

Gibraltar. *BRITISH WE ARE - BRITISH WE STAY!*: Analyzing Self-Determination Discourse Among Colonized Peoples in the British Empire's Last European Colony (1993-2022)

by

Brandon Blair

I HEREBY CERTIFY that this thesis meets the acceptable word count.

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ABSTRACT

This thesis develops an understanding of the right of self-determination from the perspective of a colonized, non-self-governing people. Particularly, the subject of this investigation is the people of Gibraltar. Using Critical Discourse Analysis theory, this study deconstructs a sampling of Gibraltarian political discourse to examine how the people conceptualize self-determination as a human right and apply their definitional understanding to local conflict. The findings of this research conclude that the Gibraltarians recognize their belief in self-determination as a core identity and behavioral marker which postulates necessary consequences to the Gibraltar Question. In agreement with the assumptions and discoveries provided in the research, this thesis emphasizes the need for scholars to consider the diverse role of linguo-political constructs in conflicts and underscores the paramount inclusion of indigenous perspectives in conflict analyses and intervention plans.

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I will be your people's student as you have been their teacher...

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I can never be silent again...

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Oh, to be the one you have been to me...

Finally, to the One who guides my every step, the keeper of all goodness and righteousness, to thine be the kingdom and the power and the glory forever.

May I speak only sweet words of peace...

"For unto us a child is born, unto us a son is given: and the government shall be upon his shoulder: and his name shall be called Wonderful, Counselor, The mighty God, The everlasting Father, The Prince of Peace." Is. 9:6

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LIST OF ACRONYMS, ABBREVIATIONS & COGNOMINA

C-4 ... *UN Special Political and Decolonization Committee*

C-24 ... *UN Special Committee on Decolonization*

CDA ... *Critical Discourse Analysis*

EU ... *European Union*

EEC ... *European Economic Community*

HM ... *Her Majesty's*

ICJ ... *International Court of Justice*

Profa. ... *Professora [Spanish; feminine form of "Professor"]*

'the Campo' ... *el Campo de Gibraltar [Spanish; geographical area]*

'the Crown' ... *the Crown of the British Commonwealth*

'the Gibraltar Question' ... *referring to the UN's nominal for the conflict in Gibraltar*

'the Rock' ... *Gibraltar*

UK ... *United Kingdom*

UN ... *United Nations*

INTRODUCTION & HISTORICAL BACKGROUND

Since antiquity, Gibraltar and its surrounding waters have been central and strategic zones of conflict in the Mediterranean basin. Known throughout history as one of the *Pillars of Hercules* that guarded European civilizations from the monsters of the Atlantic, Gibraltar is the bulwark of the Mediterranean Sea. Two of the world's largest seaports flank its shores; eight military zones offer security of its waters; and three nations contest ownership for its neighboring coastal territories.¹ In 2015 alone, half of the world's trade passed through the Strait of Gibraltar, as well as a third of its oil and gas (Rodríguez). The territory and surrounding waters of Gibraltar are of international economic, political, and security interests; together they are some of the most surveilled locations in the world (Rodríguez).

While Gibraltar alone is a small territory of only 2.6 square miles [6.7 km²], the importance of its geo-political positioning cannot be underestimated. The ancient Moors were the first to fortify and use Gibraltar as a strategic territory in 1160; some of these fortifications remain visible today [i.e., the *Moorish Castle*] (Norris). Since the Moorish occupation of Gibraltar in the 12th century, fourteen different military sieges have laid siege to the territory; numerous navies of various empires have vied to breach Gibraltar's bastions and secure the territory in quests for power and control of the Mediterranean Sea. Notably, the 8th siege in August 1462 resulted in the Kingdom of Castille's [Spain] occupation of Gibraltar, and the 12th siege of September 1704 ended with the territory falling into the possession of the British empire. The following two sieges were unsuccessful attempts by the Spanish to re-annex the Rock. To this day Gibraltar remains a British overseas territory and is subject to the Crown.

¹ see Figure 3: "Territorial Waters of Gibraltar Map" in Appendix II

Gibraltar became an official British territory upon the signing of the Treaty of Utrecht in 1713 (“Appendix 1” 213). Following the treaty, British influence grew in the territory as Spanish citizens repatriated to Spanish territory, and by 1740, British settlers established a thriving population in Gibraltar, and English common law replaced the Spanish civil code (Waibel). However, Spain refused to be satisfied with the treaty’s demands – constantly objecting to the loss of Spanish sovereignty over the territory – and attempted to reacquire Gibraltar by military force in 1727 and 1779. Despite Spanish aggression, by the end of the 19th century, the British presence in Gibraltar had increased exponentially, and British territorial claims expanded to include land beyond the city of Gibraltar and its surrounding waters, nearly encompassing the entire isthmus. In 1909, a fence was built to arbitrarily mark British territorial claims upon London’s command (Lincoln 301). The current territorial claims and geographic composition of Gibraltar reflect this expansion [see map]:



Figure 1: “Map of Gibraltar” (“Gibraltar--Details”)

Throughout its history of existence, the Spanish-Gibraltar border has been catalyzed by both Spain and Britain to reinforce their government's positions in negotiations aimed at solving the Gibraltar conflict. The initial negotiations that resulted in the Treaty of Utrecht addressed the territorial issue:

The Catholic King does hereby...yield to...Britain the full and entire propriety of the Town and Castle of Gibraltar, together with the port, fortifications, and forts....

("Appendix 1" 213)

However, the Spanish government's current position regarding their claim to the territory draws upon a different interpretation of the word propriety as written in the treaty than that used by the British. According to Spanish authorities, the understanding of 'propriety' in the Spanish civil code differs from the English common law; Spain claims that Britain was granted possession of Gibraltar but not sovereignty (Porter 365), while the British have understood the term to mean, "the land and everything upon the land within the confines of the city and fortifications..." (Lincoln 292). A failure to understand an imperative socio-cultural difference between Spanish and British legal vocabulary--in this case the meaning of a single word--has sustained the Gibraltar conflict through three centuries. Thus, the land of Gibraltar, its boundaries, and its border have been a point of contention from the very first negotiations between the UK and Spain.

Furthermore, Spain claims that the current dimensions of British territorial possessions exceed the portions of the isthmus originally parceled to them via the negotiations of the Treaty of Utrecht. According to the Spanish Department of Foreign Affairs,

In the Treaty of Utrecht, only “the city and the castle of Gibraltar, together with its port, defenses and fortresses that belong to it” were ceded. The Isthmus (including the adjacent waters or the overlying airspace) was not ceded by Spain.... (Gobierno)

Spain claims that Britain’s allocation of most of the isthmus in the 19th century is unfounded and uses its sovereign claim to territorial integrity as justification for the repatriation of the land (Porter 365). Furthermore, Spain contests the location of the border--as it is positioned beyond the boundaries defined in the Treaty of Utrecht--by refusing to recognize the border’s legitimacy.² They further refute Britain’s claim to the territorial waters of Gibraltar [citing the absence of evidence in the 1713 treaty], but Britain claims historical customary law [i.e., “the Two Cannon Shot Law”] justifies their position (Waibel).

The border has also been a point of discussion in the UN resolutions that have been passed on the Gibraltar conflict. On the heels of World War II, as decolonization became the focus of international legal trends, Anglo-Spanish disputes over Gibraltar and its border intensified. In 1945, Britain listed Gibraltar as a “non-self-governing territory” under Article 73 of the UN Charter (“Charter”), and responding to the popular anti-colonial movements of the Post-War period, the UN formed the Special Committee on Decolonization in 1963 (“United Nations and Decolonization”). Following the formation of the special committee, Spain requested the UN open an investigation into the Anglo-Spanish dispute over the territory of Gibraltar. The General Assembly then adopted UN Resolution 1514 (XV) which called for negotiations among the two parties (“Declaration on the Granting”). In response to UN Resolution 1514 (XV), Britain held a plebiscite in 1966 in which they asked Gibraltarians

² The Spanish intentionally demean the border by referring to its colloquial name, *la Verja*, which means “the fence” rather than the *frontera* which is the word used to refer to an official, political border.

whether they preferred to align themselves to the sovereignty of the British crown or the Spanish Francoist state; Gibraltar overwhelmingly supported [99% affirmed] British rule (Porter 363).

Following the referendum vote, British parliamentarians passed the Gibraltarian Constitution which included a provision that permitted Gibraltar a veto power over any future Anglo-Spanish negotiations. Spain closed the Spanish-Gibraltar border in retaliation for Britain's recognition of an increasingly self-sufficient Gibraltar. The following year, the UN criticized the plebiscite and British-ratified constitution as contravening the provisions of previous General Assembly resolutions. The General Assembly passed UN Resolution(s) 2353 (XXII) and 2429 (XXIII) to condemn British actions in Gibraltar ("Question '67"; "Question '68") and cited Britain's involvement in Gibraltar as a "colonial situation" that "partially or completely" destroyed "the national unity and territorial integrity" of Spain ("Question '67"). However, the British refused to alter their political course on the Gibraltar Question, and the Spanish refused to acknowledge a politically self-determining Gibraltar. Thus, the border would remain closed for sixteen years. As a result of the physical and emotional hardships that ensued during this period, the people of Gibraltar came to know the border-closure years as *'the Fifteenth Siege'* when Gibraltarian families, businesses, and livelihoods experienced irreparable pains. Gibraltar's closed border stood as an unwavering symbol of failed negotiations and relationships between the UK and Spain until communication rekindled following the death of Franco in the 1970's.

In 1978, communication between Spain and the UK opened following Spain's application for membership in the European Economic Community. At the time, the EEC was headed by a British president. In 1979, a representative of the newly formed British government visited Gibraltar and spoke on the border claiming the Spanish restrictions were hostile, "unjustifiable," and "inconceivable...in an enlarged European Community" ("Lisbon" 20). Spain worried that

the state of the border could hinder their entrance to the EEC, and with increasing pressure among disgruntled Spanish voters in the Campo de Gibraltar, the Spanish government developed a plan to resume negotiations and reopen the border. In December of 1979, the Spanish Foreign Minister addressed the Senate and outlined Spain's position on Gibraltar. Once again, Spain returned to the Treaty of Utrecht for justification, quoting from Article X which mandated Spain exist "without any open communication by land with the country round about [the United Kingdom]" (21). While refusing to admit any wrongdoing in closing the border, the minister did offer a plan for reinstating formal relations with the Crown. His plan called for the joint ownership of the Gibraltar military base, dual nationality for the people of Gibraltar, and a timely transfer of sovereignty from the UK to Spain. These points were then formed into a resolution and passed by the Cortes Generales, giving the Spanish Foreign Minister a platform to speak to the British.

On April 10th, 1980, representatives of the Spanish and British governments met at the Council of Europe meeting in Lisbon. What resulted from their secret talks became known as the Lisbon Agreement. The agreement set forth the ground for future negotiations through six points ("Appendix 2"):

1. An intention to "resolve...the Gibraltar problem" according to UN resolutions.
2. A consensus to begin negotiations.
3. A re-establishment of direct communications.
4. A consensus to cooperate.
5. A reaffirmation of the parties' positions.
6. An establishment of a time frame of negotiations.

Among the parties involved, the Spanish initiated the negotiations, the British unopposed them, and the Gibraltarians protested them ("Lisbon" 25). Noticeably to the people of Gibraltar, the status of the border was not mentioned in the agreement. The failure to reopen the border was a

signal of distrust among Gibraltarians, and the border continued to be a rallying point for politicians and demonstrators (25).

While the Lisbon Agreement did not call for the immediate reopening of the border, it did lay the necessary groundwork for the eventual repeal of the Franco-era policy. The border was partially reopened two years later by Spain's new socialist government; however, the complete reopening of the border came due to negotiations that concluded with the Brussels Declaration in 1984. Talks first began between the foreign ministers of both governments in March of 1983 when the Spanish Foreign Minister made his first trip to London. However, British officials declined to negotiate on Gibraltar until the border was fully reopened. Yet, Spain refused to open the border without concessions from the British, specifically regarding the rights of Spaniards in Gibraltar and a commitment to discuss the issue of sovereignty ("Towards" 69). The British government was adamant in the reopening of the border and increased pressure on Spain to comply. First, the British conducted a naval exercise in the territorial waters of Gibraltar which worsened tensions and sentiments among Spanish officials (69). Spain responded by increasing their naval presence at the Bay of Algeciras, and the Cortes Generales passed a resolution condemning the British maneuver. Meanwhile, Britain also increased their rhetoric against the restricted border at meetings with the EEC, threatening to jeopardize Spanish admission (71). Finally, British and Spanish foreign ministers met at the Conference on Security and Cooperation in Europe, and informal discussions between the ministers continued amid international conferences. Still, no official reports or agreements were made.

In 1984, Spanish hopes for the return of sovereignty to Gibraltar rose due to talks between China and the UK over Hong Kong. Finally, in November of the same year, Spanish and British negotiators convened to form the Brussels Agreement. In the agreement, Spain

finally agreed to end all restrictions at the border, and Britain agreed to discuss issues of sovereignty. The parties guaranteed the protection of full rights and privileges for Spaniards and Gibraltarians when crossing the border, and they ensured the free movement of people, vehicles, and goods across it (81). For the mentioning of sovereignty discussions to be included, Spanish negotiators conceded two clauses used in the Lisbon Agreement at the request of British negotiators (81). Spain agreed to drop the references to UN resolutions that referred to decolonization and the clause regarding the “re-establishment of the territorial integrity of Spain” (82). Finally, after sixteen years, Franco’s closed border policy was revoked, and negotiations began as promised in the original Lisbon Agreement.

While the border has remained open since 1985, the overarching conflict of sovereignty between the UK and Spain is largely considered intractable. All subsequent negotiations have failed to provide any long-term solution to the conflict; Spain has continued to push for sovereignty over the Rock, and the UK has continuously refused. Recently, a robust Gibraltarian identity has begun to advance arguments of complete decolonization and has intensified its rhetoric of total self-determination post-Brexit (Guerrero-Liston). In response to this new and growing socio-political phenomenon, my research seeks to address the following question(s):

a.) *How do Gibraltarians conceptualize the right to self-determination as a non-self-governing people?*

--and further--

b.) *How do Gibraltarians then present and define their right to self-determination to the international community?*

I propose these research questions with a sense of urgency, for I believe that the Gibraltar Question poses serious concerns to the security of a liberal international order and the preservation of the universal flame of democracy. The issues of geo-politics and self-determination epitomized in the Gibraltar Question once again share the limelight in international discussion and academic reviews.

Today, the Russian invasion of Ukraine threatens to undermine entire international economic and political systems while proving the continued importance of geo-politics to global security. *Thus, how can contemporary conflicts of geo-political importance be peacefully resolved?*

The United States and Spain's recent pandering to Morocco over Western Sahara brings a dramatic end to almost fifty years of diplomatic precedent and effectively extinguishes the hopes for peace among the non-self-governing Sahrawi people. *Then, what can be done to eradicate colonization in the twenty-first century?*

Meanwhile, the unity of the monolithic United Kingdom is being rattled from various fronts; the ramifications of Brexit continue to be felt through the confusion surrounding the Northern Ireland Protocol and the planned 2023 Scottish independence referendum. Furthermore, the recent death of Britain's longest serving monarch has unleashed a wave of political uncertainty throughout the Commonwealth. *So, what will the UK of the future look like, and how can it survive as a model of democracy and political representation?*

Finally, the diplomatic crisis caused by the state of Kosovo's 2008 declaration of independence is evidence that issues of self-determination and state sovereignty still impel international and regional politics in the twenty-first century. *Then, how can future conflicts of*

self-determination and state sovereignty be resolved peacefully to avoid future crises and even war?

The matter and resolution of the Gibraltar Question proffer responses to each of these uncertainties. Gibraltar can serve as a microcosmic laboratory for the trial of peaceful resolutions for many global conflicts given its manageable size and liberal guarantees. The arrival of a sustainable resolution to the Gibraltar Question will provide opportunities for peace around the world; peace along the Straits of Gibraltar will surely mean a heightened peace for the international community. With these evident and pressing reasons, I propose this study as a catalyst for the resolution of the Gibraltar Question, and I prod the march for world peace forward.

LITERATURE REVIEW

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1. SELF-DETERMINATION

Section One begins the literature review by illustrating the historical development of human rights law and the historical figures who aided in its development. This section offers a summary of the literature and arguments surrounding the many contested interpretations of self-determination. Finally, the section builds a knowledge of self-determination so that a working definition can be reached. The limitations and controversies caused by exacting such a definition are discussed in the section's conclusion.

1.1 A History of Self-Determination & International Law

According to the United Nations--the premier regulating institution of international law--*self-determination* is a human right (“The Right of Self-Determination in the Twenty-First” 773).

In 1945, the principle of self-determination was affirmed in Article I of the UN Charter:

*The Purposes of the United Nations are...To develop friendly relations among nations based on respect for the principle of equal rights and **self-determination** of peoples....* (“Charter”)

The inclusion of self-determination in the charter was indicative of a matured political enlightenment that began shortly after the First World War. While not explicitly stated nor defined by the UN's predecessor, the League of Nations, the idea that people could self-determine or be “dominated and governed only by their own consent” (Wilson 1937) was cradled by Woodrow Wilson [founder of the League].

Yet, in the early days of the League, the plausibility of self-determination was a source of spirited debate among its members (“Legal Aspects”). Even then, members of the League never reached a consensus regarding the definition of *self-determination*--though the phrase eventually did find its way into official League reports and international treaties (“Legal Aspects”; International Committee). Scholars and political figures prescribed various applications and limitations to the meaning of self-determination during the League's early days. Two definitions

for self-determination competed for theoretical allegiance among Post-War political thinkers. Opposing ideologues American president Woodrow Wilson and Soviet leader Vladimir Lenin each championed their own doctrines of self-determination before a world plagued by conflict and hunger for self-serving resolutions (Lynch 433; Wolff 238; Knudsen 84). Their interpretations of the principle of self-determination made way to our modern understanding of the phrase's meaning.

Wilson's idea was most popular among Western European and American member states. He first proposed a limited definition of *self-determination* primarily focused on the "democratic vindication of the rights of small nations" within the Austrian-Hungarian and Ottoman Empires (Wolff 3). The initial application of Wilson's definition was largely reserved for peoples of distinct "language and...race" ("Paderewski to Wilson"), and Wilson's perspective of self-determination was largely "war-related, practical, and diplomatic" (Knudsen 93). Furthermore, because Wilson was known to rarely utter the word 'self-determination,' his understanding of the principle is perhaps better reflected through his use of "self-government" (Wilson 1937). Professor and political scientist Allen Lynch claims that Wilson's understanding of the meaning of self-determination was rooted in misconceptions regarding the complex relationship between people's attachments to nations and to states and an inescapable liberal bias (424). He failed to consider that his assumptions about the should-be political makeup of Eastern Europe did not reflect a classical American tradition or understanding; Wilson's definition stemmed from the Western conception of liberalism and 'civic nationalism' but failed to fully understand the complexities of a differing 'ethnic nationalism' that was a more popular idea in Eastern European societies of the time (424). Lynch shows how, through his use of self-determination discourse, Wilson advocated for the self-government of racial and linguistic communities, not

the right of ethnic groups to seize their own polity (434-435). Wilson's definition failed to establish clear boundaries for the principle's application or its limitations in the creation of new self-governing states. International legal theorist Whittle Johnston has aptly described the insufficiencies of Wilson's approach:

[W]hat is to be the unit and what the means through which the consent of the governed [which Wilson held to be the foundation of any stable peace] is to find expression? Does the principle point to national self-determination, does national self-determination mean national sovereign determination—that is, that each nationality is entitled to possession of its own sovereign state—or does it mean autonomy within the given state structure? Does the same policy apply to all nationalities, great and small? If to the former only, then what are the policy implications for the latter? (207)

Eventually, liberal fervor surrounding the language of self-determination engulfed Wilson's initial conservative presentation of the principle. The ambiguities of Wilson's definition created a loss of interpretive control over the principle for Western colonial empires. Wilsonian self-determination quickly gave way to minority politics that threatened to destabilize the seemingly procured stability of Post-War Europe (Wolff 9). This version of self-determination spread swiftly around the globe. Wilsonian self-determination would become an anti-colonial mantra at the expense of many of the League's charter members [i.e., the United Kingdom, Belgium, France, Italy, Portugal] (Danspeckgruber) and further influenced political developments in Egypt, India, China, and Korea (Wolff 10). In contrast, radical interpretations of Wilsonian self-determination would also become part of a more exclusive ethno-national rhetoric, even favored by Adolf Hitler during his campaign for the Sudetenland (Lynch 421).

The power and sentiments evoked by Wilsonian self-determination threatened to change the world, and they did. Robert Lansing, Wilson's Secretary of State, frequently cautioned the American president about the gravitas of his discourse:

The more I think about the President's declaration as to the right of 'self-determination,' the more convinced I am of the danger of putting such ideas into the minds of certain races. It is bound to be the basis of impossible demands on the Peace Congress and create trouble in many lands. What effect will it have on the Irish, the Indians, the Egyptians, and the nationalists among the Boers? Will it not breed discontent, disorder, and rebellion? [...] The phrase is simply loaded with dynamite. It will raise hopes which can never be realized. It will, I fear, cost thousands of lives. In the end it is bound to be discredited, to be called the dream of an idealist who failed to realize the danger until too late to check those who attempt to put the principle in force. What a calamity that the phrase was ever uttered! What misery it will cause! (Lansing 86-87)

Wilson would also go on to admit his definition and understanding of self-determination was premature when he first expressed the principle:

When I gave utterance to those words [self-determination], I said them without the knowledge that nationalities existed, which are coming to us day after day... You do not know and cannot appreciate the anxieties that I have experienced as a result of these many millions of people having their hopes raised by what I have said. (United States, 838)

The influence and legacy of Wilson's definition of self-determination continues to exist today; it has become the dominant interpretation used in contemporary political discourse (Danspeckgruber; Lynch 434).

However, Wilson's doctrine was not the only one to receive international support. During the period of the League, Soviet leader Vladimir Lenin catered a different definition for the

principle of self-determination. In 1914, Lenin published “About the Rights of the Nations to Self-Determine,” four years before Wilson’s Fourteen Points address in 1918. In 1917, Lenin again rearticulated his argument in his “Declaration for the Rights and Peoples of Russia” which allowed for the “free self-determination”--and independence--of all nationalities within the Russian Empire (Wolff 7). Historian Larry Wolff has speculated that Wilson’s Fourteen Points in January of 1918 was in part a response to Lenin’s declaration made in November of the previous year, only two months earlier (7). Regardless, Lenin’s attempt to define the principle of self-determination threatened the global acceptance of a Wilsonian perspective. According to Knudsen, senior researcher at the Norwegian Institute of International Affairs, Lenin’s thinking on the issue was directly influenced by Marxist ideology (59).

To Lenin, the right to self-determination belonged to the proletariat (Mark 24). Unlike Wilson, Lenin affirmed political secession as an appropriate exercise of self-determination; in fact, according to Professor Rudolf Mark, Lenin’s definition was exclusively limited to the exercise of political separation by oppressed peoples in oppressive states (28). Further contrasting with Wilson’s majority-rule perspective, Lenin advocated that political self-determination [secession] was a democratic process reserved only for the members of the group in question (Knudsen 66). In Lenin’s “The Socialist Revolution and the Right of Nations to Self-Determination,” he writes:

Concretely, this political, democratic demand [of self-determination] implies complete freedom to carry on agitation in favor [sic] of secession, and freedom to settle the question of secession by means of a referendum of the nation that desires to secede. (White 57)

While Lenin’s definition sought to justify Marxist ideologies during the Post-War [and Post-Revolution] era, remnants of Leninist self-determination have also been incorporated into the

contemporary understanding of the right to self-determine. Lenin's anti-imperialist message resonated as he challenged the Western world in support of oppressed and colonized peoples:

[I]t is clear that to demand self-determination for the peoples that are comprised within the borders of enemy states and refuse self-determination to the peoples of their own state and their own colonies would mean the defense of the most naked, the most cynical imperialism.

(Knudsen 87)

The moral rhetoric within Lenin's definition likely influenced Wilson and the formulation of his definition of self-determination (Knudsen 87); international support for an end to colonization has grown over time, and now Lenin's original concept of self-determination as a right of peoples is now fundamental to the modern meaning of the right to self-determination.

In 1954, the signatories of the UN Charter enumerated the principle of self-determination as a human right with the drafting of the Twin Covenants³--the only international, legally binding documents which reference self-determination as a human right. In Article I of both covenants, self-determination is referred to as a peoples' right to "determine their political status and freely pursue their economic, social and cultural development" ("Int'l Cov. on Civ." 173; "Int'l Cov. on Eco." 5). Among the international powers who emerged from the Second World War, self-determination was understood to mean the abdication of authority from the regal potentate that had dominated the global political economy; it meant the reallocation of power from the dictators, sultans, colonizers, kaisers, tsars, and emperors to the governed; self-determination connoted consent ("Int'l Law" 60).

However, in the modern world, as the global political economy has changed, as borders have been redrawn, and as new wars have been fought and won, the definition of self-

³ viz. the *International Covenant on Economic, Social, and Cultural Rights* & the *International Covenant on Civil and Political Rights*

determination has become increasingly less clear. In a largely postcolonial world, peoples and nations have challenged the definitive limits of the right of self-determination as determined by the Twin Covenants.

Today, much discrepancy exists among states, institutions, and legal scholars regarding the implications of the vocabulary found in the aforementioned statements and definitions. Specifically, the choice word of *peoples* found in the UN Charter and Covenants continues to be a point of contention (Charter; “Int’l Cov. on Civ.” 173; “Int’l Cov. on Eco.” 5).

1.2 *A Working Definition & Understanding of Components*

Defining the concept of ‘self-determination’ has been a contentious pursuit of international law and human rights scholarship for over a century. For this reason, a concise and plain definition of *self-determination* is not easily extracted from the corpus of international legal texts. Yet, for the purposes of this thesis, a working definition and understanding is needed.

Most primitively, ‘*self-determination*’ in the context of this research might be defined using the definition drafted by Danspeckgruber, founder and director of the Liechtenstein Institute on Self-Determination at Princeton University; he writes that self-determination is “a community’s right to choose its political destiny” (“Self-Determination”). However, the words ‘*community*’ and ‘*political destiny*’ prove impossibly vague and do not accurately portray the complexities and nuances of defining ‘*self-determination*’ that are the cruxes of debate among scholars. Rather than attempting to summarize the meaning of ‘*self-determination*’ into a singular definition, perhaps a brief analysis of some credibly employed interpretations and understandings of the word might be most useful in reaching a comprehensive, working definition.

