

The Times, April 26, 1879

“THE SMUGGLERS ROCK”

(FROM OUR SPECIAL CORRESPONDENT)
GIBRALTAR, APRIL 10

It is not without considerable sensation that a man revisits a well-known spot after a 48 years absence. What interest one feels in seeing the marks of human progress perceptible in the look of familiar objects! How strange it seems to find the world proceeding at a so much more rapid rate than one's own life! And in what other half century in the history of the past, or probably of the future, can it be said that so portentous a change has been or may be effected as in these last four or five decades; or what other nation can boast of having given it a more momentous impulse than the one which, more than a century and a half ago, planted its standard on the Moor's castle from which Gibraltar was named ?

One, cannot help inquiring what would be the condition of the Rock if it had been left in the Spaniard's possession these last 175 years, or to what extent the place would have grown had it been merely a Russian or Prussian garrison town. What had its former rulers ever done with it? Or what evidence had they given of their consciousness of the importance of its position? “The Pillar” in antiquity had barely a name. In his description of Ulysses' venturous voyage, Dante, who mentions Ceuta and Seville, ignores the appellation of Abyla and Calpe, the two mountain masses on which Hercules was said to have written his *No plys ultra*. What part has Gibraltar ever played in the great achievements of Transatlantic discovery or of African circumnavigation. Or when did the world-wide Empire of Charles V or Philip II claim this spot as the key of the Mediterranean, or use its Bay as a naval station, or assume the actual command of the Straits of which both coasts acknowledge the Spanish sway! The English alone may be said to have found out Gibraltar and to have turned it to some purpose, first as the Gate of the Inland Sea, and now as the inlet to the remotest Eastern oceans.

The movement of the Straits as it was in the early part of this century was about the hundredth part of what it has become since the opening of the Suez Canal, Gibraltar levies no toll; it sets no hindrance to this immense traffic; hardly profits by it, for it buys but little and has nothing to sell. It has not grown much, nor has it been greatly enriched; but how wonderfully improved it is! How beneficially has the hand of English civilization been at work upon it! What rows of neat houses, what sweet tropical gardens, what smooth, solid, well-watered streets and paths, what cleanliness; how much comfort and luxury; what hotels, what libraries, what amount of wellbeing one finds in the narrow ledge of rock which the exigencies of military defence have been able to spare to its motley population; what immense relief it is to come to this oasis of English thrift out of the wilderness of Spanish dinginess and sloth! There is only one drawback to it all -- Gibraltar lives by smuggling. The people themselves have no hand in the unlawful business; they are honest traders and keep open shops. They no more inquire what becomes of the goods they dispose of

than did the shopkeepers of Leghorn when that city was the free port of Tuscany. Within their walls and as far as the "line" there is absolute free trade. It is for their neighbours to see to the protection of their frontier. Gibraltar looks not into the faces of its customers; they may or may not be contrabandists. But what concern is it of the Rock? The Rock simply pockets its money and asks no questions. Spain is surely not the only State which thinks itself aggrieved by the contraband that its own people or its neighbours carry on its frontier. Italy has just as much to endure on the side of Switzerland. Enterprising men have established themselves at Chiasso, at Locarno, and other places south of the Alps, who take upon themselves the conveyance of any goods free of the duties which are demanded at the Italian Custom-house and insure their safe deliverance upon a moderate consideration. "Your merchandise would be taxed 25, 30, or 40 percent for the benefit of the Government," says the smuggler; "you shall have it at your door upon a charge of only 10 percent." How the smuggler can manage it we shall see by and by. Meanwhile it is very clear that the smuggler's trade would not so easily thrive if the duties were only 10 percent, and that he would be utterly bankrupt if there were no duties at all. Whether the Spaniards in general and especially the people on the borders are smugglers, as they are gamblers, by natural instinct, it would be unprofitable to inquire. The certain fact is that between the Spanish people and their Government there is at heart a traditional war, and that whatever is done to the Government's injury is considered a meritorious action. It little matters whether Spain is a Monarchy or a Republic, an absolute or a representative State. The Government is always a public enemy. The administration never changes, or only from bad to worse. There has been of late a tremendous aggravation of public burdens, and particularly of indirect taxes, owing partly to the political convulsions of the past ten years, partly to the necessity of furthering long neglected public works, but chiefly to the enormous number of State functionaries consequent on the very disorders of the revolutionary period, and to the incapacity, venality, and actual rapacity of many of them. The system here seems intended to create new offices and officials; to exact from them the smallest amount of work, pay them the lowest wages, and allow them to help themselves. I have spoken to many of the peasants on my way from Malaga and Ronda, and I found among them one universal cry that the labouring poor are robbed to enrich a set of idle placemen. And the heaviness of the taxes, oppressive as it is, is further aggravated by the vexatious, unequal, and senseless manner in which they are raised. The delays and chicanes, the capricious and uncertain rules and prescriptions, the circumlocution prevalent at Spanish Custom-houses have the effect of driving all trade from the frontier by main force, and many an honest man who would have no wish to cheat the revenue, and might even submit to unjust extortions, is compelled to put himself into the smuggler's hands solely to avoid the trouble and inconvenience which await him at the Custom-house, and to deal with one thief for the mere chance of escaping a host of worse thieves.

