

**Spanish Policy towards Morocco (1986-2002);
the impact of EC/EU membership**

Jordi Vaquer i Fanés

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**Spanish Policy towards Morocco (1986-2002);
the impact of EC/EU membership**

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Abstract

Accession to the European Community in 1986 profoundly changed the foreign policy of democratic Spain. Since then the international and regional contexts have changed, new actors have emerged, and the entire formulation of foreign policy has evolved substantially. EC/EU membership has been the framework of this transformation, but it has also often been the very cause of some of the most substantial changes. This thesis analyses the transformation of Spanish foreign policy through a case study of policy towards Morocco, arguably the most complicated bilateral partner for any Spanish democratic government.

The thesis uses the concept of Europeanisation, defined as the process of foreign policy change at the national level originated by the adaptation pressures and the new opportunities generated by the European integration process. It focuses on four areas of the policy towards Morocco: fisheries, economic exchanges, immigration and territorial issues. The analysis shows that four themes of Europeanisation have been important, but in an asymmetrical way in each area. Thus, 1) the balance between new instruments and new constraints has been most influential in areas where there is an EC competence, such as fisheries or trade; 2) changes in identity and re-definition of interests have been very relevant in economic and commercial issues and in immigration, but almost non-existent in relation to territorial issues or fisheries; 3) changes in decision-making have been crucial in fisheries, a common policy, but also in immigration, which is still in the hands of member states; and 4) Europeanisation through the domestic context has been witnessed in new policy areas (development co-operation, immigration control) but not in traditional issues (Western Sahara, fisheries).

The conclusion explains this variation in the impact in each issue area as the result of several factors: the weight of previous decisions and the historical background, the institutional set-up at European level, the ability of domestic and bureaucratic actors to exploit the new opportunities and the changes in external factors such as the regional context. These findings are helpful both

Spanish policy towards Morocco

in understanding Spanish policy towards Morocco and in characterising the phenomenon of the Europeanisation of a foreign policy.

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Abbreviations

AECI:	Agencia Española de Cooperación Internacional
ASAJA:	Asociación Agraria Jóvenes Agricultores
CAP:	Common Agriculture Policy
CC:	Coalición Canaria
CiU:	Convergència i Unió
CEOE:	Confederación Española de Organizaciones Empresariales
CGEM:	Confédération Générale des Entrepreneurs Marocains
CFP:	Common Fisheries Policy
CNRS:	Centre National de la Recherche Scientifique
COAG:	Coordinadora de Organizaciones de Agricultores y Ganaderos
COPA:	Comité des Organisations Professionnelles Agricoles
DG (of the European Commission):	Directorate-General
DHM:	Dirham Marocain
DOM:	Départements d’Outre-mer
DSCD:	Diario de Sesiones del Congreso de los Diputados
DSS:	Diario de Sesiones del Senado
EAJ-PNV:	Euzko Alderdi Jeltzaleak - Partido Nacionalista Vasco
EBRD:	European Bank for Reconstruction and Development
EC:	European Community
ECU:	European Currency Unit
EEC:	European Economic Community
EEZ:	Economic Exclusive Zone
EPA:	Encuesta de Población Activa
ERDF:	European Regional Development Fund
ETA:	Euzkadi ta Askatasuna
EU:	European Union
EUR:	Euros
FAD:	Fondo de Ayuda al Desarrollo
FAO:	Food and Agriculture Organisation
FLN:	Front de Libération Nationale

GERM: Groupement d'Études et de Recherches sur la Méditerranée

GNI: Gross National Income

GNP: Gross National Product

IBRD: International Bank for Reconstruction and Development

ICEM: Institut Català de la Mediterrània

ICMA: Instituto para la Cooperación con el Mundo Árabe

ICMAMPD: Instituto para la Cooperación con el Mundo Árabe, el Mediterráneo y los Países en vías de Desarrollo

INCIPE: Instituto de Cuestiones Internacionales y Política Exterior

INE: Instituto Nacional de Estadística

INEM: Instituto Nacional de Empleo

MECU: Million Ecu

MEP: Member of the European Parliament

MEUR: Million Euro

MINURSO: United Nations Mission for the Referendum in the Western Sahara

MUS\$: Million USA Dollars

NATO: North Atlantic Treaty Organisation

OCTs: Overseas Countries and Territories

OECD: Organisation for Economic Co-operation and Development

OID: Oficina de Información Diplomática

PCE: Partido Comunista de España

PDR (of Yemen): Popular Democratic Republic

Polisario (Frente): Frente Popular para la Liberación de Saguiaat-el-Hamra y Río de Oro

PP: Partido Popular

PPP: Purchase Power Parity

PSOE: Partido Socialista Obrero Español

PSP: Partido Socialista Popular

SADR: Sahrawi Arab Democratic Republic

TOM: Territoires d'Outre-mer

UCD: Unión del Centro Democrático

UFSP: Union des Forces Socialistes Populaires

UN: United Nations

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UNCTAD: United Nations Conference on Trade and Development

UNO: United Nations Organisation

UPA: Unión de Pequeños Agricultores y Ganaderos

USA: United States of America

USSR: Union of Soviet Socialist Republics

US\$: United States of America Dollar

VAT: Value Added Tax

WWII: Second World War

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Translations

This is a doctoral thesis written in English and within the framework of a British academic institution, the London School of Economics and Political Science of the University of London. It has been written for a public that does not have to be necessarily familiarised with the small detail of Spanish politics, and who might not be fluent in the languages of the texts used in the research other than English, mainly Spanish and French. In order to make the text easier to read we have opted for translating all texts and using a very limited amount of Spanish words and acronyms in the text. When a concept has an English equivalent in meaning, even if it is not a direct translation, we have chosen to use the expression that gives a clearest idea to an English-speaking reader. For example, *Presidente del Gobierno* is translated as 'Prime Minister', rather than 'President of the Government'. All translations from French and Spanish are the author's, and any possible mistakes and misinterpretations in those translations are his sole responsibility.

Introduction

The border between Morocco and Spain sits on one of the world's deepest rifts in terms of wealth. Africa, the poorest continent, meets the prosperous European Union in the land borders of Ceuta and Melilla, the waters of the Strait of Gibraltar and those between the Canaries and the Sahara. Placed on the periphery of their own continents, Spain and Morocco have a long common history, with numerous similarities and a common heritage, but also a tradition of conflicts and rivalry that dates back several centuries.

Morocco occupies a very special position amongst Spain's bilateral partners. It is at the same time a neighbour and a former colony, an economic competitor and a natural market for the Spanish economy, a cultural 'cousin' and a representative of a different civilisation, a territorial threat and a military partner. The similarities between Spain and Morocco are almost as striking as the differences. Spain and Morocco have Atlantic and Mediterranean coasts, a geography marked by the presence of mountains in most of the territory, the shared cultural heritage of Al-Andalus,¹ similar weather conditions, hundreds of years of common history. But one is a former colonial power and the other was a protectorate, a consolidated western democracy and a traditional Islamic state, a developed economy and a third world country. Given this context, it is hardly surprising that the Spanish policy towards its southern neighbour is full of contrasts.

Morocco is a prime bilateral partner; it enjoys, at least in theory, some privileges reserved only to the closest of Spain's friends: high level summits involving ministers, heads of government and heads of state,, a very close relationship between the two crowns, the first foreign visit of Spain's elected prime ministers and most foreign ministers since 1982. It is, at the same time, the country with which Spain has had the most threatening bilateral crises in its recent history, from the war fought in the first third of the 20th century (the last Spanish unilateral international armed conflict so far) to the 2002 crisis

¹ Al-Andalus is the Arab name that designates the Iberian territories under Islamic rule between 711 and 1492.

over the sovereignty of Parsley Island (*Perejil*), via such tense episodes as the military campaign in the Tarfaya region (1956-58) or the 1975 Green March on the Western Sahara.

Morocco has been a constant worry for Spain's policy-makers, and it remained a permanent priority for a foreign policy in transformation. The main changes in Spanish democratic foreign policy happened in the ten years that followed the death of the dictator, Francisco Franco. Those were the years in which the foreign policy of a country fallen into international isolation because of Franco's ambiguous role in the Second World War was transformed into the policy of a democratic state, with a clear vocation of becoming a 'normal' player in the European arena, a member of the main west European Organisations and an active member of the international community. The period between 1975 and 1986 has attracted a great deal of attention from scholars as the years of transformation of Spanish foreign policy.

In 1986, with Spain's accession to the European Communities, this first transformation was completed. But the evolution of the policy did not stop. The prospect of EC membership required the adaptation of many of Spain's policies, and foreign policy would not be an exception. The impact of membership would still be felt after accession: indeed, this impact has been one of the main sources of transformation of Spanish foreign policy since then.

This thesis deals with one particular aspect of the transformation of Spanish foreign policy: the impact of EC/EU membership on the policy towards Morocco. Spanish policy towards Morocco between 1986 and 2002 presents aspects of both continuity and change. It has witnessed important landmarks in bilateral relations like the signature of a Treaty of Friendship, Good Neighbourliness and Co-operation in 1991, but also a fully fledged crisis in 2001-2002. There are some puzzles which are specific to Spanish policy towards Morocco: why have some parts of it changed so much, and others so little? Why have the changes gone in different directions, sometimes towards

the consolidation of a better partnership, at other times towards an increase in bilateral tensions?

The answers to these questions need to include a large number of factors, some of them related to Spain's domestic policies and its economy, some related to Morocco's internal evolution and its foreign policy, others having to do with the international context; and general socioeconomic and demographic trends also need to be taken into account (to understand, for example, the importance of migration). In this study the focus is on analysing the impact of EC/EU as the explanation for change – and also, sometimes, for stability - in Spanish policy towards Morocco.

This focus gives a new vision of Spanish policy towards Morocco, in which very different aspects of the policy that are beyond the scope of what traditionally has been considered foreign policy, such as fisheries or immigration policy, are included in the analysis and put in relation with the whole of the policy. The contradictions that appear when we compare the Spanish executive's strategies in those technical areas are highlighted in this study.

This focus on the contradictions of Spanish policy challenges a myth that took shape amongst diplomats and scholars in the years before accession: there could be a European solution to Spain's Moroccan problem. As this thesis highlights in its conclusion, such a solution will only be available if Spain resolves its dilemmas in relation to Morocco. Otherwise, the practice of uploading contradictory policies in the different areas to the EU does not result in a solution of contradictions at the Spanish level, but in the emergence of an equally contradictory European foreign policy.

Another goal of this thesis is to make a contribution to the study of European foreign policy. This contribution comes in two areas. First, the research outlines some aspects that are useful for the analysis of European Union policy towards Morocco. These include, of course, a better understanding of the role that Spain plays within this system. But they also include some

observations about the role that France, and in particular the Franco-Spanish disagreements play in the making of European policy towards Morocco. And the effects of contradictory strands within the EC policy towards Morocco: some co-operative and openly friendly, some threatening and clearly negative for Moroccan interests. Finally, the conclusions of this study underline the importance of the existence of two small territories, Ceuta and Melilla, which are fully integrated in the EU and yet claimed by Morocco, although both sides seem to ignore, for the moment, this problem.

The second area of contribution to the study of European foreign policy is the application of the concept of Europeanisation of a foreign policy – that is, the process of foreign policy change at the national level originated by the adaptation pressures and the new opportunities generated by the European integration process - not to the ensemble of a foreign policy or to the bureaucratic and decision-making structures of this policy, but to a concrete policy towards one country. This application has its limits in terms of explaining change, as is acknowledged in the conclusions, but it also offers interesting analytical insights. The importance of considering both a top-down and a bottom-up dimension of the relationship between national policy and European policy, rather than staying only with one of the two, is clear from the conclusions of the thesis. The present study also shows that the concept of Europeanisation should be applied not only once membership is a fact, but also in the period before it actually takes place. And it highlights the importance of studying foreign policy with a comprehensive approach that includes other dimensions (immigration, agriculture, fisheries) than those classically associated with it (defence, development co-operation).

The text that follows is organised in seven chapters. Chapter One is devoted to the conceptual framework, and in particular to defining the concept of Europeanisation and its limits, as well as setting the agenda that has guided the research for this thesis. Chapter Two outlines the historical background of the Spanish-Moroccan relationship, as well as a contextualisation of the bilateral relationship in the regional context of the western Mediterranean. It

ends with a summary of Spain's main interests in Morocco, and a general overview of its Moroccan policy.

The following four chapters are the result of four specific studies in some of the most relevant areas of Spanish policy towards Morocco. Chapter Three is devoted to the fisheries dossier, and in particular to the negotiation of fisheries agreements that allowed Spanish boats to work in Moroccan waters, and the relevance of that issue in the bilateral relationship. Chapter Four deals with economic and commercial relations, including the conflictual issue of Moroccan agricultural exports to the EC/EU. In this chapter the dual role of Spain, at the same time a competitor for Moroccan producers and an advocate of Moroccan interests within the EU, is the object of a particular attention. Chapter Five analyses the migration question, which became prominent after 1986 and was by 2002 one of the most controversial issues in the bilateral relationship. Finally, Chapter Six covers the controversial territorial disputes between Spain and Morocco. Three issues are analysed in detail: the question of sovereignty over Ceuta and Melilla, Spanish policy towards the conflict in Western Sahara and the Parsley Island incident of July 2002.

Chapter Seven contains the Conclusions. Firstly the findings of the four cases discussed in the previous chapters are brought together and analysed as a whole. Secondly, the findings are put in a wider context in order to establish the limits of the explanatory power of the Europeanisation thesis. Finally, some conclusions are drawn about Spain's policy towards Morocco, the EU's policy towards Morocco and the application of the concept of Europeanisation to the study of foreign policy.

Chapter 1: The theoretical starting-point

The accession of Spain to the European Communities on 1 January 1986 is often regarded as the final step of the long process of ‘normalisation’ of the foreign relations of Spain after almost forty years of isolation under General Franco’s dictatorship (Menéndez del Valle 1989: 747; Aldecoa 1994: 166; Barbé 1999: 20).² During the ten years that followed the death of the dictator in November 1975, Spanish foreign policy had changed in substance and process and had attained its main objective of Spain becoming a respected member of the international community in general, and of the select club of western European democracies in particular. However, new factors for change have emerged since, and the evolution of Spanish foreign policy in the last 16 years has been considerable as a result of both internal and external tendencies. This chapter tries to identify the main tendencies of change, articulates a research plan and justifies the selection of the policy towards Morocco to illustrate the transformation of Spanish foreign policy.

1.1 The new context

A changing foreign policy environment

The international context that saw Spanish accession to the EC in 1986 has evolved beyond recognition since then. Whereas historical events of great relevance - from the fall of the Berlin wall and the collapse of the Soviet system to the terrorist attacks in New York and Washington on 11 September 2001 - have changed the geo-strategic environment, longer term processes are transforming the task of foreign policy makers across the planet. In particular the process of globalisation has been identified by many in the social sciences as crucial. Three main features characterise this process: increased and instantaneous contacts between locations world-wide; social interactions embedded in global networks; and local circumstances being shaped by events

² Two other events in the same year were also important: the recognition of Israel, which almost completed (only Albania was left) the process of establishing diplomatic links with those countries with which the Franco regime could not or would not maintain links; and the referendum that confirmed Spanish membership in NATO, which some authors saw as the most relevant event of that year (Grasa 1989:111).

taking place in distant locations (Giddens 1990: 60; Axtmann 1998: 2,5). Every field of social, political and economic life has been affected in a particular manner.

In politics some authors talk about the emergence of global politics: political activity and power, according to them, extend beyond the borders of the state in an unprecedented manner, political decisions and action in one area of the world have almost immediate effects in the whole planet, and decision makers are linked through almost instant communications systems and networks of decision-making (Held, MacGrew et al. 1999: 49). The emergence of global politics would result in the consolidation of global governance, a new configuration of politics at world scale including both formal inter-governmental institutions and organisations, and non-governmental transnational actors such as multinational companies, non-governmental organisations or transnational social movements (Held, MacGrew et al. 1999: 50-51).

The practice of foreign policy has changed dramatically in this new context, becoming increasingly complex. Foreign policy makers face the 'challenges of the new diplomacy' (González 1999), which can be summarised in three main difficulties: i) The growing importance of the domestic linkage: on the one hand, the action (or inaction) of the state in the international sphere has a bigger effect on people's everyday life in a world where the international environment penetrates constantly the societies; on the other hand, the access to international information of a vast majority of the population through mass media has granted those media a growing input in the definition of a state's foreign policy agenda. ii) The international environment is more and more complex: this international complexity is hard to manage as new actors (both state and non-state) enter the international arena, and new links are established between issues, that cannot be separately dealt with any more. 'Policy making in the international arena may well be termed the "management of uncertainty" [...]' (Webb 1994: 17). iii) Thirdly, the communications revolution faces foreign policy makers with a hardly manageable amount of

information. The difficulty consists no longer in simply obtaining information, but mainly in managing it (Webb 1994; Held, MacGrew et al. 1999: 53-58).

Foreign policy makers in every national capital need to adapt to the new circumstances. Instruments that were useful in the past are often not available, not acceptable or not efficient any more. Concepts that used to be narrowly defined, such as that of security, have evolved and changed their meaning;³ others that were always under scrutiny, like 'national interest', remain hard to comprehend. To the complex 'two-level game' (Putnam 1988) between domestic and international pressures, we must add the difficulty of managing an area which lies in between, often called 'intermestic' (Bloomfield 1982). This area is growing in size and blurring the borders between the two traditional constituencies of foreign policy (Hill 2003: 51-52).

We call intermestic issues those traditionally being within the domestic sphere, and which progressively hold a growing number of international components and repercussions⁴. The growth of the intermestic area challenges narrow definitions of foreign policy focusing only on the traditional areas of concern in international relations: issues of war and peace, diplomacy amongst nations and foreign trade. 'The sum of official external relations conducted by an independent actor (usually a state) in international relations', as Christopher Hill defines foreign policy (Hill 2003: 3), includes a growing number of issues that range from respect for patents and intellectual property to the way a state treats alleged war criminals.