Using Cassese’s classical understanding, ‘*self-determination*’ might be expressed as:

“the search for full independence and sovereignty by a community with the result to redraw international boundaries at the expense of the existing state” (“Self-determination of peoples” 3);

thus, *‘political destiny’* is specified to connote “full independence and sovereignty,” actualized through quasi-physical structures--via borders--and is expressed within a zero-sum framework. Yet, defined using terminology rooted in Post-War/colonial-era thinking (Roepstorff 52), this understanding of *‘self-determination’* is limited in its contemporary application, for it proves inadequate in explaining the array of political statuses and relationships present within the international political spectrum and neocolonial systems (52). Furthermore, to what extent is “full” and with what measurement is this determined? Lastly, if only using this definition, an appropriate understanding of *‘community’* is impossible to ascertain; yet it is the principal actor according to the context provided. For this reason, a modern understanding of *‘self-determination’* is preferred; considering a changing political world order, several of the erroneous assumptions made by classical theorists have been imperfectly adjusted.

In a modern context, Danspeckgruber explains *‘self-determination’* in association with, *“struggles by groups within a state for greater autonomy or independence--primarily ethno-nationalist claims or counter-reactions to oppression or authoritarianism”* (“Self-Determination”). Under this definition, limitations are erected to manage the principle’s implications and degree of application, namely that self-determination is restricted to an *increase* of autonomy or independence for “groups” in “struggle” with existing states. As Guibernau explains, these “groups” are self-defined but recognized, specifically identified by distinct ethnic, linguistic, cultural, or religious variables (540). Further limitations exist on the appropriate exercise of self-determination. In the modern context, self-determination is legitimized when specific criteria and

context are provided; legitimate expressions of self-determination are limited to “ethno-nationalist claims” and reactions to “oppression or authoritarianism”. From this logic of differentiation, a competing duality arises within the discourse.

To justify expressions of self-determination within the confinements of definitive limitations, self-determination discourse is often sub-defined into categories of extension. Thus, self-determination is defined in accordance with the appropriate extension of its domain: internal v. external. *‘Internal self-determination’* and *‘external self-determination’* refer to the extent to which self-determination can be rightfully achieved by people groups. According to Cassese,

***Internal self-determination** means the right to authentic self-government...the right for a people to really and freely choose its own political and economic regime--which is much more than choosing among what is on offer perhaps from one political or economic position only. It is an ongoing right.* (“Self-determination of peoples” 101)

In contrast, *‘external self-determination’* connotes a more classical understanding of the concept, referring to what Guibernau describes as “full legal independence/secession for the given ‘people’ from the larger politico-legal state” (540). As Cassese demonstrates, *‘Internal self-determination’* and *‘external self-determination’* compete for space on the spectrum of self-determination definitions and fragment academic literature into commentary on the appropriateness of one term over the other (“Self-determination of peoples” 67, 101). Due to such competition, these adjectivized forms of self-determination are preferred in the literature to a singular, more rigid, interpretation of the concept.

Under both classical and contemporary interpretations, “self-determination is grounded on the consent of the people” (Guibernau 541), yet opinions regarding the extent to which the right applies and under what context/conditions vary. To better understand how, when, and by

whom the right to self-determination can be exercised, a brief hermeneutics of self-determination is further required.

According to Roepstorff, historical precedents and contemporary novelties, necessarily together, yield appropriate interpretations of the right to self-determination (52). Thus, the past and the present are fundamental determinants that contextualize the interpretation of self-determination in any given moment (52), and any immediate interpretation and subsequent exercise of self-determination must reckon current realities with historical standards and emphasize the consistency and dynamism of international law. Presently, along with the influence of historical outcomes, Guibernau delineates four contemporary social forces that are “shaping and impacting” the contextual development of self-determination and its definitive role in the modern international political community:

1. the concept of **democracy** [*grounded upon social justice, deliberative democracy, and individual freedom*]
2. the renewed importance of the **Nation as a community of fate**
3. the proliferation of **social movements and political mobilization**
4. the **impact of social media** in fostering novel attachments grounded upon a **sentiment of belonging to virtual communities**. (543)

These socio-political forces have replaced the motivations of previous energetic cultural movements in developing the contemporary context and definition of self-determination. The previous midcentury’s anti-colonial movement that directed global perspectives on the exercise of self-determination no longer rules public opinion, and its structural beliefs cannot appropriately illustrate contemporary struggles for self-determination. Rather, the context and workings of self-determination within public discourse is being shaped largely by novel social, political, and cultural forces, creating the need for a modern contextual framework that legal scholars must necessarily configure into provisional interpretations of the right to self-

determination alongside historical precedent. Only by this synthesis of past and present can appropriate interpretations of self-determination be reached.

Furthermore, as the rightful exercise of self-determination requires just context and conditions, understanding *when* groups' appeals to self-determination are appropriately defined and upheld by international law is of utmost importance. Frequently, discourses of self-determination evolve from discourses of oppression, liberation, and independence. Effectively so, Roepstorff cautions that one must be careful to differentiate the relationship between self-determination and freedom and autonomy (54). Wiberg details how concepts such as self-determination, freedom, and autonomy are often thought of synonymously due to their proximate and/or like use in political discourses (178); however – while the relationships between the terminologies do intertwine and are often dependent upon each other--in political and legal philosophy, the distinctions between self-determination, freedom, and autonomy provide caveats of meaning that appropriate the argumentative orientation of each term. The relationship between the terms could be as summarized linearly as so:

the capacity for collective, political autonomy requires a perception of freedom from constraint [external and internal]... and collective, political self-determination requires a perceived autonomous capacity preconditioned by the perception of external and internal freedom.... (Eisler 54; Dworkin 54; Roepstorff 54; Wiberg 47)

Thus, while self-determination does require both an autonomous capacity and freedom from constraint, the existence of both autonomy and freedom does not necessitate or conclude in the exercise of self-determination. Rather, unlike autonomy and freedom, Sumner explains that collective, political self-determination is an action--an exercise or *determination*--with specific results afforded to only certain groups of peoples (44). Yet, not all perceivable acts of self-

determination are legitimate; rather, legitimate actions of self-determination are subject to international law, specifically laws of territorial integrity (57). Thus, some understanding of *how* self-determination might be exercised is important to understanding future critiques and arguments concerning the right.

Employing the logic of UN Resolution 1514 XV [Declaration on the Granting of Independence to Colonial Countries and Peoples]⁴, there are three appropriate ways by which a people might reach full self-determination:

1. emergence as a sovereign independent state;
2. free association with an independent state;
3. integration with an independent state.

Much of the discourse regarding the exercise of self-determination--and most of the controversy--revolves around the implications of the first clause. As sovereignty is closely in line with ideas of freedom and autonomy, and as sovereignty is often portrayed as the ultimate end to political quests for self-determination, Roepstorff points out that sovereignty is often inappropriately implicated in the discourse as *the* natural resolution to inquiries of self-determination (69). Rather, sovereignty is only one possible outcome of self-determination probes, not a necessary one. Yet, the confusion generated by a singular, determined relationship between self-determination and sovereignty clouds the resolution of many existing conflicts. This hesitancy is typical as such a degree of self-determination almost always refers to the reconfiguration of political territory via acts of secession.

⁴ While UN Resolution 1514 XV specifically refers to non-self-governing territories, the logic behind the resolution can also--in this way--be applied to non-self-governing peoples, for a 'territory' is but an inanimate, diplomatic representation of the peoples that inhabit it. Dissent to this parallel is to be expected, for the colonial context of the resolution cannot be disregarded. However, it is my proposal--and the proposal of this argument--that such differences are better suited for debate elsewhere, in other literatures. As the purpose of this chapter is merely to reach a sufficient understanding of self-determination and its implications, only a miniscule review of the plethora of scholarly theories on self-determination can be referenced here and discussed with appropriate purpose.

Special attention should then be paid towards understanding the relationship between self-determination and secession. The nature of this relationship is rife with deeply held positions; these positions are often enforced with such core beliefs and convictions that secession alone as a means to a self-determined end has resulted in mass violence and loss of life. According to Young, adhering to a singular, causally determined relationship between self-determination and secession “tends to produce injustice and perpetuate cycles of violence,” particularly among state forces and armed civilian groups, as seen in Northern Ireland and the republics of the former Yugoslavia (58). These conflicts are likely more violent due to the intrinsic involvement and motivations of state forces, charged with defending state territory at the hands of often-times minority groups. Existing states do have a right to participate in such defenses and debates given the principle of ‘*territorial sovereignty*’ in international law. Thus, the principle of ‘*territorial integrity*’ proves a powerful deterrent in quests of self-determination, as any legitimate conclusion to such claims must reconcile the historical precedents of international law with contemporary context. For this reason—and with consideration to the atrocities that these cycles of violence have produced—secession is rarely considered a viable approach to resolving questions of self-determination. Rather, as Wiberg points out, arguments for self-determination are “increasingly analyzed in terms of the internal, democratic organization of a state” (12). Citing the theories of Young, Roepstorff argues that what is needed to resolve contemporary conflicts of self-determination is a,

conception of self-determination that pays due regard to the fact that groups often dwell together in territories....self-determination should be thought of in the context of relations to other. (71)

Young emphasizes the idea that the exercise of self-determination should be collaborative rather than competitive, claiming that,

sovereign independence is neither a necessary nor a sufficient condition of self-determination... self-governing peoples ought to recognise their connections with others, and make claims on others when the actions of those others affect them, just as the others have a legitimate right to make claims on them when their interdependent relations threaten to harm them. (52)

Thus, legitimate exercises of self-determination must be framed in dialogue between groups of peoples. Therefore, if full and fruitful dialogue is to occur, an appropriate understanding of who composes such ‘peoples’ and groups is required.

Notably, as Hannum highlights, the right of self-determination is not an individual right (774); similarly, Cassese writes that self-determination as a human right is only applicable to “international subjects” (“Int’l Law” 61). Unlike many other human rights upheld by international law, the right to self-determination has been prescribed collectively, meaning that the right has been explicitly granted to ‘peoples,’ not persons [e.g., *All peoples have the right of self-determination.* (“Int’l Cov. on Civ.” 173; “Int’l Cov. on Eco.” 5)]. The plurality of the term *peoples* has generated ample ambiguity in the field of international law and has proven to be an impeding proof for groups wishing to exercise political self-determination.

1.3 *Opposing Theories & Limitations*

Still, other persons continue to debate if ‘self-determination’ is an accurately expressed idea at all, arguing as to “the delineation of the ‘self’...and what is implied or allowed by the application of ‘determination’” (“Self-Determination”). Furthermore, advisory opinions from international courts on the legal interpretation of self-determination remain elusive. In the last

twenty years, only four advisory opinions have been handed down by the ICJ, two of which concern the right to self-determination (“Judgements”).

Most notable are the Court’s advisory opinions on Kosovo’s declaration of independence [2010] and the Israeli-Palestinian wall dispute [2004]. In the Israel-Palestine case, the Court fell short of defining the right to self-determination but rather, as Gareau explains, “confirmed previous jurisprudence concerning self-determination, reaffirming its status as an essential principle of international law and rooting it unquestionably in the Charter itself” (520), further contributing to the elusive nature of the right. However, the Court did build upon the principle by,

[consolidating] the widely held belief that self-determination is essentially a territorially based right and that there is an organic, definitional link between a ‘people’ and the territorial base upon which they claim to exercise their right to self-determination,” and “[gave] credence to the idea that, in certain circumstances, sovereignty over a territory may be placed ‘in abeyance’ and vested in an entity left temporarily incapable of exercising it. (520)

Furthermore, regarding the Kosovo decision, international legal professor Matthew Saul criticizes the Court for having recognized the debate regarding the right to self-determine and its inherent connection to the act of secession but having refused to legally detangle the argument or comment on its appropriateness (615). Instead, the Court felt it “not necessary to resolve these questions,” noting that the “issue is beyond the scope of the question posed by the General Assembly” (“Accordance” 39). However, court procedures heavily referenced the relevance and application of self-determination, and such references illuminate the various opposing theories and perceived limitations of self-determination that exist within international dialogue. Of note

are the multiple state submissions provided to the Court. In their briefs and oral arguments, states consistently put forth legal criticisms regarding the definition of terms such as “peoples,” “remedial secession,” and “self-determination” (Saul 617-618)--even once cautioning the Court that while existing doctrine and literature on self-determination “is informative it may not be authoritative” to their judgement (Netherlands 10). Further review of such documents gives considerable insight into the opposing arguments and perceived limitations of the right to self-determination in an international legal context (Saul 618).

2. SELF - DETERMINATION in the CONTEMPORARY CONTEXT

The following section attempts to highlight recent happenings in the development of self-determination scholarship. Three micro-case studies are to be discussed. Each case has inarguably contributed to the contemporary understanding of the right to determination in international law. Specifically, these three cases will be presented as having direct influence on how legalists perceive the substance of the Gibraltar Question. In addition to the international heritage of self-determination scholarship, these contemporary developments are presently contextualizing the Gibraltar Question and the legal rights of the parties involved.

As in Gibraltar, the right to self-determination, its meaning, and its appropriate application is at the core of many contemporary international conflicts. How and why the right to self-determination is expressed and considered among these conflicts is crucial to the development of the right’s legal understanding within the literature. Through the immediacy and novelty of contemporary conflicts, the right to self-determination is recontextualized, reexamined, and reinterpreted to produce a more modern application and understanding of the right. If one is to approach the Gibraltar Question with an appropriately contextualized understanding of both past and present factors contributing to the conversation, then the literature surrounding contemporary conflicts and self-determination must be examined.

2.1 *Palestine*

Perhaps the most prominent, contemporary case in the literature on self-determination is the Palestinian conflict, in which Palestinian Arabs continue to assert claims of sovereignty over Israeli-occupied lands and of statehood. For many years, the literature on self-determination in Israel-Palestine was consumed by the debate of whether Palestinian Arabs constituted a people entitled to the right of self-determination. However, this issue has since been resolved. In 2004, the ICJ issued an advisory opinion that quelled legal disputes over Palestinians' legitimate claims to peoplehood (Sakran 236); in the *Wall* opinion, the ICJ decisively confirmed the Palestinians' right to self-determination thus simultaneously affirming their existence as a legitimate people (Gareau 520; "Legal Consequences...Wall" 5; Sakran 236).

Uniquely, the Palestinians' case for self-determination has proven useful in the development of contemporary dialogue and understanding of the right to self-determination around the world. According to Judge Rosalyn Higgins, the *Wall* case marked the first time that the ICJ had confirmed the right to self-determination as existent and applicable outside of the colonial context (Higgins 214). As Summers argues, the case of Palestine has become exemplary of the "*subjection of peoples to alien subjugation, domination, and exploitation*" clause regarding self-determination in UN Resolution 2625, the *Declaration of Principles of International Law, Friendly Relations, and Co-Operation Among States* ("Dec of Principles of Int'l Law" 3; Summers 539), leading Horowitz to conclude that the phraseology is merely a euphemism for the conflict itself ("Self-Determination: Politics, Philosophy, and Law" 201; Summers 539). Furthermore, Gareau claims that the Palestinians' fight for self-determination has helped solidify the connection between territory and peoplehood like the *Wall* opinion,

[consolidated] the widely held belief that self-determination is essentially a territorially based right...[with] an organic, definitional link between... 'people' and the territorial base upon which they claim to exercise their right to self-determination. (520)

In handing down the *Wall* opinion, the ICJ also acknowledged that some peoples--such as the Palestinians--may have legitimate claims to territorial sovereignty “in abeyance” and that such territory may be legitimately “vested in an entity left temporarily incapable of exercising it” (520). Those same peoples--despite not constituting an internationally recognized organization or state entity--may also be granted legitimate “*locus standi*” in legal claims of self-determination (520). Thus, while the Israel-Palestine conflict may not yet be resolved, the Palestinians’ case for self-determination has borne significant influence over the contemporary context of the right to self-determination in the international community.

2.2 *Chagos Islands*

Perhaps lesser known within the literature is the contemporary case for self-determination among the Chagossian people of the Chagos Islands [British Indian Ocean Territory]. In 2019, the ICJ issued another rare advisory opinion concerning sovereignty and self-determination in the Chagos Archipelago. Like the *Wall* opinion, the *Chagos* opinion established new legal precedent regarding the status of self-determination in the contemporary international legal system. Namely, the ICJ concluded that the right to self-determination had become international customary law by no later than 1968 with the UN Resolution 1514, the “Decolonization Declaration” (Kattan 13). Due to this conclusion, other peoples with “territorial disputes that arose as a result of the failure to complete the process of decolonization after, to which the Decolonization Declaration was applicable, could bring....their disputes before the ICJ in the form of Advisory Opinions” (13). This realization has the potential of altering legal perspectives

on the role of self-determination in protracted territorial conflicts, specifically those with colonial histories [i.e., Israel-Palestine and Gibraltar]. Furthermore, the ICJ reaffirmed that the right to self-determination “applied to the entirety of a non-self-governing territory” (17), claiming that the right of territorial integrity as corollary to the right of self-determination (“Legal Consequences...Separation” 134).

Perhaps most interesting was the Court’s reference to UN Resolution 1514 and its potential implication in the debate over self-determination, as the term ‘*self-determination*’ cannot be found within the resolution, instead the words ‘*self-government*’ are used. Yet, the Court cited UN Resolution 1514 as having “[expressed] the means of ‘implementing self-determination’” (Kattan 21). Thus, while the Court was not asked to deliver an opinion on any method of decolonizing the archipelago, their reference to UN Resolution 1514 might hold some insight into how the Court might view the appropriate legal method by which full decolonization of the Chagos Islands--and other colonial territories--could be reached, specifically in response to the second question inquired of the Court by the General Assembly:

What are the consequences under international law, including obligations reflected in the above-mentioned resolutions, arising from the continued administration by the United Kingdom of Great Britain and Northern Ireland of the Chagos Archipelago, including with respect to the inability of Mauritius to implement a programme for the resettlement on the Chagos Archipelago of its nationals, in particular those of Chagossian origin?.
(“Request” 2)

As the interests of the Mauritian and Chagossian peoples are aligned but not identical (Allen 220), and as the Chagossian people are distinct from Mauritian peoples and did not choose Mauritian citizenship (Tong 172), the Chagossian people may be entitled to full self-

determination by means of self-government; however, the ICJ did not go so far to claim so. However, their selection of words--while unclear--remain intriguing and might serve as inspiration to other peoples in search for self-determination who might draw parallels to the situation of the Chagossians.

2.3 *Scotland*

Finally, some attention should be given to the recent developments happening over the course of this research in Scotland, in respect of the right of self-determination. On June 28th, 2022, First Minister Nicola Sturgeon announced the Scottish government's intention to hold a referendum on independence on October 19th, 2023. This referendum follows the failed 2014 independence referendum, which was rejected by a 55% majority vote.

Scotland's case for independence [i.e., full external self-determination] is unique in that it asserts new questions of domain into the debate on self-determination. Scotland's claim to the right to self-determination does not primarily stem from an "ethnic or cultural concept of nationalism, but rather on a civic or democratic perspective of nationalism," meaning that, unlike the Chagossian or Palestinian peoples whose claims to self-determination are strongly connected to ethno-national and territorial histories, the Scots' claim to the right of self-determination is *almost* entirely rooted in instrumental arguments (Dalle 211), illustrated through a competing vision of liberal politics and economics from that of the sovereign state [i.e., the UK] (Levrat 7, Jackson 50). Levrat argues that the Scots have not fully proven themselves as a "preexisting collective entity" but rather have tried to make the claim that Scotland--while not presently a recognizable nation-state--is a nation that will materialize as a result of exerting self-determination (7, 18). Central to the Scots' argument for self-determination is what Dalle describes as the "need to improve democracy and promote economic growth" (211), a claim

made in complete disinterest of UN Resolution 2625 and its requisite clause of “alien subjugation, domination, and exploitation” (“Dec of Principles of Int’l Law” 3). The premises of this argument--along with the Scots’ contemporary interpretation of ‘*peoplehood*’--forcefully transposes the debate on self-determination outside a colonial context and into the postmodern, postcolonial present. Thus, *should peoples not be permitted to exercise self-determination as a means of perfecting the liberal democratic order? Should peoples be prohibited from self-determining their economies if such exercises should result in the betterment of fiscal statuses among their persons?* These are the questions posed by the Scottish independence movement. Evidently, Scotland’s 2023 independence referendum has incredible potential to reinterpret and/or recontextualize the right of self-determination in the present-day. Already, the referendum has initiated a renewed consideration of the domain of self-determination in our modern world. What will become of the referendum and its consequences on future exercises of self-determination are yet to be seen.

3. SELF-DETERMINATION + GIBRALTAR

The following section discusses the workings of self-determination in Gibraltar from both contemporary and historical sources. A general outline of the arguments of the Gibraltar Question are given here as well as an account of important historical events which have shaped the debate.

Self-determination within a Gibraltarian context has been analyzed by few scholars. Most discussion on Gibraltar’s right to self-determination has been held within the confines and purview of the UN, yet some independent scholars have attempted to review the Gibraltar Question through frames of analysis. Accordingly, various and conflicting conclusions and arguments exist on the subject. The Gibraltar Question is argumentative in nature, and

understanding the core positions held by scholars and relevant institutions is pivotal to derive a comprehensive understanding of the conflict. Thus, if one is to contribute new research to the discussion on self-determination in a Gibraltarian context, then a thorough review of scholars' and institutions' contributions to the literature must be conducted.

3.1 “*Non-self-governing Territory*”

The application of the right of self-determination within a Gibraltarian context has been a point of international debate within the literature since 1946 with the adoption of UN Resolution 66 on non-self-governing territories (“Transmission”). Gibraltar was one of the earliest and most controversial subjects of the UN’s consideration. In 1963, the UN listed Gibraltar as one of 63 non-self-governing territories in the world (“Report” 289)⁵, and in 1967, in response to Spanish complaints against a British-sanctioned referendum, the General Assembly passed Resolution 2353 [entitled “Question of Gibraltar”] which called for an immediate end to the “colonial situation in Gibraltar” (53). Less than one year later, the UN General Assembly passed Resolution 2429 in response to Britain’s failure to appropriately respond to Resolution 2353. In Resolution 2429, the General Assembly’s language was much more severe, declaring that,

“the continuation of the colonial situation in Gibraltar is incompatible with the purposes of the Charter of the United Nations and of General Assembly resolution 1514 (XV)” .

(64)

The resolution also demanded,

⁵ Today, Gibraltar remains on the UN’s official list of Non-Self-Governing Territories as one of the final seventeen territories that “have not yet attained a full measure of self-government,” ten of which fall under the administration of the United Kingdom (“Non-Self-Governing Territories”).

“the administrating Power [the UK] to terminate the colonial situation in Gibraltar no later than 1 Oct 1969,”

and called upon the British government,

“to begin without delay the negotiations with the Government of Spain”.

Yet, no sincere change in the colonial situation was enacted by 1 October 1969, and negotiations between Spanish and British diplomats continue even today.

3.2 *The Gibraltar Question*

The free exercise of the right to self-determination is central to the Gibraltar Question. However, determining what the right to self-determination should signify for Gibraltar is not easily extracted from the literature and has proven a difficult task for the UN nor the parties involved. The Twin Covenants on Human Rights both claim in their first articles that,

“All peoples have the right of self-determination” (“Int’l Covenant”).

By intentionally locating the right to self-determination at the forefront of both the guiding doctrines of international human rights law, the Covenants present self-determination as a preeminent and preliminary necessity that alone can introduce the list of enumerated civil, political, cultural, and economic rights that follow. Without the ability to determine and define one’s existence and future, no posterior right can be protected or perfected. Specifically, in the case of Gibraltar, many subsequent rights are contextually conditional to the right of self-determination. The rights to security, free movement, and the preservation of culture all depend on the full actualization of the people’s right to singularly determine their future.

Several issues have evolved from the language and principles of existing international laws and inter-party treaties that have led to the conflict's entrenchment. Particularly, Spain questions the composition of the Gibraltarian '*people*' and denies the existence of a legitimate Gibraltarian identity, referring to the people of Gibraltar as the local "population" [in accordance with existing UN resolutions] ("Questions 1967") and Gibraltarian government officials as "local authorities" in official statements (Gobierno). Spain further claims that the Gibraltarian population is not composed of the legitimate inhabitants of the territory; the Spanish government claims that the population was "pre-fabricated to facilitate British rule" after the expulsion of local Spanish peoples and therefore cannot be determined as indigenous people of the territory (Porter 366). Meanwhile, Gibraltarians deny Spain's assertions and claim that Gibraltar is neither British nor Spanish but has its own distinct identity (Porter 372). Gibraltarian government officials and representatives have consistently affirmed their legal identity as unique, while some politicians have even stated that the people of Gibraltar belong to their own "Gibraltarian race" acquired from 300 years of immigration and inter-ethnic marrying--what one British governor explained as the "synthesis of [Gibraltarian] blood" ("Gibraltar, Identity, and Empire" 53).

The Spanish denial of a cohesive Gibraltarian identity is further supported by Spain's claim to *territorial integrity* granted to the state by UN Resolution 1514. Paragraph 12 of Resolution 1514 states that,

all peoples have an inalienable right to...the integrity of their national territory.

("Declaration")

A nation's right to sovereignty and its territory are thoroughly proved in the literature, have long been parts of customary international law, and are much older concepts than the codified right to self-determination. Yet, Gibraltar pushes back against Spain's territorial claim, referring to it as

“*outdated*” and incompatible with contemporary European ideas (Guerrero-Liston). Gibraltar argues that its historical claim to the territory is more valid and justifiable than the Spanish claim through their 370 years of existence on the Rock (Guerrero-Liston). The United Kingdom has also continuously denied any iota of Spanish sovereignty over Gibraltar. The British defer to the Treaty of Utrecht and its opening clause that gave British propriety over Gibraltar “*absolutely with all manner of right for ever, without any exception or impediment whatsoever*” as satisfactory evidence against Spanish territorial claims (“*Treaty of Utrecht*”). However, the language of the Treaty of Utrecht is also debated and is likely the error of inconsiderate translation. According to the Spanish government, the Spanish civil code’s understanding of propriety differs from the English common law’s understanding; Spain claims that Britain was granted possession of Gibraltar but not sovereignty (Porter 365). Furthermore, citing the Treaty of Utrecht, Spain claims that Britain’s allocation of the entire territory in the 19th century is unfounded and should be ceded back to Spain (Porter 365). They further refute Britain’s claim to the territorial waters of Gibraltar [again citing the absence of evidence in the Treaty of Utrecht], but Britain claims historical customary law [i.e., “the Two Cannon Shot Law”] justifies their position (Waibel).

Over Gibraltar’s 300-year existence, several international bodies and conventions have come to regulate the way self-determination has been discussed in the literature, both internationally and regarding the people of Gibraltar. The *1713 Treaty of Utrecht* is the oldest regulating, written convention with jurisdiction over Gibraltar and its future. The Treaty of Utrecht gave propriety of Gibraltar to the British. As the British claimed Gibraltar by means of conquest, the Treaty of Utrecht gave indefinite ownership over Gibraltar to the Crown. The Spanish have since sought to repeatedly undermine and arm the treaty but with relatively little

success. Particularly, a clause in the final chapter of the treaty poses a potential threat to the future of Gibraltarian self-determination.

