

The Gibraltar 1967 and 2002 referendums: The (in)ability of referendums to resolve or ‘normalise’ a colonially contested territory

Jennifer Ballantine Perera

*University of Gibraltar & Gibraltar Garrison Library
Gibraltar*

j.ballantine@gibraltargarrisonlibrary.gi

Abstract: This article examines the 1967 and 2002 Gibraltar sovereignty referendums to assess whether such votes can resolve or ‘normalise’ the status of a colonially contested territory. It argues that, despite differing historical contexts, both referendums were shaped fundamentally by Spain’s longstanding territorial claim and by Gibraltar’s deeply rooted sense of British identity. The 1967 referendum emerged amid escalating Spanish pressure and helped entrench a narrative of self-determination intertwined with loyalty to Britain, even as it reinforced a paradoxical attachment to a colonial relationship. By 2002, Gibraltar possessed greater political agency, and memories of the 1967 vote and subsequent border closure had solidified resistance to any sovereignty-sharing proposals. The near-unanimous rejection of joint sovereignty in 2002 reflected not only mistrust of Spain and the UK’s bilateral negotiations but also a desire to assert an equitable, if still colonial, relationship with Britain. Ultimately, the article suggests that predictable referendum outcomes limit their ability to transform Gibraltar’s constitutional position.

Keywords: colonialism, decolonisation, Gibraltar, political identity, referendums, self-determination, UK-Spain relations

© 2026: Islands and Small States Institute, University of Malta, Malta.

Introduction

In an age in which the impetus towards independence continues to gain increasing momentum, the result of the Gibraltar referendum may appear somewhat paradoxical. For when on 10th September [1967] the inhabitants of Gibraltar overwhelmingly decided voluntarily to retain their existing links with Britain, the Gibraltarians were in a sense paying an unusual tribute to the cause of colonialism (Rattray, n/d, p. 111).

Whilst historical contexts differ between the 1967 and 2002 sovereignty referendums, both are anchored within Spain’s territorial claim over Gibraltar following her taking by Anglo-Dutch forces in 1704 as part of the War of Spanish Succession (1701-1714). Sovereignty over the territory was settled by the 1713 Treaty of Utrecht, after which Gibraltar became British, albeit with a clause that it would see the territory pass to Spain in the event that Britain relinquishes her right. Although sovereignty has never changed hands, the reversionary clause remains a cornerstone of Spain’s claim, which started finding full expression in the 1950s, reaching a peak in the 1960s and thereafter, leading to two referendums and the closure of her border with Gibraltar. If we drill down, both referendums were as much about protecting a British Gibraltarian identity and the anchoring of this identity in the territory, as they were about a reiteration of British sovereignty over Gibraltar. The 1967 referendum, however, sets a template for the one in 2002, by which point Gibraltar’s political agency was greater and the memory of 1967 and the border closure of 1969 had become embedded in a Gibraltarian national consciousness that cannot accommodate any arrangement that would see the territory pass to Spain. This alone limits any outcome to be had from a sovereignty referendum when results

are predictable. It is not that free choice is curtailed (an issue that I explore below), but that Britishness runs deep. Gibraltar's relationship with the UK comes under some scrutiny here, as I will be suggesting that this colonially informed bond is based on a status quo whereby formal decolonisation is not an end game unless Gibraltarians want this. It is not that independence is undesired, but that cessation automatically triggers the treaty's reversionary clause. We see here a relationship based on resistance to Spain as much as it is about remaining British, and both referendums are intrinsically about resistance to any shift in this dynamic. It would be difficult to discuss these sovereignty referendums without also entering into the manner in which Gibraltarians sublimate their colonial relationship with the UK, and how this is reflected in their voting practices. Such is the myth of the 1967 referendum that it has become known as an act of self-determination, which it was, but as Rattray noted above, it was also a paradoxical "tribute to the cause of colonialism".

The 1967 Referendum in context

The 1967 referendum was a consequence of over fifteen years of a deteriorating relationship with Spain which began in 1950. A constitutional upgrade of Gibraltar's legislative powers was a trigger as it was perceived as a move towards political independence. The 1954 state visit to Gibraltar by Queen Elizabeth II only served to exacerbate an already charged scenario (Romero Bartunmeus, 2011). Spain reacted by implementing restrictions at its border with Gibraltar over concerns that the Queen's visit could dilute Spain's claim were Britain to gain support at the UN to grant independence to Gibraltar (Jackson & Cantos, 1995, pp. 70-71).

It is the case that constitutional reform has served as a mechanism to give Gibraltarians greater legislative powers and agency, which has led Spain to refer to reform as "colonialism by consent" or decolonisation through the backdoor (*Gibraltar Chronicle*, 2016, June 14). They may have a point here, but we should also consider how Gibraltarians perceive the colonial. As David Lambert suggests, Gibraltarians do not perceive the UK as their immediate counterpart in any struggle for anti-colonial liberation and have instead placed Spain as the locus of colonial encroachment (Lambert, 2005, p. 210). An example of how Gibraltar dilutes its colonial relationship with the UK is seen in a speech delivered to the UN Special Committee of Decolonization (C24) in September 1963 in response to Spain raising Gibraltar as a colony on Spanish soil at the UN.