I found at Gibraltar, somewhat to my surprise, the Spanish and English authorities living on terms of perfect understanding and mutual amity, the Spaniards acknowledging that the English meet their wishes in everything that lies in their power to oppose the contraband trade, and the English quite charmed with the politeness and even indulgence with which the Spaniard allow them a free intercourse across the "lines," and the still freer use of the territory about St. Roque as the field for those hunting, shooting, and horseracing sports, without which the pent-up garrison

and the best part of the population would find the Rock a much less endurable prison than military rule unavoidably makes it.

Smuggling goes on from Gibraltar by land and sea, and the chief articles in which it is carried on are tobacco, which in Spain is a Government monopoly, tea, coffee, sugar, and other colonial goods, upon which heavy duties are demanded at the Spanish Custom-houses. The smuggling of cotton tissues and other English manufactured goods has of late greatly decreased, and almost ceased the Spanish authorities told me, because a protection has given so great a development to Catalan industry that home competition has driven foreign produce from the Spanish market. Tobacco is the chief offender; and these same Spanish authorities contend that the tobacco with which their Government supply the consumer is infinitely better than the stuff which is smuggled in, and that contraband only affects their monopoly by the lowness of the prices at which the smuggled goods are sold. With respect to this latter statement I 'must observe that public opinion in Spain somewhat disputes its correctness, for there is no end to the complaints of the "infamous cigars" and cigarettes of the Regia on the part of the amateurs who have nothing else to smoke. Suffice it, however, to assert that there must be something in the unlawful importation of tobacco to make it a profitable business, and that it constitutes the chief grievance of the Spanish revenue officers against their neighbours. The so-called "lines" which separate the British from the Spanish territory across the narrow neck or isthmus which makes the Rock a peninsula are only a few hundred yards distant from the gates of Gibraltar. The Spaniards have on their own side so barred the way across the sandy flat, and allowed so narrow'a way through, that persons walking, riding, or driving past their lines must as they go just past their Custom-house officials and Carabineros, or Custom-house guards. Here, nevertheless, an endless number of petty smugglers -- chiefly women and children -- manage incessantly to go through with the forbidden merchandise secreted about their person, Large cartloads of tobacco used till lately to be driven up to the last limits of British territory, where, in the open air and in full day-light, those creatures, hundreds and hundreds at a time, divested themselves of their clothes and padded themselves all over with the contents of the carts, put their rags on again, and, thus laden, went their way into Spanish ground. This practice is now discontinued. The Spanish Consul, Don Francisco Yebra de Sanjuan, with the zeal of a newly appointed functionary, remonstrated with the English authorities about these open-air toilets which he described as offensive to common decency, and the police from the Rock have now orders to bid the women and children to "move on" and the carts to "move off." In spite of this restrictive measure, however, there is little doubt that this same contraband trade by land is still carried on very nearly to the same extent, and one might ask why the Spanish Carabineros do not submit suspected persons, laden mules, and vehicles to so strict a search as to put a stop to the lawless traffic; but the movement of people across the line, only allowed from sunrise to sunset, is very brisk, and cannot be easily interfered with; and it is extremely probable that the speculators, of whom all that rabble of women and children are the mere agents, have the means of inducing the Carabineros to wink at the tricks those monstrously-stout boys and girls and those big women in an "interesting state" play upon them. Independently of their alleged venality it is also possible that these wretchedly-paid officials, being themselves Spaniards, are not without some sneaking sympathy with the instincts of their offending countrymen, and are loath to look too closely under the clothes of pedestrians, or into the packs of laden mules, or the boxes and boots of the spring

vans used here as hackney carriages, For these officials are aware, and everybody is aware, of the sore distress prevailing at this moment all over Spain, and especially in these Southern Provinces, and they, perhaps, consider that any efficient Cheek put on that contraband trade which is the only resource of vast numbers of the population would at once bring them to the verge of actual starvation. For such is the result of unwise laws, especially with regard to oppressive taxation, that the very Official who are charged with their execution, listening rather to humane feelings than to a proper sense of their duty, are too often disposed to connive at, and thus indiscreetly to encourage, their infraction. And, after all, even the higher Spanish authorities seem to think that such smuggling as is here still going on by land and across the lines is almost beneath their notice, and that as far as any extensive trade is concerned, Gibraltar, unapproachable as it is by carriage road from any part of Spain, may be looked upon as an island and its main intercourse must be by sea.