To protect future Spanish interests, in 1713, Great Britain agreed to a stipulation in the Treaty of Utrecht proposed by Spain that would require Spanish approval before ceding Gibraltar to another sovereign power. Specifically, the clause promised that,

the same [proprietorship of Gibraltar] shall always be given to the crown of Spain before any others. (“Treaty of Utrecht”)

In theory, if the British crown were to alienate Gibraltar in any way, Spain first would be allowed to reclaim the territory. Spain has argued that this clause also prevents the British government from granting Gibraltar absolute sovereignty as this would theoretically cede the territory to a newly established foreign government (Waibel).

The British government echoed this sentiment in a dispatch letter issued in addendum to the Queen’s Royal Assent for the 2006 Gibraltarian Constitution (Leathley 184-185).⁶ Logically, Gibraltar disagrees with Spain’s position by referencing UN Resolution 2734 (“Declaration 1971”). The relevant text reads as such:

The General Assembly...

1. Solemnly reaffirms the universal and unconditional validity of the purposes and principles of the Charter of the United Nations as the basis of relations among States

⁶ “As a separate territory, recognised by the United Nations and included since 1946 in its list of non-self-governing territories, Gibraltar enjoys the individual and collective rights accorded by the Charter of the United Nations. Her Majesty’s Government therefore supports the right of self-determination of the people of Gibraltar, promoted in accordance with the other principles and rights of the UN Charter, except in so far only as in the view of Her Majesty’s Government, which it has expressed in Parliament and otherwise publicly on many occasions, **Article X of the Treaty of Utrecht gives Spain the right of refusal should Britain ever renounce sovereignty. Thus, it is the position of Her Majesty’s Government that there is no constraint to that right, except independence would only be an option for Gibraltar with Spain’s consent.**”

irrespective of their size, geographical location, level of development or political, economic and social systems and declares that the breach of these principles cannot be justified in any circumstances whatsoever;

2. Calls upon all States to adhere strictly in their international relations to the purposes and principles of the Charter, including...the principle of equal rights and self-determination of peoples...

3. Solemnly reaffirms that, in the event of a conflict between the obligations of the Members of the United Nations under the Charter and their obligations under any other international agreement, their obligations under the Charter shall prevail.

(“Declaration 1971”)

The right to self-determination as claimed by Gibraltar and mentioned in UN Resolution 2374 was established in 1976 with the adoption of the Twin Covenants. Since then, it has been reaffirmed repeatedly by the United Nations [see UN Resolutions 1514 (XV), 2353 (XXII), 2429 (XXIII), and 2626 (XXV)]. In 1970, the United Nations passed the Declaration of Friendly Relations which also unequivocally reaffirmed the right to self-determination but also strengthened the argument for “territorial integrity” (“Declaration”). Moreover, the Vienna Declaration of 1993 further underscored the symbiotic nature of the individual right to self-determination with the nation-state’s right to territorial integrity (“World Conference”).

Since its initial resolution on the Question of Gibraltar, the UN’s nuanced, diplomatic language has benefited the Spanish position and further protracted the Gibraltar conflict. The UN General Assembly has yet to affirm the existence of a distinct Gibraltarian people [preferring the term “population”] and has never recommended Spain or the UK respect the will of the people but only their “interests” (“Question 1967”). As a result, many Gibraltarians feel resentment

towards the international legal system that has seemed to only prevent the exercise of their right to self-determination rather than to protect and promote it (Bossano). Such anxiety is seen reflected in the opening of the first paragraph of the 2006 Constitution:

Whereas all peoples have the right of self-determination and by virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development and may, for their own ends, freely dispose of their natural wealth and resources without prejudice to any obligations arising out of international economic co-operation, based upon the principle of mutual benefit and international law; And whereas the realization of that right must be promoted and respected in conformity with the provisions of the Charter of the United Nations and any other applicable international treaties.... (“Gib Const” 7)

4. GIBRALTAR, IDENTITY & PEOPLEHOOD

This section summarizes the writings and arguments on the definition of ‘peoplehood,’ a prerequisite of the right of self-determination. Additionally, this section provides a brief history of the Gibraltar population and arguments that suggest the existence of a legitimate Gibraltar people.

Foremost in the debate of Gibraltar self-determination is indeed the Gibraltarian people. The small but unusual population has been the subject of review by many scholars, and the historical and contemporary developments of the Gibraltarian people continue to fascinate historians, anthropologists, linguists, political scientists, and legal scholars alike. Likewise, attempting to define the Gibraltarian people has been the subject of much debate among the parties involved in the conflict. The way in which the Gibraltarian people are defined considerably influences the conversation on self-determination in Gibraltar. Central to the

workings of self-determination is a coherent, identifiable people. In fact, as detailed in Chapter One, the existence of such a *‘people’* is preconditional to the ownership and exercise of the right to self-determination. Any conclusion reached in the conversation on self-determination in a Gibraltarian context must be reflective of the degree of peoplehood obtained by the population. Thus, if conclusions on self-determination in Gibraltar are to be made, then an investigation of the literature surrounding peoplehood and the Gibraltarian people must be conducted.

4.1 A Working Definition & Understanding of Peoplehood

As mentioned previously [but worth re-emphasizing], according to the Twin Covenants, “*All peoples have the right of self-determination*” (“Int’l Covenant”). Yet, a universal understanding of the word *‘peoples’* and the constituents of *‘peoplehood’* is lacking in the literature. Many legal scholars have contributed to the literature with the purpose of defining the terminology of *‘peoples’*. In the book *Modern Peoplehood*, Prof. John Lie traces the conceptual history of *‘peoplehood’* to Western socio-political philosophies that emerged in Post-First World War Europe, linking the emergence of peoplehood to the creation of the modern state (99). Specifically, Lie writes of how the concept of *‘peoplehood’* became a “regulative ideal that governed political, intellectual, and scientific discourses” among Western empires as they raced to colonize foreign lands (99). As a result of colonial efforts, an induced social phenomena swept the globe in which “population[s] (a geographical or administrative category) transformed into...people[s] (a self-conscious entity)” (99). Consequently, the boundaries of the modern state established the conceptual limitations of peoplehood; “integration accentuated national commonality over local variation” as languages, laws, cultures, and currencies were homogenized as part of colonial efficiencies (100).

Today, in a postcolonial world order, the link between statehood and peoplehood is preeminent in the construction of identities and the exercise of self-determination among peoples. According to Bendix, democratic governments' immediate and tangible presence in the lives of its constituents has generated a need to construct a collective identity for populations; furthermore, the rise of the populace as the ruling authority has underscored the necessity and potential of these identity constructs (5-9). As Korostelina points out, distinctions must be made between those who are 'in' and those who are 'out' of such identity groups (25). Inherent to these identity constructs are presumed, abstractive criteria associated with territoriality and sovereignty ("Ethnic groups" 66; Lie 103), the integration of local differences and identities (Korostelina 26; Lie 117), and a shared pastness (Korostelina 16; Wallerstein 381), along with objective identifiers such as language, religion, and congeries of folkways (Lie 34, Korostelina 27-28, Volkan). However, while these criteria are necessary, they are not alone sufficient. The fundamental axis of peoplehood is the existence of a powerful, underlying *common consciousness* (Archer 13; Barker 3-4; Hroch 79; Lie 42), the shared belief that individual members of the collective '*peoplehood*' share common interests and a common fate (Kriesberg). Once proof of *common consciousness*--derived from multiple overlapping cultural, historical, and geographical narratives--manifests within a society, then claims to peoplehood can exist; consequently, according to international law, a peoples' claim to the right of self-determination should be considered.

4.2 *The People of Gibraltar*

Recent but few written histories and literatures have been dedicated to exploring the identity of the Gibraltarian people. Yet, identity plays a vital role in the exercise of self-determination through its effect on our understanding of peoplehood. While even though a

precise definition of ‘*peoples*’ has not been determined in the literature, some evident markers of peoplehood undeniably exist and have been discussed extensively among scholars. For the Gibraltarians, past attempts to prove these markers existed among their people were met by external challengers; the lack of scholarly analyses and proofs of the Gibraltarian identity helped support such challenges and presented an obstacle in Gibraltarians’ pursuit of self-determination. However, today, Constantine claims that the existence of a separate and distinct Gibraltarian people cannot be denied (“Gibraltar, Identity, and Empire” 11). The Gibraltarian people have no doubt of their existence as a people with “clearly perceived boundaries, geographical and cultural, ... within which they find their individual and collective identities” (11).

Perhaps the most studied feature in the literature of the Gibraltarian people is their ethnic heritage and make-up (Blinkhorn; “Community and Identity” 11-132; Finlayson 23-41; Howes). In his seminal work on Gibraltarian identity entitled *Community and Identity: The Making of Modern Gibraltar Since 1704*, Constantine traces the history of the contemporary Gibraltarian demographic to “explore and explain the origins” of local claims to peoplehood (11). Unique to his research, Constantine argues that the foundation of Gibraltarian ethnic identity was largely manipulated--*if even unintentionally*--by the colonial system and is in-part reflective of colonial-era policies of discrimination; meanwhile others have attributed the diversity of Gibraltarian society as simply a “happy result of the propinquity in a confined space of a population of immigrants over the past three centuries” (11). Regardless, Constantine acknowledges the “distinguishing characteristic” of the Gibraltarians’ ethnic make-up, citing that Gibraltarians are,

by origins, among others, British, Spanish, Genoese, Minorcan, Maltese, Portuguese, Jewish and more recently Indian and Moroccan, and they are distinguished either by the

blend consequent on intermarriage or at least by mutual respect and toleration.

(“Community and Identity” 11)

As historian Rachel Smith explains, other signifying cultural factors such as “...dialect...cuisine,...religious practices, and...lifestyles” (43) emerged among the people of Gibraltar subsequent to the habits of an active, ethnically heterogeneous society. Though it remains understudied, research has been conducted on the unique dialect of the Gibraltarian peoples, proving its originality and novelty [*see* Amador; Bonamy; Carrasco; Levy; Lipski; Suchora].

Still, the effect of British colonialism on the formation of Gibraltarian peoplehood cannot be ignored. Despite various Mediterranean influences, today, the official language of Gibraltar is English (“Gib Fact Sheet”), the education system is of the British style (Archer 182), a Royal Navy squadron continues to patrol its waters, and the Crown continues to appoint a representative governor for the territory. Gibraltar’s presently perceived ‘*Britishness*’ is a direct result of Britain’s colonial presence in the territory. In her dissertation on the British response to Gibraltar’s growing multi-ethnic society in the 18th century, R. Smith argues that British colonial administrators employed “techniques of governmentality” [i.e., census taking, quarantines, surveillance, and document-based identification] to artificially create a “British Protestant stronghold in a hostile (non-Protestant) sea” (ii). Constantine argues that some of these practices [namely manners of policing, census taking, and regulations on residency and entry to the territory] established and propagated a strict system of distinction “between British subjects and aliens” that in turn invented a necessary framework for the formation of a future *British* Gibraltarian identity (“The Pirate” 1175, 1191). Plank’s illuminating essay details the spirited debate and painstaking effort colonial administrations made to force a British character onto the

Gibraltarian population; this work include restricting the ability to purchase land to “his Majesty’s natural born protestant subjects,” enacting discriminatory property laws against Catholics persons, implementing a British legal system, and thoroughly ‘white-washing’ recorded histories (363, 364, 367). Orsini, Martínez, and Canessa further demonstrate how the border separating Gibraltar from the Campo became pivotal in the development of a British nationalistic identity among Gibraltarians (“The Strategic” 74). In their essay, they claim that the militarized border served as a self-fulfilling prophecy, “marking a cultural difference that did not exist” (74). Stockey goes on to show how colonial administrators intentionally sought to manipulate public opinion by institutionalizing these invented differences through *de jure* and *de facto* discrimination (107-108); he writes that British officials “not only encouraged Gibraltarians to think of themselves as different to Spaniards, but also to think of themselves as better than Spaniards” (107). No area of colonial life was left unmanaged by the British. As Archer shows in his essay, in the Post-Second War Era, “British commitment to educational change was undeniable” with the aim of “[creating] good citizens equipped and able to take their share of the burden of Empire” (“An Imperial Legacy” 589). Finally, both Muller and Bosque show in their separate essays how Gibraltar’s critical economic and political identity as a territory within the European Union is a direct result of British sponsorship.

While Gibraltar’s British credentials are undeniable, contemporary Gibraltarian society is recognizably different than that of mainland Britain. Bosque explains how differentiations in language, traditions, religions, surnames, race, and histories mark Gibraltarians as unique among other constituents of the Commonwealth (156). And, despite their proximity to mainland Spain, that almost 25% of Gibraltarian surnames are Spanish (“Gibraltar, Identity, and Empire” 36), and that the local dialect is Spanish derived (Levy 724), the people of Gibraltar have repeatedly

claimed their identity as other than Spanish (Christys; Martínez 184; Orsini 68, 158). In 1967, when Britain held a plebiscite in which Gibraltarians were asked whether they preferred to align themselves to the sovereignty of the British Crown or the Spanish state, Gibraltarians overwhelmingly disfavored [99%] Spanish patronage (Porter 363). As recently as 2002, Gibraltar again held a referendum vote in which nearly 99% of voters objected to any form of shared Spanish sovereignty with the Gibraltarian state. This mentality is also well documented by external observers, particularly the British Governor of Gibraltar, Sir Kenneth A.N. Anderson, who, in 1950, wrote,

It is very clear that the Gibraltarian is certainly not a Spaniard. He has naturally developed characteristics of his own derived from his forebearers.... (“Gibraltar, Identity, and Empire” 34)

Likewise, while Gibraltarians acknowledge their *British* citizenship (34), they have repeatedly refuted any association with a broader *English* peoplehood. Research by Professor Vivian J. Bolamy conducted in 2008 suggested that 60% of the people of Gibraltar, when asked what their nationality was, responded “Gibraltarian” rather than “British” (3). Meanwhile, according to the most recently published 2012 government census, 82% of Gibraltar’s population claimed “Gibraltarian” nationality compared to the 12% who claimed “other British” (Government xxix), suggesting the popularity of a growing and distinct Gibraltarian identity. This public sentiment was further displayed in the 2016 referendum when Gibraltarians overwhelmingly differed from most British voters regarding their support for EU membership (Toszek 95). In continuation of this pattern, as of 2021, Gibraltarian public officials have made known their desire to reach “full self-government and decolonization” while continuing to intensify their rhetoric of self-determination in seemingly non-pro-British patterns (Guerrero-

Liston). Together and held constant, these patterns give indication of a viable *common consciousness* among the Gibraltarian people.

5. DISCURSIVE MODES & APPLICATIONS of SELF-DETERMINATION

Section Five discusses the existent literature on the effect of discourse on self-determination efforts.

Furthermore, the section seeks to show how discourse studies have been used to better understand and analyze political movements and rights-based initiatives.

Studies considering the relationship between the human right to self-determination and discourse are hardly existent. However, the analysis of relevant discourse could lead to a more comprehensive and contemporary definition of a people's right to self-determination. As argued in this thesis, the discourse of those seeking self-determination--political leaders, especially--may prove uniquely relevant to such analysis. To understand how scholarly conclusions on self-determination might be derived from the analysis of contextual discourses, a review of existing literature should be completed.

5.1 *Discourses of Self-Determination*

In her thesis entitled "A State of One's Own: Self-Determination and the Legal Discourse of Identity," Marshment argues that the contemporary, legal understanding of self-determination is insufficient in realizing justice and peace in the postcolonial, international order (ii, 1-2, 4).

According to Marshment, one central fault in the contemporary discussion on self-determination has been the failure to conceptualize self-determination, "not as a right but as a discourse" (ii).

As she points out, the value of self-determination "lies not in prescription but in discussion, it elucidates but does not, ironically, determine" (4). Therefore, by conceptualizing--and

subsequently analyzing--self-determination as discourse, Marshment concludes that only then can we “move beyond the impasse that typifies contemporary debate and begin to comprehend the meaning and role that self-determination assumes in the modern world” (3). Thus, Marshment gives reason to believe that discursively analyzing the conversation surrounding the right to self-determination in Gibraltar may give way to new conclusions that were previously unattainable through other methods of analysis.

Furthermore, in his published essay *The Brest-Litovsk Moment: Self-Determination Discourse in Eastern Europe before Wilsonianism*, Chernev demonstrates the immense influence that discourses of self-determination can have in conflicts. Chernev argues that discourses of self-determination were in fact principal motivators of war and peace during the Great War Period (369). Furthering the importance of the contemporary relationship between discourse and self-determination, Chernev quotes historian Erez Manela claiming that self-determination has been “the center of the discourse of legitimacy in international relations...” (370).

Similarly, in her critically acclaimed book on indigenous self-determination, Professor Rauna Kuokkanen demonstrates the importance of analyzing discourses of self-determination which help indicate fundamental, underlying principles of the right (22). In her interviews with indigenous persons, Kuokkanen discovered that, within indigenous discourses, self-determination is often expressed using concepts of “relationality, the paramount significance of the land, and freedom from domination” (23)--concepts that “exceed [conceptions of] rights and the relations with the state” (22). Thus, Kuokkanen shows that, through discursive analysis, scholars and researchers can cultivate a richer understanding of the right to self-determination and its meaning.

5.2 *Discourses of Political Leaders*

In 2018, Professor NA Hamer published an article entitled “Spaces of concern: Parliamentary discourse on Britain's overseas territories” in which he analyzed parliamentary discourse on Britain’s Overseas Territories for concepts of sovereignty and self-determination (1). Hamer concluded that by analyzing the discourse of parliamentarians one could better understand government attitudes and inclinations towards the territories and their relationship to the UK (23-25). Likewise, in his study on self-determination discourse surrounding the Indigenous Movement of Ecuador, professor and researcher Philipp Altmann analyzed how activists-led discourse shaped the concept of self-determination among the indigenous population (124). He further details how the movement’s discourse, over time, changed and defined the concept of self-determination during the indigenous people’s struggle (124-128).

6. DISCOURSE of SELF- DETERMINATION in GIBRALTAR

The last section of the literature review updates the state of the conversation on discourse studies in Gibraltar. Section Six concludes by highlighting the work of Profa. Ángela Alameda Hernández, the leading academic in Gibraltarian CDA studies, who has substantially influenced the design of my research.

Lastly, studies on the discourse of the Gibraltarian peoples are the rarest of all. Little research has been done to study the people of Gibraltar as a discourse-generating entity. Some scholars have examined Gibraltarian identity and nationalistic trends from discursive perspectives, and their contribution to the literature should be noted. Furthermore, some discursive studies concerning concepts of imperialism and statehood have also been conducted.

Therefore, if one is to continue this trend of discursive analysis to include concepts of self-determination, then an investigation into the existing studies and literature is required.

6.1 *Discursive Studies in Gibraltarian Politics*

Following the 2016 Brexit vote, Alameda published an essay discursively analyzing the EU-Brexit referendum in Gibraltar. As Alameda rightly points out there, “the Gibraltar perspective deserves scholarly attention because of the international political consequences that may arise, affecting the decisions and policies of two European powers...” (“The 2016 EU” 128). Alameda concluded that discourse analysis proved uniquely adept at uncovering Gibraltarian perspectives of the referendum and its consequences (140).

Finally, in his essay “‘As solid as the Rock’? Place, belonging and the local appropriation of imperial discourse in Gibraltar,” Professor David Lambert analyzed discourses of Gibraltar’s history and politics to better understand the effects of imperialism in Gibraltar and on Gibraltarian identity (206). His research concluded that colonial concepts of imperialism continue to have an impact on Gibraltarian life, especially in international affairs. According to Lambert,

Gibraltar is often used to articulate British fantasies of nationalism, loyalty and imperial nostalgia... [and] is made to serve as a proxy for British metropolitan debates about Europe, empire and national identity. It has been the tendency of such discourses and agendas to circumscribe the meaning of Gibraltarian history, culture and politics....

(217)

Finally, Lambert advises that the Gibraltar Question might be resolved through a close analysis of discourse, claiming that,

Disentangling local appropriations from metropolitan discourses can play a part in creating perspectives on Gibraltar and its relationship with Spain and Britain that move beyond a focus on narrowly defined, yet overly dramatized, issues of territory and sovereignty. (217)

6.2 *Studies in Critical Discourse Analysis*

In 2006, Profa. Ángela Alameda Hernández published her seminal thesis on the discursive construction of Gibraltarian identity in printed press mediums (“The Discursive Construction”). Alameda was one of the first researchers to criticize Gibraltarian discourse as a subject of study, employing theories of Critical Discourse Analysis to better understand how Gibraltarian identity was expressed (viii). In 2008, Alameda published another article summarizing a study on British and Spanish discourses concerning the 2002 referendum (“SFL and CDA” 160); however, concepts of self-determination were not discussed there.

THEORETICAL DISCUSSION

The subsequent section attempts to introduce the theories and assumptions held by the researcher throughout the investigation. The chapter is divided into two parts which respond to the investigation's multiple aims. Part I addresses an academic discussion of theory, defines some key concepts of the research, and orients the investigation towards a broader convention of scholarly research. In turn, Part II attempts to incorporate the practical implications of the arguments discussed in Part I and to emphasize the investigation's contribution to the field of conflict studies.

PART I: DISCUSSION OF DISCIPLINE

7.1 *Language & Conflict*

This thesis seeks to join principles and theories of Critical Discourse Analysis [CDA] with practices of Conflict Analysis and Resolution. The utility of this theoretical approach in analyzing the Gibraltar Question hinges on the intersectionality of language--the substance of discourse--and conflict. In *The Routledge Handbook of Language in Conflict*, Professor Leslie Jefferies and Dr. Jim O'Driscoll portray the relationship between language and conflict in this way:

...language and the interaction accompanying it is involved in every stage of every conflict: people are moved to act the way they do by their worldview, for whose formation their previous experience of language has been largely responsible; most conflicts are conducted through language (even those that include punches or missiles); most can only be transformed through dialogue. While the overt reasons for conflict are

rarely linguistic in nature..., it would not be stretching a point to claim that language constitutes conflict. (2)

In fact, such constitutive claims have already been made. In his essay *The Role of Language in Human Conflict: Prolegomena to the Investigation of Language as a Factor of Conflict Causation and Resolution*, Professor Paul A. Chilton attributes the function of language in conflict to its modal qualities, concluding that language is nothing less than the medium by which all conflicts manifest. Chilton explains his meta-argument through the following four-point illustration of language in violent conflict:

1. *The decision to mobilize a military force can only be executed through the verbal activity of political elites who possess the legitimacy to issue mobilization orders. A declaration of war is a linguistic act.*
2. *Military operations themselves can only be set in motion and continued by verbal activity. Both these instances are cases of what linguists call “speech acts”...verbal activity that actually constitutes action. Such acts are both facilitated by, and reproduce, institutional structures...*
3. *Cases [1] and [2] can only exist as part of a wider political, social, and cultural structure which gives them legitimacy. Indeed what constitutes a legitimate concept of ‘war’ can only be established in linguistic activity. Political structures and institutions are themselves constituted and instituted by forms of language and communication. Social and cultural forms include both cognitive and affective dimensions that support notions of legitimacy, permissible violence, patriotism, patriarchy, and so forth, and these too are dependent on, and in turn support, language and communication.*
4. *Special cases of [3] are historical instances of war justification and propaganda. Warfare, whether between sovereign states, or whether ‘civil’ war, is underpinned by [3], but particular wars rely on particular propaganda to justify human and economic sacrifice. (2-3)*

In summary, one could conclude that “all factors [of conflict] are constituted in language and communication” (3), and thus, according to Jefferies, O’Driscoll, and Chilton, any degree of conflict analysis must necessarily consider the use of language--i.e., discourse--in producing, sustaining, and resolving conflict. Hence, an analysis of the discourse surrounding the Gibraltar Question seems appropriate.

7.2 *Defining Discourse*

Briefly, an exploration of the meaning of *discourse* as used in this study may be helpful in providing clarity for the reader. Simply put, discourse is “the study of language use...beyond the sentence” (Schiffrin 1). Discourse theory stems from the basic observation that “recurrent...ideological forms of communication do exist” (Chilton 2); discourse analysts categorize these recurrent patterns of communication in terms of *discourses*, which are themselves textual representations of language-use. Discourses are valued by researchers for both their *pragmatic* value and *textual* value. A discourse’s pragmatic value refers to its “contextually specific...use” (Gee 1), and its textual value refers to how a discourse gives definition to “sentences and utterances pattern[ing] together to create meaning across multiple sentences or utterances” (1).

Furthermore, discourse is very much concerned not only with language but also what is done with language (Gee 1). Discourse theory assumes that words have meanings and, moreover, that their meanings change our realities in tangible ways (Chiluwa 3, 5). According to linguists James Paul Gee and Michael Handford, “We shape, produce, and reproduce the world through language use. In turn the world we shape and help to create works in certain ways to shape us as humans” (Gee 5). Uniquely, the study of discourses provides researchers a window through which externalized truths can be analyzed for their intrinsic value--for “of the abundance of the

heart his mouth speaketh” (the Bible, Luke 6:45 KJV). Simply put, how a person--or group of persons--employs language is revealing of internal biases, perspectives, convictions, and agendas. Discourse analysts seek to uncover the internal workings of language--and simultaneously its external effects--by collecting and scrutinizing discourses. In the context of this study, I will be analyzing *discourses* of Gibraltar public officials [*speeches delivered to the UN committees*] for both their pragmatic value [*How do Gibraltar public officials reference and employ language of ‘self-determination’ in their speeches?*] and their textual value [*How do Gibraltar public officials give meaning to ‘self-determination’ in their speeches?*]. The following subsections will reveal more of the theoretical framework to be applied in my discursive analysis and the broader relationship between discourse analysis and the field of conflict resolution.

7.3 *Discourse & Conflict Resolution*

Discourse as a tool for managing and resolving conflict is a proven resource in the field of conflict resolution (Suurmond 20). An acute awareness or ambivalent disregard of the role of discourse in conflict interventions may assist in determining their outcomes. In his book *Preparing For Peace: Conflict Transformation Across Cultures*, John Paul Lederach tells of his work resolving conflicts with local communities in Central America. Over the duration of his project, Lederach noticed numerous existing conflict discourses that were culturally, locally, and linguistically specific; in one example, he tells of how community members spoke of conflict, preferring terminologies related to “heat” and “feeling trapped or lost with no way out” over words with direct denotations of conflict (75). Upon further investigation, Lederach discovered that the community had invented a working discourse of conflict. Lederach subsequently shows how such discourses required consideration when drafting his intervention plan (75-76); had he

failed to do so, no positive peace was likely to ensue. In his chapter, Lederach describes how analyzing discourse in conflict situations offers “a window into how people organize both their understanding and expression of conflict, often in keeping with cultural patterns and ways of operating” (75-76) and demonstrates why such discourses cannot be ignored. According to Lederach, conflict discourses generate conflict resolutions. Discourses, he writes, constitute “an integral part of local vocabulary” and thus “provide significant insight into both the experience of conflict and the potential identification of models for how it can appropriately be approached and handled in that setting” (76).

