Cotton took over as lieutenant governor in 1716 and was instructed to keep strictly to the terms of the Treaty of Utrecht.

From the beginning of Cotton’s appointment cross-border relations improved. He had travelled to Gibraltar via Madrid, where he spent two weeks. During his time there he discussed the question of supplies from Spain being allowed freely across the border. But when he arrived in Gibraltar

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19 Ibidem, p. 3a.
20 During the siege of 1704-05, Prince George of Hesse arranged for Spanish civilians to receive army rations, this continued long after the siege, more by oversight than design.
21 CO.91/5 «Gibraltar papers», The National Archives, Kew.
he did not act precipitately although his instructions were to apply strictly the terms of the Treaty of Utrecht. In 1717 Francisco García Caballero, an old inhabitant of Gibraltar was appointed consul and the Bishop of Cádiz, Don Lorenzo Armengual de la Mota made a pastoral visit with his retinue which included his secretary and steward. Although Don Lorenzo declined Cotton’s invitation to stay at the Convent, he later reported that some of his retinue stayed there, and he himself dined daily with Cotton “and with many English gentlemen and officers who treated him most courteously and with their usual tact and urbanity.” The consul reported that contrary to the provisions of the Treaty of Utrecht there was a substantial Jewish community, which he thought numbered 300, and they had a synagogue in the Calle Juan Serrano. The Spanish Ambassador in London lodged a complaint about this breach of the Treaty.

Vice Admiral Charles Cornwall who commanded the Mediterranean squadron also complained. There was a resurgence of the activities of the corsairs of Salé who were attacking British ships and he wanted to stop guns and ammunition reaching them through Gibraltar. He seems to have fallen out with Cotton about this. He accused the lieutenant governor and the town major, Major Thomas Fowke, of accepting bribes from the Jewish merchants. It appears that they had been offered sweeteners, as was customary, but both Cotton and Fowke denied the charge. Both made depositions before the Deputy Judge Advocate that they had not accepted presents, and in support of this they got the leading Jewish merchants to swear on oath in October 1717 that no presents had been received. These two depositions were sent to England. One deposition was in English and signed by the European merchants: Manuel Díaz Arias, Moses Mocatta, Isaac Cardozo Nuñez, Imanuel Senior and Isaac Netto; The other in Spanish was signed by the Moroccan merchants: Samuel Alevy ben Suffat, Solomon ben Amor


23 The old Franciscan Convent is still the official residence of the governor of Gibraltar.

24 This was a short street that led from Main Street to the small square in front of the Gibraltar Museum. In his «Historia de Gibraltar», Alonso Hernández del Portillo (page 61) states that the Moorish baths were in the mayorazgo of Don Juan Serrano.

Joseph Bibas, Abraham ben Amara, Reuben Curiose, Ehuda Azuelos, Samuel Faxima and Samuel Shananes\textsuperscript{26}.

Cotton also sent to the Secretary of State “The Humble Memorial” he had received from “Manuel Diaz Arias, an English Jew Merchant”\textsuperscript{27}, which asked for an extension of three months as his affairs were in such a state that a hurried departure would lead to the financial undoing of himself and some other London merchants. He pointed out that he had been resident in Gibraltar since 1713 and had settled there “Upon the encouragement that her late Majesty Queen Anne pleased to grant to all merchants and traders that would come to settle in Gibraltar”. He goes on to ask that

> your Honor will be Pleased To Take Into Consideration My Circumstances, and Distinguish me from all The Rest Being an English Man and Freeman of London. That I do and have supplied Mr. Vere, Agent Victualler, Mr. Wm. Sherer, and John Conduit esq, with The Money they wanted towards the Subsistence of the Garrison. As it appears by the Certificates Annexed And Humbly Beg the Favour of your Honour to grant me Three Months Longer in This Place while I have an answer from my English merchants. In order to Dispose of their effects and Receive Their Moneys Due to Them\textsuperscript{28}.

The petition was accompanied by affidavits testifying to the truth of Arias’s statements, but the British Government was determined to stand by its treaty obligations and gave Cotton instructions that there were to be no further extensions. Cotton still procrastinated and Cornwall reported on 31 January 1718, “I concluded that all the Jews had been removed as I wrote you in my letter of the 15 November, but to my great surprise I am informed that there are not only some remain yet within the town, but many that only lie on board a vessel in the mole, who are allowed to trade notwithstanding His Majesty’s express command to the contrary.”