Across the world states' foreign policy making machineries need to adapt in order to face the challenge. Improving the technical base (for instance, upgrading information management systems) and implementing administrative reforms have not been a sufficient response, in particular in times of budgetary constraints in most countries. We have witnessed in many

³ This change has been acknowledged in International Relations theory, where the Copenhagen School has led the discussion on the meanings of security and their consequences, but also, to a limited extent, in political discourse.

⁴ This definition is largely based on that used by the Center for Inter-American Studies and Programs of the *Instituto Tecnológico Autónomo de México*

countries, in particular in the industrialised world, two other tendencies: 1) the internationalisation of large parts of the government, which has resulted in the growth in the number of governmental actors internationally active; and 2) the search for multilateral solutions to domestic and international problems that any single state, including the most powerful ones, finds increasingly difficult to handle.

The first tendency, which is a direct result of the blurring of the domestic/foreign border, has changed the balance of actors involved in foreign policy. Within national executives, ministers with technical responsibilities in areas such as industry or home affairs have tried, and often managed, to secure a larger role in the definition of foreign policy. Prime ministers need to pay more attention to international issues that are of direct relevance to their electorate, and become arbiters of the competing views inside the cabinet about issues of foreign policy. Executives themselves have seen their relatively privileged position in the decision-making process for foreign policy slowly challenged by the emergence of new actors with interests in the international sphere: the judiciary power,⁵ local and regional authorities, economic lobby groups, etc.

The tendency to seek multilateral solutions as a response to globalisation can be explained in relatively simple terms, especially if we compare this to international political economy. States seek to minimise the costs of governance when trying to respond to external challenges. If we agree that '[i]nternational policies have lower costs of governance than domestic policies' (Ikenberry 1986:61) and that '[s]tates are more likely to seek international regime arrangements when they cannot control their environments effectively' (Ikenberry 1986: 61-62), then we can understand why states should agree to pool part of their sovereignty in economic areas in order to be in a better competitive position (Ikenberry 1986; Smith 1994).

⁵ See for example the effects on British-Chilean, Belgian-Israeli and Spanish-Argentinian relations of the attempts in the late 1990s and early 2000s by European national judiciary powers to process/extradite foreign political leaders accused of crimes against humanity.

Co-operation within the framework of the European Community, where sovereignty has been pooled on an unprecedented scale, has been analysed in similar terms by authors who 'assume the European Community to be an international framework constructed by the nation-state for the completion of its own domestic policy objectives' (Milward 1994:20). The opportunities and constraints of the situation of international economic interdependence can be better managed jointly, which explains the state's 'choice for Europe' (Moravcsik 1998).

We could consider integration in Europe to be a conscious choice, a response by nation-states to the new difficulties foreign policy makers are faced with. In the context of the EC, these difficulties started to be managed jointly in the fields where there was a common policy, like trade, fisheries or agriculture. This joint management extended further with the creation of European Political Co-operation (EPC) and later on the Common Foreign and Security Policy (CFSP). 'EPC is an exercise in coalition-building aimed at enhancing the member governments' influence in international affairs' (de La Serre quoted in Bulmer 1991: 77-78), '[i]t is not a product of the combined pressures, but an attempt to modify structures domestically and/or internationally with the aim of creating a constellation where foreign policy and domestic order can return to a mutually reinforcing circle' (Waeber 1994: 242-243). From this point of view, and in the words of a politician, 'European Union is the solution and not the problem' (González 1999).

But we could also argue that European integration is not an answer to globalisation, and it rather 'might have had an important effect in promoting new globalization.' (Ross 1998: 174). In a global context, European integration is just one expression of a general trend towards regionalism, which is one of the features of political globalisation (Held, MacGrew et al. 1999: 74-77). European integration is thus not always contributing to the rescue of nation-state, but it can be a constraint and a catalyst for change in the global context. After all, the challenges and adaptations of national foreign policies inside the EU are of a much bigger scope than those faced by non-member states (Manners and Whitman 2000: 261-266).

Foreign policy in a European context

All the changes that we have outlined above were powerfully conditioned in the case of Spanish foreign policy by the fact that Spain was a member of the EC/EU. The Spanish executive and other main Spanish actors entered in 1986 a uniquely sophisticated system of decision-making, in constant evolution. As a result, the European context and its effects on national policies were different in each period of time. There are however some general characteristics of the decision-making within the EC/EU that apply to the whole period and need to be borne in mind for the study of its impact on national policies.

The first characteristic is this fluid nature of a system in the making, in which the actors involved have both substantive objectives and institutional preferences. 'They may accept particular policy outcomes because of their institutional consequences and may even reject policy outcomes that would favour their substantive policy interests because they do not wish to accept the institutional implications' (Wallace 1996: 38). In this system the main principles of decision-making are not homogeneous: several methods of taking decisions have emerged throughout the years. Those methods give different weights to each institutional actor and establish different rules to determine the role of each of them in the adoption of a final outcome.

At the heart of this system lie two institutions: the Council, both an institutional actor itself and the sum of the member states' governments, and the European Commission; they play a fundamental role in each of the methods of decision. Helen Wallace (1996) describes three methods that were developed during the history of European integration: the Monnet method of partnership, the Gaullist method of negotiation and the co-option method adopted with the Single European Act .

The *partnership* method was the first to emerge: it creates a systematic partnership between member states, the economic actors affected by the issue at stake and the European civil servants, who develop the collective agenda. The relationship between the Council and Commission lies at the heart of the system, and the European Parliament and the European Court of Justice (ECJ) have a limited role, although time has proved that the latter can be a decisive actor. The second method, which emerged from the 'Luxemburg Compromise', placed *intergovernmental bargaining* within the Council at the heart of the system, limiting the role of the Commission and leaving the ECJ as the most integrationist force. The Single European Act changed the system again as it introduced a new dynamism in the EC that made QMV a much more widespread system of decision-making in the Council, and at the same time it opened the door to a wider participation of both socio-economic interests and the European Parliament; this *co-option method* brings back into balance the relationship between Council and Commission. The three methods compete openly, most visibly since the Maastricht Treaty, in different policy areas. (Wallace 1996: 42-57)

The differences between policy-making procedures in the policy areas, a second remarkable characteristic of the EC/EU system, are not a novelty of Maastricht. A segmentation of policy-making among issue areas had started in the 1970s, as the Commission's directorates developed distinct organisational cultures and policy networks involving public and private actors emerged around the different policy areas (agriculture, social policy, competition). But the institutional structure that was born with the Treaty on European Union, based on three 'pillars', represented a further step in this segmentation. Whereas in the first pillar (the three European Communities) the three methods mentioned above compete, and the role of the Council and the member states is limited by the numerous actors involved, the second pillar (Common Foreign and Security Policy – CFSP, and European Security and Defence Policy – ESDP) and the third pillar (Justice and Home Affairs) preserve a considerably larger role for the Council and the European Council, exclude the ECJ and the European Parliament to a large extent and limit the use of QMV to exceptional cases.

A third remarkable feature of the European Union is its complexity as a foreign policy system in which national foreign policies operate. Both realist and liberal intergovernmentalist authors have argued that there is no autonomous EU policy that has an impact on the international environment, downplaying the actual capacity of the European Union as such to impinge on the international sphere beyond the sum of national foreign policies. If this is the case, general theories of inter-state negotiations and alliances (according to the realists) or of international regimes (according to liberal intergovernmentalists) should be applied, instead of looking for a new theoretical framework (Pijpers 1991; Moravcsik 1993; Rosecrance 1998).

Many of the academics that study the external activities of the EC/EU do not, however, share the intergovernmentalist point of view. To them, there is more to the EC/EU external relations than the sum of national foreign policies. The question is to establish whether or not the EC/EU has two crucial features when it acts in the international arena: 'presence' and 'actorness'. The idea of presence is related to visibility and weight: the EC/EU is visible in international fora, and a European voice has been influent from the CSCE to the WTO negotiations. The idea of 'actorness' is linked to that of autonomy: if the EC/EU is not sovereign like a state, how can we decide whether or not it is an independent actor in international relations? Hill answers this question by testing Sjöstedt's attributes of an international actor against EC/EU. His conclusion is that both presence and actorness are characteristics which can be observed in the EC/EU. But its international presence does not stand in a completely autonomous manner: it is associated with a wider western European presence; and its actorness is not as complete as that of a state. (Sjösted 1977; Allen and Smith 1991; Hill 1993; Ginsberg 1999)

Charlotte Bretherton and John Vogler show in their work (Bretherton and Vogler 1999) that the EU possesses five fundamental 'requisites for actorness': shared commitment to a set of values and principles; the ability to identify policy priorities and to formulate coherent policies; the capacity effectively to negotiate with other actors in the international system; the

availability of, and capacity to use, policy instruments; and the legitimacy of decision processes. (Bretherton and Vogler 1999: 37-38) The EU can therefore be considered a global actor, whose actorness is socially constructed in a continuing process.

We therefore need a new, more comprehensive approach to the foreign policy of the EU. This is reflected by the increasing use of the expression European foreign policy (Hill 1996; Smith 1998; White 1999) or European foreign policy system (Smith 2003b). The idea of a European foreign policy includes the second pillar (CFSP and ESDP), but also the policies of the first pillar and the third pillar which impinge directly on the EU international environment. At the same time, the member states still have their own foreign policies, in principle autonomous but necessarily relevant to the common policy. Those policies are also taken into account when European foreign policy is studied.

European foreign policy has been defined as 'a system of international relations, a collective enterprise through which national actors conduct partly common, and partly separate, international actions.' (Hill and Wallace 1996: 5) Defining EFP as a system of international relations, and not simply as the foreign policy of an international actor, has important analytical consequences. Firstly, in many cases we find difficulties in directly applying to its study the same foreign policy analysis tools that we use for states; secondly, the study of the foreign policies of the member states cannot be undertaken any longer without taking into account their role inside this system; thirdly, we have to bring into the picture not only the common actions, but also those conducted unilaterally, or those conducted in other joint frameworks (like NATO or the G8); finally, the agency-structure dichotomy will not only operate between the system (i.e. EFP as a whole) and its external environment, but also within the system.

This latter point probably needs further explanation. The agency-structure model applied within EFP 'focuses attention on the two-way relationship between opportunities provided for by EFP structures and the extent to which the EU has agency' (Ginsberg 1999: 433). The analysis of EFP can thus be

conducted from the 'European' point of view, but also from the national point of view, and both approaches will offer useful analytical insights as long as we are aware of the interplay between both levels. This interplay happens in two directions, from states to European actors, norms and practices and the other way round.

Ole Waever stresses the need to face the challenge of dealing with the 'simultaneity of unitness at the state level and at the EC level' (Waever 1994: 247). Waever and Ginsberg (1999) are unsatisfied with the oscillation between one level and the other, or with the simple doubling of the level of analysis which 'produces an unsettled dualism, with both state and EC levels studied as if they were *the* unit. The procedure is in practice that only one level at a time is foreign policy and the other is part of the environment.' (Waever 1994: 248). Instead, we should be able to study 'the simultaneity, the interplay, the contest and the differentiation' between the two levels (Waever 1994: 248; Ginsberg 1999: 435).

Thus, the study of European foreign policy decision-making as the simple result of bargaining amongst the executives of the member states is not satisfactory. The idea that the formation of preferences at national level 'precedes bargaining, which in turn precedes delegation' (Moravcsik 1995: 613) to a set of supranational institutions that serve the goals of the state executives seems to us an excessive simplification of the system. A liberal intergovernmentalist account of the EU internal processes considers preferences – defined as 'an ordered and weighted set of values placed on future substantive outcomes' – to be exogenous to a specific international political environment, including the EU (Moravcsik 1998: 24).

We conceive the decision making process in European foreign policy to be more similar to the multi-level governance model, which considers that 'decision-making competencies are shared by actors at different levels rather than monopolised by state executives' (Marks, Hooghe et al. 1996: 346). State executives are important actors, but not the only ones: supranational institutions, as well as national and transnational non-governmental actors,

participate directly in the decision-making process, and shape each others' perceptions, impinging on the formation of their preferences. This interaction is closely linked to the idea of Europeanisation that we will examine further in this chapter. The study of European foreign policy provides us with numerous examples in which the analysis of bargaining amongst member states does not offer a full account of the EU decisions, and even in those cases where conflicting national preferences prevent a coherent policy from arising, like that of Western Sahara, the study of actors other than the national executives and of processes other than bargaining within the EU Council reveals interesting nuances and alternative interpretations of decisions (Vaquer i Fanés 2004).

Internal sources of foreign policy change

The evolution of Spanish foreign policy since 1986 has been partly driven by changes in the international context and membership in the EU, but also by some internal dynamics related to the political evolution of the country. By 1986 the new democratic decision making regime had established its main basic features, and before the end of the 1980s the last steps towards full normalisation had been undertaken. Relatively little attention has been given to the transformations of Spanish foreign policy making after that period by FPA scholars (Molina 2002: 177-179), probably because of the general impression that, unlike its content, the decision-making process of Spanish foreign policy remained relatively unaltered during the democratisation process or afterwards (Powell 2000: 449).

One first source of change is the alteration in relative weights between the actors of Spanish foreign policy. The centre of power has remained in the executive, but within it, the Ministry of Foreign Affairs has been losing importance in the formulation of foreign policy. This is not only due to the general international tendencies outlined above (growing internationalisation of other ministries, increased power of the prime minister), that were fully reflected in the Spanish case, but also to the considerable lack of human and

financial resources which it has been systematically suffering year after year.⁶ That loss of influence has been partly compensated by its competence for co-ordination of European integration policy, which in other countries (France, United Kingdom, Italy) is attached to specific departments or to the prime minister's office (Molina 2002: 175).

The Spanish Congress and Senate have played a relatively modest role in foreign policy despite their constitutional competence in the area. 'The reasons for this are to be found in the limited experience of democracy, the majoritarian nature of the relations between the government and parliament (*Cortes*) in Spain, and the decreased politicisation of international affairs after the controversial referendum on NATO' (Molina and Rodrigo 2002). However they have retained an important role as the most visible arena for direct confrontation between the parties, and in particular between the centre-right *Partido Popular/PP* and the centre-left *Partido Socialista Obrero Español/PSOE*. The substitution of the latter by the former in government in 1996 has been one of the main sources of change in foreign policy in the period that we are studying. The change did not come immediately after the substitution in power, but it was felt progressively in most areas of foreign policy, from very concrete bilateral relations (Cuba, Morocco, Venezuela) to the general balance in the Atlanticist vs. Europeanist tendencies of Spanish foreign policy.

The rise of the regional dimension in foreign policy is another phenomenon that has transformed Spanish foreign policy since the mid-1980s. It was reflected in the emergence of the *Comunidades Autónomas* (regions) as actors with their own policies of development co-operation, lobbying at European level and cross-border and interregional links. Another feature of the rise of the regional dimension is the extent to which regionally-organised interests, with the help of local and regional authorities and political representatives in

⁶ In September 2001 Spain had representations to 194 countries, was a member of 30 international organisations and was the 6th foreign investor in the world. However, its diplomatic service consisted of only 697 diplomats, 3 less than in 1975. By contrast Sweden had around 1500 diplomats, the Netherlands about 1000 and Italy 934 (*El Mundo*, 11 September 2001)

Madrid and the European Parliament, have managed to impinge very directly on the central government's foreign policy.

Another group of actors that have gained influence are non-governmental actors. Some of them, in particular lobby groups linked to concrete economic interests (business owners associations, agricultural organisations, fishermen guilds), became active in foreign policy issues during the negotiations for Spanish accession to the EC and retained a high capacity to influence not only policy makers at all levels but also, crucially, the mass media and public opinion. In times of high political rivalry (like in the 1995-1996 pre-election period) and after the PP government started to emphasise the defence of 'Spanish interests' some of the lobbies, in particular those linked to agriculture and fisheries, found a largely receptive environment to their demands (Alaminos 2001).

Non-governmental organisations (NGOs) have also emerged in the last 18 years as a player in Spanish foreign policy making, albeit a not very influential one. Parallel to the growth of their numbers, their activities, their budgets and their membership, NGOs have started to lead some campaigns in order to influence Spanish foreign policy, and in particular development co-operation policy. Even when those campaigns were most successful in attracting support and actions from the civil society (like the campaign for the 0.7 per cent target of GNP spent in ODA in 1994-1995), their impact on the central government's policy was hardly felt.⁷ NGOs play an important role in the implementation of development co-operation policy, as they execute a considerable part of the budget in their projects; at the same time many of their activities depend largely on public funding. This places them in an awkward position when it comes to criticising the government's policy.⁸

⁷ The campaign did have, however, a large impact on local and regional authorities, whose international co-operation budgets grew significantly as a result of social pressure (Aguirre and Rey 2001: 200).

⁸ As Intermón-Oxfam, one of the largest NGOs, was bitterly reminded in 2001, when the Spanish government's allocation for its strategy was 30% lower than expected. This happened after Intermón-Oxfam had singled itself out as the NGO most critical of the government's policies (*El País*, 8 May 2001).

The emergence of a large number of actors and organised interests that participate in the decision-making process in one way or another is by no means an exclusive characteristic of foreign policy. For almost 30 years now public policy analysts have been studying the networks of actors that shape a policy. The study of foreign policy networks in different areas of Spanish foreign policy – from the prosecution of genocide and other crimes against humanity to very specific fisheries negotiations – will give us a good illustration of its transformation in the last 15 years.

As we have seen, we can find the causes for changes in the way in which Spanish foreign policy is conducted in the global transformations, in the process of European integration that Spain entered fully in 1986 and in internal political dynamics. We have chosen to focus this thesis on the second group of causes, although the rest will necessarily be taken into consideration.