As an isolated spot, Gibraltar is not much more favourable to the Spanish smuggling trade than Tangiers, Tetuan, and the Spanish dependencies, Ceuta, Melilla, or any other port across the straits would be, and indeed there is already a loud complaint against the French authorities at Oran-- place where large cargoes of tobacco from Gibraltar are landed, and whence they are afterwards stealthily conveyed to various points on the coast of Spain; for so lucrative, as it seems, is this clandestine and criminal tobacco trade that it can easily bear the expenses of two or more voyages. Gibraltar, however, in the Spaniard's opinion, offers to the smuggler the especial advantage of immediate proximity. Algeciras, at only five miles' distance across the Bay, is visited almost hourly by small ferry steamers and boats, with shoals of smugglers as their only passengers. And small craft of every description carry on the same intercourse with Estepona, Marbella, and all the coast as far as Malaga on one side, and with Tarifa and all the coast as far as Cadiz on the other. Steamers of larger size, of Spanish and other lines, take passengers on board with little attention to what they take with them as luggage, and as they proceed along the coast, they are in the dark, or even by daylight, approached by fishing boats, into which bales of tobacco and other forbidden merchandise are dropped, probably without the knowledge, possibly with the connivance, of the captains. For so universal, so all-pervading, is this smuggling business, if you believe the Spanish authorities, that many of the richest merchant, shipowners, and shipmasters, as well as all the well-to-do mountain population of these districts, are more or less actively engaged in it and enrich themselves by it. Against this wholesale trade, to prevent which the Spanish revenue officers by land and sea seem so utterly helpless, how can the English authorities at Gibraltar lend efficient aid The Spanish Consul would wish that no steamers or sailing vessels should leave the harbour without giving a strict account of the cargo they had on board and of its destination, and, indeed, all particulars to that effect are not only supplied to him, but also published in the bulletins of the local Press. But the difficulty lies in the verification of the correctness of the statement given, which would involve a search and vigilance extremely troublesome and vexatious, and which would not, after all, be satisfactory, unless, at least in the case of vessels sailing under Spanish colours, the Consul himself or his agents were allowed to exercise the right of personal inspection. To prevent a vessel hiding a few bales of tobacco under a cargo of fruit or any other free merchandise, or even landing off Malaga or Cadiz a bona fide cargo of tobacco nominally intended for and booked for Oran or Mogador, would be no easy matter, and the Consul insists that Spanish vessels, at least, should give him a declaration of the

cargo they embark here, and a similar statement of that which they land either at the appointed port or at any other to the Spanish Consular agents at every stage of their voyage. Were he, the Spanish Consul, to receive correct information of any cargo of forbidden merchandise leaving Gibraltar, no matter for what foreign port, he thinks he could telegraph a timely warning all along the Spanish coast, so as to put the revenue officers at all points on their guard against any deviation of the vessel from her appointed course. He contends that a similar mutual understanding was and is established between his own Government and that of Portugal, and that it was by this strict surveillance of the vessels of both nations from port to port, and from the account they were made to give of their cargo at every stage of their voyage, that the contraband of English cotton goods with which the Peninsula was till lately inundated to the detriment of home industry has now been brought to an end.

Perhaps this worthy functionary does not make due allowance for the difference between the views entertained in different countries as to commercial freedom. But even if England were to go hand-in-hand with Spain in any measure tending to exercise so vexatious a check on the trade of Spanish vessels, it is very evident that the unlawful business could easily be carried on foreign bottoms, upon which the English authorities might not be entitled to exercise the game control; so that Spain would not be to any great extent rid of her great plague of the contraband, and she would lose much of that coasting trade to which she attaches the utmost importance.