With Cornwall checking on his very action, Cotton was forced, reluctantly and at some considerable personal financial loss, to comply with his instructions. Writing hastily to Addison two days after Cornwall’s letter, he reported

\textsuperscript{26}Copies of these affidavits dated 17 October 1717 are in CO.91/1, «Gibraltar papers», The National Archives, Kew.

\textsuperscript{27}Manuel Diaz Arias belonged to the community of new Christian merchants in London who had reverted to Judaism when they were out of reach of the Inquisition. The Cardozos who came to Gibraltar directly from Portugal also did the same.

\textsuperscript{28}CO.91/2, «Gibraltar papers», The National Archives, Kew, 17 October 1717.
I flatter myself that my conduct in relation to the Jews will meet with the same success, having strictly complied with what is stipulated in Article 10 of the Treaty of Utrecht. By removing both from the town and Bay the Jews of all nations, one only excepted whom at the request of some English merchants, his creditors, is still detained as a prisoner for a few days longer, he expecting by one of our men of war goods sufficient to discharge his debts as this ship is hourly expected he shall on her arrival instantly depart.

The Jews had been finally expelled and when Cotton left for London via Madrid in February, in his written instructions to Lieutenant-Colonel Peter Godbey, who was left in command, he admonished him “I must recommend to you that upon no account whatsoever you suffer Jews of any nation to reside here”.

Admiral Cornwall, concerned about military supplies reaching the corsairs established a blockade of the Moroccan coast, “interrupting Brimstone [...] and other Contraband Goods belonging to Jews who were concerned as agents for persons of the greatest interest at the Court of the Emperor of Morocco [...]” presumably they were goods imported by Ben Hatar for the Emperor, who reacted sharply and declared he was at war with Britain and put a stop to all trade with Gibraltar and England. Nevertheless the Moroccan Court maintained a friendly correspondence with those British merchants who were acting as factors in the Moroccan coast ports.

III. RESETTLEMENT 1718 - 1721

A number of the Jewish merchants moved to Tetuan, and this would have been the end of Jewish settlement in Gibraltar if it had not been for the war provoked by Alberoni when he seized Sardinia and Sicily which Spain had lost under the terms of the Treaty of Utrecht. The European powers concerned that this might mean the breaking of a hard won peace and the resumption of a European war, formed the Quadruple Alliance of Austria, Britain, France and the Netherlands to contain Spanish ambitions and there was a state of war. Spain organised a military expedition against Britain in the interest of the Stuart pretender which was not successful, but a British fleet annihilated the resurrected Spanish navy at the Battle of Cape Passaro on 11 August 1718. There was no fighting at the Gibraltar frontier but it was

again closed and no supplies were allowed through. Relations with Morocco therefore required to be mended and Commodore Stewart of the Royal Navy was sent out as an ambassador to negotiate a treaty.

In the meantime, Moses Mocatta, back in London, petitioned to be allowed to resume his substantial trade with Morocco.

To the King’s Most Excellent Majesty, the humble petition of Moses Mocatta of London, Merchant SHOWS

That having carried on a correspondence with some merchants settled at Gibraltar for convenience of the trade with Barbary, Did for several years send great quantities of British cloth and other British manufactures and those being bartered with the Moors for the commodities of the growth of Barbary had communicated and enlarged a considerable trade with the Bay of Tetuan a port belonging to the Emperor of Morocco within the Straits of Gibraltar.

That your Petitioner by his Agents had Contracted last year for great parcels of British cloth and other British manufactures with several Moorish merchants and also with the Bashaw of Tetuan for the use of the Emperor of Morocco to a very great Value and have sent the British goods Most of which were transported to Tetuan and the remainder are now at Gibraltar, your Petitioner’s said agents not being permitted to fetch them: nor bring over from Tetuan to Gibraltar the Barbary goods so bartered, there being a prohibition of trade and communication between these ports, no letters permitted to pass, by which interruption Your Petitioner, cannot be informed of the circumstances of his [affairs] and by such long detention is rendered incapable of giving satisfaction to his credit and for large sums contracted.

Therefore your Petitioner humbly prays your Majesty’s gracious letter to the Commander of your Fortress of Gibraltar, and of your ships of war employed in the prohibition, to permit your Petitioner and his agents the Liberty of carrying from Gibraltar such British goods as have long been lying there for the above mentioned and also to bring over from Tetuan to Gibraltar your Petitioner’s returns without molestation.