Joshua Hassan, Chief Minister of Gibraltar, began by situating Gibraltar's position in relation to Article 73, paragraphs 2 and 5 of the UN Charter, which he believed would protect "Gibraltarian self-determination as inhabitants of a non-self-governing territory" (*Hansard*, HL Deb. vol 283 col. 937, 14th June 1967). Spain's claim was based on paragraph 6 of the same Charter, based on territorial integrity (*Gibraltar Chronicle*, 1963, September 13). Ultimately, the positions held exposed a paradoxical tension in the Charter and what followed was a remarkable speech in which Hassan simultaneously condemned and defended colonialism.

It must, I think, be evident to all you gentlemen that although Gibraltar is still formally a Crown Colony, in spite of the fact that the word colony and its cognate expressions have been expunged from all local institutions, nothing could be further away from the generally accepted interpretation of colonialism than the situation in present-day Gibraltar (Jackson & Cantos, 1995, p. 293).

In suggesting that the form of colonialism in Gibraltar was different or expunged, Hassan set about questioning received interpretations of the term itself by asking: "what is colonialism?" (Jackson & Cantos, 1995, p. 293). So, what is colonialism, because for Hassan this was not only about suggesting that Gibraltar was not colonially informed and therefore not

ready for decolonisation, but also, about sublimating and diluting the UK's colonial undertakings in the territory to suggest that Gibraltar was not in a colonial relationship with the UK. This discourse continued to inform the Gibraltar/UK relationship throughout the 20th century.

When Hassan and Peter Isola, another leading Gibraltarian politician who accompanied him to the UN, returned to Gibraltar, they were hailed as heroes; however, they had also normalised – if not sublimated – the colonial relationship with Britain, now perceived as Gibraltar's protectors against Spanish colonial encroachment.

Constitutional reform came into play soon after, as Hassan and his Association for the Advancement of Civil Rights (AACR) party were keen to bring the Legislative Council closer to a Westminster pattern of government (Constantine, 2009, p. 396). The reform aimed to dismantle the colonially uneven power dynamic within the Legislature, where two unelected members sat; one of whom, the Governor, held reserve powers to impose measures over the heads of the elected members. For Hassan, constitutional reform was a vehicle through which to establish a more equitable relationship with the UK, in line with the arguments he had advanced at the UN; however, he also believed that increased self-government would help protect Gibraltar from Spain. The Gibraltar Constitution Order in Council 1964, known as the Lansdowne Constitution, was not overlooked by Spain, prompting further measures restricting the movement of people, traffic, and goods into Gibraltar (Gold, 1994, p. 9). At the September C24 meeting, Jaime de Piñies (a Spanish diplomat) drew attention to the latest reform as a "colonialist manoeuvre" aimed at legitimising the rights of "so-called" Gibraltarians (Record on the Discussion on Gibraltar, C24, 1964, p. 50). De Piñies sought to delegitimise Gibraltarians as a people with rights to self-determination and to decolonise the territory. By October 1964, the UN C24 had called for a negotiated solution (Hansard, Anglo-Spanish Dispute, Vol. 721, col. 67, 29 November 1965; Gold, 2005, p. 16).

Talks finally took place on 18 May 1966, but details of a 'Two Flags Plan for Gibraltar' had already been leaked by Madrid to the *Daily Telegraph* in March and were subsequently raised by Lord Merivale, who expressed concerns that Britain would either surrender sovereignty or negotiate a lease arrangement for the Base (Hansard, HL Deb, vol. 273, col. 1199, 9 March 1966). The Four Point Plan presented by the Spanish Foreign Minister, Fernando María Castiella, proved to be far more serious, proposing the outright decolonisation of the territory, with the military Base to be covered under a separate agreement. Gibraltarians would not be decolonised but instead protected under an "international agreement" (Garcia, 1994, p. 145). The suggestion that Gibraltarians would be treated as settlers in their own homeland led to calls for a referendum on integration with Britain.

Hassan remained steadfast on the UK government's side, stating that he was "not afraid of a sellout" (*Gibraltar Chronicle*, 1966, July 12), although the UK's counterproposals released in July were challenging. A constitutional downgrade was proposed that would make Gibraltar "less like the quasi-independent territory" it had become in 1964 (Garcia, 1994, p. 147). A Spanish commissioner was also to be appointed to oversee Spain's interests, and joint use of the airport, port, and territorial waters was proposed (*Gibraltar Chronicle*, 1966, July 28; *The Times*, 1966, July 27). As Joseph Garcia argued, the Castiella plan was "simply academic", but the counterproposals revealed London's willingness to broker a negotiated agreement with Spain (Garcia, 1994, p. 146).

Hassan was worried that calls for a referendum on integration could jeopardise his close relationship with the UK, but he also believed that integration would limit any scope for self-government (*Gibraltar Chronicle*, 1966, July, 28). Still, was his relationship with the UK actually that close? Hassan's plans depended on maintaining a status quo with Britain, and although he did not want to risk this, it was evident that Britain was seeking an arrangement with Spain. This was risky, as the decolonisation of Malta in 1964 had drawn greater attention to Gibraltar's strategic position in the Mediterranean: something Spain did not overlook (Constantine, 2009, pp. 378–379).