But it is very evident that even with the most earnest goodwill, and with no matter how gross a violation of her principles as to the freedom of commerce and navigation, England could do next to nothing towards choking the contraband which is so grievously damaging the interests of the Spanish revenue. In the port of Gibraltar, as at the gates of the town, in obedience to indispensable military rule, ingress and egress are forbidden between sunset and sunrise, and no vessels are allowed to leave harbour at night without special permission. But vessels which have left harbour before sunset cannot easily be prevented from tarrying in the Bay at their own pleasure, and taking in such contraband merchandise as small boats may manage to convey to them by stealth under favour of darkness. Owing to want of space in the cramped-up wharves and docks of the town, large stores of coal are kept in hulks anchored outside the port. These coal-depots, the Spanish Consul asserts, take in large loads of tobacco bales, and these are easily transferred from the hulks to the smuggling vessels while these are waiting outside the harbour either for daylight or fair wind. It is obvious, in short, that vessels with contraband on board cannot be hindered from leaving Gibraltar, and the question is, to what extent the Spanish revenue officers by land or sea can intercept their further progress. The rule of the sea allows every State full jurisdiction over three maritime miles from its coasts. But between Gibraltar and Algeciras the Bay, I have said, is only five miles across, and the claims of England and Spain to their respective three miles of water cannot be easily reconciled. A Spanish revenue cruiser has no right to search or otherwise interfere with suspected vessels within English waters, and as at night or in foggy weather a nice calculation of distances and discrimination between English and Spanish waters are not easy, a vessel hugging the eastern side of the Bay down to Europa Point at the extremity of the Rock and three miles beyond has a fair chance of gaining the open sea and baffling the vigilance or outspeeding the chase of the Spanish revenue boats. Should the latter stop or seize the vessel anywhere within the

limits of English waters the seizure could be lawfully resisted, and any contest arising from it would become matter for lengthy and not always temperate international discussions. The present Governor of Gibraltar, Lord Napier of Magdala, on amiable as well as gallant soldier, has done all in his power to hinder the illegal traffic both by land and sea, and by his order patrolling boats now row all night outside the harbour to oppose the egress of boats at unlawful hours. But the Spanish authorities show an ungenerous mistrust of British vigilance, and there have been recent instances of Spanish revenue cruisers chasing smuggling boats across the Bay and attempting to seize them within a few yards of the Gibraltar mole, to which the smugglers in the night had ventured to fly for shelter. His Excellency then issued an order that all boats should forcibly be prevented from coming in the night time within 400 paces of any point of the Rock; and, as this measure made no exception in favour of the Spanish revenue cruisers, it has been most unreasonably resented by the Spanish authorities as an insult to their national flag.

It is clear, therefore, that this smuggling evil has roots not easily to be reached by any well-meant exertions on the part of the British Government, and, to give some idea of the difficulties the Gibraltar authorities have to contend with, it will be sufficient to state that the Spanish revenue cruisers, whenever in the discharge of their duties they are allowed to visit Gibraltar, seldom go back without some bales of tobacco on board - substantial evidence that, with all their parade of zeal in the service, they are not themselves above dabbling in the unlawful trade they are appointed to put down.

Her Majesty's Government, at all times, and especially after the restoration of the Bourbon Dynasty in 1875, yielding to the diplomatic solicitations of the Ministers of King Alfonso XII, have taken this painful subject into serious consideration, and a variety of schemes has been proposed and discussed with a view to lend Spain all the assistance in the protection of her revenue which a friendly State could reasonably expect from a just neighbour. A "Draft of an ordinance relating to trade and Custom at Gibraltar," with the "Correspondence relating to it," was laid before both Houses of the Imperial Parliament in June and August, 1877. It was proposed, in the first instance, that a duty on tobacco should be levied upon Gibraltar itself, and subsequently that the trade of this place should be subjected to the same rules that are observed in the Channel Islands, and which, it seems, were adopted upon the solicitation of France and in the interest of her revenue. These rules, as embodied in the ordinance and summed up by Lord Carnarvon, then Colonial Secretary, amounted to this -- "They forbade the export or import of tobacco in packages of less than 80lb.; they provided that the ships which export tobacco should be over 100 tons burden; and they required the exporter of tobacco to furnish a bond showing that it had been landed at the port for which it had been cleared to the satisfaction of the Governor -- unless, of course, stress of weather interfered."

Against this ordinance a loud clamour arose on the part of many of the most respectable citizens of Gibraltar, backed by some influential members of the House of Commons, and by the Chambers of Commerce of Liverpool, Manchester, Glasgow, and other British trading communities, whose interests are closely connected with the business of the Rock, whose written addresses and whose arguments, delivered by a numerous deputation appearing before Lord

Carnarvon on the 27th of July, 1877, had the effect of thwarting the intended measure for the time, upon the understanding that the subject should at no distant period be referred to the deliberation of the Imperial Parliament.