Mocatta received the support of the Commissioners of Trade and Plantations and proceeded to Gibraltar and Tetuan where he appears to have arranged matters. But on his return from Tetuan there was a storm and his ship had to take refuge in Ceuta and he was held prisoner for some time before he was released and was able to return to London. Although he does not seem to have returned to Gibraltar he obviously maintained his commercial interests in Gibraltar for in December 1728 he presented to the

30 CO.91/1, «Gibraltar papers», The National Archives, Kew.
Lord Commissioners of Trade “a scheme for the establishing the Trade at Gibraltar and Diminishing the Charge to the Crown”.  

The blockade was not one-sided and Morocco also imposed sanctions on trade with Gibraltar and Britain. In July 1718 “sundry British Merchants” petitioned the Commissioners of Trade to help them improve relations with Morocco although they could not “give an account how the late Treaty came to be break off, they suspected it was occasioned by the Jews who had the management of it . . . at present there were 164 English Slaves, and that they feared their factors and others would likewise be condemned to Slavery, if some Composition was not soon made.”

This would have been the end of Jewish settlement in Gibraltar if relations between Britain and Spain had remained cordial, but they deteriorated rapidly. Elizabeth Farnese the second wife of Felipe V, desired to carve a kingdom for her son in Italy, and she was aided in this by Cardinal Alberoni the chief minister. In July 1717, a Spanish expedition sailed from Barcelona to occupy Sardinia and Sicily. To counteract this, a quadruple Alliance of Austria, Britain, France and Holland was formed to avoid Spain plunging Europe into a general war. In the summer of 1718 a British fleet under Admiral Byng was sent to the Mediterranean. The fleet sailed from Gibraltar accompanied by Vice Admiral Cornwall and the Strait squadron and cruised off the coast of Italy. When they came across the Spanish fleet off Sicily they attacked it, although was had not been declared and destroyed or captured most of the ships at the Battle of Cape Passaro.

This action led to war. Spain threatened to invade Britain on behalf of the Stuarts, but as her army was engaged elsewhere she did not attack Gibraltar, although it was blockaded and supplies were cut off. The war did not last long as France invaded across the Pyrenees and peace was re-established in 1720. But Gibraltar was once again dependant on supplies from Morocco and required the Jewish merchants to return.

In September 1720 Captain Charles Stewart was sent with a small squadron to cruise against the Barbary corsairs and to go on an embassy to Mekenes to

31 *Calendar of Commissioners of Trade and Plantations, 1722-23 to 1728*, (Historical Manuscripts Commission), p. 447, (CO.91/2).
32 CO.391/22 f.358 «Gibraltar papers», The National Archives, Kew.
establish a new treaty. By the time he arrived in Gibraltar he found that Ben Hatar’s agent and other Jewish merchants were back on the Rock. He also found a Spanish army under the Marquess de Leda, camped round the Bay. It was on its way to relieve the siege of Ceuta. Thinking this a good opportunity he wrote to the Basha of Tetuan to appoint an ambassador; and Cardenash, who had been on an embassy to London, was sent to Gibraltar. But when Stewart heard that Ben Hatar was in Tetuan and was going to act as joint negotiator he sailed with his squadron to Tetuan Bay. The new treaty was agreed by the Basha and signed copies were exchanged on 17 January 1720 (1721)\(^34\). It just remained for Stewart to proceed to Mekenes to get it ratified by the Emperor.

Cavendish, the previous British ambassador, had offered the Moroccans 12,000 barrels of gunpowder, 12,000 gunlocks and 100 pieces of cloth for the release of 175 British captives, and a further 8,500 dollars to Ben Hatar for having fed and looked after the ship captains, all this amounted to some £40,000 in all, but the number of captives had since increased to 290 and Stewart had to increase the ransom by a quarter. Not having to hand the £50,000 required, Stewart had to sail to Lisbon for the money before completing the transaction. He left Ben Hatar and Cardenash in Gibraltar until his return\(^35\).

The original signed copy of the treaty is in Spanish and is filed among the Gibraltar papers at The National Archive and not with the Moroccan State Papers\(^36\). The treaty has fourteen articles which established peace between the two countries. Article 7 gives British merchants the right to settle and trade in Morocco and ends with the words “and that the subjects of the Emperor of Fez and Morocco, whether Moors or Jews, residing in the dominions of the King of Great Britain, shall entirely enjoy the same privileges that are granted to the English residing in Barbary”.

Article 9 provided capitulation rights for all disputes between British subjects in Morocco to be judged by the British Consul, and similarly

\(^34\) At the time Britain was still using the Julian calendar which made the year 11 minutes too long and was 11 days ahead of the Gregorian Calendar of 1582. Also the year did not start in January but the following April. Britain adopted the Gregorian calendar in 1752.