1.2 The impact of EC/EU membership

Accession to the European Community in 1986 was a crucial event for Spanish foreign policy. ‘The qualitative changes implied by this event in Spain’s international position are of such a scale that they will be, in fact, the origin of all the other transformations of Spain’s foreign policy’ (Aldecoa 1994: 166). We have framed our study of the impact of EC/EU membership on Spanish foreign policy within the literature referring to Europeanisation. This concept, which has been used in public policy analysis since the late 1980s, needs some adaptation in order to be applicable to foreign policy.

Europeanisation and foreign policy

Europeanisation is most commonly understood within the broad field of political science as ‘the penetration of the European dimension into the national arena’ (Gamble 2001:1).⁹ It is used to describe ‘the impact,

⁹ We are not dealing here with the historical meaning, referring to the export of cultural norms and patterns by European empires, or with a cultural phenomenon within Europe, whereby norms, ideas, identities and patterns of behaviour become diffused throughout Europe. For a discussion of those and other meanings see Featherstone 2003.

convergence or response of actors and institutions in relation to the European Union' (Featherstone and Kazamias 2001). Commonly quoted as the first operational definition of Europeanisation is the view that it is 'an incremental process reorienting the direction and shape of politics to the degree that EC political and economic dynamics become part of the organizational logic of national politics and policy-making' (Ladrech 1994:69).

We prefer not to identify Europeanisation with convergence, harmonisation or even with European integration. It has been pointed out that convergence and harmonisation can be the result of Europeanisation, but divergence may result as well (Héritier and Knill 2001; Radaelli 2001; Boerzel 2002). Nor do we see the value of using Europeanisation to designate European integration (Bulmer and Lequesne 2002: 16): the term 'has little value if it merely repeats an existing notion' (Featherstone 2003: 3), and this use seems to us to be more confusing than helpful.

In the study of EU-member states relationships, the term Europeanisation has often been used to illustrate a 'top-down' approach (Bulmer and Lequesne 2002), placing the stress on national adaptation and on the idea of 'downloading' from the EU level (Howell 2002). Claudio Radaelli defines Europeanisation as: 'Processes of a) construction b) diffusion and c) institutionalisation of formal and informal rules, procedures, policy paradigms, styles, 'ways of doing things' and shared beliefs and norms which are first defined and consolidated in the making of EU decisions and then incorporated in the logic of domestic discourse, identities, political structures and public policies' (Radaelli 2001: 2).¹⁰

The top-down approach was in part a reaction to the focus on 'up-loading' national preferences as the main explanatory factor for the EU- member state relationship; the dominating debate was for a long time the one on 'how to explain the dynamics and the outcome of the European integration process' (Boerzel 2002: 574). The bottom-up approach does not preclude the

existence of effects on member states, but it interprets those effects as positive for the main national actors, the executives, that take advantage of their participation in the EC/EU system 'to "cut slack", that is, to loosen domestic binding constraints'(Moravcsik 1994a: 2).

But the 'the language of dependent and independent variables'(Olsen 1996: 271) does not fit Europeanisation: we do not feel that there is a need to choose between the two approaches outlined above. Bulmer and Burch suggest that the top-down notion of Europeanisation, which they term 'reception', needs to be complemented by another dimension, 'projection':

European integration is not just 'out there' as some kind of independent variable; it is itself to a significant degree the product of member governments' wishes. Given that the European Union has its own organisational logic, it is necessary for national political actors (...) to accommodate some of that logic if the opportunities afforded by the EU are to be exploited.(Bulmer and Burch 2001: 4)

The interactive nature of the relationship between the EU and its member states (Bulmer and Lequesne 2002: 20) should, in our opinion, be taken into account when studying Europeanisation. We will conceptualise Europeanisation as a 'process of structural change' (Featherstone 2003: 3) that will include both dimensions, reception and projection.

What exactly is Europeanised? Studies on Europeanisation focus sometimes on policy areas, and study matters like policy communities, decision-making structures or legislative and political output (for instance: Ladrech 1994; Meny, Muller et al. 1996; Morisse-Schilbach 1999; Tonra 1999). More often, we come across studies that focus on institutions and institutional settings (for example: Sabá 1996; Sanchez da Costa Pereira 1996; Wessels and Rometsch 1996; Egberg 2000; Bulmer and Burch 2001).¹¹ Burch and Bulmer suggest that 'if national political life consists of politics, polity and policy, it is likely

¹⁰ Originally in *Italics*.

¹¹ Featherstone, in a comprehensive study of all articles about Europeanisation contained in the Social Sciences Citation Index, found that most studies referred to either policy and policy process (33.3% of the articles, plus another 16.7% devoted to foreign relations) or to institutions and political actors and structures (Featherstone 2003: 6).

that all three of these domains are affected by Europeanisation.’(Bulmer and Burch 2001: 3)

Studying the Europeanisation of national *politics* would mean focusing on parties, interest groups and public opinion. The study of Europeanisation of a national *polity* would start with constitutional and legal dimensions to include more specific aspects of how governments handle European policy. Finally, the study of the Europeanisation of a *policy* is probably the most difficult because of the complexity of isolating an ‘EU-effect’ in most cases (Bulmer and Lequesne 2002: 18). Where competence has been transferred to the EU level, like in the case of trade or agriculture, the study of both dimensions of Europeanisation, reception and projection, seems easier to justify than in the case of shared competence. However, we agree with Torreblanca and Smith that there is a case for studying the Europeanisation of foreign policy, despite the fact that this policy remains, by and large, in national governments’ hands (Smith 2000; Torreblanca 2001: 3-4).

Studies on the Europeanisation of a foreign policy, mostly conducted by scholars who are familiar with FPA, are relatively common in the literature. Specific theoretical approaches dealing with the study of Europeanisation of a foreign policy, however, are rarer. Ben Tonra, in his study about Danish and Irish Foreign Policies, adopts a constructivist approach defining Europeanisation as ‘(...) a transformation in the way in which national foreign policies are constructed, in the ways in which professional roles are defined and pursued and in the consequent internalisation of norms and expectations arising from a complex system of collective European policy making.’(Tonra 2000: 229). Michael Smith (1998) and José Ignacio Torreblanca (2001) adapt to the particular features of foreign policy the neo-institutional approach to Europeanisation, as a process by which European integration, acting as an independent variable, results in adaptation at the member state level; this adaptation will vary according to the ‘goodness of fit’ of domestic institutions and trigger changes (Torreblanca 2001: 4, Cowles, Caporaso and Risse 1998).

We will define the Europeanisation of a foreign policy as *the process of foreign policy change at the national level originated by the adaptation pressures and the new opportunities generated by the European integration process*. From this definition we want to underline three aspects:

1. Europeanisation is defined as a process: there will be changes that can be observed, and a final outcome of the transformation, a 'Europeanised' policy. The result of the process is, according to Radaelli's definition (see above), the construction, diffusion and institutionalisation of rules, procedures, styles, norms and, we add, the adoption of policy decisions.
2. Europeanisation is seen as having two main dimensions: reception and projection. Both aspects are included in the definition, because we consider them to be complementary aspects of the same phenomenon.
3. In studying the Europeanisation of foreign policies as defined, we could focus on three main aspects. One is the particular aspects of the process of European integration, and more concretely of European foreign policy, which cause changes in national foreign policy structures. The second aspect would be the study of the 'Europeanised' policy, and the establishment of specific indicators of change (Smith 2000: 614). The third aspect is the question of variation, i.e. 'why similar pressures produce different results in different countries or, within the same countries, why there is variation across different time-periods.' (Torreblanca 2001: 4). In this thesis we are proposing a research agenda which mainly focuses on the second of these aspects.

The limits of Europeanisation

The first risk we run when we define Europeanisation is that of 'conceptual stretching', of extending the meaning of the term to a point where it has no meaning left (Sartori 1970: 1034-35). We should avoid attributing any policy change that we observe to a vague idea of 'Europeanisation'. Thus, it will be

crucial to establish the limits of the concept. As we saw in the first part of this chapter, the foreign policies of EU member states are exposed to a number of processes independent of European integration. And, if we are to understand the impact of EU membership, we must be able to separate what is a result of Europeanisation from what is the result of other processes (like the emergence of global politics, domestic changes or the end of bi-polarity).

We can find in comparative politics and public policy analysis literature warnings about the risk of overestimating the role of Europeanisation and forgetting other phenomena (Ladrech 1994: 71; Johansson 1999: 172-173; Goetz 2000: 215-223; Hix and Goetz 2000: 1-3; Radaelli 2001:3-4). 'European integration as a source of change cannot be considered in isolation from other (potential) sources of domestic institutional and political change.' (Hix and Goetz 2000: 3)

The limits of what can be attributed to Europeanisation can be outlined in three directions: a) *Qualitatively*, assessing the magnitude and the quality of the changes observed to see whether there has been a substantial (as opposed to just formal) change; b) *Causally*, trying to establish the causal link between European integration and the changes observed; that is analysing the ways in which the supposed 'cause' (the European Union's polity, politics and/or policy) has produced the observed effect; and c) *Comparatively*, testing – as suggested by Goetz – the explanatory power of Europeanisation against that of other parallel processes (globalisation, domestic change) (Goetz 2000: 221-223).

a) The qualitative benchmark: the relevance of change

Assessing how relevant changes due to Europeanisation have been is particularly important in terms of bureaucratic adaptations and institutional change. How to measure whether adaptations have been just formal or deeply substantial? How to decide if a change affects the 'core' of decision-making or just its 'periphery'?

Goetz is correct when he says that ‘what is core or peripheral, or systemic and non-systemic change may appear the result of fairly arbitrary decisions by researchers’ (Goetz 2000: 221). However the study of Europeanisation of a foreign policy, if it is to go beyond mere enumeration of changes, needs to include certain criteria in order to discriminate changes which are particularly relevant, areas where Europeanisation has had a bigger impact than in others, innovations which play a crucial role. For this task we will rely on the literature on foreign policy change, and in particular we will use the typology suggested by Charles F. Hermann (1990) that establishes four types of change: adjustment, programme, problem/goal and international orientation changes.¹² Testing the question of relevance has a double discriminating effect: i) it helps us establish in what areas Europeanisation matters and in what areas it does not and ii) it prevents us from highlighting any change just because it is related to European integration, even though it may be negligible for the general picture.

b) The causal benchmark: Europeanisation as a cause

It is tempting to keep the study of Europeanisation at the level of the substantive content of change, i.e. the final outcome of Europeanisation, and to forget about the way in which this change has actually operated. This ‘missing link’ (Goetz 2000:222) between pressure (or incentive) for change and actual change (administrative adaptation, policy shift) is exactly the causal link which would allow us to argue that Europeanisation actually is the source of the observed effects.

Featherstone and Radaelli suggest that the ‘contours of Europeanization’ should be established by asking six questions: 1) *Who* promotes it? 2) *Why*? 3) *How*? 4) *When* and under *which conditions*? 5) *What* are the effects? and 6) *Where* are they to be observed? (Featherstone and Radaelli 2003: 334) The first four questions seem to us particularly relevant to the analysis of the causal process that links the EU features with the changes observed.

The question of *who* brings us to ask questions about the actors that act as carriers of Europeanisation, not only at the EU level but also in the member states. By asking *why* Europeanisation is promoted we face the question of interests, identities and beliefs defined in a manner that leads to action in favour of Europeanisation (Featherstone and Radaelli 2003: 335).

The question of *how* also brings us closer to establishing a causal link. How do innovative factors actually reach the national decision-making structures? Is change coming from a vertical top-down approach from the central institutions towards nation-states via institutional settings? Is it learnt or transmitted via socialisation in a horizontal way, from the other countries? Or is it coming from other parts of the national administration which have been further Europeanised via functional spill-over?

We know from past research in Europeanisation that change has tended to come in a gradual and cumulative way, rather than in a sudden, radical way (Goetz 2000: 223). The question of time is thus important. When did the changes occur? In what order did the events and changes happen? Which changes followed what events? What are the conditions that favoured Europeanisation? How long did it take for change to actually occur and to consolidate?

c) The comparative benchmark: contrasting phenomena

Studying change in foreign policy with Europeanisation as a single variable can provide us with an insight which can be useful both better to understand foreign policies of member states and to know more about European foreign policy in general. However, this study would be distorted if we did not check the impact of Europeanisation against other developments which may affect foreign policy at the same time as Europeanisation. Undertaking this exercise will prevent us from indulging in the temptation of attributing any observed change to Europeanisation.

¹² The exact meaning of these categories according to Hermann is detailed in chapter 7,

As we saw in the first part of this chapter, the foreign policies of EU member states are subject to a number of pressures and incentives for change which act at the same time as Europeanisation, sometimes in similar directions, sometimes in completely opposite ones. Some of those factors are closely related to European integration, or affected by it, yet they retain a separate explanatory power, and should not be merged under the big label of Europeanisation. We have tried to break down the wide international and domestic trends presented in the first section of this chapter into more concrete factors that we can use in establishing the limits of Europeanisation.

The international sphere

- Whether or not we consider that European integration is one of the expressions of the **emergence of global politics**, we will need in any case to separate the effects which are general to the whole world and those which are specific to the context of the European Union.
- The **end of bi-polarity** brought a very significant change to the equation in which foreign policy makers situated their own countries. Changes in the international system and in the relative positions that EU member states occupy in it are powerful factors that influence foreign policy.¹³
- The European international context is characterised by a high degree of institutionalisation. If the European Union is at the centre of the net of institutions across the continent, it is also true that **other institutions and regimes** are also important in the foreign policy of the EU member states (NATO, Council of Europe, OSCE, UN), and their effect on national foreign policies should not be underestimated or simply confused with the effects of membership in the EU.
- Finally, when we are studying a foreign policy, and in particular when we study a part of a foreign policy directed towards one concrete country or region, **developments in the target area** are of utmost importance to

section 7.1.

¹³ In states like France or Germany this has required considerable adaptation. See Aggestam 2000; Blunden 2000.

understand policy changes. In the case of this thesis, this includes events in Morocco, the Maghreb and the whole Arab World.

The domestic sphere

- Differences in **national policy-making styles** have remained significant, conclude many studies on Europeanisation, despite the pressures towards convergence (Harmsen 1999: 105-106; Goetz 2000:216-217; Bulmer and Burch 2001; Boerzel 2002). Indeed, in some cases a process of re-nationalisation and a reinforcement of the distinctive national characteristics has taken place as a result of Europeanisation (Johansson 1999: 173). In this context Europeanisation can at times be just a trigger or a catalyst for change rather than its major driving force, and even, in some cases, an alibi or a justification for the same traditional ways of doing things.
- The administrations of some European Union member states have undergone extensive **reform projects**, and this has been also true for their foreign ministries. Those reforms and new ways of organising the work may have had a larger impact on the making of foreign policy than Europeanisation itself. Thus we will want to study reform and reorganisation in foreign policy-making from the angle of domestic bureaucratic change before we assess the impact of membership in the EU. The same goes for other administrative changes like budgetary cuts/increases or parliamentary scrutiny mechanisms.
- Some countries have been through important processes of **political change and transition** which have occurred at the same time as Europeanisation (and often in a related way). This includes for instance democratisation processes or institutional crises.
- Changes in the domestic sphere can also be the result of **party politics, political events or public opinion pressures**. The domestic political arena generates a number of pressures and demands on foreign policy makers. It will be crucial to understand those pressures and to be able to separate them from the effects of European integration.

- The changes in policy communities and the appearance/disappearance or increase/decrease in influence of some **pressure groups** can sometimes explain changes in foreign policy better than the European factor. However, it should be noted that changes in the relative weight of pressure groups can at times be the very expression of Europeanisation (Featherstone and Kazamias 2001: 13).

1.3 The research agenda

Europeanisation of a foreign policy is the process of foreign policy change at the national level originated by the adaptation pressures and the new opportunities generated by the European integration process. This process has two dimensions: reception, i.e. the adaptations to accommodate the pressure for change that result from the structures and decisions of the European Union, and projection, i.e. the changes undertaken by governments to exploit the new opportunities offered by the EU. To analyse those changes we need to establish a research agenda. This research agenda is focused on a concrete area of study: the impact of EC/EU membership on a policy towards a third country.¹⁴ We need to set the questions that we will need to address across our study of this policy. The common framework will consist of four major themes that we consider to be at least potentially relevant in the study of Europeanisation of one member state's policy towards a third country.

Theme 1: new constraints and the search for new instruments

When will states seek to upload one concrete area of their foreign policy to the European level? When will they try to preserve another area as a *chasse gardée*? A crude intergovernmentalist account would argue that states will opt for Europeanisation when the new opportunities provided by collective action are larger than the new constraints to individual action. After all, it all reverts to the idea of costs and benefits: is the cost of transferring a certain degree of competence compensated by the benefits of collective action?

This is a first framework for an analysis of Europeanisation. We will have to try to reconstruct the cost-benefit reasoning of the decision-makers when opting for/against European solutions to their foreign policy problems. On one hand, we will explore the new constraints, on the other, the new instruments provided by the common framework, and eventually draw up some sort of 'balance-sheet' (Bulmer, George et al. 1992: 251).

The analysis of the **constraints** has to do with two levels. There is the formal, legal level of transferred competencies. In some areas, as in the case of common policies trade, agriculture or fisheries, the national governments have no competence to separately negotiate some of the external aspects of those policies, which directly affect their relations with other countries. Lacking the competence, a national government will only be able to influence the common policy in an indirect manner through multi-lateral negotiations within the Council, at times under the threat of being eventually outnumbered in a vote.

There is a second level of constraints that is informal. This level includes for instance the strong pressure to reach agreements and to avoid independent action and discordant voices in areas which are dealt with jointly. This is crucial for the credibility of European foreign policy in the eyes of third countries, but also for internal cohesion matters and in order to consolidate a basis, an *acquis*, upon which future policy can build. This second level of constraints includes also other aspects like the fact that European involvement in one's formerly 'private domain' may result in pressures to shift policy, to share privileged information, or to increase transparency.