Discourse indeed can serve as a lens by which conflict is observed and understood. Discourse represents a unique frame through which cultural and religious themes can be viewed and may also “[shed] some light on framing processes such as dehumanization or zero-sum thinking” (Chiluwa 7). Using discourse as a lens of conflict helps practitioners to better see a conflict’s root causes; Dan Smith, director of the Stockholm International Peace Research Institute, echoes this belief:

In conflict resolution, the issue of discourse is important. Discursive choices reflect views about a conflict, its origins and where justice lies. Decoding the pattern of these views can give hints on how to avoid violence. (190)

Once conflict discourses are identified, the formation of intervention plans can benefit from an address of conflict-sustaining discursive choices. Intervention plans should always include a discursive appeal in their methods. In their review of ongoing conflicts in Africa, Acheoah et al. points to practitioners’ lack of discourse awareness as central to the ineffectiveness of intervention plans; takeaways from the study include the need for conflict resolution practitioners to “[master] discourse strategies such as conversational moves, the use of

relevant metaphor and imagery..., cultural artifact[s], and [the] world view of the warring parties” (Chiluwa 11). The field of peacebuilding and conflict resolution could greatly benefit from combining resolute strategies such as “bargaining, persuasion, communication, and cooperation” with elements of discourse analysis (11). Implementing elements of discourse analysis alongside conflict intervention methods could result in more efficient intervention plans and greater plausibility for sustainable and positive peace.

7.4 *Critical Discourse Analysis*

Various practical and theoretical approaches to discourse analysis exist; however, the type of analysis required of this study is commonly known as *Critical Discourse Analysis* or *CDA*. Critical Discourse Analysis is a qualitative analytical approach to research primarily interested in structures of power and social justice and how they are created, legitimized, and sustained through political discourses (van Dijk 466; Mullet 116). Some general properties of CDA do exist; Teun A. van Dijk--considered by many to be the founder of CDA--highlights the following assumptions of CDA theory:

1. *[CDA] focuses primarily on social problems and political issues rather than the mere study of discourse structures outside their social and political contexts.*
2. *This critical analysis of social problems is usually multidisciplinary.*
3. *Rather than merely describe discourse structures, [CDA] tries to explain them in terms of properties of social interaction and especially social structure. (467)*

Unlike other forms of discourse analysis, CDA approaches texts with particular questions and assumptions. According to van Dijk, such questions generally relate to “the way specific discourse structures are deployed in the reproduction of social dominance” (468) and other theoretical issues such as “the relations between social macro- and microstructures, domination

as abuse of power, and how dominant groups control text and context and thus also the mind” (467). CDA truly is an analysis of the social order (468), its complexities, injustices, and realities. In implementing CDA theory, discourse analysts seek to scrutinize discourses of power in hopes of positively contributing to social change.

In particular, the job of a discourse analyst is “to examine and analyze specific patterns of discourse exemplified in oral or written texts—as particular ways of constructing reality—and identify their significance and consequences for the larger society” (Chiluwa 3). CDA offers discourse analysts a theoretical framework and methodology by which such orders, systems, and institutions may be scrutinized. Quoting van Dijk, Reisigl, and Wodak, Chiluwa writes that CDA methodology necessarily “[involves] both micro-analysis of linguistics structures and macro-analysis of social structures and processes,” including,

the examination of questions about persons, objects, events, processes and actions named linguistically in the text, as well as arguments and perspectives, characteristics, qualities and features attributed to social actors, objects and events. (3)

Linguist Norman Fairclough--co-founder of the field of CDA--uses a four “stages” model of development to illustrate CDA methodology:

- [**Stage 1**] *Focus upon a social wrong, in its semiotic aspects.*
- [**Stage 2**] *Identify obstacles to addressing the social wrong.*
- [**Stage 3**] *Consider whether the social order ‘needs’ the social wrong.*
- [**Stage 4**] *Identify possible ways past the obstacles.*

(“Critical Discourse Analysis” 13)

According to Fairclough, each stage is then divided into steps. Stage 1 consists of completing two steps:

1. *Select a research topic that relates to, or points up, a social wrong and that can productively be approached in a trans-disciplinary way, with a particular focus on dialectical relations between semiotic and other 'moments'.*
2. *Construct objects of research for initially identified research topics by theorizing them in a trans-disciplinary way. (13-14)*

Stage 2 consists of the following three steps:

3. *Analyze dialectical relations between semiosis and other social elements: between orders of discourse and other elements of social practices, between texts and other elements of events.*
4. *Select texts, and points of focus and categories for their analysis, in the light of, and appropriately to, the constitution of the object of research.*
5. *Carry out analysis of texts – both interdiscursive analysis and linguistic/semiotic analysis. (14)*

Finally, Stage 3 and Stage 4 can be largely summarized to steps of conclusion and recommendation in respect to the findings of Stages Two. Figure 2 attempts to visualize this process:

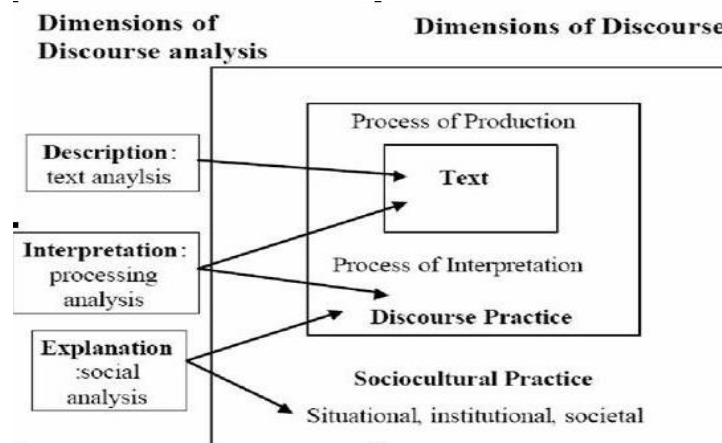


Figure 2 (Ahmad 26)

7.5 CDA + CR

CDA differentiates itself from other forms of discourse analysis through its implicit goal to engage with structures of power (Kress, van Dijk, Fairclough); fundamentally, CDA is “interested in tying language to politically, socially, or culturally contentious issues” (Gee 5). Likewise, the goal of conflict studies is to deconstruct, analyze, and comment upon systems of power in the context of social, political, and cultural conflicts. Thus, among the many approaches to discourse analysis CDA proves most amicable to the field of Conflict Resolution and to the Gibraltar Question.

In this thesis, CDA theories and methods will be used to analyze political discourse. CDA is particularly interested in political discourses because they may be used to “legitimize, accompany, disguise, or substitute for change in political values and activity” (Hayward 3). Furthermore, discourse analysts recognize the intimate relationship between political discourse and the three primary concerns of CDA identified by Fairclough:

1. written/spoken-language texts,
2. processes of discourse production/distribution/consumption,
3. and discursive events as instances of sociocultural practices. (“Critical Discourse Analysis: The Critical Study of Language,” 2)

Unlike other forms of discourse, political discourse unarguably addresses all three concerns simultaneously and without caution.

Similarly, conflict scholars have identified political discourse as a meritorious subject of analysis [see *The Routledge Handbook of Language in Conflict* and *The Palgrave Handbook of Languages and Conflict*]. Practitioners and conflict scholars alike understand that “language reflects ideologies” (Bull 247). By implementing CDA methodologies, practitioners and scholars

can uncover “underlying political outlooks that may not be explicitly expressed ...but which nevertheless have an impact on the way [conflict actors] interpret...messages” (247). CDA methodologies are especially suited for conflict analyses and resolute interventions because CDA’s theoretical aim “is to intervene discursively in given social and political practices” (Wodak 8). Considering that CDA is naturally conflict-oriented (Jefferies 7), CDA methodologies may prove meritorious to conflict scholars in analyzing conflicts and in developing sustainable resolutions for positive peace.

PART II: DISCUSSION OF MOTIVES

7.6 Applying Conflict Theory

Some final comments should be made linking the present debate over self-determination to the field of conflict resolution. Furthermore, clear reasoning should be given concerning my decision to analyze the Gibraltar Question through the lens of conflict theory, and, additionally, a revelation of my critical assumptions as a conflict scholar is required.

Some scholars may be quick to argue that the Gibraltar Question concerns a non-violent, unsensational conflict between two state parties that already may be on the verge of resolution due to Post-Brexit negotiations between Spain and the UK. Thus, those same scholars may question the value and validity of the discussion and criticism to follow. However, it is my position that the Gibraltar Question is of utmost relevance to the contemporary international order and perhaps not as harmless as some scholars may believe. The complexity of issues presented by the Gibraltar Question are not limited to existence within the 2.6 square miles of disputed peninsular territory. In fact, critical conversations concerning human rights, self-determination, post/colonialism, territorial integrity, geo-politics, and the future of European

solidarity and liberal institutionalism are happening world-wide. The Gibraltar Question is a summary report of the world's conflictual affairs.

While the Gibraltar Question has been the subject of rare scholarly review and recommendation, it is nonetheless deserving of such consideration. If the Gibraltar Question is to decrease in intractability and move towards a sustainable, positive peace, new perspectives on the issues are required and challenges must be met. By viewing the Gibraltar Question through the lens of conflict theory, new perspectives on the conflict are possible and conflict-generating obstacles are redressed.

7.7 *Systems of Violence & Gibraltar*

In many ways, the Gibraltar Question serves as an unequal precedent for Western political and diplomatic conflict. Having survived three centennials, the Gibraltar Question has been described as “one of the most intractable of the European Union’s internal political problems” by at least one EU parliamentarian (Gibbons). Despite the relative absence of physical violence for most of the conflict’s history, a conflict scholar can hardly conclude that the Gibraltar Question is indeed representative of a ‘non-violent’ conflict. Rather, when conflict literature and theories of structural violence are applied to the Gibraltar Question, the conflict scholar notes the presence of many forms of quiet violence even in periods of negative peace.

According to Johan Galtung--the principal founder of conflict studies as an academic discipline (Brewer 7)--structural violence constitutes any institutional or systemic form that prevents persons or groups of persons from achieving their “full human potential” (Mukherjee et al. 593). Systems of structural violence are not rageful cycles of horror and bloodlust; in perhaps the contrast, systems of structural violence are quiet, cozy routines of daily living, hardly noticed, that leisurely abrade the dignity of an *other* human life, especially through acceptable

forms of suffering and deprivation. A grave case could be made against both the British and Spanish governments for sustaining systems of structural violence against the Gibraltarian people both historically and presently. Gibraltar's colonial history is plagued with instances of abuse and discrimination; some critics might argue that Gibraltar's contemporary status as a non-self-governing territory continues to perpetuate such systems. Instances in Gibraltar's contentious history with Spain also are indicative of planned injustices against the Gibraltarian people, especially in border affairs which continue to be a public concern.

Notably, the vicinity of forms of violence is a common thread in Gibraltar's history. Gibraltar became European during the violent Spanish Inquisition when Muslims and Jews were tortured, killed, or chased out of the Iberian Peninsula by the Spanish monarchs. A total of eight sieges befell the territory during this period. The British would gain control of Gibraltar following another siege, and Spain and France would try to reclaim the territory in the fourteenth and final 'Great Siege' of 1779 that lasted forty-three months. Gibraltarian civil life has consistently been plagued by political uncertainty and violent sanctions since its conception as a European territory [evident in the evacuation of 1940, the 1969 referendum and border closure with Spain, the 2002 sovereignty referendum, the 2016 Brexit referendum, and the 2021 Brexit decision]. The peoples that have inhabited Gibraltar have always been the subjects of varied forms of violence. In reality, the Gibraltar Question has never been representative of a non-violent conflict and thus--in part due to the involvement of an innocent people group--merits special attention by conflict scholars.

7.8 *Self-Determination & Conflict Theory*

Of further interest to conflict scholars are the contemporary effects of imperialism and colonialism, particularly in relation to Gibraltar, and the local debate over self-determination.

Postcolonialism has traditionally been a subject of interest in the field of conflict and peace studies [see works cited by: Gurr, Stewart, Horowitz, Galtung, Mamdani]. Most recently, John Paul Lederach has named achieving ‘*justpeace*’ for post-colonial, post-settler peoples as the “challenge of the 21st century” for the field of conflict resolution and peace studies (“Justpeace”). Already, Allan and Keler have firmly linked the right to self-determination to ‘*justpeace*’ philosophy (Allan et al. 79), and the UN has affirmed self-determination as a right explicitly granted to both indigenous and non-self-governing peoples (“Declaration on the Rights of Indigenous Peoples” 8; “Declaration on the Granting of Independence to Colonial Countries and Peoples” 67). Thus, conflicts concerning the right to self-determination should be subjects of review for conflict scholars, for they are congruent both to international law and Lederach’s ‘*justpeace*’ ideal.

However, while self-determination--the extent of its implications and the influence it yields over claimants--represents a powerful motivator in conflict situations, it is often under-noticed by conflict scholars (“Summary Report” 1-2). Yet, in analyzing and understanding the ways in which self-determination affects the trajectories of conflict, CR practitioners are better suited to prevent future conflicts and to peacefully resolve present ones. The merit of this argument has already been noticed by some conflict scholars. The Liechtenstein Institute of Self-Determination at Princeton University most recently released a summary report entitled *Self-Determination in Conflict Prevention and Resolution*. In its summary report, the Institute provided several recommendations and conclusions concerning the effect of self-determination on conflict resolution (1-6). In addition to their conclusions, the Liechtenstein Institute petitioned conflict scholars to further explore the role of self-determination in conflict resolution (7) and

emphasized that more collaboration “between [conflict scholars], policymakers, mediators and diplomats” is required to bring peaceful resolutions to contemporary conflicts (8).

Finally, as Marc Weller points out in his essay *Settling Self-determination Conflicts: Recent Developments*, there has been no shortage of self-determination conflicts in the last half-century. According to Weller’s analysis, conflicts are often protracted when claims to self-determination are made, increasing their potential for violence and death; the conflicts that Weller reviewed each had lasted an average of 27 years at the time of publication (114). Conflict scholars must recognize that claims to self-determination have an unmatched power to instigate, protract, deter, and resolve conflict. If *justpeace* is to be achieved in the 21st century, conflict studies must be concerned with acquiring a deeper understanding of self-determination’s role in international conflict. As argued here, answering the question of self-determination is quickly becoming the work of conflict resolution.

METHODOLOGY

Following the discussion on theory, the present chapter seeks to provide an overview of the investigation's methodological model and approach. A brief detail of how the study was conceptualized and brought to fruition precedes the overview of research methods.

8.1 *Genesis & Actualization*

The idea for an investigation of the Gibraltar Question stemmed from my interest in the Spanish Civil War, my career goals within the field of diplomacy, and my exposure to human rights theory by Dr. Omar Grech. Prior to my studies in conflict resolution and Mediterranean security at the Università ta' Malta, I was unaware of the diplomatic crisis presented by the Gibraltar Question. In studying conflict and security issues within the Mediterranean region, I discovered the important role of Gibraltar in issues of international trade, security, contemporary warfare, and human rights initiatives. Using my advantage as a bilingual researcher, I investigated the Gibraltar Question, its history, and its contemporary challenges from both Spanish, British, and Gibraltarian sources. Following a module on human rights and conflict by Dr. Omar Grech, I approached the Gibraltar Question through a lens of self-determination and human rights. Subsequently, my thesis and research questions developed from this perspective. My decision to conduct a discursive analysis on Gibraltarian self-determination found inspiration in the research of Profa. Ángela Alameda Hernández [Universidad de Granada] and her discursive analyses on expressions of Gibraltarian national identity. My methodological approach is reflective of her study's influence.

8.2 *Methodological Model*

The dataset analyzed by this study consists of speeches given at the UN by Gibraltarian politicians. During the years in which speeches were given consistently [1993-2022], Gibraltarian officials presented at least two speeches per annum before two separate UN committees; officials gave one speech before the *Fourth Committee on Special Political and Decolonization* [C-4] and one speech before the *Special Committee on the Situation with Regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples* [C-24]. Additionally, in the years 2019 and 2021, the C-24 held a special seminar on decolonization, and Gibraltarian officials presented speeches at both events. Both the C-24 and the C-4 are dedicated to the issue of decolonization, and the purpose of the speeches presented to each committee was to address issues of decolonization in a Gibraltarian context. Collectively, the speeches represent a coherent and uniquely Gibraltarian discourse of self-determination. For this reason, only these UN speeches were considered.

Furthermore, I narrowed the dataset's parameters to focus on three, five-year periods that center upon important events in Gibraltar's history. Only the speeches given during the following years were reviewed: 1993, 1994, 1995, 1996, 1997, 2000, 2001, 2002, 2003, 2004, 2016, 2017, 2018, 2019, 2021, 2022. The first period begins with the year 1993 as this was the earliest year in which a Gibraltarian representative presented speeches to both committees.⁷ This period represents data nearest in proximity to some of Gibraltar's major historical events including the 1982 border reopening and the 1984 Brussels Agreement. The second five-year period centers upon the year 2002, the year of the sovereignty referendum. In 2001, both the First Minister and the Leader of the Opposition addressed the C-24, totaling three speeches to the UN for that year.

⁷ In 1992, only the C-24 invited Chief Minister Joe Bossano to speak before the committee. Before 1992, Chief Minister Joseph Hassan spoke at least once before the C-24 following the 1967 referendum.

Finally, the final period encompasses the 2016 Brexit vote and the 2020 Brexit withdrawal and includes the most recent speech given in 2022. In the year 2020, Gibraltar officials made no speeches due to the COVID-19 pandemic and are therefore absent from the dataset; however, officials made three speeches in 2021 due to a special seminar held by the C-24. Furthermore, at the time of the investigation, only one speech had been given for the year 2022 [C-24] but is included in the dataset to ensure that the most contemporary analysis of the Gibraltar Question is conducted.

To code and analyze the speeches, I sourced transcribed copies from credible Gibraltar organizations. The official website of the *Government Law Offices of HM Government of Gibraltar* provided transcriptions for all but two speeches. *Your Gibraltar TV*--a local television media company--provided the missing copies of the 2019 and 2021 addresses before the C-24. I then made physical copies of the documents and categorized them according to date, audience, and speaker. Special note was given to the minister delivering the address. In most all cases--with only two exemptions--presiding Chief Minister delivered the address. Thus, as Gibraltar ministers serve with political affiliations, political ideologies were inevitably represented in the discourse. While this investigation was not concerned with comparing the competing perspectives of local political parties on the issue of self-determination, this investigation did seek to present a comprehensive survey of self-determination's role in Gibraltar political discourse. Thus, while competing ideologies may have been implicit within the discourse, the variety of viewpoints could only contribute to a more comprehensive conclusion and did not detract from it.

Next, the data was analyzed using CDA practices in which data was first ‘coded’ and then interpreted.⁸ I began by coding the texts for explicit references to principles of **self-determination** [e.g., self-determine, self-government, sovereignty], **colonization** [e.g., colonial, decolonization, colony], and **peoplehood** [the Gibraltarians, we, people]; however, subsequent codes did emerge. Some of those codes included: **place**, **legal references**, and **conditional comparisons**. After having made an initial pass through my coding scheme, I compiled quotes from the texts and grouped them accordingly. I then reviewed my codes and consolidated data when possible. Next, I reviewed my codes to find overlapping patterns within my coding list, and I noticed trends within my list of coded data. Ultimately, I specified seventeen trends within the dataset. I merged these trends into sub-codes of titular themes when necessary while other patterns remained undivided. The complete list of coded data can be found in the following section on findings and analysis.⁹

⁸ See *Appendix I: “Fairclough’s 10 Guiding Questions When Doing Discourse Analysis”* for further insight into CDA methodology and practices.

⁹ Additionally, I direct the reader’s attention to the citation method developed for the following section. To make information more accessible and to not detract from the text’s structure, I have simplified the citation style to indicate the following information: year, committee number, speaker’s initial, page number [e.g., 93-24-B-4]. The following key can be used to determine the name of the speaker and in turn to locate the appropriately drafted citation in the Works Cited section: B - Bossano, C - Caruana, Gc - Garcia, G - Guerro, P - Picardo.

FINDINGS & ANALYSIS

To answer the research question(s), I approached the dataset with the intent to isolate definitional indicators for the meaning of self-determination and to synthesize a Gibraltarian interpretation of the right from the data. To do so, I coded the dataset for thematic allusions to some key components of self-determination theory and the Gibraltar Question. The following six codes comprised my initial coding scheme:

- 1. Peoplehood**
- 2. Place**
- 3. Legal References**
- 4. Conditional Comparisons**
- 5. De/Colonization**
- 6. Self-Determination**

These codes were designed to determine the truths of Gibraltarian self-determination from within the discourse. Ideas of peoplehood and place are requisites of any interpretation of self-determination alongside any usage or understanding of self-determination terminology. Furthermore, ideas of colonialism and decolonization are imperative to understanding self-determination within a Gibraltarian context; explicit justifications via legal references and drawn comparisons are evidence of a way of thinking unique to the Gibraltarian people. In this section, I will identify how these six thematic trends manifest in the discourse and will analyze each code's significance in the development of a Gibraltarian interpretation of self-determination. In total, fourteen codes and sub-codes will be examined. Finally, in the following section, I will conclude my thesis with a review of the discursive trends and their interworkings to synthesize a

complete definition of self-determination as understood by a non-self-governing people, the Gibraltarians.

1. *Peoplehood*

Already, I have discussed the parameters of the right to self-determination in international law. Imperative is the quality of peoplehood in defining, locating, and exercising the human right. Historically, in the Gibraltarian context, the international community has questioned the existence of a legitimate peoplehood in the territory. Some persons and parties involved in the Gibraltar Question continue to deny that the Gibraltarians comprise a legitimate people. Since the exercise of the right to self-determination is specifically reserved for ‘*peoples*’ in international law, deriving a definition for Gibraltarian self-determination first requires an understanding of how Gibraltarians conceive and define themselves as a peoplehood.

1.1. *Declaratives + ‘to be’*

Throughout the discourse, Gibraltarian speakers make explicit declarations of who or what Gibraltarians are or are not. These declarative statements often pivot on forms of the verb ‘*to be*’ [e.g., *are, is*], and their intentional grammatical design implies existence, definition, and being. The verb ‘*to be*’ is highly indicative of identity and essence; ‘*to be*’ distinguishes a subject from that which *is not* and inherently attributes the essential quality of existence to the subject that *is*. Simply put, when Gibraltarian speakers imbed forms of the verb ‘*to be*’ in declarative sentence structures, the effect is that of creation. What previously *was not* suddenly *is*. What was once unidentified is now identifiable. This linguistic choice is critical in understanding how Gibraltarians define themselves as a peoplehood who is due the right to self-determination.

Before the UN committees, Gibraltarians often seek to prove their Gibraltarian identity by first denouncing the identity of the colonizer. Gibraltarians spend ample time separating themselves from the English administrative power in the discourse. To prove their existence as a people, the speakers must address their colonial heritage:

*“We are a people **separate and distinct**--ethnically and culturally--from the administering power” (21-24-G-2);*

*“We **differ** from the view of the administering power...” (93-4-B-6).*

However, the need to draft an ‘other’ category within the actual post-colonial social framework was a daunting task for Gibraltarian officials in the earliest attempts. Initially, such differences were treated with tones of distinction and with degrees of separation, however slight:

“We are not foreign expatriates living in the south of Spain as they continue to describe us” (95-24-B-5);

“We are not British citizens. We are British Dependent Territories Citizens...” (93-24-B-4);

*“Our identity is **distinct, separate and unique**.... We are **distinct** from mainland Britons and **distinct** from our Spanish neighbors. We regard ourselves as **British Gibraltarians**” (96-24-C-1).*

Yet, as diplomatic goals and relationships changed in Gibraltar’s history so did the discourse. The most recent position taken by Gibraltarian officials is much more assertive and solidifying [originally written in bold type]:

“British we are and British we stay.” (17-4-P-5).

This is to suggest that *Britishness* is an inevitable aspect of Gibraltarian identity; however, its influence may not be entirely attributed to colonial exploitation.

While Gibraltarians do not deny their perceived *Britishness* in the discourse, they obstinately reject *Englishness*. Instead, they fervently evangelize their own ethnic belonging and actively declare their unique Gibraltarian identity:

“Gibraltarians are...*the descendants of people from many parts of Europe*...” (00-24-C-1);

“We are the *combination* of different identities and *nationalities*...” (21-24-G-2);

“We--the Gibraltarian people--are the *product of this mixture of different nationalities over more than three hundred years*” (19-4-Gc-4);

“The origins of our people are indeed a *mixture of various Mediterranean and British stock*.” (00-24-C-4);

“*this ethnic cocktail*” (96-24-C-1);

“These *differing ethnic and cultural backgrounds* ...have long ago *fused*.... As a community *the only way in which we can be accurately described is* therefore as *Gibraltarians*” (96-24-C-1);

“a unique population with its own identity...*the Gibraltarians*” (19-24-B-1);

“We are the *Gibraltarians, the People of the colony*” (19-24-B-3).

However, many members of the international community have questioned whether Gibraltarian ethnic identity is indeed distinct from the peoples of the greater Campo. Aware of this critique, the speakers also seek to clarify their ethnic and cultural relationship with Spain using strong declarative expressions:

*“We will never, ever **be** Spanish”* (16-24-P-4).

Likewise, the speakers employ crafted declarative sentences coupled with the ‘to be’ verb to assert and validate their claims to self-determination as a legitimate peoplehood:

*“the Gibraltarians **are** a legitimate people...”* (93-4-B-6);

*“the people of Gibraltar ...**are**...not just a human aggregate...but a real people with a real destiny”* (94-24-B-5);

*“We **are** the beneficiaries of the inalienable right to self-determination”* (00-24-C-7).

In collaboration with the pronouncing nature of the ‘to be’ verb, the speakers’ choice of declarative sentence structure creates a grammatical framework within the discourse which underscores the Gibraltarians’ belief in their identifiable, extant peoplehood. In these examples, the syntax within the discourse works as a util canvas that both passively displays and forcefully projects the speaker’s ideas of Gibraltarian identity. Using a calculated and chosen form of grammatical style, the speakers illustrate the people of Gibraltar as not relegated to subordination but independent of colonial masters and prescribed identities. For the speaker, the people of Gibraltar exist--culturally and ethnically--as a legitimate peoplehood. They are distinct, present, and identifiable. They simply *are*.