\(^35\) CO.91/5, «Gibraltar papers», The National Archives, Kew. Stewart to Secretary of State Craggs, 11 November, December 1720 and 20 January 1721 OS.

\(^36\) CO.91/7 «Gibraltar papers», The National Archives, Kew.
Moroccan subjects in British possessions would have their domestic disputes judged by one of their number. “A Moor for the Moors and a Jew for the Jews”.

The position of Gibraltar is clarified in article 13:

And as it has pleased Almighty God, that by His Majesty’s arms, the island of Minorca, and the city of Gibraltar, are now His Majesty’s possessions and are become part of His Britannic Majesty’s dominions, it is therefore agreed, that every person sailing in ships or vessels, whether Spaniard, English or otherwise, fishing in boats or vessels, living or residing there, shall be esteemed as his natural-born subject, upon producing proper passes, from the governors or commander in chief of those places.

This treaty was a contradiction of Britain’s engagement under the Treaty of Utrecht, but Stewart’s main purpose was to ensure supplies from Morocco. By the time that the British government was aware of the contradiction the treaty had been signed. Another attempt by Spain to seize Gibraltar was expected and Colonel Richard Kane was transferred from Minorca in 1725 as lieutenant governor, to rebuild the fortifications and make them ready for what was to come. In August of that year he numbered the civilian population and found that of a total of 1,113 about 12% were Jews. They numbered 137, 26 females and 111 males who had the following provenance: England 4, Holland 3, Livorno 17, and Barbary 87.

Kane reported that “they have a Synagogue” and he complained three months later that every vessel that arrived from Tetuan brought more Jews and they numbered 160, but he was determined to put a stop to it, “I shall order the Jews that are here to give notice to their Correspondents in all parts not to come hither with a view of inhabiting here, and shall acquaint all Jews who have families that they are prepared to retire from hence with their families, and that none are admitted here but as travellers”.

The British Government, concerned about Spanish designs on Gibraltar and aware, that if the frontier was closed the garrison would have to rely on Morocco for supplies, did not wish to offend the Basha of Tetuan and the Emperor of Morocco again and Kane was instructed that although this was in contravention of Utrecht, “considering the present circumstances of our

38 CO.91/1 «Gibraltar papers», The National Archives, Kew.
affairs [...] those Jews at Gibraltar may for the present be connived at, and will accordingly have you suspend the execution of any orders that may have been formally sent for removing them from thence”. Kane replied, “I shall have due regard to the King’s Command for conniving at the Jews staying here”.

When Brigadier Jasper Clayton arrived to take over from Kane as lieutenant governor in February 1727 he found a large Spanish army encamped before the Rock. Spain encouraged by her pact with Austria was now determined to recapture the Rock and the thirteenth siege ensued. It lasted for only four months, from 11 February to 12 June but was unsuccessful. The garrison no longer received supplies from Spain, but the Basha of Tetuan wrote to Clayton offering supplies and provisions. Clayton appointed Isaac Netto who was the leader of the re-established Jewish community as sole contractor for importing food from Morocco. Netto held this appointment until the following year, when on the death of his father Haham David Nieto, Isaac who was an ordained rabbi, returned to London to become rabbi of the Spanish and Portuguese Synagogue at Bevis Marks. The monopoly passed to an English merchant James Argatt but was abolished in 1729 following questions in the House of Commons.

The British Government needed to reconcile its conflicting undertakings, when John Russel was sent to Morocco in 1728 to negotiate a new treaty he was ordered to amend the previous arrangements for the Jews and Moslems and the first article of the treaty signed in 1729 reads:

That all Moors and Jews subject to the Emperor of Morocco, shall be allowed a free traffic to buy or sell for Thirty days, in the City of Gibraltar or Island of Minorca, but not to reside in either place, to depart with their effects without let or hindrance to any part of the said Emperor’s dominions.

This clause was repeated in every subsequent treaty with Morocco until 1763, after which it no longer had any effect as the majority of the Jews in

40 Ibidem, p. 9a.
42 The extension of the exclusion to Minorca was fortuitous as the cession of the island was made without any restriction.
Gibraltar had been born on the Rock and under English common law had enquired full right of residence. It was one thing for the British Government to give instructions to the governor of Gibraltar, but because of the distance involved that official acted according to what he considered were the best interests of the fortress. For as Ignacio Lopez de Ayala states, “el gobernador . . . es árbitro i soberano despótico del pueblo, i mas rei en Gibraltar que el mismo rei de Inglaterra”\textsuperscript{44}. The only concession made to Utrecht was that properties granted to Jews were normally on a nominal 999 year mortgage instead of being freehold, but the distinction was swept away when the general registration of properties was made in 1820.