Anglo-Spanish talks soon began to stall, however, largely because of Spain's escalating restrictions aimed at paralysing the Base. NATO flights to and from Gibraltar had already been banned by Spain in January 1966, but matters escalated in August 1966 with a ban on British military aircraft (*Gibraltar Chronicle*, 1966, August 6). Although talks resumed that August, they broke down weeks later after Spain accused Britain of violating airspace around Gibraltar. The UK brought a case before the International Court at The Hague, and although talks resumed briefly, they barely lasted a day. By 1967 Spain had imposed a prohibited area over Gibraltar and warned that any aircraft violating it would be escorted by Spanish fighters to the nearest Spanish base. The escalation was remarkable, but it suggests that the Base was just as important to Spain as it was to the UK, and that Spain's territorial claim was strongly driven by this strategic concern.

Reactions to Spain's actions prompted a ministerial review of Gibraltar policy, which authorised the use of force to maintain access to the airfield. Approval was also given for a referendum in Gibraltar ('Priority Foreign Office to Madrid', paragraphs 2 & 3, PRO/PREM 13/15 34, 30 May 1967).

A sovereignty referendum enacted under a British Act of State was announced by Judith Hart, Minister of State for the Commonwealth, on 14 June 1967 (Hansard, HC Deb, 14 June 1967, vol. 748, cc. 563–72). The Governor of Gibraltar, acting under the direction of the British government, would be responsible for administering the referendum. Spain viewed the referendum as a violation of "the UN General Assembly Resolutions by being held without consultation with Spain" (Gold, 2005, p. 18). The UN agreed and issued a resolution on 1 September 1967 stating that a referendum would sidestep the Treaty of Utrecht. While rejected by the UK as a "wholly partisan document" (Gold, 2005, p. 18), it was clear that the UN's lack of support for Gibraltar could have significant repercussions.

The sovereignty referendum, 10 September 1967

The security of Gibraltar was paramount in arrangements for the referendum. The UK was clearly worried that Spain would attempt to take the territory by force and made provision for a larger defensive military presence at the border ('Priority Foreign Office to Madrid', paras 2 & 3, PRO/PREM 13/15 34, 30 May 1967). Legitimising the vote was another priority, as the UN and Spain had refused to recognise the results. A team of Commonwealth Observers was appointed to scrutinise the administration of the referendum, with an initial visit taking place during 21-24 August 1967. The full team arrived on 4 September and stayed until the 13th.

Section 5 of the Gibraltar (Referendum) Order 1967 laid out who was eligible for voter registration; all voters over the age of 21 had to register by 28 August. Eligibility applied to registered Gibraltarians and to residents of Gibraltar. Those with criminal convictions or in prison could not vote. Out of 22,109 registered Gibraltarians, 12,762 registered to vote (Report, Commonwealth Team of Observers, 13 September 1967, p. 4). The observers were impressed by the efficiency in getting people onto the register of electors through the use of official

notices, the press, and word of mouth; but the reality was that people were keen to vote in the hope that the situation could be resolved. Unnumbered ballot papers offered two choices in English and Spanish. Anonymity was ensured for those casting their vote at the four polling stations. Neither postal nor proxy voting was allowed; but provision was made for the elderly and sick to cast their vote with a visiting presiding officer.

The weeks leading up to the referendum saw Gibraltar transformed into a vibrant place decorated with red, white and blue bunting. Union Jacks hanged from the windows of almost every household. Devil's Gap Steps were spectacularly painted with the Union Jack, and such is the lasting significance of this area that it has since become known as Union Jack Steps or Referendum Steps. The steps have been repainted twice, in 2011 and in 2025 (GBC News, 2025, September 2). Such was the spectacle that the team of observers received a complaint regarding freedom of expression, based on the overwhelming visual support for remaining with Britain. They agreed that "only the more courageous would publicly criticise the referendum or show for the first alternative choice [to pass to Spain]" (Report, Commonwealth Team of Observers, 13 September 1967, p. 7). They were "struck by the great display of enthusiasm and the very conspicuous eagerness" of Gibraltarians to remain with Britain but found no evidence of social pressure or public intimidation (Report, Commonwealth Team of Observers, 13 September 1967, p. 8).

Polling stations opened at 10.00 am on Sunday 10 September, with Gibraltarians being asked to decide either (a) to agree to pass under Spanish sovereignty in accordance with the terms proposed by the Spanish Government in May 1966 as part of the Castiella Plan, or (b) to voluntarily retain their link with the UK with democratic local institutions and with the UK retaining its present responsibilities.

By 1.00 pm, half of the electorate had voted; by 3.00 pm, three quarters had done so. Of the 12,762 people registered to vote, 527 did not vote. In all, 12,138 votes cast at polling stations chose to maintain their links with Britain, with 44 opting for Castiella-type plans. There were 53 invalid ballot papers (*Gibraltar Chronicle*, 1967, September 11). Percentage-wise, 99.64% of voters chose to remain with Britain and 0.36% to pass to Spain (see [Table 1](#)).

Table 1: Results of the 10th September 1967 Referendum in Gibraltar.

Choice	Votes	%
Spain	44	0.36%
United Kingdom	12,138	99.64%
Valid votes	12,182	99.55%
Invalid or blank votes	55	0.45%
Total votes	12,237	100.00%
Registered Voters / Turnout	12,672	96.57%

Source: https://en.wikipedia.org/wiki/1967_Gibraltar_sovereignty_referendum

Gibraltarians returned a resounding vote to remain with Britain and, in keeping with the final line of the ballot paper, had also voted for “the United Kingdom retaining its present responsibilities” as Gibraltar’s administrative colonial power, and therein lies the paradox. British sovereignty for Gibraltar can only equate with colonialism in the absence of any option other than to pass under Spanish sovereignty.