The analysis of **instruments** can be conducted at two levels. The first level is the study of how effective European instruments (policies, directives, sanctions, common actions, strategies, etc.) are in comparison to national instruments. Are they more effective? Do they complement satisfactorily and interact without problems with the foreign policy actions of the member state?

¹⁴ A third country, as is conventional in EC/EU jargon, means a non-EU member state.

This study of effectiveness brings in the idea of 'politics of scale', and accounts for the 'benefits of collective over unilateral European foreign policy action in that members may conduct joint foreign policy actions at lower costs and risks than when they act on their own.' (Ginsberg 1999:438)

The other level of analysis is to see how successful a member state has been in using the available European instruments and shaping EU policy and structures in its own interest. It is not enough to state that the instruments exist or are available: we must analyse how far a government has been able to influence the relevant decision-making bodies (Commission, Council) in its own interest.

Theme 2: identity, interests and preference formation

So far it seems that we take the countries' interest as given once they enter the EFP decision-making process. This is not our view: interests can evolve, and this very evolution might be an effect of Europeanisation.

'The EU consists of a system of principles, rules and procedures which might have socializing effects on actors exposed to these norms. Socialization then means the process by which actors internalize the norms which then influence how they see themselves and what they perceive as their interests' (Risse and Wiener 1999: 778). A constructivist research agenda for European integration in general, but also for European foreign policy, should include three important dimensions: rules and norms, political community and identity formation and discourses, communicative action and the role of ideas (Christensen, Jorgensen et al. 1999).¹⁵ We think that those three dimensions should at least be considered when we study the Europeanisation of a foreign policy.

We will assume that member states do not have objective national interests that exist before the process of integration and remain unaltered in the

¹⁵ Liberal institutionalist (regime) accounts of European integration also stress the importance of rules, norms, principles and procedures that make a significant difference to state behaviour (Chalmers 2000:5).

process. It is not enough just to state that 'member states have different interests in the world' (Stavridis 1997:113) and it may well not be the case that there always is such thing as 'a set of underlying national objectives independent of any particular international negotiation' (Moravcsik 1998:3). Considering interests as given in the international context (even though one may well be aware of their formation process in the internal sphere) does not take into consideration the effects of socialisation in the EU framework, or the fact that 'national interest is a complex matter, because as much as it is a factor causing external action, it is at the same time a justifier of that policy' (Lasagna 1996: 49). No country violates its own interests, but definitions of interests can change during a negotiation (Putnam 1988: 155), and even more in a framework of constant interaction and permanent socialisation as that of the European Union.

What are the stated interests of the foreign policy that we are studying? Have they changed during the process of Europeanisation? Have new interests been defined, or old interests been left out of the policy-makers preferences? Has there been a clash between the particular interest and the common interest, or with the particular interest of another country?

Interests are formulated in the framework of the international identity of a state (Wendt 1992: 398), and indeed the question of identity is the second big component here. Identity, defined as a 'relatively stable, role-specific understanding and expectations about self' (Wendt 1992: 397), is not self defined but socially constructed through interaction in the international sphere, in a similar way as personal identities are socially constructed through interaction in the social sphere (Berger 1966).

Participation in the common framework of European foreign policy has an effect on the external identity of member states; it has even been argued that in some cases it can contribute to the search for a national identity (Hill 1983:199). National identities are defined or re-defined in the context of EFP, even if it is just for the purpose of stressing the differences with the other member states' external identities.

The questions for our study of Europeanisation will then be: Has the identity of the state in relation to the studied area of foreign policy changed because of its membership in the EU? What is the new identity? What are the effects of this change in identity in interest definition and preference formation?

Theme 3: policy-making

The use of the term Europeanisation has often been applied in studies that focus exclusively on administrative changes resulting from EU membership. Although we have opted for a wider conception of Europeanisation in this thesis, the administrative dimension of Europeanisation remains crucial, since administrative interaction and socialisation might be important transmission belts of the changes that occur in national policies.

The first step in the study of how the European institutional set up matters for the formulation of a foreign policy is the analysis of the organisational dimension. This is the focus of attention of many studies on Europeanisation, and the administrative adaptation of foreign ministries to the new challenges of EPC/CFSP is present in most studies dealing with Europeanisation of foreign policies (Sabá 1996; Sanchez da Costa Pereira 1996; Tonra 1999; Forster 2000: 48-53). For the purpose of studying the foreign policy of a member state towards a third state, however, the whole study of adaptations of the foreign policy machinery to European foreign policy may not be very revealing.

It is important to study the effects of the EU structure, in its three pillars, on national policy making. Some areas of foreign policy are dealt with in the context of the European Community, that is, in pillar one.¹⁶ This means on the one hand that the Commission (and in some cases the Parliament and the European Court of Justice) has an important role in those policies: interacting with the Commission, not just with other member states, will be an important part of the policies. On the other hand, it means that in many cases – those

¹⁶ The clearest examples are trade, agriculture and fisheries.

where QMV is applicable – the states have a weaker negotiating position *vis-à-vis* their partners as they do not have the right to veto Council decisions. This also means that within the national governments the ministries representing national views in Brussels will often not be the ministries of foreign affairs, but other ministries competent in the areas. Thus, ministries not specialised in foreign affairs (agriculture, interior, environment) can gain influence over external policies via Brussels.

The second pillar of the EU has preserved a preferential role for foreign affairs ministers, and most decisions, in particular the most influential ones, are still taken by consensus. This does not mean that the second pillar has not generated pressures for adaptation. The organisation of the discussions and the main geographical divisions, the issues on which governments need to have a position, and the implementation of the common positions and actions have required a considerable amount of administrative adaptations in the member states.

The third pillar, Justice and Home Affairs, preserves a privileged role for the national executives, and within them, interior ministers, who have thus gained specific weight in defining their countries external policies. In the third pillar, specialised ministers have again – like in some first pillar areas – have managed to be in charge of co-operation in areas that have a crucial influence in external relations. The examples of the fight against international terrorism or immigration and asylum policy are perhaps the clearest examples.

The consequential questions for our study will then be: Has the national administrative set-up for the policy studied changed as a result of Europeanisation? Have parts of the administration had a significant impact in this policy area via the EU? Has this caused bureaucratic rivalries? Has this affected co-ordination, coherence or efficiency of the policy? Have there been instances of incoherence between EU actions and national actions?

The socialisation of foreign policy makers has often been pointed to as an important transmission belt of Europeanisation. The first expression of this

socialisation was the 'European reflex': national decision makers automatically think of the collective dimension of a problem and of other member states' views of it (de Schoutheete 1980:118). Permanent interaction is an important source of socialisation, as are the rules, formal and informal, that have been developed in the different EU decision frameworks, and the *acquis politique*, i.e. the weight of past common decisions in the area of EPC/CFSP. The study of the socialisation of decision makers can help us to establish the way in which Europeanisation has operated.

In terms of results, we have to ask questions such as: how has the common framework affected the way in which national decision makers take decisions? How has it shaped the foreign policy agenda and timing? Has it modified their perceptions of problems, their definitions, and the possible solutions that they have considered?

In terms of process, we will want to know: How did socialisation operate? When has it been relevant and when has it been irrelevant? Are the effects of socialisation more visible on one group of decision makers than on another (politicians vs. bureaucrats, one ministry vs. another, senior officials vs. desk officials)? Does this have effects on the decisions finally made?

Theme 4: Europeanisation and the domestic context

The first three themes that we have suggested for the study of Europeanisation, and in particular the third one, are clearly focused on the national executive of the country studied. But Europeanisation may also affect national politics through actors other than the central government. For instance, Hill and Wallace argue that national parliaments have lost their capacity to monitor foreign policy - a policy area which in itself was never easy for them to follow - with the emergence of European foreign policy (Hill and Wallace 1996:6). We need to verify whether or not that is true for the country that we are studying.

We also need to study other actors such as political parties and lobby groups. National political parties interact on a very regular basis with their counterparts in other member countries, in particular within the European Parliament. We need to explore if there have been shifts in the political parties' positions towards the studied policy which can be attributed to their increasing Europeanisation. Political lobbies can also be relevant, and their capacity to influence foreign policy can be modified by Europeanisation. For instance, we should analyse if a certain kind of interest group (large firms, agriculture lobbies, NGOs), having co-operated, often successfully, in order to defend their common interest in Brussels, has also gained weight in the national arena thanks to Europeanisation.

Finally it is important to see how Europeanisation has affected the role of public opinion in foreign policy-making. This can be either through affecting public perceptions of foreign policy as a result of membership in the EC/EU, or by affecting the relationship between government and public opinion. William Wallace identified the following functions of EPC for the participating states: adding influence in multilateral fora and in bilateral relations with other countries or blocs; enhancing prestige and international image (think for instance of the presidencies); an alibi for inaction; a means for deflecting external pressure; and a cover for shifts in national foreign policy. (Wallace 1983: 9-10, 13-14) Hill adds the possible use as a card for other political bargains, its relevance as a factor which encourages and catalyses a country's role in the world and its external identity, and its functionality in as much as it results in less domestic accountability to both public opinion and parliaments (Hill 1983:199-201; Hill and Wallace 1996).

Some of those functions are directly related to the relationship between government and public opinion, which is thus likely to be affected by Europeanisation. The fact that decisions are taken behind closed doors in a negotiating table in Brussels allows member states' executives to use its results as an alibi for inaction, an excuse for unpopular foreign policy positions or a legitimising factor. In those cases, the effect of Europeanisation will be comparatively easier to identify than in the cases in which a change in

perceptions and preferences amongst the general public is due to EU membership. That does not mean that this possibility should be neglected. For example, opinion leaders in many European countries reacted to the EU failure to avoid the violent crises that erupted after the breakdown of Yugoslavia by putting pressure on their national governments to create more efficient mechanisms. The idea of a collective European responsibility had taken root to some extent in the public opinion of the member countries.

These, then, are the four themes that have guided our study of Spanish policy towards Morocco and the impact of EC/EU membership on this policy. As suggested in the previous section, the findings on the four themes need to be checked against the qualitative, causal and comparative benchmarks in order to be sure that the changes observed in policy can be attributed to Europeanisation. This thesis conducts such an analysis in relation to Spanish policy towards Morocco, but before proceeding to present the results of the research, it is necessary to justify briefly the choice of topic.

1.4 The study of Spanish policy towards Morocco

The choice of the case study

Relations with Morocco have been a key element for Spanish foreign policy since Moroccan independence in 1956. The relationship with Morocco includes most areas of Spanish foreign relations: from territorial claims to the fight against international drug traffic, from promotion of the Spanish language to Euro-African infrastructure projects. No other bilateral relationship, not even those with other direct neighbours like Portugal and France, nor those with other former colonies like Cuba or Equatorial Guinea, has been as complex.

This has resulted in the policy towards Morocco having served at times as a sort of laboratory of Spanish foreign policy, where some new ways of taking decisions and new actors have appeared. But this same policy has been on other occasions the remnant of the oldest diplomatic and military traditions in Spanish foreign policy. This is one reason that makes the study of Spanish

policy towards Morocco interesting: there are elements of change and innovation, and elements of continuity. This could be a good puzzle to start with: why have some elements changed so much, and others so little?

Since 1986 many actors have played a role in Spanish policy towards Morocco; as a matter of fact, the only significant player in Spanish foreign policy that has played almost no role at all in the relation with Morocco so far has been the judiciary.¹⁷ The Crown, Armed Forces, *Cortes* (Parliament), *Comunidades Autónomas* (regional authorities), political parties, economic lobbies, NGOs, have all been active in topics that affect relations with Morocco. Even Spanish public opinion, which seldom shows interest in foreign policy, has remained relatively attentive to the development of the bilateral relationship.

Within the central executive many different departments have been involved by virtue of the large number of areas that are involved. The Spanish embassy in Rabat contains representatives of almost all ministerial departments, a sign of the variety of issues that are relevant in the relationship. The fact that so many areas are included, and not just those traditionally considered to be the domain of foreign policy, is interesting. An important element of theoretical concern of this thesis is to try to establish the links between all those areas and to assess the impact of specific policies (migration, fisheries, promotion of investments) on the whole of the bilateral relationship. We take a broad definition of foreign policy and try to understand the links between the areas of external activity.

Methodology

Precisely because Spanish policy towards Morocco includes so many areas, the problem with studying it is more one of choice (where to concentrate the research?) than of access to information. In this thesis we have opted for

¹⁷ Since the late 1990s the judiciary has played an important role in relations with some Latin American countries (Chile, Argentina, Guatemala) because of its indictments of former leaders and members of dictatorial governments.

identifying the main areas of activity of Spanish policy in relation to Morocco and choosing four of them for an in-depth study.

Because of the particular importance of the relationship between those areas which are not foreign policy in its most restrictive sense, and the traditional, 'high-politics' relations, we have chosen issues which represent very different areas of activity. Thus, one chapter is devoted to fisheries, another covers commercial and economic relations, another chapter studies the issue of immigration, and one deals with the core of high-politics issues: the post-colonial and territorial disputes, including the issues of Ceuta and Melilla and the Western Sahara.

The advantage of this approach is that we can analyse in more depth the key areas of Spanish foreign policy and its evolution. The main drawback is that this thesis will not provide a complete picture of Spanish policy towards Morocco. At least six crucial areas have been left out: military co-operation, development aid, cultural issues, the fight against drugs and other illegal smuggling, technical co-operation (including joint infrastructure projects), and democratisation and human rights. All of them have played a certain role in Spanish policy towards Morocco at some point in time. None of them, however, has been active in all the period with an intensity that is comparable to the four areas we have chosen. For this same reason, it would be difficult to study their evolution and, in particular, the role of Europeanisation on that evolution, which we think can be done with the four case studies as they all deal with issues that existed on the bilateral agenda long before Spanish accession to the EC and remained high on the list of bilateral priorities throughout the entire period. Therefore, we believe that the theoretical purpose of this thesis is better served by a detailed analysis of those four areas.

The research strategy in each of the case studies has been guided by the theoretical approach outlined in this first chapter. We have conducted the research in the same order in which the cases are presented in this thesis, i.e.

fisheries was the first case (Chapter 3), followed by economic and commercial relations (Chapter 4), immigration (Chapter 5) and territorial and post-colonial matters (Chapter 6). In each of the chapters we have provided some specific background on the issues, that complements the more general background provided in Chapter 2. After this we have followed the evolution of Spanish policy in that area as far as it was directly concerning the relationship with Morocco.

The four themes of Europeanisation outlined in this chapter are the base for our analysis of the effects of EC/EU membership on each of the four policy areas. Not every theme has had the same effect on each of the areas. The analysis of the reasons for that variation is the starting point for the last chapter, Chapter 7, in which we bring together the findings of the four case studies and draw the general conclusions of this thesis.

As for methodology, some choices had to be made. First, we have opted for explanations that privilege decision-making and, to a lesser extent, systemic explanations of change. In that sense we do not intend to contribute to the literature on mutual perceptions and misperceptions, an area in which the Spanish-Moroccan relationship is particularly rich, given its history, the recent memory of violent incidents in the 20th century, a cultural and religious divide, a growing economic gap and divergent understandings of historical events. This sort of explanation dominates the existing literature in Spanish and French. Important as these questions are, there is an important contribution to be made by focusing on the concrete way and circumstances in which decisions are made, an approach that complements socio-psychological, historical and cultural explanations. This focus also allows us to relate the study of this very special bilateral relationship to the findings of the discipline of International Relations, addressing one of the weaknesses that we have detected in the literature about Spanish foreign policy in general and more specifically about Spanish policy towards Morocco.

Secondly, as this chapter makes clear, amongst the several possible reasons for change of Spanish policy towards Morocco the focus here is on the key

dimension of the impact of EC/EU membership. The research does not deal with this phenomenon to the exclusion of other topics, but the theoretical focus that guides the research and analysis of the evidence obtained is the study of Europeanisation. This will give some clear direction to the thesis, allowing it to move beyond pure description.

A total of 36 interviews have been conducted during the research for this thesis. All interviewees have agreed in having their names mentioned (a complete list is available in the sources section at the end of this thesis), but because not all of them were ready to be directly quoted in the text, we have decided not to quote any interviewee in the thesis text, not even of those who agreed to speak 'on the record'. For this reason interviews have not been used as evidence, but as a source of access to information and interpretations of the facts.

This also explains our choice of interviewees. Rather than establishing a list of people by categories, and trying to come up with a representative selection of interviewees, we have sought to talk to people that could shed some light in the points of the research in which access to documents proved elusive. A combination of primary and secondary written materials, all of them listed in the Sources section, has been the basis for the references in this thesis.

One difficult decision has been where to draw the temporary limits to the research. Given the focus on Europeanisation, 1986 looked like a relatively obvious choice. The problem of providing the adequate background to understand the analysis has been solved with the inclusion of a whole chapter, Chapter 2, devoted to the historical perspective and to the general framework in which Spanish policy towards Morocco evolved.

The decision to end the study at the end of 2002 is a less obvious one, in particular with the perspective of the events that followed. The main reason for that choice was operational: it seemed unwise to conduct an open-ended research. Moreover, in virtually all the fields of Spanish policy towards Morocco 2002 contains important landmarks, and above all the bilateral crisis

that peaked in July 2002 marked a turning point. Events in 2003 and 2004 have shown that other moments could have been chosen as the end of the study period, in particular the 11 March 2004 Madrid bomb blasts and the Spanish March 2004 legislative election, in which the Socialist party came back to power. But then again other events in the future, such as the Barcelona + 10 Euromediterranean summit, scheduled for November 2005, could be even more significant.