**IV. THE ESTABLISHMENT OF THE JEWISH COMMUNITY 1721 - 1779**

When exactly the Jews returned to Gibraltar after their expulsion is not recorded but it must have been shortly after relations between Spain and Britain were broken and supplies stopped arriving across the frontier in 1718. Captain Stewart found them in Gibraltar when he arrived. In 1721 Colonel Hargrave, who was left in command during the absence of the governor and lieutenant governor, made property grants to Abraham Acris, Abraham Benider (who had acted as Interpreter to Captain Stewart during his embassy) and Moses Cansino and in 1724 he granted a piece of land, in a short lane leading off Engineer Lane to Isaac Netto so that he could build a synagogue\textsuperscript{45}.

The names of the Jews that Kane recorded in his census have not survived, but a study of the 1777 census shows that members of the following families were resident in Gibraltar at the time. From Tetuan: Aboab, Anahory, Sananes; from Salé: Annaleck, Bensusan, Bubdy; from Tangier Benamor; from Mogador: Abudarham, Massias; from Portugal: Diaz Carvalho, Moreno, Nuñez Cardoso; from Holland, Conquy and from Livorno: Daninos and Tedesco.

Not all the Jewish immigrants were merchants. Many were labourers, porters and craftsmen. When the siege started in 1727 a diarist recorded

A body of the Jews desire leave to retire to Barbary because commanded to work for the common preservation, but answered by the governor that as they

\textsuperscript{44} L\H{o}Pez de A\V{a}Lay\A, I., «Historia de Gibraltar», Madrid, 1782, pp. 373-374.

\textsuperscript{45} British Library, Ad Manuscripts 36137, ff 139-155.
enjoyed ease during peace, if they will not assist for their own safety, they shall be turned out to the Spaniard⁴⁶.

Daniel Defoe recorded in his book, “The Jews were not a little serviceable, they wrought in a most indefatigable manner and spared no pains when they could be of any advantage, either in the siege or after it. But this hard work was to be of no avail for as S H recorded on 22 October “Six and twenty poor Jews were turned out & sent to Barbary for certain reasons of state”. That the reason was their poverty and not because they were Jews is shown by an entry two days later: “Came in a recruit of 24 Jews, moneyed men from Leghorn [Livorno]”⁴⁷.

After the unsuccessful 1727 Siege, a line of sentry posts was built along the Spanish frontier, which was fortified in later years. This in effect cut off all access to Spain, and no supplies were allowed through⁴⁸. However the frontier was fully opened four times before the Great Siege. Twice in 1731 to allow supplies for the British expeditionary force that was held in readiness in Gibraltar to assist Felipe V’s son occupy the Duchy of Milan, and General Bland recorded that it was opened twice during his period in Gibraltar to allow supplies to be received as communications with Morocco had been cut off by severe storms⁴⁹.

Many of the Spanish residents had left to escape the rigours of the coming siege, and with a closed frontier they had no desire to return. Although the population increased gradually during the century, the number of Spaniards reduced. Their place was taken by Moroccans, just as happened when the frontier closed in 1969. The difference was that in the twentieth century the Moroccans who came to work in Gibraltar were Moslems, while in the eighteenth century they were Jews. The next thirty years were a period of high Jewish immigration. When General Braddock took a census in 1753 they

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⁴⁶ *Gibraltar Museum*, SH diary of 1727, Siege.
⁴⁷ *Gibraltar Museum*, SH diary of 1727, Siege.
⁴⁸ When the traveller Richard Twiss crossed over from San Roque, he had a permit to pass but his horse was retained by the guard at the frontier and he had to walk into town. In 1776 a Spanish friar came to aid the parish priest in the Easter devotions, his passport exceptionally stated that he was allowed to bring “una gallina y un borrego” as presents for the parish priest. (Eliott’s Secretary’s Book)
⁴⁹ *Gibraltar National Archives*, “General Bland’s Account of his Proceedings while Governor of Gibraltar”, Article 7.
numbered 572, and formed 32% of the civilian population of 1,793. In the 1777 census their number is given as 863 and they formed 27% of the civilian population of 3,201, while Roman Catholic numbered 1,819 (575). There were many complaints about the way Governor Hargrave had handled Gibraltar affairs during his period in command and in 1749 Lieutenant General Humphrey Bland was sent as Governor to overhaul the administration. This resulted in his writing what amounted to the first British Constitution for Gibraltar which was ratified by George II, and controlled the way that Gibraltar was governed over the next sixty years.