Spain’s response was a second Red Book reaffirming its condemnation of the referendum, and although a resumption of Anglo-Spanish talks was planned, these were postponed until after the UN General Assembly session of December 1967. It was at this session that a resolution was passed calling for the restoration of Spain’s territorial integrity under paragraph 6 of Resolution 1514 (XV) (Jackson & Cantos, 1995, p. 139). Gibraltarians may have felt that they had expressed their right to self-determination at the referendum, but by December they had lost their rights as a people to decolonise the territory.

Amidst extreme political tension, a constitutional conference was held in 1968. The 1969 Constitution followed on 30 May 1969, and Spain closed her border with Gibraltar on 8 June. Since then, the border has remained a source of friction, politically motivated by Spain (Azopardi, 2009, p. 79). It was the Preamble to the Constitution that led to the full closure of a border that had been gradually closing over the years. The semantic transformation of Gibraltar from a colony to a city, together with an upgrade of legislative powers, went too far for Spain, but these developments reflected Hassan’s sublimation of the colonial at the UN in September 1963. Gibraltar and the UK were aligned on how to proceed with their relationship.

Lisbon and Brussels Agreements: The opening of the border

The 2002 referendum is a product of both the Lisbon (1980) and Brussels (1984) Agreements, with Brussels opening the door for discussions over sovereignty. As Andrew Rosindell was to say in 2002, “Retaining sovereignty as an agenda item, however nominal, offers hope to Madrid that one day a British Government will give way” (Hansard, HC Deb, vol. 395, col. 136, 25 November 2002).

The Lisbon Agreement, an initiative of Margaret Thatcher’s Conservative government, led to Spain’s partial reopening of her border with Gibraltar in 1982 and fully in 1985. Lisbon also resulted in the unblocking of the UK’s veto over Spain’s entry into the EU, as this hinged on the reopening of the border. But Lisbon also functioned as a vehicle to strengthen bilateral relations between Britain and Spain. Lisbon became a barometer against which to measure Spain’s policy, although Spain’s Prime Minister, Felipe González, had that very year reaffirmed his government’s “unflinching aspiration to reintegrate Gibraltar into [its] national sovereignty” (Gold, 1994, p. 63).

The Lisbon Agreement was received with trepidation by Hassan, who felt that the agreement “tried to reconcile the irreconcilable” (Gold, 1994, p. 35). Spain’s position had not thawed, as evidenced when the Spanish Foreign Minister, José Pedro Pérez-Llorca, stated that Lisbon was a first step for Gibraltar’s cession to Spain (*Gibraltar Chronicle*, 1980, September 23). The Brussels Agreement followed, in which the UK agreed to discuss sovereignty.

The situation is not ‘normal’, 2001-2002

Anglo-Spanish talks remained ongoing under the Brussels Process, and joint sovereignty had been floated in 1997 by the then Spanish Foreign Minister, Abel Matutes, who saw joint sovereignty as a transitional phase leading to Spain’s full sovereignty (Miller, 2002, p. 18). Mistrust in the process remained, but a trigger came in July 2001 following Spain’s veto of Gibraltar’s entry into the EU’s Single Sky Directive (*Sur in English*, 2022, December 2). Talks

on a negotiated sovereignty deal commenced soon after, focusing on four pre-determined objectives to achieve a joint-sovereignty arrangement, which the UK believed would lead to “an end to border delays, problems with telephones, and restrictions on air services” (Miller, 2002).

During a “learn and listen mission” to Gibraltar in September 2001, Peter Hain suggested that the situation was not “normal” (*Gibraltar Chronicle*, 2001, September 7). The aim was to normalise relations through a new arrangement involving the UK and Spain, but he had not counted on the deep mistrust of anything stemming from the Brussels Process, nor had he understood the legacy of the 1967 referendum and subsequent border closure. Any suggested move away from the status quo with the UK was not normal for Gibraltarians, even if this meant a rocky relationship with Spain. What is clear is that Spain’s entry into the EU had disrupted Gibraltar’s relationship with the UK, which at that stage was seeking a strategic alliance with Spain to counteract French and German supremacy within the EU (*Gibraltar Chronicle*, 2001, September 7).

Keith Azopardi suggests that bilateralism is not simply a process in which Britain and Spain agree on a policy of cooperation. Rather, it takes different forms, ranging from passive to active. He refers to the passivity of the UK when set against Spain’s strong activity in pushing its agenda. This activity was driven by “the different demands and interests of the United Kingdom and Spain on a particular matter of Gibraltar interest” (Azopardi, 2009, pp. 201–203). Gibraltar had no voice in these interests and had not been included in the talks. Hain was later to ask the Chief Minister, Peter Caruana, to attend, although not on the same terms as Spain and the UK (*Gibraltar Chronicle*, 2001, September 8). Caruana never attended the talks, choosing instead to distance himself—and Gibraltar—from any outcome of the bilateral proceedings. If Hassan’s position in 1966 was that he was not afraid of a sellout, Caruana felt certain that a sellout was underway.