1.2. Actors & Actions

While the discourse exhibits a sophisticated coupling of grammatical and rhetorical strategies, the image of Gibraltarian identity that the discourse provides does not detail an abstract or stagnant ideal; rather, through intentional lexical choices and subject-verb relationships, the discourse illustrates a dynamic Gibraltarian peoplehood which a collective voice and spirit. Throughout the discourse, speakers refer to the Gibraltarians as a collective unit [e.g., *we*, *our*] that is capable of collective thought, speech, emotion, and action. The actions, thoughts, emotions, and words attributed to the Gibraltarians illustrate the perceived expectations and limits of the speakers' conceptions of Gibraltarian peoplehood. Thus, identifying and analyzing how the discourse personifies the Gibraltarian people invokes a better understanding of how Gibraltarians conceptualize their own peoplehood--a critical requisite for the right of self-determination.

Through initial displays of consciousness and conviction, the discourse begins by developing a comprehensive response to doubts regarding the legitimacy of the Gibraltarians' claim to self-determination and their capability to exercise it. As the exercise of the conscience is thus the first step towards the exercise of self-determination, the existence of a Gibraltarian conscience is therefore an essential proof needed to confirm the legitimacy of a people. In the discourse, the speakers portray the Gibraltarians as right actors, capable to "*feel*" moral obligation and duty (93-24-B-1); they exhibit the ability to discern matters of importance and correctness using an internal perspective:

"We also feel that it is only right and proper that we should have the opportunity to bring to the Committee's attention to those events which we, the colonial people,

consider important and not just those that in the view of the administering power may be relevant” (93-24-B-1);

“Our people respect each other as we respect our neighbors. We respect the rules-based system of international law. We respect and comply with our obligations as members of the international community” (17-4-P-2).

The speakers further develop the imagery of the Gibraltarian conscience by demonstrating the Gibraltarians’ capacity to reject and confront perceived wrongs and injustices:

“we reject the premise that recognizing that there is a disagreement with Spain axiomatically invalidates the full application to Gibraltar and its people of the declaration on the granting to colonial countries and people” (93-24-B-9);

“The...people of Gibraltar wholly reject the attempt by the Kingdom of Spain to ‘criminalize’ the whole of Gibraltar by presenting a factually inaccurate and unbalanced misrepresentation of the current position” (96-24-C-3);

“our people stood up to a bully’s threats to ruin them by siege” (17-4-P-1).

Likewise, the speakers attribute an intelligent nature to the Gibraltarian conscience through demonstrative contemplative and conscious actions:

“we Gibraltarians understand” (93-24-B-6);

“We recognize” (93-24-B-9);

“the people...note” (96-24-C-3).

The discourse portrays the Gibraltarians as a people who possess a collective voice and choice. The ability to formulate a coherent perspective and voiced opinion is conditional to the exercise of a collective choice, such as that of self-determination. Furthermore, the ability to think and act with a commonly shared conviction is an essential proof of peoplehood. The discourse contributes both the capacity for voice and choice among the Gibraltarian people, explicitly stated in the following quotation:

*“The fact that what **we want** may be considered to be difficult to implement....does not mean that we cannot express it. **We have to have the right to express it. And we have a right to say to other people, ‘you should consider what we are saying...’**” (93-24-B-6),*

and in the speakers’ expressions below,

*“The **people of Gibraltar elected**...” (96-4-C-1);*

*“**We exercised** our right to self-determination **to choose** our current Constitution as a method of decolonization” (17-24-P-1);*

*“**We voted**...” (18-24-P-3);*

*“**We want** to remain British and...we do not wish to see our Rock become Spanish” (16-4-P-2);*

*“**the voice of the Gibraltarians**” (01-24-B-4).*

The speakers account for the Gibraltarians’ perspective, their orientation to values and human progress, and their adequate prescience. Such qualities indicate civility and demonstrate the functions of organized society-- in fact a peoplehood--as opposed to a menagerie of disconnected, uninterested persons. The discourse exhibits foresight and perspective,

“*we see*” (93-24-B-7);

“*We look*” (93-24-B-8),

and commitment to progress, participation, and collective prosperity,

“*We Gibraltarians are committed*” (93-24-B-9);

“*We have moved progressively ...*” (18-24-P-3);

“*we participate*” (93-24-B-8).

By contributing physical and intellectual agency to the Gibraltarian people, the speakers construct a necessary foundation for a legitimate peoplehood. The actions displayed by the Gibraltarians in the discourse elicit an imagery of unquestionable livelihood; the specificity of actions chosen by the speakers give evidence of an authentic conviction which undeniably supports their assurance of Gibraltarian peoplehood. In the discourse, the Gibraltarian people are defined as competent actors who possess the requisite capacities to conduct and choose their own future through acts of self-determination.

2. *Place*

However, a people’s claim to the right to self-determination does not only hinge on the will or the presence of an identifiable and legitimate *populus*; by definition, a *populus*--and therefore their exercise of self-determination--must inhabit an identifiable and legitimate *locus*. So is the importance of place in the Gibraltar Question. A recurring theme throughout the discourse is the considerable attention given to the place of Gibraltar. Furthermore, the discourse’s descriptions of place and places [i.e., Gibraltar, the UK, Spain] offer important Gibraltarian perspectives on the people’s claim to self-determination, relationships with state

parties, and perceivable negotiated resolutions. As disputes over place are an integral part of the Gibraltar Question, and as answers of place will most certainly be a factor of any right resolution to the crisis, an analysis of how Gibraltarians perceive the role of place within their claims to self-determination is required.

2.1. *Declaratives + 'to be'*

First, reviewing how Gibraltarians specifically denote and categorize space and place can be useful in determining local definitions and beliefs. The use of declaratives, *to declare what is and what is not*, is one way that persons define, separate, and order ideas. Throughout the discourse, the speakers make explicit claims to what Gibraltar *is* or *is not*. These instances provide fundamental, indigenous perspective and knowledge that color the Gibraltarian persona, worldview, and lived experience. In the discourse, places often become characterized as extensions of struggle and conflict; ideas of places, in turn, are often reflective of profound ideas of peoples and conflict actors. Thus, highlighting how Gibraltarians declare place--specifically Gibraltar--leads to a more nuanced understanding of their claim to self-determination and a more comprehensive appraisal of the Gibraltar Question. According to the speakers,

*“Gibraltar is **not** part of Spain” (96-4-C-4);*

*“Gibraltar is **not** currently part of Spain” (02-24-C-4);*

*“Gibraltar is **not** now, and has not for 297 years been, a part of the Kingdom of Spain”
(01-24-C-2);*

*“Gibraltar **will never be** Spanish” (18-24-P-5);*

“Gibraltar...is a small territory neighboring Spain and capable and willing of making an important contribution to the economic and social well-being of all peoples living in the region” (96-4-C-5);

“Gibraltar is the homeland of the Gibraltarians. It belongs to the Gibraltarians” (96-4-C-8);

“Gibraltar is the homeland of the Gibraltarians and therefore, neither the UK’s to give nor Spain’s to have” (02-4-C-1).

In the first four instances listed here, the discourse declares what Gibraltar *is not*. Each time that Gibraltar is negatively juxtaposed in the discourse, the speaker intentionally juxtaposes Gibraltar with Spain. This linguistic choice is not a mere selection of distinction, for in many cases the speakers contrast Gibraltarians with Britons or Spaniards and consistently work to present a singular image of the Gibraltarian people. The choice to juxtapose the place of Gibraltar with the place of Spain reveals a different sentiment. In this way, the places of Spain and Gibraltar are characterized with identities of opposition; through declarative statements the speaker creates and reinforces a narrative in which places--not persons--exist in opposition, places which to rebel against, to blame, and to defy. For, the Gibraltarians do not and cannot see Spanish persons as ‘others’ or enemies; in fact, the Gibraltarians live and work together with the Spaniards of the Campo; they are daily codependent. Rather, the anecdotes of territorial opposition found within the discourse are indicative of a larger, Gibraltarian conflict narrative in which places are substituted for persons and in which places are characterized as conflict actors.

Furthermore, in the latter three quotations, the speaker explicitly declares what Gibraltar *is*. Gibraltar is first declared a territory--a physical place as opposed to an abstract idea. In the

discourse, the speakers continuously use declarative sentences to characterize Gibraltar as a recognizably distinct territory independent of the Campo. This claim stands in contrast to the Spanish government's claim to territorial integrity. As seen in the previous reference, the speakers often contrast actual Spanish territorial claims with Gibraltarian arguments through the way in which ideas are grammatically structured in the discourse. Declaring Gibraltar as an actual, territorial place is one such way to contend opposing narratives; consequently, declaring Gibraltar as a place equal to and proximate to a Spanish place--both symbolically and grammatically--is a recurring choice within the discourse [e.g., "*Gibraltar...is a small territory neighboring Spain*" (96-4-C-5)].

Finally, in the latter two quotations, the speakers declare Gibraltar as the *homeland* of the Gibraltarians. Here, the speakers intentionally link the idea of place and peoplehood. In doing so, they justify the Gibraltarians' claim to the territory and as the territory's indigenous inhabitants. Rhetoric of this type paves the way for a justified argument for self-determination; Gibraltar comes to connote both a place and a people--a nation. Furthermore, the imagery of the homeland--the *patria*--evokes patriotic sentiments of belonging, dominion, duty, and inheritance. Its linguistic dependency reflects the nationalistic nature of the Gibraltarians' understanding of place, peoplehood, and the exercise of self-determination. Further examination of synonymous terminologies of Gibraltar used within the discourse advances the idea that the Gibraltarian claim to self-determination is rooted in nationalized conceptions of the Gibraltarian place.

2.2. *Synonymous Definitions*

Synonymous definitions for Gibraltar are plentiful in the discourse. The speakers' decisions to replace the word '*Gibraltar*' with an alternative term or clause is noteworthy. These variations within the discourse provide additional insight into the profundity of the Gibraltarian

understanding of place, for the nuances of meaning implied by the terminologies altogether express an individual knowledge of place unique to the Gibraltarian context.

Most frequently throughout the discourse, words denoting nationhood and statehood are used to refer to Gibraltar¹⁰--

“*our country*” (94-24-B-6, 7);

“*[the Gibraltarians'] country*” (93-4-B-3);

“*my country*” (94-4-B-1);

“*our small nation*” (16-24-P-2);

“*a thriving and modern country*” (21-24-G-2);

“*a country of immigrants*” (21-24-G-2);

“*Gibraltar...is...a Colonial Country*” (21-24-B-1);

“*the City State of Gibraltar*” (21-24-B-5);

“*a modern, democratic European nation*” (17-4-P-1);

“*The nation of Gibraltar*” (17-4-P-1);

“*small country*” (18-4-Gc-5) (03-24-B-4);

¹⁰ Nationalistic rhetoric is also found in other contexts within the discourse. For example, the following two quotes use the adjectival form to attribute qualities of nationhood to the Gibraltarian consciousness and identity:

“*the national consciousness of the Gibraltarian people*” (95-24-B-4);

“*the national identity of my people*” (95-24-B-5).

In other areas of the discourse, Gibraltar is compared to existing states and nations:

“*we are not a municipality and enjoy the fiscal independence of a state*” (19-24-B-4)

“*we more than match the character and determination of any nation*” (21-24-G-1)

“*my country*” (00-24-C-3) (00-4-C-3);

“*a small European colonial country*” (02-4-C-7).

The connotations of nationhood and statehood implicate more than a territorial place. Rather, the frequent replacement of ‘*Gibraltar*’ with nationalistic terminology in the discourse suggests an organized, political interpretation of place that directly challenges the alternative interpretations dictated by Spain and the UK. The discourse further develops an imagery of nationhood by referring to Gibraltar as an independent economic model alike other European places--

“*an economic engine of legitimate activity*” (18-24-P-4);

“*an offshore finance center*” (96-24-C-4);

“*the second largest employer in Andalusia*” (18-24-P-4);

“*a small community within the European Union*” (96-24-C-7).

The discourse’s portrayal of the Gibraltarian place as a functioning nation and economy underscores the local orientation to the Gibraltar Question. Unlike the other parties of the conflict, Gibraltarians view Gibraltar as both a territorial *and* political place with legitimate indigenous inhabitants and folkways. To the Gibraltarians, Gibraltar is indeed a nation however small, and the concept of Gibraltarian nationhood desiderates self-determination. However, self-determination is often described as being present on a spectrum. Understanding how the Gibraltarians interpret self-determination and to what extent it might apply to the Gibraltar Question requires an analysis of other contextual factors present within the discourse.

3. *Legal References*

Aside from the cultural proofs presented by the Gibraltarians, the discourse suggests that the definition of self-determination adopted by the people of Gibraltar also includes a legal component. While cultural factors such as group ethnicity and a people's connection to place are indeed important in the conversation on self-determination, justified legal positions and arguments are required to petition for the right of self-determination before international governing bodies [i.e., the UN]; thus, satisfying international law is a necessary part of a people's claim to self-determination. The legal arguments of the Gibraltarian people are important factors to consider in the formation of a comprehensive and indigenous definition of the right to self-determination. Legal citations within the discourse are the product of a Gibraltarian analysis of reality within an externalized legal framework; references to legal works are therefore indicative of the maturity and complexity of the indigenous interpretation of the right to self-determination, and a listing of such references is required to be noted. The following legal references were repeated throughout the discourse:

“Resolution 1514 (XV)” (93-24-B-6; 96-4-C-2; 19-24-B-2; 01-24-B-1);

“Resolution 48/52” (94-24-B-2);

“Resolution 1415 (XV) of 1960” (97-24-C-1);

“the Namibia Case the ICJ observed” (97-24-C-4; 01-24-C-1; 18-24-P-3);

“the International Covenant on Economic, Social, and Cultural and the International Covenant on Civil and Political Rights” (97-24-C-4);

“the case of Western Sahara, in the International Court of Justice report of 1975” (93-4-B-7; 00-24-C-1; 01-24-C-1; 00-4-C-1);

“Resolution 2734 (XXV)” (93-4-B-7; 96-4-C-1);

“Resolution 2625 (XXV)” (93-4-B-8; 03-24-B-3);

“Resolution 2429 (XXIII)” (95-4-B-6);

“Article 73” (95-4-B-6);

“Resolution 35/118” (95-4-B-7);

“Resolutions 2131 (XX)” (96-4-C-1);

“seminal judgment of the Court of Arbitration for Sport...the case brought by the Gibraltar Football Association against FIFA” (16-24-P-2);

“UN Charter and the established principles of international law” (16-24-P-1; 01-24-C-2);

“the judgment regarding the Chagos Islands” (19-24-B-2);

“the 1960 ‘Declaration on the granting of Independence to Colonial Countries and Peoples’” (19-24-B-2);

“[Resolution] 1541” (19-24-B-1);

“Article 74 of the Charter” (21-24-B-1);

“Chapter XI of the Charter of the United Nations” (18-4-Gc-2);

“Resolution 26/181” (01-24-C-2);

“the Charter, the Universal Declaration of Human Rights, Covenant on Civil and Political Rights, the Advisory Opinions of the International Court of Justice, and the...Resolutions...1514 and 1541” (01-24-B-2);

“the Treaty of Utrecht” (00-4-C-2).¹¹

4. *Conditional Comparisons*

In addition to globalizing the Gibraltarians’ arguments through connections with international law, the discourse connects the plight of the Gibraltarians and their claim to self-determination to that of other peoples and nations around the world. The people of Gibraltar do not view their claims to self-determination as contained to a silo of space. Rather, the people of Gibraltar often draw comparisons between the histories of other peoples, places, and legal cases and that of their own.

The discourse commonly compares Gibraltar’s colonial status and plea for increased self-determination to other formerly and presently colonized nations. The full list of comparisons extends to:

*Western Sahara, East Timor, Belize, Falkland Islands, Anguilla, Malta, Cyprus, Turks and Caicos Islands, New Caledonia, South Africa, Papua New Guinea, Sierra Leone, Kenya, Nigeria, Fiji, St. Lucia, Grenada, Antigua and Barbuda, and India.*¹²

¹¹ As the purpose of this study is not to become a study in international law, conclusions on the effect or substance of the discourse’s legal references are limited here. As a student of conflict resolution, my understanding of international law is also limited, and therefore any attempt to further interpret the correctness of these legal references would be facile. Rather, the point made in including a detailed recording of the discourse’s legal references is to provide testimony of the multi-faceted and sophisticated nature of the Gibraltarian interpretation of self-determination and to acknowledge that such evidence is present within the discourse, being an inherent part of the indigenous definition of the right, though distant in its application to this study.

¹² (94-24-B-5; 95-24-B-12; 95-24-B-12; 93-4-B-4; 94-4-B-1,2; 18-4-Gc-2; 19-4-Gc-4)

Of note, three of the names listed are **disputed territories** [e.g., Western Sahara, Falkland Islands, and Cyprus], three are **current British Dependent Territories** [e.g., Anguilla, Turks and Caicos Islands, and Falkland Islands], eleven are **former British colonies** [Antigua and Barbuda, Fiji, Belize, Kenya, India, Malta, Cyprus, Nigeria, Sierra Leone, Grenada, and St. Lucia], two have held **referendums** to remain a non-self-governing territory [New Caledonia and Falkland Islands], one is a nation that the UN **negotiated** to create [East Timor], and one is a nation whose people were systemically and violently **denied peoplehood** [South Africa]. The comparisons the discourse attempts to make are all but subtle.

The discourse further compares Gibraltar to other small island countries and sovereign enclaves, including:

*Guantanamo in Cuba, small island countries in the Caribbean, and Tokelau,*¹³

and presents these micro-territories as plausible examples for Gibraltarian sovereignty. Meanwhile, the discourse's other comparisons present alternative solutions for the Gibraltarians, including:

*Catalunya, Scotland, and England.*¹⁴

Interestingly, the discourse also compares Gibraltar to states of the former Soviet Union, namely:

*the Czech and Slovak Republics, Slovenia, Serbia, Croatia, and Bosnia.*¹⁵

The discourse identifies the breaking up and separation of a single nation [Yugoslavia] as a plausible solution to the Gibraltar Question.

¹³ (94-24-B-4); (18-4-Gc-2,3)

¹⁴ (94-4-B-11)

¹⁵ (93-24-B-7; 93-24-B-8)

The comparisons between nations that the discourse makes suggest that the Gibraltarians recognize a global heritage of decolonization and dispute resolution as precedent for their own right to self-determination. The discourse actively compares Gibraltar's history, size, and status to many different peoples and nations around the globe. Furthermore, the specific focus of the comparisons is on that of colonial histories, and almost all the countries listed in the discourse were former colonies themselves. By comparing Gibraltar to an array of former colonies, the discourse gives a glimpse into Gibraltar's attitude on their own colonial status--an unavoidable obstacle in their exercise of self-determination.

5. De/Colonization

The colonial element of the Gibraltar Question is a defining factor of the conversation on self-determination for the Gibraltarians. Undeniably, Gibraltar's colonial history has given shape to the local population, has redefined the boundaries of the Gibraltarian place, and has informed international legislative decisions. As discussed in section 1.2 of the Literature Review¹⁶--the political context in which self-determination claims are made necessarily conditions the right's contemporary definition (Roepstorff 52). At present, Gibraltar's continued colonial status presents a challenge for the people's exercise of full self-determination. Therefore, if self-determination is to be discussed within the context of Gibraltar, one must necessarily configure an understanding of the backdrop to which the Gibraltar Question is transfixed. Moreover, if the right to self-determination is to be defined according to indigenous perspectives, then one must first consider how the Gibraltarians perceive and define their colonial existence.

¹⁶ see pp.11

5.1. *Synonymous Definitions*

A brief review of how Gibraltarians synonymously refer to their ascribed colonization helps to reveal local attitudes and perspectives on their colonial status. The discourse always refers to Gibraltar's colonial status of Gibraltar as an overwhelmingly negative experience,

*“the **problem** of Gibraltar”* (93-4-B-11);

*“the **problem** of Gibraltar's decolonization”* (93-24-B-2);

*“our **situation**”* (94-24-B-2);

*“the **colonial situation**”* (94-24-B-2);

Furthermore, Gibraltar's colonial status is characteristically redefined by the uncertainty it projects on the Gibraltarian people and their self-determined future:

*“the **question** of decolonization”* (93-24-B-1);

*“the **question** of Gibraltar”* (16-24-P-3); (19-24-B-5); (01-24-C-2).

The discourse's frequent references to synonymous definitions of colonization reveal a thoroughly negative local perspective and insecurity regarding Gibraltar's colonial status. These negative allusions contrast with many external narratives that portray the Gibraltarians as a happily colonized people. Rather, critical evidence found within the discourse presents a Gibraltarian perspective that views colonization as equivocal, problematic, and situational. The Gibraltarians view their colonial status as both a burden and obstacle to overcome, and in the discourse, the end of colonial rule is directly linked to the exercise of self-determination.

5.2. Decolonization + Self-Determination

The end of colonization and the right to self-determination transpired as a symbiotic global movement on the heels of the Second World War. The resulting period of international politics resounded with the spread of liberal ideas and rights-driven discourses. The peoples of the world determined that the right of self-determination should serve as the guiding principle of decolonization efforts. Today, the exercise of self-determination is considered the only acceptable means of decolonization among the international governing bodies. In Gibraltar, a special relationship exists between the arrival of decolonization and self-determination. The two concepts are invariably linked throughout the discourse, and their intentional pairing and comparison reveal additional information that colors the local definition of the right to self-determination.

The discourse defines decolonization as, “*a dynamic state of evolution and progress towards a ‘full measure of self-government’*” (19-24-B-2). Implicit in this definition is the exercise of self-determination; decolonization and self-determination are inseparably linked in definition, practice, and ideal. Together, they are the goals and wants of the Gibraltar people,

“*the ultimate goals of decolonization and the exercise of self-determination*” (94-24-B-6).

Colonization is demonstrated as a direct impediment on the people’s exercise of self-determination,

“*Gibraltarians who are being discriminated against in this way by having the administering power deny them the right of self-determination because of a Treaty dating from 1713*” (95-24-B-6);

“our decolonization is exclusively a matter to be negotiated between us, the non-self-governing colonial People and the UK” (21-24-B-3),

and the discourse describes the exercise self-determination as urgent and necessary--

“the need to emerge from colonialism by exercising our right to self-determination” (93-24-B-1);

“We seek...the decolonization of Gib through the exercise by the people of Gib of self-determination...” (96-24-C-3);

“it is not possible to decolonize without the exercise of the right to self-determination” (94-24-B-7).

Furthermore, the discourse justifies the Gibraltarian perspective that the exercise of self-determination and decolonization are universally applicable--not least to Gibraltar--and are an entitlement of the people--

“There is but one universal principle of decolonization...and that is self-determination” (00-4-C-1);

“There is but one universal principle of decolonization applicable to all colonized territories--and that is self-determination.” (00-24-C-1);

“All such territories are entitled to decolonisation by the application of the principle of self-determination. This is the only principle applicable in the decolonization process.” (00-24-C-1).

Additionally, the role of self-determination in the decolonization process is described as irreplaceable, paramount, singular, absolute, and appropriate in the discourse--

*“Decolonization **does not take place until** the exercise of self-determination by the native population of the colonial territory has manifestly and independently been given effect to” (94-24-B-4);*

*“**there is only one** process of decolonization and that is self-determination” (96-24-C-5);*

*“in the process of decolonization **there is no alternative** to the principle of self-determination” (97-24-C-4);*

*“full self-government, **the only trigger** for decolonization” (21-24-B-1);*

*“The principle of self-determination of peoples **must be the paramount** consideration in the decolonization process.” (18-4-Gc-2);*

*“the right to decolonization **through** the exercise of self-determination” (00-24-C-5);*

*“Gibraltar’s decolonization **can only happen through** self-determination” (02-24-C-1);*

*“We assert that...in the process of decolonization **there is no alternative** to the principle of self-determination” (00-4-C-1);*

*“Gibraltar...**can only be** decolonized by reference to self-determination...” (96-4-C-2); (97-24-C-4);*

*“it is **not possible** to decolonize Gib unless its decolonization gives effect to the democratically expressed wishes of the inhabitants of the colony” (94-4-B-5).*

Finally, the discourse presents the Gibraltar Question as an issue that can be resolved through an end of colonization and the exercise of self-determination--

*“For Gibraltar, **the issue is one of decolonization and the applicable principle is therefore self-determination**” (03-4-C-2).*

To the Gibraltarians, the definition of self-determination necessarily implies decolonization. The discourse shows how both concepts are inherently connected and dependent on each other. A decolonized Gibraltar will become a self-determined Gibraltar. However, self-determination is not merely viewed as the opposite of colonization among the Gibraltarian people; self-determination implies definitive actions and possibilities. A critical review of the way in which self-determination has been further defined, contextualized, and limited within the discourse yields a much deeper understanding of the right’s definition within the local context.

6. Self-Determination

To construct a post-colonial, indigenous definition for self-determination, researchers should examine how the right is already being viewed, discussed, and explained among the people who justly lay claim to it. In Gibraltar, ‘*self-determination*’ is a popular term in the local lexicon; public discourse is full of references to it, descriptions of it, and petitions for it. As a peoplehood with place, the Gibraltarians are rightly entitled to self-determination; the UN has proven this fact, and the people of Gibraltar are aware of their right. However, Gibraltar has continued to accept British sovereignty well into the twenty-first century. As other former colonies of the British empire chose total self-determination and independence from the monarchy, the people of Gibraltar chose continued British sovereignty. The frequent discussion of self-determination in public discourse coupled with the decision to remain a British colony

suggest an unusual, overlooked understanding of the right to self-determination--the definition accepted by the non-self-governing people themselves. Therefore, if a definition for Gibraltarian self-determination is to be constructed, an analysis of how the definition is understood and employed in the discourse of the Gibraltarian people is required.

6.1. *Declaratives + 'to be'*

As previously exhibited, declaratives provide critical insight into a speaker's perception of truth. In declaring something *is* or *is not*, the speaker illustrates their internal perception of an external reality. When attempting to determine the accepted meanings of concepts or terminologies within a local discourse, examining the discourse's use of declaratives is an appropriate first step, for declaratives often serve as the fundamental premises of arguments, explanations, and definitions within a discourse. In Gibraltar, the discourse is full of declarative statements that help unveil the nuanced meaning of self-determination within the local context.

First, the speakers use declaratives to prove the Gibraltarians' claim to self-determination as absolute:

"our right to self-determination is clearly established" (18-24-9-3).