His instructions included an order to deal with the complaints about the way Hargrave had misappropriated properties and to encourage Protestants to purchase properties by setting cheaper rents for them, as against “the Jews [...] and Papists” who held most of them, in order to make Gibraltar more secure. Bland appointed a Court of Enquiry, consisting of army officers and English merchants who investigated all titles, and all those held by Jews and Catholics were duly upheld.

During the period before the Great Siege the Jewish community formed a large, prosperous and important part of the civilian population and played a role in establishing Gibraltarian society second only to the Genoese and other Italian immigrants. The 1777 census shows that only 50% of Gibraltarian civilians were born on the Rock, but among the Jews the figure was 72%. Half the houses in the town were owned by British merchants and officials and the Jews owned over half of the rest. Civilians of all communities shared the limited housing there was in the town and lived in harmony as Ayala pointed out:

Era de temer por la diversidad de religiones, de costumbres é intereses de los habitantes, que se experimentarán en Gibraltar las pendencias i atrocidades que en otras ciudades de la provincia. La severidad del gobierno militar las ha precavido; porque certificados los individuos que allí concurren, de la pena que les amenaza en

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50 The census shows that during the period of high immigration (1728 to 1739) the following families established themselves in Gibraltar: Abecasis, Almosnino, Anedgiar, Azuelos, Azulay, Benady, Benaim, Benamara, Benaros, Benbunan, Bensadon, Bensamero, Bensur, Benyunes, Cohen, Gabay, Gozal, Halfon Hassan, Israel, Lealtad, Levy, Maimaran, Megueres, Salama, Serfaty, Taurel, and Uziel from Morocco. From Europe there was only Ferrares and Leuche from Livorno, de Matos from Portugal and Lara from London. The descendants of a number of these families still form the majority of the Gibraltar community.
caso de incurrir en algún delito, certificados de que allí no se gana á los ministros, ni se cohechan los jueces, fundan su seguridad en no interrumpir la agena\textsuperscript{51};

Whatever the reason, living peacefully together became a habit and a way of life from the early days of the new Gibraltarian society.

The main synagogue was the one built by Isaac Netto in 1724, who acted as head of the community and rabbi until he left for England in 1728. He named it Gate of Heaven (Shaar Hashamyim) after his father’s synagogue in London. He also founded a Talmudic Academy called Tree of Life (Es Hayim) which was also named after a similar institution attached to the London synagogue.

There were conflicting views of what a synagogue should be like between the European and the Moroccan Jews. Netto had organised the synagogue according to the customs and traditions of the Sephardi communities of London and Amsterdam, which were founded by New Christians who for generations had worshipped in churches and were used to a formal and ceremonious atmosphere. The idea of a synagogue among Jews from Arab lands was different. Sharia law forbade the building of synagogues (Moslem Spain and Ottoman Turkey were outstanding exceptions) and services were held in private houses where inevitably a more homely and informal atmosphere developed. This led to Moroccan Jews turning the Talmudic academy into a synagogue in 1759 so that they could hold their services away from the formal atmosphere of the main “Dutch” synagogue. This difference in approach was to result in the founding of two other synagogues after the Great Siege.

The Great Siege which lasted from June 1779 until February 1783 was to disrupt the life of Gibraltarian society. During those years the Spanish navy established a close blockade and food became very scarce. Once their batteries were in place the besiegers conducted a heavy bombardment of the town in May 1781 and during the following 20 months 250,000 cannon balls were fired into the town. After the siege was over the inhabitants returned to a town in ruins and its trade completely disrupted by the blockade. The process of rebuilding their old life was to be a slow and laborious one.

\textsuperscript{51} López de Ayala, I., «Historia de Gibraltar», Madrid, 1782, p. 373.
V. THE FRENCH WARS AND THE 19th CENTURY

The long French Revolutionary and Napoleonic Wars which started in 1793 brought great economic prosperity in their wake. The movement of fleets and armies brought an increase in trade. In addition the Royal Navy brought in a number of enemy ships they had captured, and after they had been condemned by the Vice Admiralty Court in Gibraltar they and their cargoes were auctioned in the main square which acquired the name of Commercial Square and in Spanish “El Martillo” after the auctioneer’s gavel. The local merchants got into the act, once Spain was forced to join France and declare war on Britain; they fitted out privateers, which brought in valuable prizes and many of them became wealthy on the proceeds of their activities. As James Bell noted in his book,