In October 2001 *BBC Europe* cited a Foreign and Commonwealth Office spokesperson as saying that “joint sovereignty for Gibraltar” was being considered an “extreme” option (*BBC Europe*, 2001, October 29). However, joint sovereignty was being seriously considered, and Spain continued to place pressure on the process by escalating restrictions on Gibraltar. These led to questions in the House of Commons from Labour MP Lindsay Hoyle, who argued that the restrictions were not only divisive but were being imposed by one EU member state against another (Hansard, HC Deb, vol. 374, cc. 69–70, WH, 7 November 2001). The UK was perceived as weak for not challenging Spain, but if we consider events of the 1960s, the UK’s policy had long been to try to broker a deal and let matters run their course until they no longer could.

Joint Sovereignty Agreement

Britain’s bid to patronise a deal on the future of Gibraltar’s constitution would be a breach of the right to self-determination [...]. Mr Caruana also made clear that the idea of joint sovereignty is an “unworkable nonsense”. It is, he said, “intrinsically colonial” (Dominic Searle, *Gibraltar Chronicle*, 2002, June 7).

At the UN’s C24 session of June 2002, Peter Caruana argued that the constitutional right of Gibraltarians to determine their own future had been sidestepped by the British government, given the lack of consultation and the predetermined terms of the deal being negotiated between the UK and Spain. Any referendum held under such conditions, he contended, could not be considered an exercise in free choice (*Gibraltar Chronicle*, 2002, June 7). Although he avoided calling directly for formal decolonisation, Caruana nonetheless owned—rather than

sublimated—the colonial dimension by asking the C24 to hold the UK, as the administering power, accountable for its actions. It is difficult to say whether the C24 acted on this request, but there was certainly messaging directed at the British government, as Jack Straw had already created a breach in the Gibraltar–UK relationship by stating that it was unrealistic for Gibraltar to “hold on to a status quo” (*Gibraltar Chronicle*, 2002, May 3). Since the UK itself had moved away from the status quo, there was little reason for any continued sublimation of the colonial, particularly when joint sovereignty would have added a further layer to Gibraltar’s coloniality.

The sharing of sovereignty would have involved a model of shared colonial authority, effectively placing Gibraltar in a colonial relationship with both states. Caruana famously described joint sovereignty as something “only good for a schizophrenic” (*Gibraltar Chronicle*, 2002, July 22). He subsequently argued that the proposal rested on a “politically and legally misconceived” premise that would leave Gibraltarians living under a “permanent colonial status” (*Gibraltar Chronicle*, 2002, July 26). With decolonisation out of reach, Gibraltarians would end up “living in two countries, really belonging to neither” (*Gibraltar Chronicle*, 2002, July 22).

On 12 July 2002, Jack Straw presented the joint sovereignty agreement to the House of Commons, albeit with caveats, as the deal was not complete. Spain was broadly supportive but viewed joint sovereignty only as a transitional phase toward full sovereignty (Hansard, HC Deb, vol. 388, cc1166–67, 12 July 2002). The status of the Base remained another major stumbling block: Spain could not accept Britain retaining full control, and although Straw later floated proposals to convert it into a NATO base, nothing ultimately came of these discussions (*Gibraltar Chronicle*, 2002, July 27).

The Brussels Process stalled, and a Cabinet reshuffle followed in Madrid, with Foreign Minister Josep Piqué – one of the key negotiators in the Brussels Process – replaced by Ana de Palacio. *The Telegraph* suggested that Piqué’s “sacking” stemmed from his failure to broker a deal acceptable to Spain, although broader concerns were also at play, as any arrangement for Gibraltar risked setting a precedent for secessionist aspirations in the Basque Country (quoted in the *Gibraltar Chronicle*, 2002, July 13). Speaking to *The Times*, Caruana called for a “proper burial of the whole talks process” (quoted in the *Gibraltar Chronicle*, 2002, July 13). This raised the question of whether a referendum would take place even if no deal existed.

On 26 July, Caruana announced the Gibraltar government’s intention to hold its own referendum. By taking control of the referendum process, he aimed to “deprive Mr Straw’s statement [of 12 July] or any future joint declaration of all democratic legitimacy in the context of Gibraltar’s political rights and wishes” (*Gibraltar Chronicle*, 2002, July 26).

Straw dismissed the planned referendum as “eccentric”, insisting that only a “referendum organised by Britain would be valid” (*Gibraltar Chronicle*, 2002, July 26). A clear stand-off emerged between the British and Gibraltar governments, with Straw accusing Caruana of trying to kill off the negotiations (*Gibraltar Chronicle*, 2002, July 27). Straw was correct in identifying Caruana’s intention, but Caruana’s challenge also precipitated a serious breakdown in relations with the British government. By this stage, Gibraltarians had lost all trust in the UK, and the Gibraltar government responded by acting autonomously and openly against Britain—an unprecedented development. Caruana’s relationship with David Durie, then Governor of Gibraltar, also deteriorated. Both the Spanish and British governments rejected the referendum and declined to send observers, as did the UN.

The Referendum, 7 November 2002

A referendum motion was unanimously passed in the House of Assembly on 14 October 2002, with the referendum scheduled for 7 November 2002. The question put before the electorate was lengthy and explicitly framed around Jack Straw's statement in the House of Commons on 12 July:

On 12 July 2002, the Foreign Secretary, Jack Straw, in a formal statement in the House of Commons, said that after twelve months of negotiation the British Government and Spain are in broad agreement on many of the principles that should underpin a lasting settlement over Spain's sovereignty claim over Gibraltar.