Our choice has been to stick to end 2002 as the closing date for our study. The main drawback for this is that it does not allow us to capture to what extent a change of party in power has been a decisive factor in bilateral relations. Also important events such as the May 2003 terrorist attacks in Casablanca or the 2003-04 Iraq crises have been left out of the thesis. We hope that those operational difficulties have not affected the validity of the conclusions of this thesis.

1.5 Conclusion

In a global context of changes and new challenges to foreign policy makers, and in Spain's new condition as an EC member state, Spanish foreign policy has changed considerably since 1986. The transformation is the result of events and processes of a global scale, of the impact of EC/EU membership and of internal sources of change. Arguably the second issue, the impact of EC/EU membership, has been the main motor for change in Spanish foreign policy in the last 15 years.

The study of the impact of EC/EU membership on Spanish foreign policy is centred on the idea of Europeanisation, defined as *the process of foreign policy change at the national level originated by the adaptation pressures and the new opportunities generated by the European integration process*. It is not enough to define Europeanisation; we need to establish the limits of the phenomenon in order to be able to distinguish those changes that are a result of Europeanisation from those that are not. These limits can be established in

three directions: qualitatively, assessing the magnitude and the quality of the changes that the policy has experienced; causally, tracing the causal links between EC/EU membership and the changes observed; and comparatively, contrasting those changes not only with patterns of Europeanisation, but also with other phenomena in both the domestic and the international arenas.

Having defined Europeanisation and established its limits makes possible a research agenda for the study of the Europeanisation of the foreign policy of an EC/EU member state towards a third (non-member) country. This research agenda has four main themes: the new constraints on national foreign policy-makers contrasted with the access to new instruments; the possible re-definition of identity, interests and preference formation; the changes in the policy-making process and in the decision-making structures and procedures; and the impact of EC/EU in the domestic context and its influence on the policy.

The issue of policy towards Morocco constitutes a good example of the transformation, but also of the elements of continuity, of Spanish foreign policy. This policy affects numerous areas of activity, many of them not always identified as traditional foreign policy. Those areas include issues that are nowadays the competence of the EC, whereas other areas are dealt with within different structures in the EU. Morocco is, moreover, a privileged partner not only for Spain but also for the EU and some other member states.

For all these reasons, the study of Spanish policy towards Morocco represents an opportunity to illustrate important aspects of the transformation of Spanish foreign policy. The case study throws light on some basic features of Spain's foreign policy since 1986 as well as being revealing in its own terms. The choice of Europeanisation as the main theoretical focus means that some of the conclusions of this thesis may apply to the general problem of the Europeanisation of national foreign policies.

Chapter 2: The Spanish-Moroccan relationship

In 1986, when Spain became a member of the European Community, Morocco had been independent for 30 years. Relations between the newly independent country and Spain were never easy, partly because of the legacy of the past, both remote (links between both sides of the Strait have been intense for centuries) and recent (Spain was a colonial power in Morocco until 1956). After the worst bilateral crisis initiated by the Green March in 1975, normalising the relationship was a hard task for the first Spanish democratic governments.

History is not, however, the only factor which weighs heavily on the bilateral relationship. The international and regional context within which this relationship unfolds must be taken into account: the Cold War, the transformations of both the EC/EU and the Arab World, the new geo-strategic equation in the Mediterranean, all affected this difficult neighbourliness. Another factor to consider is the specific interests that link both countries: since this is a thesis about Spanish foreign policy, we have focused on Spanish, rather than Moroccan, interests.

This chapter outlines the main features of the context in which bilateral relations between Spain and Morocco took place, before examining the Spanish policy itself in the following chapters. First, we briefly study the legacy of history and introduce some basic facts about Spanish colonisation and especially its de-colonisation of northwest Africa. The chapter moves on to survey the evolution of the regional context in the western Mediterranean, in order to put the bilateral relationship in the framework of regional dynamics. It concludes by examining the place that Morocco occupies within Spanish foreign policy, including the traditional and new Spanish interests in that country and its position within the scale of priorities of Spanish foreign policy.

2.1 The legacy of history

Colonialism and de-colonisation

Links between northwest Africa and the Iberian Peninsula can be traced back to pre-Roman times, and include several periods of intense interaction. The 800 year-long Arab and Berber presence in the Peninsula followed by a 500 year-long Iberian presence in Northern Africa constitute an important historical background to contemporary Spanish - Moroccan relations. However, the presence of Morocco as an issue for Spanish foreign policy makers in contemporary times can be dated quite precisely to a particular event: the 1859-1860 Spanish-Moroccan war.

The Iberian kingdoms had been present in Northern Africa since the 15th century in a number of enclaves; Spain had managed to retain a presence in Ceuta and Melilla until the 19th century but their situation was not consolidated.¹⁸ On 22 October 1859, after repeated attacks by tribesmen on Spanish garrison towns in Northern Africa, the Spanish Congress declared war on the Sultanate. The 1859-60 war started with some initial Spanish victories and ended - under English pressure for a settlement - without major territorial changes. The war provoked nationalist enthusiasm on both the Spanish and the Moroccan sides (Sevilla Andrés 1960; Laroui 1994: 183). No more expeditions took place in Morocco itself during the years of European imperialist expansion, and the limited Spanish colonising efforts were directed in the 1880s towards the Western Sahara, just across the sea from the Canary Islands.

The end of the Spanish empire after the 1898 defeat by the United States in Cuba, Puerto Rico and the Philippines liberated military assets and troops, and

¹⁸ Ceuta (Sabta in Arabic) was taken by the Portuguese in 1415, came under Spanish rule when the two crowns were in the hands of Phillip II of Spain, and chose to remain loyal to the Spanish crown when Portugal regained independence in 1640. Melilla (Mililla in Arabic) was taken in 1497 by a Spanish expedition, and has remained Spanish ever since.

fuelled demands for a new colonial adventure in Morocco which would take place in the first quarter of the 20th century. But English and French dislike of the idea of a single power mastering both sides of the Strait of Gibraltar,¹⁹ internal unrest, lack of resources and military defeats hindered the capacity of Spain to expand and consolidate its presence in North Africa. The Algeciras international conference of 1906 acknowledged the Spanish role in Morocco, formalised in 1912 with the creation of the Spanish Protectorate²⁰, which included North Morocco and a smaller territory in the south. France occupied the central part, the largest, richest, most densely populated one, and home to the Sultan.

The Spanish presence in Morocco was the clearest expression of the oscillation between co-operation and rivalry that characterised both countries' Mediterranean and African policies (Palomares Lerma 1994: 57). Whereas Spain had been the instrument in the hands of other imperial powers to avoid French hegemony in Morocco, it soon came to depend militarily on France to control the territory. In 1925, after 4 years of war in the Rif region against rebels led by Abdelkrim, Spain and France started a military co-operation which allowed for a pacification of both protectorates, marking the start of a relatively peaceful period of 'dependent colonialism' (Gillespie 2000: 12-13).²¹ In 1934 Spanish colonisation in northwest Africa was completed with the occupation of the rest of the Western Sahara and the enclave of Sidi Ifni, on the Atlantic Coast, that had been only partly colonised since 1860.

Two years later came the Spanish Civil War, which started with a failed coup based in Morocco. General Francisco Franco used not only Spanish soldiers stationed in Africa and the Canaries, but also between 60,000 and 90,000 Rifean mercenaries, who fought on his side on the Peninsula. Four months

¹⁹ Often, however, Germany and Britain supported Spain's aspirations in Morocco against France, fearing French presence in the Southern part of the Strait (Balfour 1997: 199-201).

²⁰ In legal terms, there was a French Protectorate in Morocco, but the responsibility for the administration of part of it was delegated to Spain. This is what we refer to when we talk about the 'Spanish Protectorate'.

²¹ Abdelkrim's rebellion seriously endangered the Spanish presence in northern Morocco with a number of Rifean victories. When Abdelkrim's actions affected the French part of the Protectorate, France decided to intervene. Henceforth the Spanish presence in northern Africa remained partly dependent on French military support.

after Franco's victory in Spain the Second World War (WWII) started. The initial victories of the Axis were seen by some of the Spanish fascists as an opportunity to occupy territories controlled by the allies (Gibraltar, Oran and Morocco), but apart from a brief occupation of Tangiers in 1940, Spain was never able to take advantage of the situation.

The end of WWII meant international isolation for the Franco regime. Excluded from the newly-created United Nations until 1955 and severely marginalised in the western European context because of its former links with the Axis powers, the country looked for new allies in the international context. The Arab countries were an important target for Francoist diplomacy. Thus, the rhetoric of 'traditional friendship' with the Arab World dating back to the times of Al-Andalus was put in place, and every effort was made to please the Arab monarchies, including the adoption of a strong pro-Palestinian stance.²² To a large extent, Spain conditioned its action in the protectorate to a new interest: the friendship with Arab monarchies (Moha 1992). The regime tried to present the Spanish presence in Morocco as temporary and not as a colonial rule. Thus Spain sustained Sultan Mohammed V in his challenge to France in 1953, opened Radio Tetuan to Moroccan nationalists and even went as far as supporting Moroccan nationalist guerrillas.

The return of the Sultan in 1956 and the sudden decision of France to withdraw from Morocco and Tunisia in order to concentrate on keeping Algeria left Spain 'no option but to follow suit' (Powell 1995:22). The French protectorate ended in March 1956, and a month later the northern part of the Spanish protectorate became part of the newly independent Morocco. This was not the end of the challenges to Spain: Moroccan nationalists attacked Spanish positions in Sidi Ifni and in Western Sahara, forcing Spain to accept French military help and to relinquish the Southern part of the Protectorate, around the city of Tarfaya, in 1958, after a two-year war. The Spanish colonisation of Morocco and its mainly military nature meant that the

²² Israel's refusal to recognise Franco's dictatorship as the legitimate government of Spain because of its past links with Nazi Germany made the pro-Palestinian attitude an even more obvious choice.

penetration in the deeper structures of the country had been limited; its hasty de-colonisation left very few traces of the Spanish presence in that country, and the opportunity of establishing a privileged link between the two countries was overlooked.

Far from accepting its new borders, independent Morocco soon adopted a nationalist doctrine which demanded a substantial enlargement of its borders to include the remaining north African territories in Spanish hands (Sidi Ifni, Western Sahara, Ceuta and Melilla), and French administered Mauritania and Eastern Algeria.²³ At the same time, just after the withdrawal from the southern part of the Protectorate, Spain elevated Sidi Ifni and Western Sahara to the status of provinces. In the 1960s the Spanish government increased the efforts to colonise and exploit the Western Sahara, just as de-colonisation became more and more generally accepted in the world arena.²⁴

In the 1960s and 1970s relations between Spain and Morocco remained difficult. The Moroccan regime maintained its claims, but downplayed them in moments of weakness or regional isolation (Hernando de Larramendi 1997: 356-357). It succeeded however in dealing on a bilateral basis with the Sidi Ifni question. As a result, in 1969 Spain withdrew from Sidi Ifni and Morocco gained sovereignty over it after an agreement which granted access to Moroccan waters to the Spanish fishing fleet under very generous conditions.

The Moroccan regime was not so successful in imposing its view in the two other areas of its interest. Spain never accepted any negotiation over Ceuta, Melilla and the lesser enclaves, which were considered to be an integral part of Spanish territory. Western Sahara had the status of a colony, but Spain

²³ In particular the nationalist party Istiqlal pressured the King to put into practice the irredentist ideas of Allal al-Fasi, who envisaged a Greater Morocco that would encompass an important part of Northwest Africa that had had some sort of links to the Sultanate in the past: Mauritania, Western Sahara, Sidi Ifni, the Spanish enclaves, northwest Mali and a substantial portion of Algerian Sahara.

²⁴ Moves in favour of and against decolonisation in Northern Africa were not only a consequence of changing international realities, but also of a power struggle between factions within the regime. While the Ministry of Foreign Affairs, led by Fernando María Castiella, was in favour of decolonising soon, a pro-colonial lobby represented in the government by

refused to discuss its sovereignty with Morocco on a bilateral basis and chose to deal with it in a multilateral framework which would include not only the local population (whose right to self-determination should be preserved), but also the United Nations and the adjacent countries, Algeria and Mauritania.

In 1970 Algeria, Morocco and Mauritania came close to an agreement on the Western Sahara issue, but this never materialised and by 1973 confrontation was almost inevitable. Morocco increased pressure on Spain (mainly by enlarging its exclusive fisheries area, capturing dozens of fishing vessels and re-activating the claim to Ceuta and Melilla in the UN), looked for diplomatic support elsewhere (with very limited success: half a dozen countries, mainly Moslem), and brought the question to the International Court of Justice in The Hague. In The Hague Moroccans and Mauritans looked for recognition of their respective historical right to the territory of Western Sahara, which both saw as an integral part of their national territory separated by colonial rulers. They opposed Spain's intention to apply the principle of self-determination and advocated the principle of territorial integrity instead.

The Court's opinion was that neither Morocco nor Mauritania had sovereignty links in the past that would justify a right to the territory, despite the existence of some historical ties, and thus it advocated the self-determination of the local population as defended by Spain and Algeria. King Hassan II took the initiative after the defeat on the legal front and announced the organisation of a peaceful march to recover Western Sahara. The 'Green March' took place a month later, in November 1975, during the long agony of General Franco which paralysed Spain. About 350,000 Moroccans marched across the border thus forcing negotiations on Spain. Both the Spanish internal context and the international situation favoured Moroccan ambitions,²⁵ and in a matter of days Morocco and Mauritania succeeded in convincing Spain to transfer its administering responsibilities to a temporary joint administration by Morocco,

Luis Carrero Blanco (deputy prime minister from 1967) advocated a much longer time period (Powell 1995:24-26; Gillespie 2000: 17-21).

²⁵ Charles Powell points to the growing isolation of the Spanish regime, the worrying Portuguese example (less than a year before unrest over a disastrous colonial policy brought

Mauritania and the Western Saharan tribal assembly, known as *Yamaa*. Moroccan and Mauritanian occupation of the territory followed, and after them, a long war in the desert.

A troubled neighbourliness: the years of transition

Analysts of Spanish foreign policy often point to the Green March and the signature of the Treaty of Madrid (10 November 1975) as the most difficult international challenge faced by Spain since 1939 (Mesa Garrido 2001:175). It was very unfortunate indeed for Spanish policy-makers that such a situation happened during an acute crisis of the Franco regime, when the dictator was dying and the political machinery was completely paralysed by the resulting uncertainty. Franco eventually died ten days after the signature of the Treaty of Madrid, on 20 November 1975, opening the space for a historical change in Spanish politics.

Initially, some elements loyal to the dictatorial regime attempted liberalisation without true reform, a move that failed in foreign policy as it did in the internal sphere. Thus, the only significant progress at the time was the upgrading of the agreements with the USA to a Treaty of Friendship and Co-operation. The main goals of the first government after Franco, the universalisation of diplomatic relations and the support of European democracies, were not achieved until a new government, clearly committed to reforms, assumed power under the leadership of Adolfo Suárez from June 1976 (Aldecoa 1994: 160-161). For that weak first government, the troubled situation in northwest Africa was of low priority.

In February 1976 the Spanish army abandoned Western Sahara following the Madrid Agreement. Morocco occupied most of the country militarily leaving the poor and deserted southern third to Mauritania. That same month the Polisario Front²⁶ proclaimed the Sahrawi Arab Democratic Republic (SADR)

about the fall of the dictatorship), the support of the USA and France for King Hassan II, and their fear of another revolution in the Iberian peninsula (Powell 1995: 29).

²⁶ The Polisario Front (Frente Popular para la Liberación de Saqia el-Hamra y Río de Oro) is the Sahrawi liberation movement born in the anti-colonial fight against Spain. It was constituted on 10 May 1973.

with Algerian support. Algeria recognised the new state a month later, and Morocco retaliated by breaking diplomatic relations with Algeria immediately. An unstable regional system of alliances was established, in which Morocco and Algeria drew Libya and Mauritania to their respective positions until the late 1980s (Grimaud 1988: 89). In the first period Spain found herself in a position very close to Morocco because of the Madrid Agreement of 1975, and the first concern was to find a more balanced position (Hernando de Larramendi and Núñez Villaverde 1996: 59-60).

Spanish foreign policy during the Suárez administration was more and more focused on Europe and the re-definition Spain's role in the world, in particular in terms of alignment, and Spain lacked any strategy in the Maghreb. As a result Madrid often found itself responding to hostile initiatives by Algeria, the Polisario Front or Morocco. Instead of looking for a more stable situation, Spanish diplomacy tried to take advantage of the Moroccan-Algerian rivalry, forgetting the risks that instability in the region could bring. The Suárez government started a policy of 'equilibrium', opposing any hegemony in the Maghreb which would threaten Spanish interests in the area (and in particular, the enclaves and the Canary Islands). Every action towards Morocco was to be followed by a similar action towards Algeria as a proof of neutrality. Far from reinforcing the Spanish position, this attitude exposed the government to permanent pressures and black-mailing by Spain's two southern neighbours, and at the same time discredited Spanish initiatives in the area. Every action by Spain favouring one of the parties would be perceived in the other capital as treason (Hernando de Larramendi and Núñez Villaverde 1996: 60; Gillespie 2000: 30-32).

The contending parties had two powerful tools to pressure Spain: territorial claims and fisheries. Morocco would activate its claim to Ceuta and Melilla as a means of pressuring Spain, as it had indeed done before. Algeria supported a movement for the independence of the Canary Islands, claiming its 'Africanness' and looking for support in Africa in order to get the Canary

Islands on the UN de-colonisation agenda.²⁷ Both Morocco and Polisario captured Spanish fishing vessels as a measure to put pressure on Spanish authorities.

The inefficient policy of 'equilibrium' was replaced by a clear pro-Moroccan stance of Suárez's successor, Leopoldo Calvo Sotelo, in 1981. In his first speech as prime minister, Calvo Sotelo stated clearly that the relationship with the Kingdom of Morocco was the priority for Spain.²⁸ That was seen with great hope by the Moroccans (Hernando de Larramendi 1997: 403), and with logical suspicion by the Algerians, who were also concerned about the Spanish decision to enter NATO, given the links between Algeria and the Soviet Union.