The war, commenced in 1793 was highly beneficial to Gibraltar; for, having a Vice-Admiralty Court, the numerous captures made by our cruisers in the Mediterranean, and off the coasts of Spain and Portugal, were daily brought in, libelled without delay, and condemned with little ceremony; both vessels and cargoes being forthwith sold at public auction. […] Moreover, a system of Privateering was established, whence proceed transactions, little honourable, although highly profitable, to the parties engaged in them […]52

The Captain of the Port, William Sweetland, who himself owned a privateer was less scathing

In 1795 Spain became involved in the war against England, this naturally induced a more extensive scale of privateering and the success of the Privateers and of the Men of War on the station was such as to induce some commercial houses of great respectability, both in Italy, and in England, to establish agents here for purchasing prize goods.

This enabled a number of the established artisans and petty traders of Gibraltar to become merchants and join the middle class, which increased in size and importance and Jews formed an important part53. The new wealth of the community led to the founding of the Line Wall Dutch synagogue (Esnoga Flamenca) in 1799. This synagogue recreated the customs and traditions of the great Amsterdam synagogue of Amsterdam, which was the

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53 My great great grandfather, Menahem Benady, born in Gibraltar in 1755, was listed in the 1781 census as a boot maker. He later became a merchant dealing with Minorca and Marseilles and he died in Malta in 1825.
mother synagogue of the London synagogue at Bevis Marks. It was formed by members of the Gate of Heaven synagogue who wanted to return to a more formal form of service without the Moroccan influence. In 1820 another breakaway group from Gate of Heaven opened the Abudarham synagogue. There had been a fallout with the leaders of the synagogue, probably due to differences about how services should be conducted.

The 1816 census of Gibraltar shows that the population had increased to 11,600 and Jews numbered 1,068. They now only formed only 10% of the population but with low immigration in the preceding decades they were an affluent and well established community. Of the 491 in paid employment, 39 were classified as property owners, 143 were merchants and dealers, and 112 shopkeepers. Less than half their number were described as servants, porters or artisans.

The activities of Gibraltar Jews as owners or captains of privateers and as contractors to the British navy and army took them to all corners of the Mediterranean. They were an important element in the establishment of the new Jewish community of Malta. Although in later years they were outnumbered by Jewish immigrants from nearby Tunisia and Libya. They were also involved in establishing a Jewish community in Portugal for the first time since 1497.

Lisbon became the base for the Royal Navy’s Mediterranean fleet in 1796, because this made its ships available, if required, to counter Napoleon’s projected invasion of the British Isles. When the fleet under Lord St. Vincent arrived in the Tagus, there were two Jewish merchants from Gibraltar on board who were to act as agents for purchasing supplies, Moses Levy and Isaac Aboab. As the Inquisition was still active they refused to land and pass as Christians until St. Vincent had obtained a safe conduct from Dom João, the Prince Regent, and they were given the royal sanction to reside in Lisbon. The first Jewish burial in the English cemetery of A Estrela was in 1801 and a public synagogue was opened in 1813, although the Inquisition was only abolished in 1821 and it was not until 1826 that a decree promulgating tolerance of all religions was published54.

This period produced two outstanding personalities. Aaron Cardozo was a grandson of the Cardozo who arrived in Gibraltar from Portugal circa 1710. He was the leader of the Jewish community for many years. He prospered as a merchant and was involved in procuring cattle for the use of the Royal Navy. In 1805 he was sent as an emissary in a Navy warship to obtain supplies from Oran. He was involved in the opposition to the 1817 Order in Council which would have converted many freehold grants of properties in Gibraltar to 21 year leases at increased rents because in the past there had been breaches of the terms set by General Bland in 1749. Cardozo led a delegation to London which succeeded in overturning the decision, and he received an assurance from the Secretary of State, Lord Bathurst, that there was to be no inquest on breaches of the term of grants, nor were any penalties to be incurred\(^\text{55}\). Cardozo was on easy terms with many prominent military and naval officers of the time as his memoir demonstrates\(^\text{56}\), particularly with Nelson. On the death of the admiral the trustees of his will gave him one of Nelson’s medals as a memento. He also helped to finance Ballestero’s forces when this general took the field against France in 1808, and helped to arm the *guerrilleros* of the Sierra de Ronda in 1810\(^\text{57}\).