Do you approve of the principle that Britain and Spain should share sovereignty over Gibraltar? Yes/No (Gibraltar Referendum Observers Report, p. 3, December 2002)

Those eligible to vote had to be resident Gibraltarians registered under the Gibraltar Status Ordinance. Resident British Overseas Territories Citizens connected to Gibraltar were also eligible, as were non-Gibraltarian nationals who had resided in Gibraltar for more than ten years. Eligibility criteria were expanded to include individuals with criminal convictions and prison inmates. Provisions were also made for the infirm and elderly to cast their vote from home or hospital via a presiding officer, and postal voting was made available for those outside Gibraltar on polling day. A total of 20,675 people were eligible to vote (Gibraltar Referendum Observers Report, pp. 3 & 9-11, December 2002).

The referendum was seen as a moment in which Gibraltar had to prove itself, perhaps accounting for the appointment of a sizeable group of 28 international observers. They were drawn from the Commonwealth Parliamentary Association; the House of Commons All Party Gibraltar Group; the House of Commons Foreign Affairs Select Committee (acting in their personal capacities); the Chartered Institute of Journalists; and several trade unions. The Committee was chaired by the Rt. Hon. Gerald Kaufman MP. Three observers from the Electoral Reform Society attended separately, categorised independently to protect their neutrality (Gibraltar Referendum Observers Report, pp. 4-5, December 2002).

Polling stations opened at 8:00 am and closed at 10:00 pm, after which counting began. A dedicated Referendum Office was also established to enable the public to raise concerns relating to the referendum process.

The atmosphere in Gibraltar on 7th November strongly echoed that of 1967. More than 250 journalists from around the world arrived to report on a result that appeared obvious even before counting commenced. The *Gibraltar Chronicle* produced a special souvenir edition featuring images of homes festooned with Union Jacks and Gibraltar's red-and-white standard. 'No' banners hung from balconies across the territory, and the day was declared a 'Red Letter Day'. Comparisons with the 1967 referendum were rife, with a colourful carnival atmosphere. Peter Caruana declared the day to be one of the "most important days of our collective journey as a people" (*Gibraltar Chronicle*, 2002, November 7). Whereas in 1967 Gibraltarians voted to reject Spain and remain with Britain, in 2002 the question was whether to reject or endorse a British policy on Gibraltar. Even a decisive rejection, however, rested on the UK abandoning its joint-sovereignty stance with Spain.

A report addressing allegations of a British government-led smear campaign against Gibraltar was released only days before the referendum. It drew attention to actions by UK ministers and the FCO between 2001 and 2002 that placed the government "at risk of giving the impression that they were more concerned to achieve an agreement with Spain, almost at

any cost, than to ensure that the Government and people of Gibraltar support this agreement” (Select Committee on Foreign Affairs, Eleventh Report, 5 November 2002, para. 52).

A *Gibraltar Chronicle* vox pop reflected a mixture of trepidation and resolve: one respondent supported joint sovereignty, believing that a referendum “is not going to get us anywhere”; several voiced a profound distrust of the British government; and others emphasised the need to send a “clear message to the British Government that Gibraltar will not be compromised by any done deal” (*Gibraltar Chronicle*, 2002, November 7).

The messaging – expressed through carnival-like celebration, political discourse, and ubiquitous banners – was powerful. If in 1967 the message had been directed primarily at Spain, in 2002 it was aimed squarely at the UK. The mood resembled a postcolonial moment of “shouting back” at the Empire (Ashcroft, Griffiths & Tiffin, 1989).

Of the 20,675 eligible electors, 18,176 voted. Of these, 17,900 voted ‘No’ and 187 voted ‘Yes’. This amounted to an 87.9% turnout, with 98.97% voting ‘No’ to Jack Straw’s statement and 1.03% voting ‘Yes’ (see [Table 2](#)).

Table 2: Results of the 7th November 2000 Referendum in Gibraltar.

Choice	Votes	%
✓ Yes	187	1.03%
✗ No	17,900	98.97%
Valid votes	18,087	99.51%
Invalid or blank votes	89	0.49%
Total votes	18,176	100.00%
Registered voters/ Turnout	20,678	87.9%

Source: https://en.wikipedia.org/wiki/2002_Gibraltar_sovereignty_referendum

As a commentary on the colonial relationship, the referendum was not about restating Gibraltar’s colonial condition – which was taken as given – but about resetting, even establishing, a more equitable relationship with the UK.

Conclusion

Joint sovereignty talks eventually collapsed, although the forum for dialogue remained open. Peter Caruana, re-elected as Chief Minister in 2003, tabled proposals for reform of the 1969 Constitution in December of that year. Jack Straw accepted them for consideration, and the Constitution Order 2006 was subsequently put to a referendum in Gibraltar in November 2006. A total of 60.42% voted in favour of the new constitution, while 37.86% voted against. The constitution came into force in January 2007 and was announced by Jeff Hoon, then UK Minister for Europe, as a non-colonial document intended to redefine Gibraltar’s relationship with Britain (*Panorama*, 2006). Gibraltar’s right to self-determination was constitutionally

recognised in line with the UN Charter, prompting Caruana to declare: “We are thus effectively decolonised” (CM Hon PR Caruana, Gibraltar Parliament, 2007). His use of “we” may have been directed at the people rather than the territory, and his invocation of decolonisation relies on an interpretation of the ‘non-colonial’ as a space in which the colonial and postcolonial coexist (Ballantine Perera, 2021, p. 334).