And it seems, indeed, is necessary that something should be done in this matter as it is difficult to come to any conclusion as to what should be done. It is very certain that no Englishman, and perhaps, also, no British subject, at Gibraltar has a direct hand in the smuggling trade of which Spain complains; but it is equally evident that all Gibraltar and the English merchants connected with the Gibraltar trade profit by it. The sale of tobacco, which is in Spain a Government monopoly, yields to that country an annual income of £3,200,000, one-half of which, however, is absorbed by the purchase, freight, and manufacture of the leaf, while the Custom-house officers, guards, etc., entail a further expense of £600,000, a charge especially arising from a vain endeavor to oppose the tobacco contraband. With all this the Government supply of tobacco (7,426,937 lb.) only meets one-half of the demand; the other half is introduced by the smuggling trade. Gibraltar is undoubtedly the chief depot of this illicit trade, the quantity finding its way from the Rock into Spain averaging between 80,000 cwt. and 100,000 cwt. yearly. The persons engaged in and living by this trade in Gibraltar, as manufacturers or dealers, number between 1,600 and 2,000, constituting with their families a population of 4,000 to 6,000.

To doom these people to starve or to look for other employment, and to suffer Gibraltar and her trade, the imports of which from England amount to three millions sterling a year, to perish; to do away with the commercial importance of this Rock, past which British property to the amount of £100,000,000 goes every year--and all this only to do justice to Spain, and lend her a hand in the protection of her revenue might well strike every sensible man as a desperate measure; and it might naturally be expected that it would paralyze the deliberations of a Parliament, as it evidently two years ago 'shook the resolutions of a Cabinet. Yet even from such extreme expedients it would not be unreasonable to shrink, if the application of the most stringent rules would lead to any practical results. Lord Carnarvon justly observed to the deputation which waited upon him as objectors to the ordinance that "it is certainly not obligatory on one nation to protect the revenue of another, but it would be a mistake to suppose that friendly assistance and co-operation in relation to the fiscal system of two neighbouring countries is unknown in the history of civilized nations." What has been done in the Channel Islands to prevent smuggling into France, what might be done in Canada for the benefit of the revenue of the United States, might equally be attempted at Gibraltar on behalf of Spain, if any good could be expected to come of it. Lord Carnarvon, while admitting that "the Spanish revenue authorities deserve no special consideration at England's hands, that the Spanish system is a bad one, as bad, perhaps, as any that exists in Europe" -while acknowledging that "the Spanish revenue officers are very corrupt (a matter, he added, "which will be accepted on all hands") -- still insists that "the circumstances of Gibraltar are peculiarly exceptional" and he thought "gave a friendly nation the right to appeal to Great Britain as far as possible for the exercise of that comity and fair co-operation which one nation, when in good relations with another, ought to give."

In the position in which the noble lord left the question when he withdrew from the Cabinet it is still at the present day. Lord Napier of Magdala told the Spanish authorities that he would undertake to do away with all smuggling from Gibraltar if they would only place their Custom house officers and guards on their own side of the frontier under the orders and management of one of his own officials whom his Excellency has particular reasons to trust. The remedy of the evil and of all evils in Spain would then be the same as is being applied to Egypt, and will probably soon have to be extended to Turkey. It consists in taking the direction of the Customs, of the Finance, and in general of every branch of the Government, from the hands of a hopelessly rotten native administration and making it over to trustworthy aliens. That Spanish pride would never submit to such indignity is quite certain, but that the disorder admits of no other cure many of the Spaniards themselves are thoroughly convinced. Do away with the trade of Gibraltar, or even sink the Rock itself to the bottom of the sea, and the smuggling of tobacco into Spain will be removed to Tetuan or Tangier, or Oran or any other place; but it will thrive as freely as ever, so long as the monopoly and its abuses are maintained, and hold out such irresistible temptation to the smuggler engaged in the trade, to the merchant who supplies the capital and pockets the main interest, and the Custom house official who takes a bribe for his connivance with both of them.

Nevertheless, it would be well, in my opinion, that the subject should be mooted in Parliament, and that the Press should take it up so as to waken the attention of the public upon it and to enlighten it as to the real state of the question. English public opinion exercises no slight influence over the views and wishes of Continental nations, and it is by no means unlikely that if the Spaniards could be better informed as to the benevolent intentions of England, if they could be convinced that with respect to the Gibraltar smuggling, both the evil and the remedy rest with the Spaniards themselves, and with themselves alone, they many of them at least-would give the matter serious consideration, and would see whether their Government could not be won over to those ideas of commercial freedom and of the abolition of all ruinous monopolies which would at once bankrupt the contraband trade and change Gibraltar from that smugglers' nest which it now undoubtedly is into an honest business place, contributing to the world's wealth and enjoying quite full share of its advantages.