Judah Benoliel was a banker and owner of privateers and was the richest man in Gibraltar. When he died in 1839 his fortune was estimated at $3,000,000\(^\text{58}\), probably the equivalent of €250,000,000 today. As a banker he was an agent of the Rothschild Bank of Naples and his connections were world-wide. Among his clients was Pope Pius IX, when as young priest he was sent to South America on a special mission in 1823. In 1825 some Sardinian ships were captured by Moroccan corsairs and Sardinia sent a squadron to obtain retribution. Benoliel mediated in his position as Moroccan consul in Gibraltar and the matter was resolved without bloodshed. In gratitude for his efforts the king of Sardinia presented him with a gold box with brilliants


\(^{56}\) His testimonials come from a number of senior officers, including the Duke of Kent and Admiral Earl St Vincent who signs himself as his dear friend, three former lieutenant governors of Gibraltar and many others. See Benady, T., «Aaron Cardozo: Life and Letters», *Gibraltar Books*, Gibraltar, 2004


\(^{58}\) Until 1896 the official currency of Gibraltar was Spanish.
setting out the royal cypher\textsuperscript{59}. He was a supporter of the Spanish liberals in the 1820s and found accommodation in Gibraltar for a number of them when they were forced to flee from Spain in 1823. He employed the revolutionary Aviraneta in his office for a time.

The close \textit{convivencia} between Jews and Catholics in Gibraltar in the eighteenth and early nineteenth centuries, led to a number of mixed marriages and even conversions to Christianity, as the Jewish community in Gibraltar has always discouraged conversion to Judaism. This led to a move away from the community by many. This trend worried the new ultra orthodox leaders of the Jewish community in the early years of the nineteenth century and their religious teaching aimed at strengthening the religious aspect of Jewish society in order to end this trend. This isolated Jews from general Gibraltarian society and for most of the nineteenth century Jews took very little part in public life\textsuperscript{60}.

\section*{VI. THE 20\textsuperscript{TH} AND 21\textsuperscript{ST} CENTURIES}

At the end of the century there were changes as a result of the improved education system established by the Gibraltar Government. The curriculum of the old Jewish religious school was extended to include secular studies in 1876 and the need to find more adequate premises led to the building in 1895 of the Hebrew School with money raised by subscription and with government support. Not all the teachers were Jewish and a number of Protestant children, whose parents did not wish them to attend the primary schools run by the Catholic religious orders, were included among the pupils.

The two Roman Catholic religious orders working in Gibraltar, the Irish Christian Brothers and the Loreto Nuns ran secondary private schools as well as primaries and pupils who proceeded to secondary education went to them. Jewish pupils therefore built up life-long friendships with their

\textsuperscript{59} Benady, T., «The Jewish Community… cit.», pp. 167.

\textsuperscript{60} The objection to conversion is found in the Old Testament in the \textit{Book of Ezra}, when the exiles of the Kingdom of Judah returned from Babylonia, they brought a more advanced form of monotheism than had previously been practised by the people of Judea, and they refused to mix with the Israelites who had remained behind and practised a less pure form of the religion; today the Samaritans are their descendants.
Christian contemporaries in these schools. From then on members of the Jewish community participated fully in the social and public life of Gibraltar.

The Second World War with the evacuation of the majority of the civilians to London, Madeira and Jamaica, and left only a small number in Gibraltar, also tended to bring all sections of the civilian population together.

During the twentieth century, Jews participated in the constitutional changes that gradually from 1922 onwards gave Gibraltar almost complete internal self-government. There were a number of Jewish politicians and Sir Joshua Hassan became the political leader of Gibraltar for a remarkable period of 42 years, from 1946 until his retirement in 1988.

Again the problem of mixed marriages came to the fore and the reaction of the leaders of the community was to impose a stricter religious orthodoxy. In the late 1950s the Ashkenazi trained Rabbi Pacifici was appointed the community’s rabbi. He inspired many young people to adopt his brand of strict orthodoxy and when they became leaders of the community they established what Rabbi Abraham Levy terms the “extreme right wing of Judaism” \(^{(61)}\). This has meant a weakening of the strong social bonds that Sephardim traditionally have with their non-Jewish fellow citizens. This trend has been accentuated recently by the founding of two Jewish secondary schools (with separate institutions for boys and girls) and the present young generation has very little social contact with the mainstream population of Gibraltar.

Today the community numbers some 600, and although it still follows the Sephardi tradition in liturgical matters, it has managed the remarkable feat of recreating the social structure of the 19\(^{th}\) century Central European Ashkenazi shtetl\(^{(62)}\) in 21\(^{st}\) century Gibraltar.


\(^{(62)}\) Shtetl a Yiddish word (from the German stadtl) a small town inhabited mainly by Jews.
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