Although the 2006 Constitution notably devolved authority to Gibraltar, the territory remains situated within an uneven and colonially informed triangulation with Britain and Spain, the latter’s territorial claim remaining active. This claim is also deeply rooted in Francoist policy, which continues to be endorsed not only by Spanish conservative parties but also within “the current Spanish democracy, [and] curiously among large sectors of the young population” (Verdú Baeza, 2024, p. 127). The generational continuity of this policy suggests that Gibraltar will remain a cornerstone of Spain’s foreign policy for the foreseeable future. Gibraltar may not occupy a central position in the UK’s foreign policy, but as noted above, the UK can exert pressure when broader strategic alliances come into play. In this respect, Peter Clegg stresses the limitations of constitutional agency when backchannels are used by Britain to advance its own agendas in the Overseas Territories (and Crown Dependencies), arguing that the “public-facing autonomy of the territories is often compromised even if they themselves are enacting the legislation” (Clegg, 2025, p. 13). Under such conditions, a third sovereignty referendum may become necessary, although this will remain unclear until the Gibraltar Brexit Treaty comes into force in 2026.

Acknowledgements

My thanks to Chris Tavares and Gianna Stanley at the Gibraltar Garrison Library for their support in accessing copies of the *Gibraltar Chronicle*, *The Times* and other sources referred to in this article.

Disclaimers

The author declares that this article did not benefit from research funding.

The author also declares no conflict of interest in writing this article.

The author also declares that Generative Artificial Intelligence was not used at any stage in the crafting of this article.

References

- Ashcroft, B., Griffiths, G. & Tiffin, H. (1989). *The Empire writes back: Theory and practice in post-colonial literatures*: Routledge.
- Azopardi, K. (2009). *Sovereignty and the stateless nation*. Hart Publishing.
- Ballantine Perera, J. (2021). An Overseas Territory in Europe: Gibraltar as a test case for discussing the non-colonial. *The Round Table: Commonwealth Journal of International Affairs*, 110(3), 333–34.
- BBC Europe. (2001, October 29). Deadline set for Gibraltar deal. <http://news.bbc.co.uk/2/hi/europe/1626068.stm>.
- Castiella, F. M. (1967). *The Red Book on Gibraltar*. Documents on Gibraltar presented to the Spanish Cortes, Madrid.

- Clegg, P. (2025). The Crown Dependencies and Overseas Territories: A comparative constitutional and political analysis. *Commonwealth & Comparative Politics*, 63(2), 127–147.
- Clegg, P., & Gold, P. (2011). The UK overseas territories: A decade of progress and prosperity? *Commonwealth and Comparative Politics*, 49(1), 115–135.
- Constantine, S. (2009). *Community and identity: The making of modern Gibraltar since 1704*. Manchester University Press.
- GBC News (2025, September 2). Youth service repainting of Referendum Steps praised by residents. <https://www.gbc.gi/news/youth-service-repainting-of-referendum-steps-praised-by-residents>
- Garcia J. (1994). *The making of a people: Gibraltar*: Panorama Publishing.
- Gibraltar Chronicle*. (1963, September 13). No title. Front page notice.
- Gibraltar Chronicle*. (1966, July 12). ‘I’m not afraid of a sellout’. Front page.
- Gibraltar Chronicle*. (1966, July 28). Spanish Commissioner in Gibraltar proposed by British Government?: Proposals for Gibraltar. pp. 1-2.
- Gibraltar Chronicle*. (1966, August 6). Britain asks Spain to reconsider ban on military aircraft. Front page.
- Gibraltar Chronicle*. (1967, September 11). Ninety-five-point eight percent vote: British we stay. Front page and p. 3.
- Gibraltar Chronicle*. (1980, September 23). Gibraltar solution along road with only one ending. Front page.
- Gibraltar Chronicle*. (2001, September 7). FCO Minister listens, learns and seeks to persuade: Gibraltar should not fear Brussels, says Hain. pp.1-2; Nothing will be done without Gibraltar’s consent. Front page and p. 3; Bossano rejects ‘Brussels sale’. Front page and p. 3.
- Gibraltar Chronicle*. (2002, May 3). No deal has been done with Spain, says Straw: the status quo is not a realistic option. Front page.
- Gibraltar Chronicle*. (2002, June 7). Gibraltar set to take ‘stop done deal’ lobby to UN. Front & Back page.
- Gibraltar Chronicle*. (2002, July 13). Gib-UK relations reach critical stage: Caruana condemns Straw “gratuitous” joint-sovereignty concession to Spain. Front page & centre pages.
- Gibraltar Chronicle*. (2002, July 15). Tory Government “will not be bound by deal”. Front page; UK heavies ponder on Gibraltar deal. p. 2.
- Gibraltar Chronicle*. (2002, July 22). ‘All’ Gibraltar disapproves of the concept: Caruana says joint-sovereignty is only “good for a schizophrenic”. Front page & Back page.
- Gibraltar Chronicle*. (2002, July 26). Straw would convert Gibraltarians into “little more than privileged squatters”: Caruana announces referendum in October to deprive joint-sovereignty “done” deal of any democratic legitimacy. Front page and p. 2.
- Gibraltar Chronicle*. (2002, July 27). Reaction to Caruana referendum challenge: Britian will continue to discuss Gib sovereignty with Spain. Front page and p. 2.