It is important to note that during those years of transition the Western Sahara question was the key factor to explain not only the relations between Spain and Morocco and Algeria, but also Moroccan foreign policy and intra-Maghreb dynamics. After the Green March, the Western Saharan issue helped the Moroccan monarchy to consolidate its internal position, and was the main question in both domestic and international affairs (Damis 1987). Inter-Maghreb dynamics, conditioned since the late 1960s by Algerian-Moroccan rivalry, started focusing on the Western Sahara question in the early 1970s and remained in this state until the late 1980s. It was difficult for Spain, the former colonial power, not to fall into these conflicting dynamics, and the policies of first equilibrium and then alignment did not help to overcome such vulnerability.

²⁷ The movement, known as MPAIAC, never got any significant support in the islands, and was based in Algiers, where its leader, Antonio Cubillo, found the kind of support for a liberation movement in which the Algerian regime was specialising at the time. Algeria never convinced enough African countries to raise the question in the Organisation for African Unity, and after an assassination attempt on Cubillo in Algiers in April 1978, the Canarian question was slowly forgotten as Spanish-Algerian relations improved (Gillespie 2000: 80-85; Marquina 2000: 515-517).

²⁸ The whole speech can be found in del Arenal and Aldecoa 1986: 225-227.

Towards a new approach

On 28 October 1982, the Spanish Workers Socialist Party (PSOE) won the parliamentary election. This victory was viewed with great concern in Rabat, given the open pro-Sahrawi stance of the party and the good relations between some of the socialist leaders and the Algerian National Liberation Front (FLN). For its part, Algeria hoped that the Socialist victory would put an end to the pro-Moroccan shift witnessed under the Calvo Sotelo government (Morán 1990: 78). The Socialists had complained vigorously against the signature of the Madrid Agreement and demanded its revocation. Their election manifesto in 1977 advocated a policy which would favour Algeria instead of Morocco, and the Socialist leaders, particularly Felipe González and Alfonso Guerra, had often been in Algiers in the late 1970s. But during the 1982 election campaign, when victory seemed possible for the first time, the Socialists had started moderating their discourse and making some gestures in order to reassure the Moroccans (Morán 1990: 78; Hernando de Larramendi 1997: 405-408).

Morocco was not convinced by those gestures, and in November 1982 joint Moroccan-American manoeuvres in Al Hoceima, close to the Spanish Mediterranean coast, served to prove the determination of the Moroccans and to warn the new Spanish government of the Reagan administration's dislike of the Socialist views on Spanish-American relations.

The new Socialist government downplayed some of its former claims, and started a policy which was much more pragmatic than their previous declarations had anticipated. Continuity, reliability and stability in foreign policy were prioritised, and former ideological positions on NATO and Western Sahara were soon dropped. The Polisario Front never got official Spanish support and the SADR was not recognised. Even the revocation of the Madrid Agreements, so strongly advocated in the preceding years, was completely discarded in favour of maintaining the official position of recognising the Moroccan administration, if not Moroccan sovereignty, over Western Sahara, despite strong Algerian pressure (Morán 1990: 83).

As early as December 1982 Fernando Morán, the foreign minister, made his first official visit to Rabat. Four months later Felipe González, the prime minister, also chose Morocco for his first official trip. The clear goal was to create a new climate of confidence and to put an end to Moroccan suspicion of the Socialists' intentions. The moment was also favourable in Morocco for a 'détente': after serious defeats on the war fronts in the second half of the 1970s, aggravated in 1979 by the Mauritanian decision to withdraw from Western Sahara, the new, American-inspired, strategy of building walls in the desert had started bearing fruit from the early 1980s: by 1983 the Moroccan positions were relatively consolidated.

Moreover, the completed colonisation (in 1981 there were 4 Moroccans, including civilians and military personnel, per local in the Western Sahara), newly-achieved security and economic success of the region allowed the regime to think that a referendum could be won (del Pino 1983a: 126-127). In 1981, in order to regain the diplomatic initiative, the King of Morocco accepted the referendum that the Sahrawis and Algerians had so long been asking for, although the conditions were never agreed upon. The new Moroccan position limited one of the main sources of conflict, not least since Rabat was interested in improving relations with Madrid in a moment of difficult relations with another Socialist administration, François Mitterrand's, in Paris (Hernando de Larramendi 1997: 411).

The Spanish socialist government, which had made full integration in western Europe (and in particular in the EC) an absolute priority of its foreign policy, wanted to change the problematic nature of Spain's relations with the Maghreb countries. Thus a new, global approach to the region was to be put into place. This global policy towards the Maghreb was theoretically outlined during 1983, but it took several years to develop completely.²⁹ Felipe

²⁹ I have translated *política global* as 'global policy'. However, the reader should note that, whereas in English the use of global in this context would suggest 'relating to the whole world', in Spanish it is used in its second meaning: 'relating to or embracing the whole of something, or of a group of things', i.e. closer to the meaning of 'holistic' (definitions from Oxford's *Compact English Dictionary*, Second Edition, 2000).

González, the Socialist Prime Minister, described the new attitude with the following words:

Spain is engaged in a global policy, not a policy of balance; a policy of collaboration, not confrontation, and one of non-interference in the internal affairs of other countries (OID 1983: 501).

The global approach, which nonetheless takes account of the singularities of each of the Maghreb countries, has a double objective: the defence and promotion of Spanish security, economic and cultural interests in the area (territory, security, fisheries, energy supplies) and the promotion of economic prosperity and political and social stability in the region, to result in a prosperous, stable and integrated Maghreb (Moratinos 1991).

The new mood in relations with Morocco bore its first fruit in the 1983 fisheries agreement, the first stable and lasting agreement achieved in years, which brought relative stability to the Spanish fleet. The traditional use of fisheries as a means of pressuring Spain could thus be partly avoided, with a proper agreement with Morocco in place and no access to the sea by the Polisario.

Algeria was not forgotten: Alfonso Guerra, the deputy prime minister, travelled to Algiers in March 1983, the same month González went to Rabat, and two months later the Spanish King and Queen visited Algeria. But if the Algerian-backed claim for a de-colonisation of the Canary Islands was almost forgotten by the time the Socialists came to power, the Socialists' decisions to maintain the Madrid Agreements and to keep Spain in NATO disappointed the Algerian government. A bitter dispute over the terms governing the provision of Algerian gas to Spain was elevated by the Algerian regime to a political question, and troubled commercial relations until an agreement was reached in 1985 (Marquina 2000: 535-537). ETA, the terrorist organisation, had found shelter and training in Algeria since the mid 1970s, but it was not until France started a policy of collaboration with Spain in fighting terrorism

in 1983-85 that Algeria became an important ETA sanctuary, a new source of bitter disagreement with Spain (Gillespie 2000: 85-86).³⁰

The global policy put in place by the Socialists only gave limited fruits in its first years, but set the path for a new way to design Spanish policy towards the Maghreb, and towards Morocco in particular. The fruits would only come years later, and not before the whole relationship was completely modified by the decision of the Ten to accept Spain and Portugal as EC members from 1986.

The legacy of 30 years of relations with independent Morocco is, as we have seen in this first section, complex and very relevant. In the ten years since Franco's death, the democratic governments of Spain did not manage to overcome the poisoned heritage left by colonialism and a troubled bilateral relationship. They did however establish the new basis for a more stable relationship with the southern neighbour. But complicated dossiers like fisheries or the Western Sahara, mutual suspicion between both sides of the Straits of Gibraltar, and important cultural and sociological elements for conflict are the heritage of those difficult 30 years.

2.2 A new context

The next section looks at the regional context that had an important effect on the bilateral relationship and on Spanish policy. We undertake that task in three parts: firstly comes the strategic context of the western Mediterranean during the Cold War period; second is the evolution of the EC/EU and its relations with Morocco; finally, attention turns to the regional context in the Maghreb and the Arab World at large.

³⁰ This attitude was rectified some years later: in 1987 the Algerian regime tried to persuade ETA members to declare a ceasefire, and supported the negotiations between the Spanish government and the terrorist group. As those negotiations failed, ETA members were expelled from Algeria: the last group left in May 1989 (Marquina 2000: 538-539).

The western Mediterranean and the Cold War

The de-colonisation of Morocco, the Western Sahara crisis, the Spanish transition, all took part in a global context deeply influenced by the Cold War. Like many other regions across the world, the Mediterranean became an area of competition and rivalry between the USA and the Soviet Union. Moreover, although lacking a specific policy for the Maghreb, the superpowers always included that area in their Mediterranean policy, and their actions were inspired by political and strategic definitions of a global nature (Elliot Zoppo 1983: 85-86).

Tensions arising from the colonial past in the region constituted a fertile ground for Soviet ambitions in the area, and conflicts like the Arab-Israeli dispute, the liberation wars (particularly in Algeria) or the Western Sahara were seen in Moscow as opportunities for a change in the status quo, a status quo of which the United States became an advocate. American policy in the Mediterranean had a double objective: on the one hand, avoiding Soviet expansion in the area; on the other, preventing any local or regional tension from escalating into a fully fledged conflict which would offer the Soviet Union opportunities for involvement.

The Truman doctrine in the late 1940s and the 1950s was the start of American involvement in the region. The United States pressured their European allies to include Turkey, Greece and Portugal in NATO. Because Franco's Spain in NATO was totally unacceptable to the European allies, the USA established a bilateral agreement which ensured the presence of American troops in the vicinity of the Strait of Gibraltar. Some friendly Arab regimes, like Morocco or Libya, were also included in the American strategy. The United States thus became 'the last guarantor of the security of the Mediterranean countries of Europe, Spain, Israel, and the Arab countries of a pro-western tendency' (Elliot Zoppo 1983: 92).

Morocco remained a loyal ally to the USA during the Cold War, and so did Spain. Therefore, Spanish-Moroccan tensions during the process of decolonisation never acquired an East-West dimension, and the logic of bilateral relationships prevailed. The USA had agreements and bases both in Morocco³¹ and in Spain, and considered the region around the Strait a friendly and stable area, of great strategic value to ensure communication and transport from the North Atlantic to vital areas like the Persian Gulf or Israel.

The Western Saharan dispute was thus a worrying situation for the United States. Algeria had important links with the Soviet Union, and tensions in the area threatened the whole stability of northwest Africa. In the absence of direct Soviet involvement,³² the greatest fear in Washington was the possibility that a Moroccan defeat against Polisario could foster the fall of Hassan II's friendly regime (Elliot Zoppo 1983: 103). In the wider global context, the crisis in the Middle East, the Portuguese revolution and, later on, the Iranian revolution, increased the interest of the USA in a stable Morocco (Urruela 1995: 109). This explains American support of Morocco, including technical help in implementing the eventually successful strategy of the belts of walls (Cisteró Bahima and Freixes Sanjuán 1987).³³

American support was complemented by another close ally of the Moroccan regime: France. France not only gave diplomatic support, including – crucially – from its permanent seat at the UN, and provided the Moroccan and Mauritanian armies with weapons, but even intervened in the war with troops between November 1977 and June 1978 supporting the Mauritanian

³¹ Four military airports were built during the Second World War and remained open to the United States until 1963. Limited access to military facilities was offered again from 1982.

³² The USSR had strong economic links with Morocco in areas such as fisheries and phosphates, and was the first buyer of Moroccan citrus fruit. This probably explains Moscow's lack of enthusiasm in supporting the Polisario.

³³ The strategy consisted of building belts of protected walls around some strategic areas to avoid Polisario's activities and attacks. Successive belts encompassed more and more territory until the building of the last one, that nowadays constitutes the border between the Polisario controlled and the Morocco controlled areas, and leaves no access to the sea, cities or mineral resources to the Polisario Front.

government.³⁴ After the Mauritanian withdrawal from the war France adopted a more balanced attitude and recognised the right of the Western Saharans to self-determination, but still remained the main ally of Morocco in this issue.

However, both France and the United States tried to avoid being in the first line of the diplomatic battle against the recognition of the SADR. The most outspoken allies of Morocco were the conservative regimes in Africa (Zaire, Senegal) or the Arab countries (like the Gulf monarchies), whereas the leftist regimes of Africa (Angola, Ethiopia, Zimbabwe, etc.) and the Arab League (Algeria, Libya, PDR of Yemen, Syria) were the first to recognise the SADR. On the whole, the Western Sahara question had always much more of a regional dimension than a Cold War one (Osterud 1989), and it was only in Africa that the dispute acquired a bigger scope. The changing alliances in the Maghreb evolved around Algerian-Moroccan rivalry, not according to East-West lines.

Spain had also been since the mid-1950s a close ally to the United States. The Americans had in Franco's Spain a friendly ally that – despite its pro-Arab rhetoric and its non-recognition of Israel – allowed them to use the bases during the Middle Eastern conflicts. But when the dictator died, the neutralist tendencies – which had been present in the opposition to the dictatorship – became evident during the Suárez presidency and when the Socialists came to power.

When the Calvo Sotelo administration decided that Spain should join NATO, and especially after the Socialist government confirmed membership with a referendum in 1986, months after Spain's accession to the EC, it became clear that Spain (even with a Socialist government) was a reliable ally. Thus, the USA had no interest in taking sides in any Spanish-Moroccan dispute. The improvement of relations between Spain and Morocco during the consecutive socialist administrations, the easing of tensions in the Maghreb itself, and

³⁴ The kidnapping of French citizens by the Polisario in Mauritania served as the excuse for an intervention to protect the iron mines and to preserve the failing pro-French Mauritanian regime, which fell to a military coup one month after the French withdrawal.

eventually the end of the Cold War and of the fear of an escalation of a conflict contributed to consolidate the western Mediterranean as a region of relative stability.

The northern shore: integration and exclusion

When the Cold War ended and the overwhelming presence of the superpowers in the Mediterranean started to decline, a new international actor was ready to play a new, crucial role in the region: the European Communities (EC), soon to become the European Union (EU). The role of the EC in the Mediterranean had been growing since its creation, partly following a decline in the role of the European powers (particularly Britain and France), mainly as a reflection of its growing presence in the international arena. The late 1980s and the start of the 1990s witnessed a major shift in the European role in the region.

The EC was created in 1957, only a year after Morocco's independence. At that time, the Kingdom was heavily dependent on France in economic terms: 60% of its exports went there (de la Fuente Casamar 1989: 77). The special situation of Morocco (and Tunisia) in relation to France was taken into consideration by the Rome Treaty in a protocol and a declaration which constituted the basis of a close association to the EC built upon the preferential agreements that Morocco already had with France.³⁵ Thus, the initial relationship between Morocco and the newly created Community was strongly mediated by France and the previously existing links.

In 1963 Morocco officially requested to start negotiations for an association agreement, which started in July 1965. In March 1969 an association agreement between Morocco and the EC was signed. The agreement was seen more positively on the European side than in Morocco, where critical voices argued that the agreement left the Moroccan economy at the mercy of the Europeans, and in a disadvantageous position in respect to other competitors,

³⁵ 'Protocol relative to goods originating or coming from some countries that benefit from a particular import regime in one of the Member States' and 'Declaration of intent with a view to the association to the EC of the independent countries belonging to the French Franc zone.'

mainly Spain and the eastern Mediterranean countries (de la Fuente Casamar 1989: 82-83).

The strong Moroccan dependency on France was thus gradually substituted by a dependency on the EC as a whole. In 1972 the EC heads of state and government decided to launch a new, comprehensive Mediterranean policy. This included a new generation of agreements which would include not only trade concessions but also industrial co-operation, a chapter on migrant work forces and financial aid, although in very modest proportion compared with the bilateral assistance provided by some member states, the superpowers or the Gulf states (Tovias 1996: 11). Morocco signed a new agreement in 1976 following those lines, and its implementation started in September 1978.

The agreement placed Morocco in a relatively privileged position in the EC pyramid of foreign partners, although some of the drawbacks of the first agreement (particularly as far as agriculture was concerned) were hardly altered. But the context changed rapidly in the European side from the early 1980s. The so-called Global Mediterranean Policy, which included relations with Morocco, was affected by the application until 1986 of the concessions negotiated by the EC in the Tokyo round of multilateral trade negotiations, the enlargement to Greece in 1981, the improvements offered to ACP countries in the 1980 and 1985 renewals of the 1975 Lomé convention, and the accession of Spain and Portugal (Tovias 1996: 12).

Since the signature of the Association Agreement in 1976, and in the light of the rapidly changing circumstances in Spain, Morocco was fully aware that the possibility of an accession to the EC by Spain should be taken into account in its dealings with the EC. If relationships were always structured in bilateral frameworks (Morocco-EC, Morocco-Spain, Spain-EC), there was a hidden trilateral game in which the third party, absent from the negotiation table, was nonetheless felt inasmuch as the decisions adopted would affect it. This 'Spanish factor' (de la Fuente Casamar 1989: 87) in the relations between Morocco and the EC became the predominant theme of those relations in the 1980s.

The agriculture and the fisheries chapters were especially sensitive. In November 1985 negotiations between Morocco and the EC started in order to adapt the 1976 Agreement to the imminent Iberian enlargement. Morocco wanted improved access for some agricultural products (citrus, tomatoes, olive oil) in order to be better placed to compete with Spanish and Portuguese exports. Such improvement was not reached, and only minor compensations in the industry, research and new technologies fields were achieved. After Spanish accession in 1986, the fisheries negotiations became the most difficult issue between Morocco and the EC since the start of their relations. The talks started in July 1986, but it was not until February 1988 that an agreement was reached after bitter negotiations, strong pressures from both sides and a lot of tension.³⁶

In 1987, Morocco applied formally for EC membership. Only three months later the EC Council of Ministers turned the application down, arguing that the Community was only open to European countries.³⁷ The surprising Moroccan application has often been explained as a reaction to the considerable damage that the Iberian enlargement had caused to Moroccan relations with the EC. This might be an explanation for the timing of the official application,³⁸ but not necessarily for the ultimate meaning of the application itself: the Moroccan candidature is 'a long term objective that becomes in the short term a political negotiation tool' (El Houdaïgui 2003:129). Nonetheless, by 1988 Morocco could be considered in global terms one of the (if not the) non-member states most closely linked with the EC.