The speakers depend on grammatical craft to validate Gibraltarian perspectives and to counter opposing arguments. Their statements become exercises in truths. Through declarative prose, the speakers can create and transform realities, and the realities generated through the discourse compliment local perceptions of truth--giving insight into how the right to self-determination is locally defined. The speakers then justify their accepted definition of self-determination as being sustainable to universal conviction through declarative forms--

*“the right to self-determination...[is] enshrined in the **Charter of the United Nations** and in accordance with other **overriding modern international legal principles**.”* (00-24-C-2);

*“the right to self-determination is an **inalienable and sacred right under the UN**”* (02-24-C-2),

They define their definition of self-determination by declaring the values that it explicitly entails,

*“**democracy, good governance, human rights, and the rule of law...[are]** underpinning...values of the right of peoples to determine their own future”* (19-4-Gc-4)

and contrast their definition by declaring what self-determination specifically *is not*--

*“Self-determination is **the opposite of territorial restitution**”* (96-4-C-2);

*“Self-determination is **the opposite of territorial restitution**”* (97-24-C-4);

*“the right to self-determination of colonial peoples **cannot...be** displaced by a competing territorial claim”* (02-24-C-2);

*“the right of consent is **not the same as...our right to decide our own future**”* (03-24-B-6).

The dependency on declarative sentence structure throughout the discourse reveals certain truths of the Gibraltarian worldview which necessarily sustain the complexity of the Gibraltar Question. These revealed truths suggest an emphatic primacy and sanctity of the right to self-determination for the Gibraltarian people. Among the Gibraltarians, the right to self-determination unquestionably exists as both a local and universal reality, a just cause, and an independent principle. However, the primacy and sanctity of the Gibraltarians’ perceived right to

self-determination is not only exhibited in grammatical form. The speakers underscore the primacy and sanctity of the right of self-determination through intentionally crafted descriptions.

6.2. *Descriptors*

The way in which speakers prescribe qualities and descriptions to an object is highly indicative of internal biases and perspectives. Most human manners of description are subjective in nature; attributions of value and order of importance are two highly subjective manners of description, and they are also direct outgrowths of biased psychologies. Therefore, by noting how a discourse attributes subjective value and importance to ideas, one can uncover hidden biases among its speakers. The Gibraltarians attribute various degrees of significance to the right of self-determination. Analyzing the ways in which the discourse attributes subjective descriptions to self-determination is a way of recognizing the biased attitudes that shape the local interpretation of the right to self-determination.

Foremost, the discourse describes the right to self-determination as primary and preeminent--

“fundamental” (94-24-B-8);

“inalienable and fundamental” (94-24-B-11);

“the right of self-determination is inalienable, paramount, and a sine qua non in the process of decolonization” (93-4-B-11);

“the inalienable right of the people of Gibraltar to self-determination” (94-24-B-1, 9);

“paramount... and fundamental” (19-4-Gc-2);

“the right to self-determination of all colonial peoples is...primary” (01-4-C-3).

Furthermore, the discourse attributes a degree of sacredness to the right of self-determination--

*“the **sacred** right to...self-determination”* (93-24-B-10);

*“the right to self-determination is...**sacred**”* (02-24-C-2);

*“The right to self-determination of all colonial peoples is **sacred...**”* (01-4-C-3).

Underlining the use of declaratives and grammatical craft, the discourse uses biased descriptors to illustrate the meaning of self-determination as primary and sacred to the Gibraltarian people. Through biased word selection the discourse unveils the perceived truths of the Gibraltarians regarding their claim to self-determination. Self-determination as a theme of primacy and sanctity saturates the discourse. Further analysis of the discourse reveals other rhetorical methods by which the speakers extrapolate such convictions.

6.3. *Comparatives*

The rhetorical choice of comparison is only rational inasmuch as the objects of approximation bear some similarity either in context, substance, or orientation. Conjoining separate ideas or objects with a conjunction of comparison [e.g., ‘*and*’] connotes similarity from the perspective of the speaker. Inherently, comparisons do not denote sameness; rather, in some form, the objects of comparison are indeed different; the purpose of comparison is to highlight a shared nature of the objects in respect to their actual differences. Therefore, the choice of comparison implies a notion of perceived truth--an oft overlooked commonality--in the mind of the speaker, and the speaker then seeks to prove their perceived truth to the audience rhetorically by use of comparisons. Thus, noting how a discourse compares ideas and objects reveals the truths and biases of the speakers. In the context of this investigation, the Gibraltarian speakers’

comparative statements on self-determination reveal underlying notions of meaning and interpretation. Analyzing how the speakers compare self-determination in the discourse discloses additional biases and perceptions implicit in the local interpretation of the right to self-determination.

First, the discourse makes ample comparisons between self-determination and decolonization:

“the drive for self-determination and for decolonization” (95-4-B-4);

“[the people of Gibraltar’s] right to self-determination and decolonization” (94-24-B-5);

“the right to self-determination and decolonization” (21-4-G-2).

Self-determination and decolonization efforts are also linked to independence,

“[the people of Gibraltar’s] right to self-determination and decolonization...including the option of independence should the people of Gibraltar so decide” (94-24-B-5);

“self-determination and independence” (93-4-B-9),

and finally, freedom and democracy are likewise compared,

“democratic participation and self-determination” (96-24-C-7);

“the sacred right to freedom and self-determination” (93-24-B-10).

The illustrative comparatives used by the speakers approximate concepts of decolonization, independence, freedom, and democracy to the substance of self-determination.

Self-determination, while not equal to any one of the chosen comparisons, necessarily

incorporates some nature of the approximated concepts into its definition. These statements flavor the local interpretation of self-determination with accents of meaning. Using rhetorical devices, the speakers reveal socially perceived truths with local color. To the Gibraltarians, self-determination is inherently akin to the concepts of decolonization, democracy, independence, and freedom.

6.4. *Exemplification*

An additional way in which the discourse approximates concepts of decolonization, democracy, independence, and freedom is through exemplification. The discourse often exemplifies political acts as valid exercises of self-determination. Democratic referendums are the most common proposal represented in the discourse--

*“a genuine and free act of self-determination, namely a **referendum**...”* (00-24-C-7);

*“an act of self-determination by its people, namely a **referendum**”* (03-24-B-8);

*“no agreement should be entered into that affects Gibraltar, its political future, its sovereignty or the political rights of its people without **their consent** or against their wishes, since this violates our right to self-determination”* (02-24-C-6).

Referendums have served as important catalysts of change throughout Gibraltarian history. To many Gibraltarians, the historical referendum votes [*a total of four*] are both markers and measurements of time. The first referendum initiated the border closure years, a defining period of Gibraltarian cultural and historical development. The second referendum vote serves as the litmus test of all future negotiations on Gibraltarian sovereignty; the 2006 constitutional referendum represented Gibraltar’s maturation into an internally self-governing nation-state, and the 2016 Brexit referendum has re-determined Gibraltar’s economic future and diplomatic

relationships *in aeternum*. Referendums have become sacred democratic acts for the Gibraltarians--the always-necessary impetus for change in the territory--and are championed by the people as fair examples of their right of self-determination.

6.5. *Synonymous Definitions*

Furthermore, the discourse often refers to self-determination via synonymous phrases or definitions which correspond to contextual references and the lived experiences of the Gibraltarians. These chosen synonyms equate the meaning of self-determination to alternative expressions that are incorporated within the local discourse and which illustrate an unabridged interpretation of the right among the Gibraltarian people. The varied ways in which the discourse conceptualizes self-determination indicates a complex understanding which is not satisfied with a singular terminology; the discourse relies heavily on multi-word phrases in replace of singular terms. Aware that such a nuanced understanding of the right exists within the discourse, a review of the synonymous representations of self-determination is necessary to construct a comprehensive definition that is wholly respectful of local attitudes.

Most frequently, the discourse redefines self-determination as a principle of free expression, choice, and democratic will--

*“the principle of the people determining **democratically and freely** what they want for themselves”* (93-24-B-7);

*“the **freely expressed will** of the people--the very *sine qua non* of all decolonization”* (97-24-C-3);

*“the **exercise of the free will** of the people”* (93-4-B-12);

*“the **wishes of the inhabitants of the territory**”* (93-4-B-11);

“*the political conviction*” (96-24-C-2);

“*free and fair choices made at the ballot box*” (17-24-P-2);

“*to freely and democratically determine their own future*” (21-4-G-2);

“*a valid decolonization choice*” (00-24-C-7).

The discourse also contains frequent euphemistic references to self-determination as an elementary and undeniable human right--

“*A basic human right*” (93-4-B-10);

“*the irrefutable argument*” (97-24-C-1);

“*a fundamental principle*” (93-4-B-8);

“*an inescapable right*” (93-24-B-7);

“*inalienable international legal rights*” (16-24-P-1);

“*a right enshrined in the Charter of the United Nations, and in several resolutions of the General Assembly*” (18-24-P-2);

“*The right of the people of ALL Non-Self-Governing Territories...*” (22-24-P-5);

“*the inalienable human right*” (22-24-P-5).

In other contexts, the discourse references self-determination as a progressive right--

“*the right to determine their future*” (93-4-B-10);

“*the right...to determine their future*” (93-24-B-1);

*“the wishes of people to decide their own **destiny** in the international order”* (21-24-G-3);

*“to freely and democratically determine their own **future**”* (21-4-G-2).

Furthermore, the discourse personifies the right to self-determination as the voice of the people--

*“...a **separate voice** of their own and **can** therefore **speak** for and represent themselves through their own constitutionally and democratically elected government”* (96-4-C-4);

*“the **voice** of the people”* (17-4-P-2);

*“in which the people...are...represented in their own right with a **separate voice** of their own.”* (01-24-C-2).

Lastly, the discourse redetermines self-determination as the full exercise of sovereignty and self-government--

*“the **ability** to develop **self-government**”* (94-4-B-6);

*“**sovereignty, jurisdiction...control**”* (17-4-P-4);

*“**full self-government** and decolonization”* (21-4-G-2);

*“**full self-government**”* (01-24-B-1);

*“the **greatest possible measure of self-government**”* (04-24-C-1).

A synthesis of the discourse’s terminology of self-determination implicates an initial draft of the right’s definition according to the Gibraltarian people. In summary, the discourse resumens self-determination as a democratic, basic, and progressive exercise--safeguarded by

international law--that communicates the will of the people on their political future. However, while this analysis introduces how Gibraltarians broadly consider the right to self-determination, this summary does not consider how abstractive ideas may alter in their practical application or across varied contexts in Gibraltar. Further review of how the discourse defines self-determination specific to the Gibraltarian context is required to derive a complete and final definition.

6.6. *Contextual/Gibraltarian Definitions*

The following analysis--in contribution with the previous conclusions--intends to address the research question(s) most directly. While the previous subsections have given notice to perhaps more subtle revelations of the discourse, this final subsection analyzes how Gibraltarian speakers expressly comment on the right of self-determination in the Gibraltarian context. Such analysis is possible, for the speakers often speak straightforwardly about “*Gibraltarian self-determination*” (95-4-B-4). And while these comments may generally go unnoticed in their significance, I propose that they uniquely express the sincerest beliefs of the Gibraltarians in a way that is unadulterated, plain, and definitive. Analyzing the speakers’ comments on Gibraltarian self-determination is then the surest way to understand the meaning of the right within the local lexicon.

A key indicator that distinguishes the speakers’ comments as reflective of specific local ideologies is the expression of group possession. In most every local reference within the discourse, the first-person possessive determiner [e.g., *our*] precedes expressions of indigenous attitudes towards self-determination. The object of possession is always expressed as a manifestation of self-determination in Gibraltarian society, and the subject of possession is always expressed in the first-person plural [e.g., *we*, *our*]. By using the first-person plural voice,

the speakers attribute their speech to a collective persona--the Gibraltarian people--and their ideas to a collective psychology. Thus, these types of expressions become the intersections of theory and context within the discourse and provide critical insight into the indigenous interpretation of self-determination.

One important object of group possession repeats throughout the discourse: “**our future**”. The Gibraltarian perspective on self-determination is undeniably future-oriented, and according to the discourse, self-determination in the Gibraltarian context necessarily implies,

“the role of the Gibraltarians determining their own future and the future of their country” (94-4-B-13).

The Gibraltarians conceptualize their future ideal as strictly attainable via an exercise of self-determination--

“only OUR choices will determine [Gibraltar’s] future” (22-24-P-6).

While former colonial powers most certainly determined Gibraltar’s past, and while Gibraltar’s present is plagued with problems that colonialism has induced, a self-determined future represents an end to the burdens of colonial rule and a long-awaited peace for the peninsula--

“The rights of the Gibraltarians ...must be paramount in determining the future of the territory and resolving the problem of its decolonization” (01-24-B-2);

“Any decolonized status should be one that not only complies with the legal and technical requirements for the achievement of full self-government, but also ushers in improved prospects of greater economic activity and social and political stability for the future” (96-24-C-3).

To the Gibraltarians, the meaning of self-determination is intrinsically defined as having a futuristic orientation. Self-determination is in part defined as,

“our right to freely determine our own future” (96-24-C-2);

“the inalienable right to self-determination...is the right to freely and democratically determine our own decolonized political future in accordance with the Charter of the UN free of external pressure and imposition.” (96-4-C-1);

“our wish is...to decide [our] future status freely and in harmony with [our] neighbors” (96-24-C-7);

“our right to determine our political future ourselves” (18-24-P-1);

“legitimate aspirations to determine our own future” (21-24-G-4);

“our inalienable human right to determine the future of our land for ourselves” (22-24-P-2);

“our right to freely determine for ourselves the future of our land” (17-4-P-3);

“the freedom to choose our own political future” (18-4-Gc-3);

“our political and democratic Rights as a people to decide our own future” (03-24-B-7);

“our political right to decide our own future” (02-24-C-8);

“the determination of our future” (02-24-C-8);

“our inalienable right to self-determination, that is, the right to decide our future in our land” (01-4-C-7);

“our political rights as a people to decide our own future, free of harassment and duress” (03-4-C-4).

For the Gibraltarians, exercising indigenous self-determination implies a vision of the future, a responsibility for their own livelihood, and an end to colonization. Furthermore, in the Gibraltarians’ decolonized, futuristic ideal, the exercise of self-determination necessarily requires self-government, the extent of which is specifically described in the discourse--

“self-government beyond the point reached in the 1960s to allow us to fulfill our aspirations as a people” (94-4-B-9);

“Any decolonized status should be one...of full self-government” (96-24-C-3).

The discourse further refers to self-determination in a Gibraltarian context as,

“our right to the jurisdiction and control of our land, sea, and air space” (21-24-B-5);

“our sovereignty” (16-4-P-2);

“our nation’s sovereignty” (16-4-P-3);

“title to our nation” (17-4-P-4);

“our attainment of a full measure of self-government” (01-24-B-2).

Ultimately, self-determination on the Gibraltarian peninsula necessarily means the ability,

“to determine exclusively for ourselves the sovereignty of our Gibraltar” (17-24-P-3).

According to the discourse, full self-government is the only acceptable form of self-determination for the Gibraltarians, and the principle of self-government and self-determination

are linked through democratic processes. The discourse shows that self-determination in Gibraltar must allow for full democracy and freedom of choice, for Gibraltarian self-determination connotes freedom and the right of expression. Gibraltarian self-determination unequivocally is also,

“the wishes of the people of Gib...to express their wishes freely and democratically...”

(93-4-B-11);

“the right to promote and defend our views through our own representation” (96-24-C-6);

“...the right of the people of Gibraltar to speak for themselves...” (96-24-C-6);

“...the right to freely and democratically determine our own decolonized political future” (96-4-C-1);

“our determination to speak for ourselves....” (96-24-C-6);

“The exercise of our right to choose” (17-24-P-1);

“the...wishes of the People of Gibraltar” (17-24-P-2);

“our choice not to be Spanish” (16-4-P-1);

“our choice” (17-4-P-1);

“our right to vote” (17-4-P-2);

“the consent of the people of Gibraltar” (17-4-P-3);

“a proper voice of its own in the form of [the Gibraltarians’] elected leaders and Government” (00-24-C-5);

“our political and democratic Rights as a people” (03-24-B-7).

Gibraltarians further believe that their democratic conviction regarding the right to self-determination is righteous and justified. The discourse demonstrates the Gibraltarians’ confidence in the fact that their right to self-determination is,

“under the UN Charter and the established principles of international law” (16-24-P-2),

“not vitiated by a non-existent doctrine that sovereignty disputes suspend application of inalienable rights” (17-24-P-2),

“watertight in international law” (03-24-B-2),

“enshrined in the Charter” (03-24-B-3),

“not affected by the Treaty of Utrecht” (00-24-C-10),

and that,

“the Treaty of Utrecht, it is...incapable of displacing the right to self-determination of the people of Gibraltar” (00-4-C-2).

In addition to legal justification, the Gibraltarian interpretation of self-determination implies an absolute moral conviction. The discourse describes the exercise of self-determination in Gibraltar as a righteous cause. The people of Gibraltar are said to believe in the *“correctness of [their] case”* (01-24-C-5) and that *“the strength of Gibraltar’s case [for self-determination]*

on...moral grounds is unanswerable” (96-24-C-2). The Gibraltarians actively claim to be “*confident of the merits of [their] position*” (03-4-C-5) and ensure that their “*arguments are correct*” (03-24-B-2). Furthermore, the discourse relays the Gibraltar belief that all other opposing state parties are “*morally wrong*” (16-24-P-3).

The discourse’s attributed moral dimension of self-determination alludes to a designation of the right’s sanctity by the population. The moral attitudes presented by the speakers suggest that the indigenous understanding of self-determination suspends from a political/theoretical ideal to a commonplace ethical conviction among the Gibraltar populace. Thus, the knowledge of self-determination bears a colloquial nature in Gibraltar, and the affinity of self-determination is a unique dimension of Gibraltar culture. The discourse demonstrates that the understanding of the right to self-determination is a knowledge of everyday life in Gibraltar; because of its moral nature, it is a critical component of Gibraltar psychology. Throughout the discourse, the Gibraltarians are described as a people “*who cherish the right of self-determination*” (21-24-G-4) and “*who enjoy the right to self-determination*” (19-4-Gc-4) in quotidian life and society. The discourse suggests that the appreciation of self-determination is implicit in the Gibraltar understanding of oneself and one’s culture. So important is the right of self-determination to the people of Gibraltar that,

“[The 2007 Gibraltar Constitution] refers to the principle of self-determination in its opening recitals” (19-4-Gc-3).

Necessarily, the purpose of self-determination is tied to the Gibraltar’s existence; the discourse describes the Gibraltar’s fight for self-determination as total--

“the people of Gibraltar are dogged in our determination and resolve to ensure that our inalienable right as a colonial people to self-determination is upheld and respected and not denied...” (02-4-C-3);

*“We are also **implacably opposed** to the notion that the sovereignty of our homeland is divisible and can be carved up between our administering power and our neighbor to suit the military interest of one and the territorial ambitions of the other, while ignoring the political rights of the people of Gibraltar to self-determination”* (03-4-C-7);

*“Gibraltar is not for sale. The Gibraltarian will not be bribed. **The Gibraltarians will never surrender**”* (16-24-P-4);

*“Because Brexit or no Brexit, Gibraltar will remain a highly successful international business hub. None of that is going to change. **Neither will our resolve to determine exclusively for ourselves the sovereignty of our Gibraltar.** Of that you should be in no doubt!... **WE WILL PREVAIL!**”* (17-24-P-3);

“we will never sacrifice our right to the jurisdiction and control of our land, sea, and air space” (21-24-B-5);

“we will never barter with our nation’s sovereignty” (16-4-P-3).

In attempting to understand the indigenous definition of self-determination in Gibraltar, one must acknowledge the ways in which local psychologies are shaped by cultural identities and moral beliefs. According to the discourse, the substance of self-determination could be summed up to the substance of the Gibraltarian. Both are required of the other.

CONCLUSIONS -- RECOMMENDED RESOLUTIONS, IMPLICATIONS, LIMITATIONS & FUTURE RESEARCH

Then--to reflect upon the initially proposed questions of this research--how do
Gibraltarians conceptualize their right to self-determination as a non-self-governing people, and
how do they present and define their right before the international community?

As uncovered in the discourse, Gibraltarians conceptualize their right to self-
determination as a right parallel to their extant peoplehood, not regulated to subordination but
independent of colonial desires and externally prescribed identities. In the eyes of the
Gibraltarian, physical and intellectual agency, demonstrations of unquestionable livelihood and
authentic conviction, and a decisive competency determines membership to a legitimate, present,
and identifiable peoplehood; furthermore, it merits the right to self-determination.

Gibraltarians view self-determination as a right owed to the peoples and nations of all
colonial places--an inexorable right proven by the evidence of Gibraltar's people and
nationhood. For the non-self-governing Gibraltarians, the right to self-determination equates to
liberty, is guaranteed by international law, and is a status secured by comparable peoples of the
world. Finally, the Gibraltarians' conceptualization of the right to self-determination is mature
and complex; they justify their claim to the right to self-determination as an aspiring nation
within the international community and in accordance with a precedential and global heritage of
decolonization and liberation.

Moreover, to the Gibraltarians, the exercise of self-determination transposes abstract
conceptualizations to consequential actions for the Gibraltar Question. Gibraltarian self-
determination wields a vernacular definition that is contextually specific and contemporary in its
interpretation. To the non-self-governing people of Gibraltar, self-determination is not a

theoretical idea--and less a legal one--but an active idea, shrouded in language of 'choice' and 'voice,' naturally owned--a sacred possession--implicit in their identity and personhood as any other autonomic act of thought, speech, or movement might be. Self-determination for the Gibraltarians is an absolute and moral ideal to be transacted through plebiscitary exercises, the rule of national law, the assurances of human rights, and the security of good governance. Progressive in its orientation, self-determination in Gibraltar necessitates the exercise of political and ethical choice by Gibraltarian voters in matters of their decolonization and future; it impresses the responsibility solely upon elected Gibraltarian officials to govern the livelihood of their own people, and it welcomes full self-government for the Gibraltarian nation, apart from external intervention. Ultimately, for the Gibraltarians, self-determination necessarily requires the acceptance and recognition of a Gibraltarian state by the international family of nations with all full rights and privileges associated thereof.

Recommended Resolutions

In the year 2022, the Gibraltar Question has already reached its 309th year. Numerous negotiated efforts have failed; decades of international movements have yet to bring decolonization to the territory, and democratic governments stubbornly refuse to retract their sovereignty claims to the peninsula. A political and diplomatic stalemate engulfs the Rock. During the time of this thesis's completion, the people of the Campo continue to suffer from violence caused by political provocation; the future of the Gibraltarians remains undecided, and two of Europe's great powers stand at odds amid global and regional crises. To claim that a clear resolution exists for the Gibraltar Question would be nescient.

However, perhaps the political tide is turning. Recent public opinion polls show the steady decline in the relevance of the Gibraltar Question to Spanish voters, and British

parliamentarians have demonstrated increasing support for self-governing measures in Gibraltar. Priorities are readjusting in Europe, and change is imminent. Thus, reaching a negotiated and peaceful end to Europe's longest standing conflict may give rise to a much-needed solution for its most recent.

The people of Gibraltar have long petitioned the UN for an advisory opinion on the Gibraltar Question to be issued by the ICJ. A non-binding review of the conflict by the ICJ is a minimally invasive measure towards the development of a peaceful resolution for the Gibraltarians and should be administered. However, the Gibraltarians are unable to initiate proceedings before the Court due to their continued non-self-governing status upheld by the UN. While recognizing Gibraltar as a state under UN provision may be premature given the insufficient levels of self-government on the Rock and the unripe diplomatic climate, the UN should not hesitate to dutifully recognize the Gibraltarians as a legitimate peoplehood with independent wishes from that of the competing member states. Official recognition by the UN General Assembly would prevent negotiations from backsliding or quieting altogether and hold the relevant member states accountable for any self-interested motivations. The EU should also follow suit and recognize the Gibraltar government as a competent and equal representative of Gibraltar interests in all post-Brexit negotiations and protocols. Furthermore, removal of the British governorship from Gibraltar would help rid the last remaining vestiges of colonial rule from the peninsula and initiate necessary transformations for the blossoming of a full and independent self-governing state. Finally, a plebiscite should be held in Gibraltar on the future of Anglo-Gibraltar relations which provides the people an option for complete independence of British sovereignty, which has never been presented to the Gibraltarians.

Implications for the Field

The discoveries of this research, displayed here within these conclusive remarks, demonstrate the needs and wants of a non-self-governing people in their pursuant claims of self-determination. Far too often, such indigenous perspectives are lost among the near monastic piety found in the cathedraic halls of academia. We, the scholars, can become so insulated by theory and idealism that the practical and often desperate pleas of the affected fail to be heard over our own well-intended ambition. May this research be a strike towards such ill-mannered conventions.

Furthermore, might discourse analysis more readily mingle with the field of conflict resolution and its practitioners? As correctly shown in this study, discourse analysis provides a unique opportunity for elevating indigenous perspectives beyond an auxiliary status in academic writing. Discourse studies permit visibility to oft overlooked indigenous personalities and offer extended resonance for indigenous voices. Such studies also allow researchers a more detailed analysis of conflicts, for internal biases and persuasions are externalized through speech and speech patterns. Discourses then represent a trove of potential knowledge and understanding for conflict analysts and practitioners.

Finally, the findings of this research might complement existing studies by conflict scholars or resolute processes for other intractable conflicts. As demonstrated in my analysis of Gibraltarian discourse surrounding the Gibraltar Question, the corporeality of an indigenous, vernacular definition of conflict matters directs the behavior of the group and their receptiveness to proposed solutions for the conflict. Thus, understanding indigenous perspectives requires an understanding of local terminologies and their domestic workings. Only then can adequate

representations of indigenous perspectives be formed. The yield of such careful attention to vernacular functions is surely a more positive and sustainable peace.

Limitations & Future Research

While I have attempted to secure this thesis as wholly comprehensive and without deficit, I must acknowledge that there are some recognizable limitations to my investigation that I hope future research might address and eliminate. Firstly, due to the time constraints imposed by academic deadlines, I was only able to review a portion of the UN speeches provided by HM Government of Gibraltar. While I strategically designed the research methodology to conduct a thorough investigation and to encompass as many speeches as possible, inevitably some years avoided review. Future researchers might continue the methodology detailed here to analyze the annual gaps of this study. Still, future research may see the need to compare the data found in the annual gaps to the conclusions presented here. Moreover, researchers may be interested to parse the discourse and contrast the development of a Gibraltarian definition of self-determination over decades or reasoned categories of time. As this study was limited to political discourse, a comparative analysis of public discourse recorded in interviews or focus groups with Gibraltarian civilians would contribute to surer conclusions on the indigenous interpretation of self-determination. An interesting study might compare discourses of other non-self-governing peoples to that of the Gibraltarians and contrast their definitive inferences. I would encourage all such endeavors.

Furthermore, while I do consider myself a burgeoning bilingual researcher, most of the texts and sources referenced in this thesis belong to broader English language discourses. One might criticize the lack of Spanish language sources in this investigation given that Spanish is widely spoken in Gibraltar and that many older Gibraltarians' first language is Spanish.