Gibraltar: Referendums (un)able to resolve or 'normalise' a colonially contested territory

- Gibraltar Chronicle*. (2002, November 7). Vox pop. p. 2; Today Gibraltar votes, p. 3; 'Dominique Searle. 'Ne plus ultra', p. 3 ; Eric Chipulina, 'Grand Graffiti'. p. 3.
- Gibraltar Chronicle*. (2016, June 14). Picardo slams UN's "deliberate inaction and betrayal" of Gibraltar. Front page and Back page.
- Gibraltar Parliament. (2007). Report of the Proceedings of the Gibraltar Parliament. 26 February.
https://www.parliament.gi/uploads/contents/hansard/hansard_2007/hansard_26_february_2007_budget.pdf
- Gibraltar Referendum Observers Report. (2002). Report by the Committee of Observers. December. London. <https://www.gibnet.com/texts/ref02or.pdf>
- Gold, P. (1994). *A stone in Spain's shoe: The search for a solution to the problem of Gibraltar*. Liverpool University Press.
- Gold, P., (2005). *Gibraltar: British or Spanish*. Routledge.
- Hansard*. HC (Anglo-Spanish Dispute). vol. 721, cc. 131-2W. (29 November 1965). <https://hansard.parliament.uk/%E2%80%8CCommons/1965-11-29/debates/38879675-2f54-402a-a205-172b503998d4/Gibraltar%28Anglo-SpanishDispute%29>
- Hansard*. HL Deb, vol. 273, cc. 1195-207. (9 March 1966). <https://api.parliament.uk/historic-hansard/lords/1966/mar/09/gibraltar>
- Hansard*. HL Deb, vol. 283, cc. 937-42. (14 June 1967). <https://api.parliament.uk/historic-hansard/lords/1967/jun/14/gibraltar-referendum> Retrieved on 11/06/2025.
- Hansard*. HC Deb, vol 374, cc 69-93. (7 November 2001). <https://api.parliament.uk/historic-hansard/westminster-hall/2001/nov/07/gibraltar>
- Hansard*, HC Deb, vol 388, cc1165-80. (12 July 2002). <https://api.parliament.uk/historic-hansard/commons/2002/jul/12/gibraltar>
- Hansard*. HC Deb, vol 395, cc135-42. (25 November 2002). <https://api.parliament.uk/historic-hansard/commons/2002/nov/25/gibraltar>
- Hansard*. HC Deb, vol 415, cc1417-8. (16 December 2003). <https://api.parliament.uk/historic-hansard/commons/2003/dec/16/gibraltar>
- Jackson, W. & Cantos, F. (1995). *From fortress to democracy: The political biography of Sir Joshua Hassan*. Gibraltar: Grendon: Gibraltar Books.
- Lambert, D. (2005). 'As solid as the Rock?' Place, belonging and the local appropriation of imperial discourse in Gibraltar. *Transactions of the Institute of British Geographers*, 30(2), 206-220.
- Miller, V. (2002). Gibraltar's constitutional future. Research Paper 02/37. 22 May. House of Commons Library. <https://researchbriefings.files.parliament.uk/documents/RP02-37/RP02-37.pdf>
- Panorama*. (2006). BBC TV. 20 June.
- PRO/PREM 13/15 34. (7 December 1966). A.M. Palliser, Private Secretary for Foreign Affairs to the Prime Minister, to A.P.H.D. Cumming-Bruce, Commonwealth Office.
- PRO/PREM 13/15 34. (30 May 1967). Priority Foreign Office to Madrid, paras. 2 & 3.

- Rattray, K. O. (n. d). The Gibraltar Referendum 1967, in *Constitutional Development*. No publication details. In Gibraltar Garrison Library, G2328.26. Report of the Commonwealth Team on Referendum (10/9/1967), p. 111.
- Record of the Discussion on Gibraltar*. (1964). The Committee of 24. United Nations Secretariat.
- Report, Commonwealth team of observers to the Commonwealth Secretary General*. Commonwealth Secretariat, September 1967.
- Romero Bartumeus, L. (2001). *El Consulado General de España en Gibraltar (1716-1954)*, Imagenta S/L., Tarifa, Spain.
- Select Committee on Foreign Affairs Eleventh Report. (2003). Gibraltar, Session 2001–02, Response of the Secretary of State for Foreign and Commonwealth Affairs. Cm 5714. January.
<https://assets.publishing.service.gov.uk/media/5a7cbc8d40f0b6629523b7f0/5714.pdf>
- Sur in English*. (2022, December 2). 2 December 1987: Spain and UK sign doomed Gibraltar airport agreement. https://www.surinenglish.com/lifestyle/spain-sign-doomed-20221202103443-ntvo.html#goog_rewarded
- The Times*. (1966, July 27). House of Commons. Some delay on Rhodesia. Future administration in Gibraltar. p. 7.
- Verdú Baeza, J. (2024). Gibraltar: Challenges in the post-Brexit era: *Small States & Territories*, 7(1), 123-138.