Events in Central and Eastern Europe would soon challenge this position. The fall of the Berlin Wall and the renewed European interest in what was happening in the former Soviet bloc concentrated a big share of the

³⁶ See Chapters Three and Four for more detail on those issues.

³⁷ Art. 237 of the Rome Treaty was unambiguous in that point: 'any European state' can ask for membership. Morocco is not a European state.

international efforts of an increasingly cohesive EC. The Single European Act had paved the way for the Single Market, to be achieved in 1992. At the same time, a political union was being discussed, the events to the East being its main cohesive force. As Poland, Hungary, East Germany, Yugoslavia or the Soviet Union started to be more and more present in the discussions of the Twelve, Morocco and, in general, the whole Mediterranean region became less and less of a priority for the European Community.

The southern shore: opportunities and tensions

At the same time that Spain and Portugal entered the EC, and the EC agreed to implement the Single Market, the situation in the southern shore of the Mediterranean started to change. Tension had peaked in 1983 and 1984, with two opposed alliances emerging: Algeria, Tunisia and Mauritania on one side, Morocco and Libya on the other.³⁹ Those years coincided with the first Spanish attempts to build a global policy, which avoided siding with Morocco or Algeria and placed stability in the Maghreb at the top of Spanish interests in the area. Because of the coincidence with a conflictual situation in the Maghreb, during its first years the new Spanish policy had only limited success.

But the second half of the 1980s saw important changes in the area. Morocco and Algeria's economies were unable to sustain the permanent drain of resources towards the war in Western Sahara, and started a process of détente in 1987 which coincided with the reduction of tension between Tunisia and Libya. The re-establishment of diplomatic relations between the old foes (Algeria and Morocco, Tunisia and Libya) opened the door to a process that led to the creation of the Arab Maghreb Union. Less than two years later, on

³⁸ The application of 1987 was not a complete novelty: the will to become a member of the EC had been first declared by King Hassan II on the occasion of the Fointainebleau European summit in 1984.

³⁹ Morocco and Libya signed the Treaty of Arab-African Unity in Uxda (Morocco) on 14 August 1984. The main interest behind the Treaty of Uxda was not related to Spain, but to non-intervention in the wars that the two signatories were fighting in the Sahara: Western Sahara and Chad.

17 February 1989, the leaders of Algeria, Libya, Mauritania, Morocco and Tunisia signed in Marrakesh the treaty which created the Arab Maghreb Union. The Maghreb countries had finally created a climate of co-operation on the southern shore, for the first time since de-colonisation.

Changes also took place in the domestic arenas. Progressive economic liberalisation was accompanied by a political change towards pluralism. External shocks, as in the case of Libya,⁴⁰ or internal events, as in the case of Algeria,⁴¹ as well as an acute economic crisis affecting all countries in the region,⁴² triggered change. Morocco, Tunisia and Mauritania also started the processes of transformation of both their economies and their political systems.

The year 1989 signalled a particularly favourable environment in the western Mediterranean, with growing co-operation in the south and the quick disappearance of a Soviet threat. In this context, Spain, Italy and France started to design new multilateral initiatives towards the region that reserved an important role for the newly born Arab Maghreb Union. Now that inter-state confrontations and rivalries seemed to be less relevant, a new security agenda emerged. The main European concerns in relation to the Maghreb were, according to the Spanish foreign minister at the time, the periodical outbreaks of social violence in the forms of riots, resulting from a deep economic crisis; the increasing presence of Islamic fundamentalism; and growing migration towards EC countries (Baixeras 1996: 150). For about two years the members of the newly born Union would start agreeing positions on their meetings with the EC and promises of a closer integration were repeatedly made (Martín Muñoz and Núñez Villaverde 1995).

⁴⁰ Mainly, the US bombing of Tripoli and Benghazi on 14-15 April 1986.

⁴¹ In October 1988, after long weeks of strike, riots took place in the capital to protest against the government's economic policy. After a first repressive reaction (imposing the state of siege), the government undertook a constitutional reform which allowed for multipartidism and competitive elections.

⁴² The recession of the early 1980s hit badly the Moroccan and Tunisian economies, whereas the lower prices of oil and gas from the second half of the 1980s had devastating effects on the Libyan and especially the Algerian economies (Talha 1996).

This favourable environment would, however, not last very long. By the end of 1989, the attention and efforts of the EC were focusing almost exclusively on events in Central and Eastern Europe. At the same time, the situation in the Maghreb itself and in the Mediterranean changed rapidly.

Libya faced international outrage as evidence pointed to its secret services in a series of terrorist acts in the late 1980s, which led the UN Security Council to impose a military and air embargo on it in 1992. In Algeria, the cautious reform that started in 1988 brought growing pressure for more liberalisation. In the economic front, reforms were applied slowly and with very few results. In the political front, the first free municipal elections brought an Islamist victory, as did the 1991 general election, which was cancelled by the Algerian authorities after the first round, as they realised the magnitude of the fundamentalist success. The country entered a spiral of repression until Mohammed Boudiaf, the president, was killed in 1992. At that point the country was heading towards civil war.

Tensions in the Arab World were by no means exclusively confined to its westernmost part. In the East, the late 1980s were the years of the first Palestine 'Intifada', whilst war in Lebanon seemed impossible to stop. Further east, the end of hostilities between Iran and Iraq was soon to be followed by a new crisis, involving again Iraq and its smaller neighbour, Kuwait. The start of the decade of the 1990s was marked in the entire Arab World by the international reaction to the Iraqi invasion of Kuwait.

The Gulf War confirmed the United States as the only world power that could decisively influence events in the Middle East, now that the USSR was in deep crisis. The Arab members of the winning coalition against the Baghdad regime were rewarded with an enhanced influence and generous support (in the cases of Egypt or Morocco) or forgiveness (in the case of Syria) from the USA. The new climate of relations between Syria and the USA allowed a settlement to be finally implemented in Lebanon and cleared the way for a

new Peace Process involving Israel and its Arab neighbours, including the Palestinians.⁴³

But the Gulf War also sent some worrying signs to Europe, in particular in relation to its effects in the western Mediterranean. Saddam Hussein's acts in the Gulf were met with open approval and even applause by some Maghreb governments, and especially by their societies.⁴⁴ In Morocco, the only government in the area which participated in the anti-Iraqi coalition, public opinion and the opposition protested loudly against the King's decision to send 1,500 troops to Kuwait. Severely struck by economic crisis, and suffering from the worst distribution of income in the Maghreb, the Kingdom had experienced strikes and riots in December 1990, and the new wave of popular protests after the Gulf War provoked worries in Europe that the stability of Morocco could not be taken for granted (*The Economist*, 30 March 1991).

The Gulf War and its consequences in the Maghreb area proved clearly that no event in the Gulf or eastern Mediterranean is without its effect for western Mediterranean and Spanish security. At the same time, Spain displayed its total alignment with the western bloc, even though this alignment was complemented with some balancing measures in order to regain Arab friendship (Grasa 1991).⁴⁵ The Gulf War put the imperatives of security in relation with the Arab countries at the core of Spain's foreign agenda. The need for a formula which permitted the involvement of other European countries in the protection of Spanish security interests became a basic concern for Spanish foreign action. At the same time the Twelve realised that,

⁴³ The Spanish policy of balancing Arab friendship with good relations with Israel was 'rewarded' with the choice of Madrid to host the conference which in 1991 started the Peace Process.

⁴⁴ Not only Mauritanian and Libyan governments proved openly pro-Iraqi, but Tunisia and Algeria had ambiguous positions. Public opinion in all the countries was totally favorable to Saddam Hussein and showed it in the streets of all the Maghreban capitals (Abu Warda 1994).

⁴⁵ The foreign affairs minister, Mr. Francisco Fernández Ordóñez, undertook a visit to all five Maghreb countries during the war in order to explain clearly the Spanish position and to avoid any negative development in the area.

while events in the Mediterranean were a threat, they were also an opportunity and a challenge comparable to that emerging in the East.

2.3 Spanish interest in Morocco: continuity and change

The events that took place in the Arab world, the Maghreb and Morocco in the early 1990s put security back into focus in the analysis of Spanish interests in Morocco. Those interests have changed throughout time and have been defined variably during the Franco regime, the transition to democracy, and the Socialist governments. However, there has been a core of 'traditional interests' that have been present to a greater or lesser extent since the mid 1970s, and which later on were complemented by other new (or newly defined) interests.

Traditional interests

Almost every account of Spanish interests in Morocco starts with **territorial** matters, and more concretely with the question of Ceuta, Melilla and the smaller Spanish enclaves in North Africa. Morocco has claimed them as part of its territory since independence,⁴⁶ the claim being more or less loud in different periods according to the state of the Spanish-Moroccan relationship (Hernando de Larramendi 1997: 356-357). Although the claim has been nearly frozen at times, it has never been dropped. Unlike its other territories on African soil, the enclaves were never considered by Spain to be a colony or part of the Protectorate, and historical and juridical arguments have been used to dismiss the Moroccan claim.⁴⁷ Indeed, officially Spain does not consider the status of Ceuta and Melilla to be a subject of discussion with Morocco.

⁴⁶ Actually, the sultans of Morocco have tried to gain sovereignty over the enclaves ever since the Portuguese conquest of Ceuta in the XV century (Rézette 1976).

⁴⁷ The main arguments of both sides are summarised in del Pino 1983, pages 291-193. See also Chapter Six of this thesis.

Nevertheless, the Moroccan government, and in particular King Hassan II, kept the issue on the agenda and the status of the two cities has been in the background of Spanish-Moroccan negotiations. Morocco has taken advantage of every international (changes in sovereignty of Hong Kong and Macao, disagreements over Gibraltar) or local event (inter-communal tensions, approval of autonomy statutes) to raise the subject (Gold 2000: chapter one). The possibility of a violent attack or of some new version of the Green March on the two cities has been in the mind of Spanish military planners (Fisas 1985: 143-150; Alonso Baquer 1988: chapter IX), and indeed the two towns host numerous troops.⁴⁸ The Spanish army has been reorganised since the mid 1980s to face a potential threat from the South, as both military planners and public opinion identify Morocco as the most likely external aggressor (Fisas 1985: 169-179; del Campo 1995: 77). The prevention of violent conflict with Morocco has become an important objective of Spanish foreign policy makers.

Fisheries, or rather the protection of fishing 'rights', have probably been, after territorial disputes, the second most pervasive Spanish interest in Morocco ever since the 1767 treaty between Spain and Morocco included privileged fishing rights for Spanish vessels in Moroccan waters. They have indeed often been directly linked to the territorial question: every territorial concession made by Spain to Morocco in the last century was accompanied by Moroccan concessions in fisheries. The Canarian-Saharan fishing bank, just off the Moroccan coast, is one of the richest fishing areas in the Atlantic. Hardly exploited by Moroccan, Saharan or Mauritanian fishermen for a long time, it became an ideal target for the relatively large Spanish fishing fleet. Between 1985 and 1995 catches in the Central-Eastern Atlantic made up 27-30% of total Spanish catches (Eurostat 1996).

The importance of fisheries in the Spanish economy is relatively small and has been declining steadily since 1975 (Suárez Casado 1997). However, fishing in Moroccan waters has been of crucial importance to a high seas fleet

⁴⁸ Around 10,000 in 1995 down from about 20,000 in 1991, adding up to 7-11% of the whole

which saw many of its fishing areas closed after the extension of Exclusive Economic Zones to 200 miles off their coasts by most Atlantic countries in the 1970s, and to the traditional small fishing boats of the regions neighbouring Morocco, Andalusia and the Canary Islands, and of some ports of Galicia, three regions that all suffer from high unemployment rates (Osuna 1997; Macías González 1997). Indeed, some fishing ports depended almost exclusively on the fisheries agreements with Morocco, which made any reduction in catches potentially devastating in terms of socio-economic impacts in some areas, already quite poor.

In **trade** terms, for a long time Morocco has been for Spain much more a competitor in EC markets than a significant trading partner. Morocco is, like Spain, an important producer of certain agricultural products like oranges and tomatoes, for which there is a high demand in the EC. Spain did far better in the EC even before the accession, and from 1986 increased steadily its exports while Morocco saw its own freeze, and even diminish (Bataller Martín and Jordán Galduf 1996). Spanish exports to Morocco never reached 1.5% of its total exports, even though they have consistently outnumbered imports. Spain is an important trading partner for Morocco, but Morocco is still a relatively modest market for Spain (see Table 2.1 below). Nonetheless, the trade between the two countries has been growing steadily: between 1993 and 2000 Moroccan exports to Spain grew at an average yearly rate of 18.3%, and Spanish exports to Morocco grew an average of 13.1% per year.⁴⁹

Spanish army (von Hippel 1996).

⁴⁹ My own calculation from data of the *Instituto Nacional de Estadística*, INEBase: Comercio Exterior in <http://www.ine.es>.

Table 2.1 Main buyers of exports from Spain and Morocco (2000)

<i>Spain</i>			<i>Morocco</i>		
Country	Share %	Rank	Country	Share %	Rank
France	19.4	1	France	33.5	1
Germany	12.4	2	Spain	13.0	2
Italy	8.8	3	United Kingdom	9.6	3
United Kingdom	8.3	4	Italy	7.1	4
Morocco	1.1	10	Germany	5.0	5

Sources: for Spain: author's calculations from data included in INE 2003 *Comercio Exterior: Series Mensuales del Boletín Mensual de Estadística* in <http://www.ine.es>; for Morocco: author's calculations from Office des Changes 2003 *Statistiques du Commerce Extérieur* in <http://www.oc.gov.ma>.

As we see, this first set of traditional Spanish interests in Morocco, which ranked high on the agenda in the early 1980s, brought about conflictual relations with Morocco and tended to define the relations between Moroccan interests and Spanish interests as a zero sum game. Accordingly, conflict and distrust seem destined to remain characteristic features of the Spanish-Moroccan relationship.

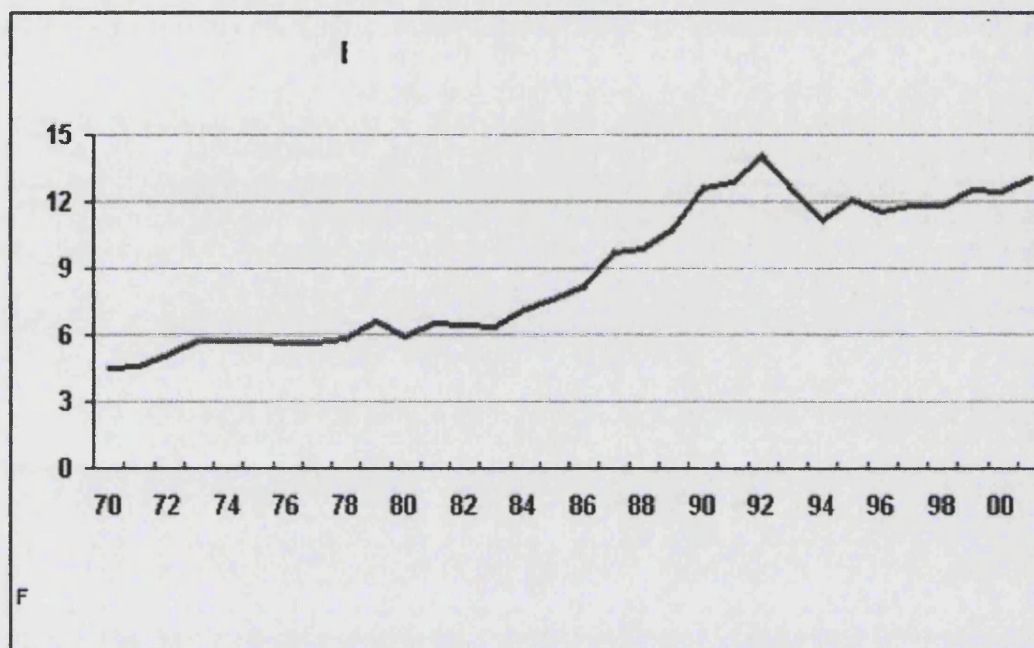
Looking for a buffer of common interests

The 'global approach' to the Maghreb that started in the early 1980s and was consolidated after EC accession re-defined Spanish interests in Morocco in very different terms. The new approach to defining Spanish interests in Morocco was quite consciously elaborated in the Spanish Ministry of Foreign Affairs. 'Spain advocates a politically stable, economically prosperous and socially developed Maghreb' (Moratinos 1991). The keyword as far as Morocco was regarded was the buffer (*colchón*) of common interest that was to be created in order to avoid that any disagreement between the two countries ended up in a bilateral crisis. The focus would be on a number of Spanish interests that coincide with or complement Moroccan interests.

As a result of its integration in the EC and NATO, Spain has consolidated its position in the West European bloc of economically prosperous and politically stable states. Military aggression can be quite satisfactorily deterred by membership in the most powerful military alliance in the world, but new threats to **security** have been identified. Spain finds itself on the very limit between one of the richest areas in the world, Western Europe, and the poorest continent on the planet, Africa. The comparison of basic indicators between Spain and Morocco illustrates this tension: Spanish per capita income is five times bigger than Moroccan, enrolment in primary schools is 20 percent higher in Spain, and more than 60 percent higher for secondary schools, and the poverty rate is 4 times higher in Morocco (World Bank 2000).