However, since the official language of HM Government of Gibraltar is English and given that governmental discourse is intended to be representative of a government's constituents, I elected to limit my review to English sources in good faith and reason. Still, future researchers may uncover other Spanish-language texts within Gibraltarian discourses that could prove meritorious for study and comparison. I would encourage such an investigation.

Lastly, I must admit that, while I am a scholar within the field of conflict resolution, I am not a scholar of international law nor do I have extensive experience within the field of jurisprudence. The issue of human rights--specifically the right to self-determination--depends on legal justifications and theories of which I have intended to understand and summarize within this document. However, the present investigation would benefit from additional input from studied experts of international law. A trained eye in the law might see additional indicators within the discourse that have so far gone unnoticed. Furthermore, the conclusions of this thesis might be strengthened by a further analysis of the legal references found in the discourse. I welcome such a review.

APPENDIX I

*Fairclough's 10 Guiding Questions When Doing Discourse Analysis:*¹⁷

A. Vocabulary

1. What *experiential* values do words have?
 - What classification schemes are drawn upon?
 - Are there words which are ideologically contested?
 - Is there *rewording* or *overwording*?
 - What ideologically significant meaning relations are there between words?
2. What *relational* values do words have?
 - Are there euphemistic expressions?
 - Are there markedly formal or informal words?
3. What *expressive* values do words have?
4. What metaphors are used?

B. Grammar

5. What *experiential* values do grammatical features have?
 - What types of process and participants predominate?
 - Is agency unclear?
 - Are processes what they seem?
 - Are normalizations used?
 - Are sentences active or passive?
 - Are sentences positive or negative?
6. What *relational* values do grammatical features have?
 - What modes are used?
 - Are there important features of relational modality?
 - Are the pronouns *we* and *you* used and if so, how?
7. What *expressive* values do grammatical features have?
 - Are there important features of expressive modality?
8. How are (simple) sentences linked together?
 - What logical connectors are used?
 - Are complex sentences characterized by coordination or/ subordination?
 - What means are used for referring inside and outside the text?

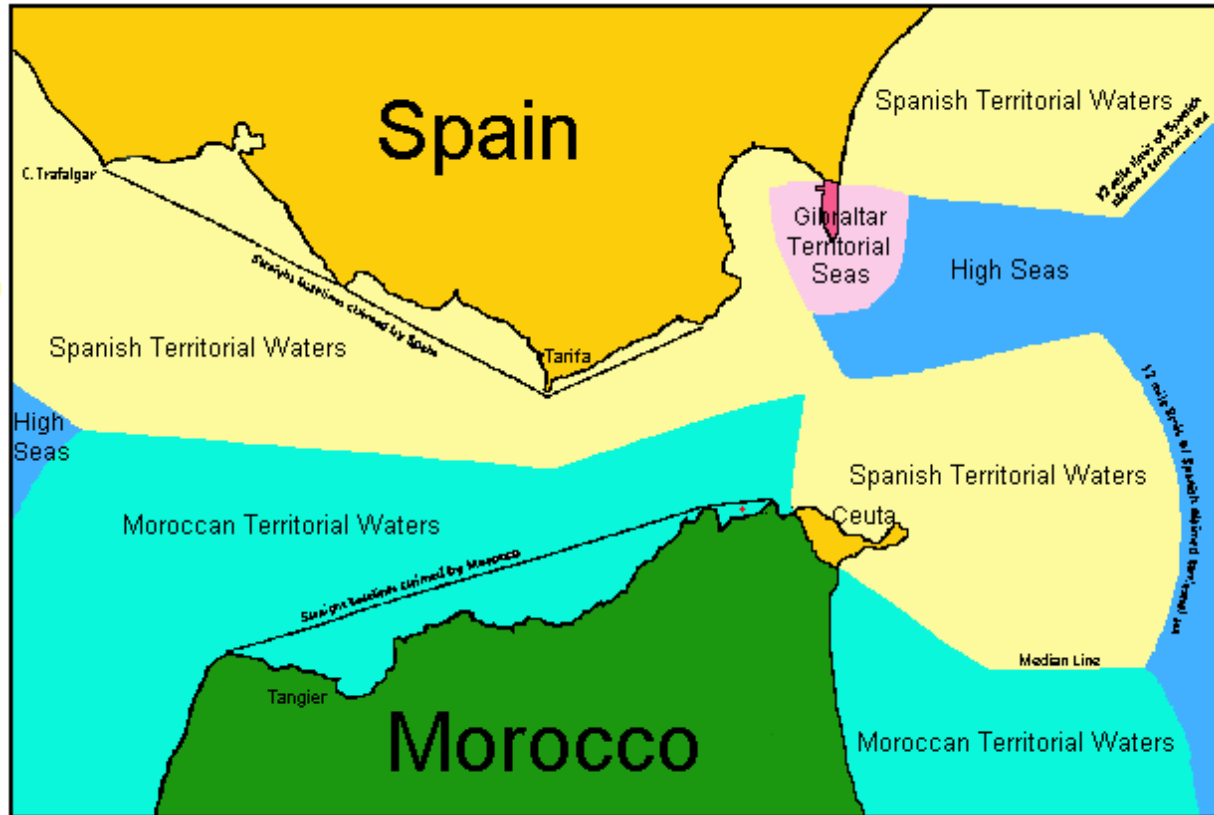
C. Textual structures

9. What interactional conventions are used?
 - Are there ways in which one participant controls the turns of others?
10. What larger scale structures does the text have?

¹⁷ (“Language And Power”)

APPENDIX II

“TERRITORIAL WATERS OF GIBRALTAR”



Based on information from the House of Commons Library © 1999

Figure 3 (“Gibraltar Territorial Waters”)

WORKS CITED

“About.” *The Princeton Encyclopedia of Self-Determination*, <https://pesd.princeton.edu/about>.

Accessed 12 Dec. 2021.

“Accordance with International Law of the Unilateral Declaration of Independence in Respect of

Kosovo”. *International Court of Justice*, 22 July 2010, [https://www.icj-](https://www.icj-cij.org/public/files/case-related/141/141-20100722-ADV-01-00-EN.pdf)

[cij.org/public/files/case-related/141/141-20100722-ADV-01-00-EN.pdf](https://www.icj-cij.org/public/files/case-related/141/141-20100722-ADV-01-00-EN.pdf). Accessed 1 July

2022.

Acheoah, John, Joel Olaleye, and Acheoah Ofeh. “Language in Conflict Resolution in Africa:

The Discourse Strategies.” *American Research Journal of English and Literature*, vol. 3,

no. 1, 2017, pp. 1–10.

Ahmad, Muhammad. *Critical Discourse Analysis of Benazir Bhutto’s Speeches*. GIFT

University, 1 Jan. 2015. *ResearchGate*,

[file:///C:/Users/bkbla/Downloads/criticaldiscourseanalysisofbenazirbhuttosselectedspeech](file:///C:/Users/bkbla/Downloads/criticaldiscourseanalysisofbenazirbhuttosselectedspeeches.pdf)

[es.pdf](file:///C:/Users/bkbla/Downloads/criticaldiscourseanalysisofbenazirbhuttosselectedspeeches.pdf). Accessed 10 July 2022.

Alameda, Ángela. “SFL and CDA: Contributions of the analysis of the transitivity system in the

study of the discursive construction of national identity (case study: Gibraltar).” *The*

Linguistics Journal, vol. 3, no. 3, 2008, pp. 160-175.

[https://citeseerx.ist.psu.edu/viewdoc/download?doi=10.1.1.418.391&rep=rep1&type=pdf](https://citeseerx.ist.psu.edu/viewdoc/download?doi=10.1.1.418.391&rep=rep1&type=pdf#page=160)

[#page=160](https://citeseerx.ist.psu.edu/viewdoc/download?doi=10.1.1.418.391&rep=rep1&type=pdf#page=160). Accessed 7 July 2022.

--- “The 2016 EU Referendum in Gibraltar: Opinion Articles in Gibraltarian News.” *Reporting*

the Road to Brexit: International Media and the EU Referendum 2016, 2018, pp. 127–42.

ResearchGate, https://doi.org/10.1007/978-3-319-73682-2_8. Accessed 7 July 2022.

--- *The Discursive Construction of Gibraltarian Identity in the Printed Press: A Critical*

- Discourse Analysis of Editorial Articles on the Gibraltar Issue*. Departamento de Filología Inglesa y Alemana, Universidad de Granada, 2006. *Open WorldCat*, <http://epub.sub.uni-hamburg.de/epub/volltexte/2009/2035/>. Accessed 7 July 2022.
- Allan, Pierre, and Alexis Keller. "The Concept of a Just Peace, or Achieving Peace Through Recognition, Renunciation, and Rule." *What Is a Just Peace?*, edited by Pierre Allan, Oxford University Press, 2006.
- Allen, Stephen. "Self-Determination, the Chagos Advisory Opinion and the Chagossians." *The International and Comparative Law Quarterly*, vol. 69, no. 1, Jan. 2020, pp. 203–20. *ProQuest*, <https://doi.org/10.1017/S0020589319000526>. Accessed 2 July 2022.
- Altmann, Philipp. "The Right to Self-Determination': Right and Laws Between Means of Oppression and Means of Liberation in the Discourse of the Indigenous Movement of Ecuador." *International Journal for the Semiotics of Law - Revue Internationale de Sémiotique Juridique*, vol. 29, no. 1, Mar. 2016, pp. 121–34. *DOI.org (Crossref)*, <https://doi.org/10.1007/s11196-015-9415-z>.
- Amador, María Vázquez. "Introducción al yanito de Gibraltar." *E-Aesla*, issue 4, 2018, pp. 323–330, <https://cvc.cervantes.es/LENGUA/eaesla/pdf/04/32.pdf>. Accessed 5 July 2022.
- Archer, E.G. "An Imperial Legacy – British by Inclination: Socialization, Education and a Gibraltarian Sense of Identity." *The International Journal of the History of Sport*, vol. 22, no. 4, July 2005, pp. 582–99. *DOI.org (Crossref)*, <https://doi.org/10.1080/09523360500122897>. Accessed 6 July 2022.
- *Gibraltar, Identity and Empire*. Routledge, 2005, <https://doi.org/10.4324/9780203390078>. Accessed 6 July 2022.
- Barker, Ernest. *National Character and the Factors in its Formation*. Methuen, 1927.

- Bendix, Reinhard. *Kings or People: Power and the Mandate to Rule*. University of California Press, Berkeley, 1978.
- Blinkhorn, M. "A question of identity: how the people of Gibraltar became Gibraltarians". in D. Killingray and D. Taylor eds., *The United Kingdom Overseas Territories, Past, Present and Future*, London: Institute of Commonwealth Studies, 2005.
- Bonamy, Vivian Joelle. "Yanito Codeswitching and Language Use in Gibraltar." The University of Alabama. *ProQuest*,
<https://www.proquest.com/docview/304682386/abstract/A0544D11C7514FBEPQ/1>.
Accessed 5 July 2022.
- Bossano, Joseph. "Address to the Committee of 24 United Nations." *Government of Gibraltar*, 19 June 2001,
<http://www.gibraltarlawoffices.gov.gi/uploads/files/speeches/2001,%2019%20June%20-%20Hon%20J%20J%20Bossano%20-%20Leader%20of%20the%20Opposition.pdf>.
Accessed 21 July 2022.
- "STATEMENT BY JOSEPH BOSSANO." *United Nations*. 2 May 2019,
https://www.un.org/dppa/decolonization/sites/www.un.org.dppa.decolonization/files/2019_2_nsgt_gibraltar_crs_2019_crp.7.pdf. Accessed 21 July 2022.
- "The Right to Self-Determination." *Government of Gibraltar*, 14 July 1993,
<http://www.gibraltarlawoffices.gov.gi/uploads/files/speeches/1993,%2014%20July%20-%20Hon%20J%20J%20Bossano%20-%20Chief%20Minister.pdf>. Accessed 21 July 2022.

- “The Right to Self-Determination.” *Government of Gibraltar*, 12 Oct. 1993,
<http://www.gibraltarlawoffices.gov.gi/uploads/files/speeches/fourth/1993,%2012%20October%20-%20Hon%20J%20J%20Bossano%20-%20CM.pdf>. Accessed 21 July 2022.
- “The Right to Self-Determination.” *Government of Gibraltar*, 12 July 1994,
<http://www.gibraltarlawoffices.gov.gi/uploads/files/speeches/1994,%2012%20July%20-%20Hon%20J%20Bossano%20-%20Chief%20Minister.pdf>. Accessed 21 July 2022.
- “The Right to Self-Determination.” *Government of Gibraltar*, 11 Oct. 1994,
<http://www.gibraltarlawoffices.gov.gi/uploads/files/speeches/fourth/1994,%2011%20October%20-%20Hon%20J%20J%20Bossano%20-%20CM.pdf>. Accessed 21 July 2022.
- “The Right to Self-Determination.” *Government of Gibraltar*, 11 July 1995,
<http://www.gibraltarlawoffices.gov.gi/uploads/files/speeches/1995,%2011%20July%20-%20Hon%20J%20J%20Bossano%20-%20Chief%20Minister.pdf>. Accessed 21 July 2022.
- “The Right to Self-Determination.” *Government of Gibraltar*, 9 Oct. 1995,
<http://www.gibraltarlawoffices.gov.gi/uploads/files/speeches/fourth/1995,%2009%20October%20-%20Hon%20J%20J%20Bossano%20-%20CM.pdf>. Accessed 21 July 2022.
- “The Right To Self-Determination - Speech By Sir Joe At The UN Caribbea.” *Your Gibraltar TV*, <https://www.yourgibaltartv.com/society/23993-the-right-to-self-determination-speech-by-sir-joe-at-the-un-caribbean-seminar>. Accessed 1 Dec. 2021.

Brewer, John D. *Peace processes: A sociological approach*. Polity, 2010.

Bull, Peter and Anne-Marie Simon-Vandenberg. “Conflict in political discourse. Conflict as congenital to political discourse.” *The Routledge Handbook of Language in Conflict*.

New York, NY: Routledge, edited by Evans, Matthew B., et al., 2019.

<https://doi.org/10.4324/9780429058011>. Accessed 8 July 2022.

Cassese, Antonio. *International Law*. OUP Oxford, 2005,

[https://books.google.com.mt/books?id=-](https://books.google.com.mt/books?id=-UacAQAAQBAJ&printsec=frontcover&source=gbs_ge_summary_r&cad=0#v=onepage&q&f=false)

[UacAQAAQBAJ&printsec=frontcover&source=gbs_ge_summary_r&cad=0#v=onepage](https://books.google.com.mt/books?id=-UacAQAAQBAJ&printsec=frontcover&source=gbs_ge_summary_r&cad=0#v=onepage&q&f=false)
&q&f=false. Accessed 11 Dec. 2021.

--- *Self-determination of peoples: a legal reappraisal*. Vol. 12. Cambridge University Press, 1995.

Carrasco, Juan Francisco Daniel, and María Consuelo Montes Granado. *Contact Linguistics: Gibraltar as a Case Study*. Universidad de Salamanca, 2017.

https://gredos.usal.es/bitstream/handle/10366/135779/TG_DanielCarrascoJ_Contactlinguistics.pdf?sequence=1. Accessed 5 July 2022.

Caruana, Peter. “Full Text of an Address” *Government of Gibraltar*, 5 July 2000,

<http://www.gibraltarlawoffices.gov.gi/uploads/files/speeches/2000,%205%20July%20-%20Hon%20P%20Caruana%20-%20Chief%20Minister.pdf>. Accessed 21 July 2022.

--- “Full Text of an Address” *Government of Gibraltar*, 27 Sept. 2000,

<http://www.gibraltarlawoffices.gov.gi/uploads/files/speeches/fourth/2000,%2027%20September%20-%20Hon%20P%20Caruana%20-%20CM.pdf>. Accessed 21 July 2022.

--- “Full Text of an Address” *Government of Gibraltar*, 19 June 2001,

<http://www.gibraltarlawoffices.gov.gi/uploads/files/speeches/2001,%2019%20June%20-%20Hon%20P%20Caruana%20-%20Chief%20Minister.pdf>. Accessed 21 July 2022.

--- “Full Text of an Address” *Government of Gibraltar*, 10 Oct. 2001,

<http://www.gibraltarlawoffices.gov.gi/uploads/files/speeches/fourth/2001,%2010%20Oct>

- ober%20%20%20-%20%20%20Hon%20P%20Caruana%20-%20CM.pdf. Accessed 21 July 2022.
- “Full Text of an Address” *Government of Gibraltar*, 6 June 2002,
<http://www.gibraltarlawoffices.gov.gi/uploads/files/speeches/2002,%2006%20June%20-%20Hon%20P%20Caruana%20-%20Chief%20Minister.pdf>. Accessed 21 July 2022.
- “Full Text of an Address” *Government of Gibraltar*, 3 Oct. 2002,
<http://www.gibraltarlawoffices.gov.gi/uploads/files/speeches/fourth/2002,%2003%20Oct ober%20-%20Hon%20P%20Caruana%20-%20CM.pdf>. Accessed 21 July 2022.
- “Full Text of an Address” *Government of Gibraltar*, 4 June 2003,
<http://www.gibraltarlawoffices.gov.gi/uploads/files/speeches/2003,%204%20June%20-%20Hon%20P%20Caruana%20-%20Chief%20Minister.pdf>. Accessed 21 July 2022.
- “Full Text of an Address” *Government of Gibraltar*, 8 Oct. 2003,
<http://www.gibraltarlawoffices.gov.gi/uploads/files/speeches/fourth/2003,%2008%20Oct ober%20-%20Hon%20P%20Caruana%20-%20CM.pdf>. Accessed 21 July 2022.
- “Full Text of an Address” *Government of Gibraltar*, 8 June 2004,
<http://www.gibraltarlawoffices.gov.gi/uploads/files/speeches/2004,%2008%20June%20-%20Hon%20P%20Caruana%20-%20Chief%20Minister.pdf>. Accessed 21 July 2022.
- “Full Text of an Address to the United Nations Committee of 24” *Government of Gibraltar*, 23 July 1996,
<http://www.gibraltarlawoffices.gov.gi/uploads/files/speeches/1996,%2023%20July%20-%20Hon%20P%20Caruana%20-%20Chief%20Minister.pdf>. Accessed 21 July 2022.
- “Full Text of an Address to the United Nations Committee of 24” *Government of Gibraltar*, 6 June 1997,

<http://www.gibraltarlawoffices.gov.gi/uploads/files/speeches/1997,%2006%20June%20-%20Hon%20P%20Caruana%20-%20Chief%20Minister.pdf>. Accessed 21 July 2022.

--- “Full Text of an Address to the United Nations Fourth Committee” *Government of Gibraltar*, 9 Oct. 1997,

<http://www.gibraltarlawoffices.gov.gi/uploads/files/speeches/fourth/1997,%2009%20October%20-%20Hon%20P%20Caruana%20-%20CM.pdf>. Accessed 21 July 2022.

--- “Full Text of an Address to the United Nations Fourth Committee” *Government of Gibraltar*, 7 Oct. 1998,

<http://www.gibraltarlawoffices.gov.gi/uploads/files/speeches/fourth/1996,%2007%20October%20-%20Hon%20P%20Caruana%20-%20CM.pdf>. Accessed 21 July 2022.

--- “Press Release” *Government of Gibraltar*, 06 Oct. 2004,

<http://www.gibraltarlawoffices.gov.gi/uploads/files/speeches/fourth/2004,%2006%20October%20-%20Hon%20P%20Caruana%20-%20CM.pdf>. Accessed 21 July 2022.

Chernev, Borislav. “The Brest-Litovsk Moment: Self-Determination Discourse in Eastern Europe before Wilsonianism.” *Diplomacy & Statecraft*, vol. 22, no. 3, Sept. 2011, pp. 369–87. *DOI.org (Crossref)*, <https://doi.org/10.1080/09592296.2011.599635>. Accessed 7 July 2022.

Chilton, Paul A. “The Role of Language in Human Conflict: Prolegomena to the Investigation of Language as a Factor in Conflict Causation and Resolution” *Language and Conflict: A Neglected Relationship. Clevedon: Multilingual Matters*, edited by Sue Wright, 1998. Print.

Christys, Patrick. “‘F***** Disgusting!’ Gibraltarians Rile against Spain’s Posturing and Vow to Defend Rock.” *Express.Co.Uk*, 2 Apr. 2017,

<https://www.express.co.uk/news/uk/786960/Gibraltar-Spain-EU-European-Union-British-sovereignty-Theresa-May>. Accessed 6 July 2022.

Constantine, Stephen. *Community and Identity: The Making of Modern Gibraltar Since 1704*. Manchester University Press, 2009. *ProQuest EbookCentral*, <http://ebookcentral.proquest.com/lib/gmu/detail.action?docID=1069600>. Accessed 5 July 2022.

--- “The Pirate, the Governor and the Secretary of State: Aliens, Police and Surveillance in Early Nineteenth-Century Gibraltar.” *The English Historical Review*, vol. CXXIII, no. 504, Oct. 2008, pp. 1166–92. *DOI.org (Crossref)*, <https://doi.org/10.1093/ehr/cen251>. Accessed 6 July 2022.

Dalle Mulle, Emmanuel. “New Trends in Justifications for National Self-Determination: Evidence from Scotland and Flanders.” *Ethnopolitics*, vol. 15, no. 2, Mar. 2016, pp. 211–29. *DOI.org (Crossref)*, <https://doi.org/10.1080/17449057.2015.1008786>. Accessed 3 July 2022.

Danspeckgruber, Wolfgang, and Anne-Marie Gardener. “Self-Determination.” *The Princeton Encyclopedia of Self-Determination*, <https://pesd.princeton.edu/node/656>. Accessed 11 Dec. 2021.

Danspeckgruber, Wolfgang F., ed. *The self-determination of peoples: community, nation, and state in an interdependent world*. Lynne Rienner Publishers, 2002.

Dworkin, G. ‘The Concept of Autonomy’. Christman, J. (ed.) *The Inner Citadel: Essays on Individual Autonomy*, New York: Oxford University Press, 1989.

Eisler, R. *Kant-Lexikon*, Hildesheim: Georg Olms Verlag, 1984.

- Fairclough, Norman. "Critical Discourse Analysis". *The Routledge Handbook of Discourse Analysis*. Taylor & Francis Group, 2012. *ProQuest Ebook Central*, <http://ebookcentral.proquest.com/lib/ummt/detail.action?docID=957494>. Accessed 11 July 2022.
- *Critical Discourse Analysis: The Critical Study of Language*. Harlow: Longman, 1995.
- Finlayson, T. 'The Gibraltarian since 1704-' *Gibraltar Heritage Journal*, issue 9, 2002, 23–41.
- *Language and Power*. Harlow: Longman Group UK Limited, 1989.
- Galtung, J. (1980). *Peace and world structure: Essays in peace research*, volume IV. Copenhagen, Norway: Christian Ejlertsen.
- Gareau, Jean François. "Shouting at the Wall: Self-Determination and the Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory." *Leiden Journal of International Law*, vol. 18, no. 3, Oct. 2005, pp. 489–521. ProQuest, <https://doi.org/10.1017/S0922156505002840>. Accessed 1 July 2022.
- Garcia, Joseph. "ADDRESS TO THE 4TH COMMITTEE OF THE UNITED NATIONS." *Government of Gibraltar*, 09 Oct. 2018, <http://www.gibraltarlawoffices.gov.gi/uploads/files/speeches/fourth/2018,%2009%20October%20-%20Hon%20J%20Garcia%20-%20DCM.pdf>. Accessed 21 July 2022.
- "The Deputy Chief Minister's Address to the 4th Committee of the United Nations." *Government of Gibraltar*, 09 Oct. 2019, <https://www.gibraltar.gov.gi/press-releases/the-deputy-chief-ministers-address-to-the-4th-committee-of-the-united-nations-5332>. Accessed 10 Jan. 2022.

- Gee, James Paul, and Michael Handford. "Introduction". *The Routledge Handbook of Discourse Analysis*. Taylor & Francis Group, 2012. *ProQuest Ebook Central*, <http://ebookcentral.proquest.com/lib/ummt/detail.action?docID=957494>. Accessed 11 July 2022.
- Gibbons, Garrett. "People of the Rock: The Llanitos of Gibraltar" (2009). 2020. *YouTube*, <https://www.youtube.com/watch?v=hXtttJAGGSc>. Accessed 21 November 2021.
- "Gibraltar Constitution Order 2006." *Gibraltar Laws*, <https://www.gibraltarlaws.gov.gi/papers/gibraltar-constitution-order-2006-6>. Accessed 4 July 2022.
- "Gibraltar--Details." *The World Factbook*, Central Intelligence Agency. *CIA.gov*, <https://www.cia.gov/the-world-factbook/countries/gibraltar/map>. Accessed 1 Sept. 2022.
- "Gibraltar Fact Sheets." Government of Gibraltar, <https://www.gibraltar.gov.gi/press/gibraltar-fact-sheets>. Accessed 6 July 2022.
- "Gibraltar Territorial Waters." <https://www.gibnet.com/fish/waters.htm>. Accessed 5 Sept. 2022.
- Gobierno de España. "History and Legal Aspects of the Dispute." *Ministerio de Asuntos Exteriores, Unión Europea y Cooperación*, 2021, <http://www.exteriores.gob.es/portal/en/politicaexteriorcooperacion/gibraltar/paginas/historia.aspx>. Accessed 4 July 2022.
- Gold, Peter. "APPENDIX 1: THE TREATY OF UTRECHT (2–13 July 1713)." *A Stone in Spain's Shoe*, 1st ed., Liverpool University Press, 1994, pp. 213–14. *JSTOR*, <http://www.jstor.org/stable/j.ctt5vjdq8.28>. Accessed 23 Dec. 2022.

- “THE LISBON AGREEMENT: July 1979–April 1980.” *A Stone in Spain’s Shoe*, 1st ed., Liverpool University Press, 1994, pp. 20–26. *JSTOR*, <http://www.jstor.org/stable/j.ctt5vjdq8.6>. Accessed 23 Dec. 2021.
- “TOWARDS THE BRUSSELS DECLARATION: March 1983–November 1984.” *A Stone in Spain’s Shoe*, 1st ed., Liverpool University Press, 1994, pp. 68–84. *JSTOR*, <http://www.jstor.org/stable/j.ctt5vjdq8.12>. Accessed 23 Aug. 2022.
- Guerrero-Liston, David. “Address to the Fourth Committee of the United Nations - 724/2021.” *Government of Gibraltar*, 7 Oct. 2021, <https://www.gibraltar.gov.gi/press-releases/address-to-the-fourth-committee-of-the-united-nations-7242021-7304>. Accessed 21 November 2021.
- “Address to the United Nations Committee of 24 - 453/2021.” *Government of Gibraltar*, <https://www.gibraltar.gov.gi/press-releases/address-to-the-united-nations-committee-of-24-4532021-7020>. Accessed 8 Jan. 2022.
- Guibernau, Montserrat. “Self-Determination in the Twenty-First Century”. *Ethnopolitics*, vol. 14, no. 5, Oct. 2015, pp. 540–46. DOI.org (Crossref), <https://doi.org/10.1080/17449057.2015.1051814>. Accessed 14 June 2022.
- Gurr, Ted Robert. *Why men rebel*. Routledge, 2015.
- Hannum, Hurst. “Legal Aspects of Self-Determination.” *The Princeton Encyclopedia of Self-Determination*, <https://pesd.princeton.edu/node/511>. Accessed 12 Dec. 2021.
- “The Right of Self-Determination in the Twenty-First Century.” *Washington and Lee Law Review*, vol. 55, no. 3, Washington and Lee University, School of Law, 1998, p. 773–, <https://scholarlycommons.law.wlu.edu/cgi/viewcontent.cgi?referer=&httpsredir=1&article=1515&context=wlulr>. Accessed 11 Dec. 2021.

- Hayward, Katy and O'Donnell Catherine. *Political Discourse and Conflict Resolution: Debating Peace in Northern Ireland*. Taylor & Francis Group, 2010. *ProQuest Ebook Central*, <http://ebookcentral.proquest.com/lib/ummt/detail.action?docID=589584>. Accessed 13 July 2022.
- Higgins, Rosalyn. *Separate Opinion of Judge Higgins*. International Court of Justice, 9 July 2004. <https://www.icj-cij.org/public/files/case-related/131/131-20040709-ADV-01-02-EN.pdf>. Accessed 2 July 2022.
- Horowitz, Donald L. *Ethnic groups in conflict*, updated edition with a new preface. Univ of California Press, 2000.
- "Self-Determination: Politics, Philosophy, and Law" in M. Moore (ed.), *National Self-Determination and Secession*, Oxford University Press, Oxford, 1998.
- Howes, H.W. *The Gibraltarian: the Origin and Development of the Population of Gibraltar from 1704*. Gibraltar: Medsun, 3rd ed., 1991.
- Hroch, Mirsolav. 'From National Movement to the Fully-Formed Nation: The nation-building process in Europe,' Gopal Balakrishnan (ed.) *Mapping the Nation*, New York: Verso, 1996.
- International Committee of Jurists. *Report of the International Committee of Jurists entrusted by the Council of the League of Nations with the task of giving an advisory opinion upon the legal aspects of the Aaland Islands question*. League of Nations, League of Nations Official Journal, Spec. Supp. No. 3, Oct. 1920, <https://www.ilsa.org/Jessup/Jessup10/basicmats/aaland1.pdf>. Accessed 13 De. 2021.

- International Court of Justice, *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory*. 9 July 2004. <https://www.icj-cij.org/public/files/case-related/131/131-20040709-ADV-01-00-EN.pdf>. Accessed 2 July 2022.
- *Legal Consequences of the Separation of the Chagos Archipelago From Mauritius in 1965*. 25 Feb. 2019. <https://www.icj-cij.org/public/files/case-related/169/169-20190225-ADV-01-00-EN.pdf>. Accessed 2 July 2022.
- Jackson, Ben. "The Political Thought of Scottish Nationalism." *Political Quarterly*, vol. 85, no. 1, Jan. 2014, pp. 50–56. *EBSCOhost*, <https://doi-org.ejournals.um.edu.mt/10.1111/j.1467-923X.2014.12058.x>. Accessed 3 July 2022.
- Jefferies, Leslie and Jim O’Driscoll. "Introduction". *The Routledge Handbook of Language in Conflict*. edited by Matthew Evans, et al., Routledge, 2019, <https://doi.org/10.4324/9780429058011>. Accessed 8 July 2022.
- Johnston, Whittle. "Reflections on Wilson and the Problems of World Peace." *Woodrow Wilson and a Revolutionary World 1921*, edited by Arthur Link, University of North Carolina Press, 1982.
- Judgments, Advisory Opinions and Orders. *International Court of Justice*. <https://www.icj-cij.org/en/decisions/advisory-opinion/2002/2022/desc>. Accessed 1 July 2022.
- Kattan, Victor. "The Chagos Advisory Opinion and the Law of Self-Determination." *Asian Journal of International Law*, vol. 10, no. 1, Jan. 2020, pp. 12–22. *ProQuest*, <https://doi.org/10.1017/S2044251319000195>. Accessed 2 July 2022.
- Knudsen, Rita Augestad. *Moments of Self-Determination: The Concept of ‘Self-Determination’ and the Idea of Freedom in 20th- and 21st- Century International Discourse*. The London

- School of Economics and Political Science, PhD Dissertation, 2013.
<http://etheses.lse.ac.uk/923/>. Accessed 12 Dec. 2021.
- Korostelina, K. *Social Identity and Conflict : Structures, Dynamics, and Implications*. Palgrave Macmillan US, 2007. *ProQuest Ebook Central*, <https://ebookcentral-proquest-com.mutex.gmu.edu/lib/gmu/detail.action?docID=496118>. Accessed 28 May 2022.
- Kress, Gunther. "Critical discourse analysis." *Annual review of applied linguistics*, iss. 11, 1990, 84-99.
- Kriesberg, Louis. 'Identity Issues,' Guy Burgess and Heidi Burgess (eds.) *Beyond Intractability*, Boulder, CO: Conflict Research Consortium, University of Colorado, 2003.
<http://wiscomp.org/pubn/wiscomp-peace-prints/3-2/louis.pdf>. Accessed 21 June 2022.
- Kuokkanen, Rauna. "Self-Determination: Foundational Value." *Restructuring Relations*, Oxford University Press, 2019. University Press Scholarship,
<https://doi.org/10.1093/oso/9780190913281.003.0002>. Accessed 7 July 2022.
- Lansing, Robert. *The peace negotiations: a personal narrative*. Houghton Mifflin Company, Boston and New York, 1921.
- Leathley, Christian. "Gibraltar's Quest for Self-Determination: A Critique of Gibraltar's New Constitution Critique." *Oregon Review of International Law*, vol. 9, no. 1, 2007, pp. 153–86, *HeinOnline*. <https://heinonline.org/HOL/P?h=hein.journals/porri19&i=155>. Accessed 4 July 2022.
- Lederach, John Paul. *Preparing For Peace*. DGO-Digital original, Syracuse University Press, 1995, pp. 73–84. *JSTOR*, <https://doi.org/10.2307/j.ctv10kmc7m.12>. Accessed 13 July 2022.

--- "Justpeace: The challenge of the 21st century." *People Building Peace*, iss. 35, 1999, pp. 27-36.

Levrat, Nicolas. "The Right to National Self-determination within the EU: A Legal Investigation." *University of Geneva*, 2017. https://www.ibei.org/working-paper-08-euborders_145133.pdf. Accessed 3 July 2022.

Levey, D. *Language Variation and Change in Gibraltar*. Benjamins, Amsterdam and New York, 2008.

Lie, John. *Modern peoplehood*. Harvard University Press, 2004.

Lincoln, Simon J. "The Legal Status of Gibraltar: Whose Rock Is It Anyway?" *Fordham International Law Journal*, vol. 18, no. 1, 1994.

Lipski, John M. "SOBRE EL BILINGÜISMO ANGLO-HISPÁNICO EN GIBRALTAR." *Neuphilologische Mitteilungen*, vol. 87, no. 3, 1986, pp. 414–27, *JSTOR*, <https://www.jstor.org/stable/43343759>. Accessed 3 July 2022.

Lynch, Allen. "Woodrow Wilson and the Principle of 'National Self-Determination': A Reconsideration." *Review of International Studies*, vol. 28, no. 2, Apr. 2002, pp. 419–36. DOI.org (Crossref), <https://doi.org/10.1017/S0260210502004199>. Accessed 13 Dec. 2021.

MacMillan, Margaret, *Paris 1919*. Random House, 2003, New York, p. Viii.

Mamdani, Mahmood. *When victims become killers: Colonialism, nativism, and the genocide in Rwanda*. Princeton University Press, 2020.

Mark, Rudolf A. "National Self-Determination, as Understood by Lenin and the Bolsheviks." *Lithuanian Historical Studies*, vol. 13, no.1, Brill and Schöningh, 2008, DOI <http://dx.doi.org/10.30965/25386565-01301004>. Accessed 15 Dec. 2021.

- Marshment, Alice Mayen. “A State of One’s Own: Self-Determination and the Legal Discourse of Identity”. University of Toronto (Canada), 2001, *ProQuest*,
<https://www.proquest.com/docview/304754728/abstract/C672444C085544B3PQ/1>.
Accessed 7 July 2022.
- Martínez Del Campo, Luis. G. et al. “‘Franco Lives!’ Spanish Facism and the Creation of a British Gibraltar Identity”. *Bordering on Britishness*, edited by Andrew Canessa, Springer International Publishing, 2019, pp. 167-194. DOI.org (Crossref),
https://doi.org/10.1007/978-3-319-99310-2_4. Accessed 15 May 2022.
- Mukherjee, Joia S., et al. “Structural Violence: A Barrier to Achieving the Millennium Development Goals for Women.” *Journal of Women’s Health*, vol. 20, no. 4, Apr. 2011, pp. 593–97. DOI.org (Crossref), <https://doi.org/10.1089/jwh.2010.2375>. Accessed 14 July 2022.
- Muller, Karis. “Being ‘European’ in Gibraltar.” *Journal of European Integration*, vol. 26, no. 1, Mar. 2004, pp. 41–60. DOI.org (Crossref),
<https://doi.org/10.1080/0703633042000197753>. Accessed 6 July 2022.
- Mullet, Dianna R. “A General Critical Discourse Analysis Framework for Educational Research.” *Journal of Advanced Academics*, vol. 29, no. 2, May 2018, pp. 116–42. *ProQuest*, <https://doi.org/10.1177/1932202X18758260>. Accessed 8 July 2022.
- Netherlands. *Oral Statement*, 10 December 2009. <https://www.icj-cij.org/public/files/case-related/141/141-20091210-ORA-01-00-BI.pdf>. Accessed 1 July 2022.
- Norris, H. T. “The Early Islamic Settlement in Gibraltar.” *The Journal of the Royal Anthropological Institute of Great Britain and Ireland*, vol. 91, no. 1, 1961, pp. 39–51. *JSTOR*, <https://doi.org/10.2307/2844467>. Accessed 23 Aug. 2022.

- Orsini, Giacomo, Andrew Canessa, and Luís Martínez. "Gibraltar as a gated community: A critical look at Gibraltarian nationalism." *Barrier and bridge: Spanish and Gibraltarian perspectives on their Border*, 2018, pp. 150-74.
- https://www.researchgate.net/profile/Giacomo-Orsini/publication/328382119_Chapter_Six_Gibraltar_as_a_gated_community_A_critical_look_at_Gibraltarian_nationalism/links/5ccacca6a6fdcce35cd2db6b/Chapter-Six-Gibraltar-as-a-gated-community-A-critical-look-at-Gibraltarian-nationalism.pdf.
- Accessed 6 July 2022.
- "The Strategic Mobilisation of the Border in Gibraltar: The Postcolonial (Re)Production of Privilege and Exclusion." *Cromohs*, vol. 23, Mar. 2021, pp. 60–75. *ProQuest*, <http://dx.doi.org/10.36253/cromohs-12503>.
- "Paderewski to Wilson." *Papers of Woodrow Wilson*, May 31, 1919, vol. 59, p.638.
- Page, Stanley W. "Lenin and Self-Determination." *The Slavonic and East European Review*, vol. 28, no. 71, Modern Humanities Research Association, 1950, <http://www.jstor.org/stable/4204138>. Accessed 15 Dec. 2021.
- Picardo, Fabian. "ADDRESS TO UNITED NATIONS C-24." *Government of Gibraltar*, 12 June 2017, <http://www.gibraltarlawoffices.gov.gi/uploads/files/speeches/2017,%2012%20June%20-%20Hon%20F%20Picardo%20-%20Chief%20Minister.pdf>. Accessed 21 July 2022.
- "CHIEF MINISTER'S ADDRESS COMMITTEE OF 24." *Government of Gibraltar*. 11 June 2018, <http://www.gibraltarlawoffices.gov.gi/uploads/files/speeches/2018,%2011%20June%20-%20Hon%20F%20Picardo%20-%20Chief%20Minister.pdf>. Accessed 21 June 2022.

- “CHIEF MINISTER’S ADDRESS TO THE FOURTH COMMITTEE OF THE UNITED NATIONS GENERAL ASSEMBLY.” *Government of Gibraltar*, 4 Oct. 2016, <http://www.gibraltarlawoffices.gov.gi/uploads/files/speeches/fourth/2016,%2004%20October%20-%20Hon%20F%20Picardo%20-%20CM.pdf>. Accessed 21 July 2022.
- “CHIEF MINISTER’S ADDRESS TO THE FOURTH COMMITTEE OF THE UNITED NATIONS GENERAL ASSEMBLY.” *Government of Gibraltar*, 4 Oct. 2017, <http://www.gibraltarlawoffices.gov.gi/uploads/files/speeches/fourth/2017,%2004%20October%20-%20Hon%20F%20Picardo%20-%20CM.pdf>. Accessed 21 July 2022.
- “Chief Minister’s Address To The UN Committee Of 24.” Your Gibraltar TV, 18 June 2019, <https://www.yourgibraltartv.com/politics/19405-chief-minister-s-address-to-the-un-committee-of-24>. Accessed 10 Jan. 2022.
- “CHIEF MINISTER'S ADDRESS TO THE UNITED NATIONS COMMITTEE OF 24.” *Government of Gibraltar*, 13 June 2022, <https://www.gibraltar.gov.gi/press-releases/chief-ministers-address-to-the-united-nations-committee-of-24-4042022-8013>. Accessed 21 July 2022.
- “THE C24: A FAILING MANDATE & A BETRAYAL OF THE PEOPLE OF NON-SELF GOVERNING TERRITORIES.” *Government of Gibraltar*, 24 June 2016, <http://www.gibraltarlawoffices.gov.gi/uploads/files/speeches/2016,%20June%20-%20Hon%20F%20Picardo%20-%20Chief%20Minister.pdf>. Accessed 21 July 2022.
- Plank, Geoffrey. “Making Gibraltar British in the Eighteenth Century.” *History*, vol. 98, no. 331, July 2013, pp. 346–69. *EBSCOhost*, <https://doi.org/10.1111/1468-229X.12013>. Accessed 6 July 2022.

- Porter, Inge V. "Two Case Studies in Self-Determination: The Rock and the Bailiwick." *San Diego Int'l LJ*, issue 4, 2003.
- "Request for Advisory Opinion | LEGAL CONSEQUENCES OF THE SEPARATION OF THE CHAGOS ARCHIPELAGO FROM MAURITIUS IN 1965". *International Court of Justice*, 22 June 2017. <https://www.icj-cij.org/public/files/case-related/169/169-20170623-REQ-01-00-EN.pdf>. Accessed 2 July 2022.
- Roepstorff, Kristina. *The Politics of Self-Determination: Beyond the Decolonisation Process*. Taylor & Francis Group, 2012. *ProQuest Ebook Central*, <http://ebookcentral.proquest.com/lib/ummt/detail.action?docID=1075102>. Accessed 13 June 2022.
- Rodríguez, Jesús. "Safeguarding the Strait of Gibraltar." *EL PAÍS English Edition*, 20 Mar. 2015, https://english.elpais.com/elpais/2015/03/11/inenglish/1426084296_703572.html. Accessed 23 Aug. 2022.
- Sakran, Shadi. "Revisiting the 'Recognition' of the Palestinians' Right to Self-Determination: Peoples as Territories." *Groningen Journal of International Law*, vol. 7, no. 2, 2, Feb. 2020, pp. 236–51. ugp.rug.nl, <https://doi.org/10.21827/GroJIL.7.2.236-251>. Accessed 2 July 2022.
- Saul, Matthew. "The Normative Status of Self-Determination in International Law: A Formula for Uncertainty in the Scope and Content of the Right?". *Human Rights Law Review*, Volume 11, Issue 4, December 2011, Pages 609–644, <https://doi.org/10.1093/hrlr/ngr025>. Accessed 1 July 2022.
- Schiffrin, Deborah, Deborah Tannen, and Heidi E. Hamilton. "Introduction to the First Edition". *The handbook of discourse analysis*, edited by Deborah Tannen, et al., John Wiley &

- Sons, 2015, p. 349-371,
http://www.sscnet.ucla.edu/anthro/faculty/ochs/articles/Ochs_2015_Discursive_Underpinings.pdf#page=496. Accessed 8 July 2022.
- Smith, Dan. “Language and Discourse in Conflict and Conflict Resolution.” *Current Issues in Language and Society*, vol. 4, no. 3, 1997, pp. 190–214.
- Smith, Rachel Heeter. “A Disgrace to Her Colours”: The Mediterranean Population Problem & Tactics of Governmentality in Eighteenth-Century Gibraltar”. University of Illinois at Urbana-Champaign. *ProQuest*,
<https://www.proquest.com/docview/1872352473/abstract/9DC6099724144C27PQ/1>. Accessed 18 Feb. 2022.
- Stewart, Frances, ed. *Horizontal inequalities and conflict: Understanding group violence in multiethnic societies*. Springer, 2016.
- Stockey, Gareth. “Us and Them: British and Gibraltar Colonialism in the Campo de Gibraltar c. 1900–1954.” *Bordering on Britishness*, edited by Andrew Canessa, Springer International Publishing, 2019, pp. 91–119. *DOI.org (Crossref)*,
https://doi.org/10.1007/978-3-319-99310-2_4. Accessed 6 July 2022.
- Suchora, Marta. “¿Qué lengua are you speaking? - ¡El llanito! El uso del cambio de código entre el español y el inglés en Gibraltar”. UMEA Universitet, 2020, <https://www.diva-portal.org/smash/get/diva2:1427767/FULLTEXT01.pdf>. Accessed 5 July 2022.
- “Summary Report”. Liechtenstein Institute of Self-Determination, Princeton, May 2019,
https://dataspace.princeton.edu/bitstream/88435/dsp018w32r8403/1/SDConflict_May2019.pdf. Accessed 15 July 2022.

- Summers, James. *Peoples and International Law*, BRILL, 2013. *ProQuest Ebook Central*, <https://ebookcentral-proquest-com.ejournals.um.edu.mt/lib/ummt/detail.action?docID=3004287>. Accessed 17 June 2022.
- Suurmond, Jeannine M. “Our Talk and Walk: Discourse Analysis and Conflict Studies”. *Clingendael*, Netherlands Institute of International Relations, Oct. 2005, https://www.clingendael.org/sites/default/files/pdfs/20051000_cru_working_paper_35.pdf. Accessed 13 July 2022.
- The Bible*. Authorized King James Version, Oxford UP, 1998.
- The Palgrave Handbook of Languages and Conflict*. edited by Michael Kelly, et al., Palgrave MacMillan, 2019, <https://link-springer-com.ejournals.um.edu.mt/book/10.1007/978-3-030-04825-9>. Accessed 8 July 2022.
- Tong, Maureen. “Determination in the Post-Colonial era: Prospects for the Chagossians” *Eviction from the Chagos Islands: Displacement and Struggle for Identity Against Two World Powers (African History)*, ed. by Sandra Evers and Marry Kooy, BRILL, 2011, pp. 157-180.
- Toszek, Bartłomiej H. “Brexit Referendum in Gibraltar. Result and Effect.” *Białostockie Studia Prawnicze*, University of Szczecin, vol. 24, no. 1, 2019, pp. 93–104. *DOI.org (Crossref)*, <https://doi.org/10.15290/bsp.2019.24.01.07>. Accessed 4 Dec. 2021.
- Treaty of Utrecht*. Canadian Constitutional Foundation. 31 March 1713, <https://primarydocuments.ca/the-treaty-of-utrecht-1713/>. Accessed 21 November 2021.
- Trinidad, Jamie. “Self-Determination and Contested Peoplehood in Gibraltar: Separating the Law from the Rhetoric.” *The Round Table*, vol. 110, no. 3, May 2021, pp. 347–56.

DOI.org (Crossref), <https://doi.org/10.1080/00358533.2021.1933086>. Accessed 4 July 2022.

United Nations. *Charter of the United Nations*. 1945, 1 UNTS XVI,

<https://www.un.org/en/about-us/un-charter/full-text>. Accessed 11 Dec. 2021.

--- *Declaration on Principles of International Law, Friendly Relations, and the Co-Operation*

Among States. Oct. 1970. <https://www.un.org/ruleoflaw/files/3dda1f104.pdf>. Accessed 2 July 2022.

--- *Declaration on the Granting of Independence to Colonial Countries and Peoples*. 14 Dec.

1960, <https://www.ohchr.org/en/instruments-mechanisms/instruments/declaration-granting-independence-colonial-countries-and-peoples>. Accessed 4 July 2022.

--- *Declaration on the Rights of Indigenous Peoples*. 13 Sept. 2007, [https://documents-dds-](https://documents-dds-ny.un.org/doc/UNDOC/GEN/N06/512/07/PDF/N0651207.pdf?OpenElement)

[ny.un.org/doc/UNDOC/GEN/N06/512/07/PDF/N0651207.pdf?OpenElement](https://documents-dds-ny.un.org/doc/UNDOC/GEN/N06/512/07/PDF/N0651207.pdf?OpenElement). Accessed 14 July 2022.

--- *Declaration on the Strengthening of International Security*. 1971, A/RES/2734(XXV).

Available at

<https://digitallibrary.un.org/record/201717?ln=en#record-files-collapse-header>. Accessed 21 November 2021.

--- *International Covenant on Civil and Political Rights*. Dec. 1966,

<https://treaties.un.org/doc/publication/unts/volume%20999/volume-999-i-14668-english.pdf>. Accessed 11 Dec. 2021.

--- *International Covenant on Economic, Social, and Cultural Rights*. Dec. 1966,

<https://treaties.un.org/doc/Publication/UNTS/Volume%20993/volume-993-I-14531-English.pdf>. Accessed 11 Dec. 2021.

--- “Non-Self-Governing Territories”. The United Nations and Decolonization.

<https://www.un.org/dppa/decolonization/en/nsgt>. Accessed 4 July 2022.

--- *Principles Which Should Guide Members in Determining Whether or Not an Obligation Exists to Transmit the Information Called for under Article 73 E of the Charter of the United Nations, United Nations General Assembly Resolution, 1960.*

<https://digitallibrary.un.org/record/206178?ln=en>. Accessed 18 June 2022.

--- *Question of Gibraltar*. 19 Dec. 1967. A/RES/2353(XXII). Available at

[https://undocs.org/A/RES/2352\(XXII\)](https://undocs.org/A/RES/2352(XXII)). Accessed 21 November 2021.

--- *Question of Gibraltar*. 18 Dec. 1968. A/RES/2429(XXIII). Available at

[https://undocs.org/A/RES/2429%20\(XXIII\)](https://undocs.org/A/RES/2429%20(XXIII)). Accessed 21 November 2021.

--- *Report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples*. 25 Oct. 1963, <https://documents-dds-ny.un.org/doc/UNDOC/GEN/NL6/305/59/PDF/NL630559.pdf?OpenElement>. Accessed 4 July 2022.

--- *Transmission of information under Article 73e of the Charter*. 14 Dec. 1946,

<https://documents-dds-ny.un.org/doc/RESOLUTION/GEN/NR0/033/17/PDF/NR003317.pdf?OpenElement>. Accessed 4 July 2022.

United States Congress, Senate, Committee on Foreign Relations. *United States Congressional Serial Set: Treaty of Peace with Germany*. Government Printing Office, 1919, https://books.google.com.mt/books?id=XN5GAQAIAAJ&printsec=frontcover&source=gbs_ge_summary_r&cad=0#v=onepage&q&f=false. Accessed 15 Dec. 2021.

- Van Dijk, Teun A. "Critical Discourse Analysis". *The handbook of discourse analysis*, edited by Deborah Tannen, et al., John Wiley & Sons, 2015, p. 349-371, http://www.sscnet.ucla.edu/anthro/faculty/ochs/articles/Ochs_2015_Discursive_Underpinnings.pdf#page=496. Accessed 8 July 2022.
- Volkan, V. D. *The Need to Have Enemies and Allies: From Clinical Practice to International Relationship*. New York, 1988.
- Waibel, Michael. "Gibraltar." *Oxford Public International Law*, Mar. 2013, <https://opil.ouplaw.com/view/10.1093/law:epil/9780199231690/law-9780199231690-e1287>. Accessed 23 Aug. 2022.
- Wallerstein, Immanuel. "The Construction of Peoplehood: Racism, Nationalism, Ethnicity." *Sociological Forum*, vol. 2, no. 2, Springer, 1987, pp. 373–88, <http://www.jstor.org/stable/684478>. Accessed 11 Feb. 2022.
- Weller, M. "Settling Self-Determination Conflicts: Recent Developments." *European Journal of International Law*, vol. 20, no. 1, Feb. 2009, pp. 111–65. *DOI.org (Crossref)*, <https://doi.org/10.1093/ejil/chn078>. Accessed 15 July 2022.
- White, Andrew. "Lenin on Democracy: January 1916 to October 1917." *Ezra's Archives*, Cornell Historical Society, 2012. ecommons.cornell.edu, <https://ecommons.cornell.edu/handle/1813/47936>. Accessed 15 Dec. 2021.
- Wiberg, Matti. "Ambiguities in and clarifications of the concept of autonomy". *Beyond a One-Dimensional State: An Emerging Right to Autonomy?*, edited by Zelim Skurbaty, BRILL, 2004. *ProQuest Ebook Central*, <http://ebookcentral.proquest.com/lib/ummt/detail.action?docID=280491>. Accessed 16 June 2022.

- Wilson, Woodrow. "Address by the President of the United States." *56 Cong. Rec. (Bound)*, vol. 56, Part 2 (January 21, 1918 to February 14, 1918), U.S. Congress, U.S. Government Publishing Office, 14 Feb. 1918, <https://www.govinfo.gov/app/details/GPO-CRECB-1918-pt2-v56>. Accessed 13 Dec. 2021.
- Wodak, Ruth, et al. *The Discursive Construction of National Identity*, Edinburgh University Press, 2009. *ProQuest Ebook Central*, <https://ebookcentral-proquest-com.mutex.gmu.edu/lib/gmu/detail.action?docID=196189>. Accessed 14 Jan. 2022.
- Wolff, Larry. *Woodrow Wilson and the Reimagining of Eastern Europe*. Stanford University Press, 2020.
- Young, I. M. *Global Challenges. War, Self-Determination and Responsibility for Justice*, Cambridge: Polity Press, 2007.