Spain's *per capita* GNI is 12.6 times larger than that of Morocco (5.5 if we take into account Purchase Power Parity). The tendency over time is not reduction of the disparities, but an increase (see Figure 2.1 below). According to World Bank data, in 1970 Spain's *per capita* GNP was only 4 times that of Morocco. That same year Spain had the 13th largest absolute GNP in the world, and Morocco the 53rd; in 2000 Spain had climbed to the 10th position while Morocco had fallen to the 55th (Moré 2003). The Moroccan/Spanish border therefore represents one of the most acute contrasts in wealth in the world (see Table 2.2 below).

Figure 2.1 Evolution of the income gap between Spain and Morocco (1970-2000)



The vertical axis represents the number of times that Spain's per capita income is larger than Morocco's

Source: Iñigo Moré (2003) from World Bank data.

Table 2.2 World ranking of economic gap between neighbours (2000)

GNI per capita			GNI per capita PPP		
Border		Gap*	Border		Gap*
Hong Kong	China	29,1	Saudi Arabia	Yemen	14,8
Norway	Russia	20,3	South Africa	Mozambique	9,5
Oman	Yemen	18,0	Namibia	Zambia	8,5
Israel	Syria	16,7	Algeria	Niger	6,7
Macao	China	16,4	Algeria	Mali	6,4
Saudi Arabia	Yemen	15,7	Hong Kong	China	6,1
South Africa	Mozambique	13,8	Israel	Syria	5,6
Finland	Russia	13,7	Spain	Morocco	5,5
Spain	Morocco	12,6	Israel	Egypt	5,1
Israel	Palestine	12,4	Argentina	Bolivia	4,9
Israel	Egypt	10,9	Russia	Mongolia	4,8
Algeria	Niger	9,6	Swaziland	Mozambique	4,7

* Number of times that the average per capita income is larger in the richest side of the border compared to the poorest side.

Source: Iñigo Moré (2003) from World Bank data.

Learning from their European neighbours' experience first and, from the 1990s, and later as a result of the increase in immigration to Spain itself, Spanish policy-makers became increasingly concerned with the **migration** of Moroccan and other African workers to Spain. Demographic growth and poor economic performance south of the Mediterranean made Spain fear an increasing flow of migrants from Morocco. A long term settlement of this question would only be possible with an increase in prosperity and an improvement of economic prospects in Morocco. Thus, the success of Moroccan economy is in the interest of Spain. This success might not only stop the flow of migrants, but also avoid dangerous social outbreaks like those witnessed in Morocco in 1984 and in 1990, reduce the population's interest in

participating in irregular activities such as producing and **smuggling** illegal drugs across the Strait of Gibraltar and, still according to the analysis of Spanish policy-makers, reduce the likelihood of a rise in violent Islamic **fundamentalism**.

Moroccan prosperity would also favour Spanish economic interests. From the second half of the 1980s, Morocco was seen more and more as a potential **market** for the Spanish industry. By the mid-1990s Spain had become the second provider of Moroccan imports (8,6% in 1996) and the second buyer of its products (9,9% of Moroccan exports went to Spain) (Economía Exterior 1997). The Moroccan market is geographically close and offers some good export opportunities to Spanish manufacturing firms of all dimensions. Clothing (35% of Moroccan exports to Spain), basically manufactured for Spanish firms in Morocco, and fisheries products (28.5% of Moroccan exports) are the main Spanish imports, showing areas of economic complementarity. Another such area is phosphates: the Spanish chemical industry imports 80% of the phosphates it needs from Morocco.

Morocco also offers **investment** opportunities to a Spanish economy in expansion. Encouraged by favourable government measures and economic liberalisation in Morocco, Spanish entrepreneurs started to invest significantly more from 1988, reaching a peak in 1992 (Economía Exterior 1997). According to Moroccan official sources, in the 1986-2001 period Spain was the fifth largest foreign investor in Morocco, with 6.4% of the total investment (see Table 2.3 below). Some sectors of Moroccan economy have offered interesting investment opportunities to Spanish businesses, including industry, banking, fisheries and telecommunications.

Table 2.3 Total foreign investment and private loans in Morocco from 1986 to 2001 by country of origin (in Million Dirhams)

Country	Investment	% of total investment
France	45,661	39.5
USA	9,151	7.9
Portugal	8,156	7.1
Netherlands	7,668	6.6
Spain	7,429	6.4
United Kingdom	5,705	4.9
Switzerland	4,161	3.6
Germany	3,771	3.3
Sweden	3,691	3.2
Saudi Arabia	2,792	1.8
U.A.E.	2,127	1.8
Italy	1,026	0.9
Other	14,152	12.3
Total	115,490	100.0

Source: Moroccan *Office des Changes*, author's calculations

The data above show Spain as the 6th largest investor in Morocco. They are based on the data of the Moroccan 'Office des Changes'. Those data have two disadvantages: they only record the part of the investments that have gone through bank transactions (for example, they ignore the debt of a Moroccan firm bought by a foreign company, and which technically is part of the investment) and they include private loans and Foreign Direct Investment in the same category. To address the second shortcoming we can use UNCTAD data, based on 'Office des Changes' records but including Foreign Direct Investment only, which place Spain in the 5th position for the 1996 – 2002 period.

Table 2.4 Foreign Direct Investments flows into Morocco (1996-2002) (in Million Dirhams)

	1996	1997	1998	1999	2000	2001	2002	Total 96-02
France	917	1446	1609	3706	1577	27689	2222	39166
Portugal	640	9	132	5024	827	1405	237	8274
United States	83	2963	250	1017	350	699	380	5742
Spain	149	479	491	2055	570	954	390	5088
Netherlands	221	252	288	3193	172	199	239	4564

Source: UNCTAD (2004) FDI Profile: Morocco WID Country Profiles Num. 84

However, in the Spanish literature and press there is a unanimous claim that Spain is the second investor in Morocco since the mid-1990s, a claim which also informs political actions and declarations. According to an internal survey by the Chamber of Commerce, Trade and Navigation of Barcelona (Cambra 2004) Spanish companies invested 2,400 M€ between 1996 and 2003, and if those actual investment we add the compromises acquired, they reach 5,000 M€. The difference between those data and Moroccan sources are explained by the differences in the recording system, the temporary gap between recording agencies (in particular, between the Moroccan 'Office des Changes' and the Spanish Ministry of Economy) , the exchange rates applied, etc. Moreover, some significant Spanish investments are not recorded for several reasons, including political (for example, investors in agriculture and fisheries have tried to keep the lowest possible profile) and legal reasons (the amount of illegal transactions is significant). Once all this is taken into account, Spain can be considered the second largest investor in Morocco.

Another Spanish interest is the construction of important **infrastructures** across the Strait of Gibraltar. The most relevant has been a gas pipeline running from the Algerian gas fields in the Sahara across Morocco and the Strait to Córdoba (Spain), where it links with the whole Iberian gas distribution system. Others include interconnection of the electric grids, and

the plan for a fixed land link between the Peninsula and North Africa which would connect Europe and Africa by a tunnel.

No official account of the Spanish interest in the Maghreb in general or in Morocco in particular omits a reference to the **socio-cultural** interest of Spain in the area. This includes the promotion of Spanish language through Spanish schools and cultural centres, although the main instrument for spreading Spanish in northern Morocco remains Spanish TV. Of greater political importance may be the need to overcome the centuries-old negative perceptions between the societies on both sides of the Strait. In particular, negative stereotypes about Morocco have been detected in the Spanish population and elite not only in relation to international politics and security threats, but also to the Moroccan immigrants living in Spain (del Campo 1995; Díez Nicolás 1999). Co-operation to overcome such prejudices, which hinder the development of a fruitful relationship, is a common goal of both countries.

Morocco, the Maghreb, the Mediterranean

Morocco has ranked high on the Spanish foreign policy agenda ever since the 1970s. Geographical and historical factors, and the above-stated interests, have justified the efforts and attention paid by Spanish diplomacy and governments to the southern neighbour. As mentioned before, it is not just a coincidence that the first official trips abroad of both Felipe González and José María Aznar when they became prime ministers were to Rabat. But what place does Morocco exactly occupy in that agenda, and what are the competing priority areas?

The first Spanish democratic governments had as their main foreign policy objectives the establishment of diplomatic relations with the Communist countries, Israel and Mexico and progressive admission to the select club of Western European democracies (Aldecoa 1994). However, events in the Maghreb and in particular the consequences of the Green March of 1975

made it clear that Spain could not simply forget about the Arab countries. Morocco and the Maghreb in general became uncomfortable items on an external agenda that was mainly orientated towards the North.

It was not until Spain had entered the European Community and re-affirmed its membership in NATO by means of a referendum that Spanish policy-makers re-defined the priorities of Spanish foreign policy. By 1989 Spain had consolidated its participation in the EC and in European Political Cooperation with its first presidency and had re-designed its security policy in a NATO framework, with new and different defence relations with the USA (Ortega 1995:1989). Both adaptations were relatively smooth, helped by the absence of any major crisis which would create a conflict between Spain's interest in the Arab world (or Latin America) and the will of the majority of EC member states (Barbé 1996). Europe would remain the first concern, but Spanish policy makers were paying growing attention to the other two 'permanent priorities' (Westendorp 1996) of Spanish foreign policy: Latin America and the Arab world.

The first major challenge to that view of Spain's interest came with the changes in Central and Eastern Europe in the second half of 1989, just after the first Spanish presidency. Europe's attention turned eastwards, and events in the centre and east of the continent became the main priority in the Twelve's foreign agenda. The orientation of the EC towards the east represented both a threat to and an opportunity for Spain. The events in the Mediterranean proved that security was far from consolidated, and the nature of the new threats (from economic inequalities to social destabilisation or the rise of hostile regimes) was such that they could hardly be tackled without the support of the whole EC.

At the same time, the Mediterranean provided an 'historical opportunity for diplomatic expansion and the exercise of a regional leadership.' (Estévez Payeras 2001: 223). The Spanish Mediterranean policy, a more comprehensive concept which, particularly since the Gulf War, linked traditionally bilateral matters to other global concerns from the Persian Gulf to

Mauritania, was born as 'a reaction in face of changes in the European scenario' (Barbé 1992:72). Success in consolidating a friendly relationship with Morocco was an unavoidable challenge that had to be faced if Spanish leadership (or at least co-leadership) in the Euro-Mediterranean context was to consolidate. Important milestones of the Spanish policy in the area like the Madrid Conference in 1991, which started the Middle East Peace Process, and the Barcelona Conference in 1995, where the Euro-Mediterranean Partnership was launched, would hardly have been compatible with open enmity with the most immediate Arab neighbour of Spain.

As the 1990s advanced, the relationship with Morocco became more fluid, and Spanish policy makers developed a new view of the country. Despite bilateral disagreements and conflicting interest, Morocco was seen as a country of political stability in an area of growing Islamic fundamentalist threat. Its economy was regarded as a natural target for Spanish exports, investments and industrial expansion. The clearest expression of the new importance of Morocco for Spanish foreign policy was the signature in 1991 of the bilateral Treaty of Friendship, Good Neighbourliness and Co-operation. With the signature of that treaty the relationship with Morocco was elevated to the highest level attained by a non-EC country. The treaty provided for yearly summits and a continuous political dialogue to complement the growing economic links. Its signature confirmed the relationship with the southern neighbour as a key area of Spanish foreign policy.

It is however important to note that the signature of the Treaty was decided in December 1990, during a visit by Felipe González to Rabat, in the middle of the worst crisis between Morocco and its main partner, France, since 1956.⁵⁰ Morocco has traditionally privileged the bilateral relationship with France – a relationship that remains its most valued bilateral link. But it has opened two other bilateral tiers, which it has played in order to compensate for its dependency on Paris. One tier is the transatlantic link: Morocco has actively

⁵⁰ The crisis was caused by a growing criticism in France of the situation of non-respect for human rights in Morocco, and aggravated by some incidents like the publication of *Notre ami*

sought to reinforce its alliance with the United States. The other one is the south European tier. In it Spain occupies the most important position but, given the problematic nature of its relations with Morocco, Portugal and Italy have also played a growing role as easier partners. Portugal has played on a smaller scale a similar role in relation to Spain that Spain plays in relation to France: when relations have become difficult, Rabat has turned to a smaller, but friendlier, partner (Spain instead of France in 1990-1992, Portugal instead of Spain after 1993) (El Houdaïgui 2003: 124-125).

Spanish objectives in Morocco coincide by and large with those of its three allies, France, the USA and Portugal. However, in some cases a zero sum game is in place, and the Moroccan regime has made it clear that Spanish governments should not take the influence of their country in Morocco for granted. In economic terms Spain is behind France both in trade and investment and the United States and Portugal are also important investors, playing a growing role in the Moroccan economy.

2.4 Conclusions

As we have seen in this chapter, Morocco has been and remains a crucial bilateral partner for Spain. The legacy of history overshadows the relationship with some difficult issues, such as the Western Sahara conflict or the territorial claims. Geographical proximity and historical and cultural links have been less significant than the negative heritage of centuries of either mutual ignorance or conflict, followed by the whole colonial and post-colonial experience. Since the fall of the last Arab kingdom on the Peninsula in the 15th century, relationships between the two sides of the Strait have mostly been characterised by conflict, suspicion and tensions. It is important to bear in mind that heritage when we analyse contemporary Spanish-Moroccan relationships, and when we consider the options open to Spanish policy makers in relation to Morocco.

le Roi by Gilles Perrault, very critical of King Hassan II, and some pro-Sahrawi gestures by Danielle Mitterrand, the wife of the then President of the Republic.

Ever since Moroccan independence in 1956 Spanish-Moroccan relations have been better understood in a bilateral and, to a certain extent, regional context, than in a global one. This is particularly true as far as the Cold War is concerned. The bipolar dynamics of world politics could hardly explain most of the developments of Spanish-Moroccan relations in the 1970s and the 1980s. Regional factors have been more influential. This thesis focuses on the EC/EU and its effects on Spanish policy, but this is not the only context which we need to consider. Morocco-EC relations date back to the very start of the Community itself, and have generated an *acquis* that has to be taken into account. Also, the very role of the EC in the Mediterranean has been evolving, with the progressive consolidation of a Euro-Mediterranean space which frames the Spanish-Moroccan relationship. A second regional dimension to be taken into account is the Arab world at large and more concretely the Maghreb. Both are crucial to Spanish foreign policy, and the policy towards Morocco is certainly influenced by events in that context.

The historical background and the global and regional context constitute the framework of Spanish policy towards Morocco. But its substance is mainly determined by Spanish interests in Morocco. Traditionally Spanish interests in Morocco were defined in a way that was likely to put them in confrontation with Morocco's stated foreign policy objectives. Thus, territorial matters, fisheries rights or bitter trade competition for the EC markets would often lead to bilateral disagreements. From the 1980s Spanish interests in Morocco were re-defined in order to find a buffer of joint interest with the southern neighbour. New opportunities for co-operation were found in fields like security, investment, development co-operation or infrastructures.

The numerous and crucial Spanish interests in Morocco explain why relations with Morocco have been accorded a high priority, one of the most intensive and certainly the most conflictual of all Spanish bilateral relations. The success in maintaining good relations with the southern neighbour is not only a condition for securing Spain's interests in that country, but also for allowing it to play an important role in the Euro-Mediterranean context and to develop

a credible policy towards the Maghreb, the Arab World and the Mediterranean. The Mediterranean being one of the three main spheres of Spain's international influence, its successes or failures in the area will condition its capacity to play a prominent role in world affairs.

Spanish policy towards Morocco has a very important historical dimension. It is, moreover, heavily loaded with particular interests. It is subject to specific bilateral dynamics consolidated over years of intensive interaction. In that context we may wonder whether or not the EC/EU has mattered in the making of this policy at all, as opposed to just being a simple part of the external environment. We will also need to see which initiatives have been undertaken because of domestic Spanish motivations, which were born in the bilateral dynamics, and which were a response to regional trends. The following chapters will address these questions in detail.

Chapter 3: Fisheries (Dis)Agreements

The area where the Atlantic Ocean meets North Africa contains some of the richest fishing banks in the world. Those waters were exploited for centuries by Spanish fishermen; when Morocco became independent the exercise of its sovereignty over part of those waters started one of the most controversial issues between the two countries. Between 1956 and 2001 the Spanish-Moroccan bilateral agenda accorded a prominent place to the extremely sensitive and conflictual issue of fisheries, namely the possibility for Spanish fishermen to operate in Moroccan waters. In those 45 years two events have had a formidable impact on the issue: the first was the Moroccan occupation of Western Sahara (and its fishing grounds) in 1975; the second was the accession of Spain to the EC. This second impact is the subject of this chapter.

The main topic dealt with in this chapter is the negotiation of agreements between the EC and Morocco by virtue of which the EC fleet could work in Moroccan waters under certain conditions in exchange for a direct financial compensation to Morocco. There were four main rounds of negotiations leading to agreements in 1988, 1992 and 1995, and to a break up of talks and the restructuring of the mainly Spanish fleet that worked in Moroccan waters in 2001. Those rounds of negotiations serve as an illustration of the results of Europeanisation on Spanish relations with Morocco in a very sensitive area, which ranked high in the regional politics in Galicia, Andalusia and the Canary Islands and also at the national level.

3.1 The Common Fisheries Policy and Spanish interests

Fisheries policy is one of the most closely integrated policies in the European Community. Spanish accession to the EC in 1986 completely transformed the normative environment and decision-making climate in Spain. Fisheries, including the negotiation of international fishing agreements, are an exclusive competence of the EC. Negotiations with Morocco in that field have been

conducted by the European Commission under a mandate from the Council. This does not mean that the political debate and all relevant decisions were taken in Brussels. A complex decision-making process involving regional, national and European-wide actors, both public and private, has developed, a system in which policy-making takes place in different locations (Lequesne 2001). The interaction between an external factor (Morocco) and the different locations where decisions are taken compounds a complex net of relationships.

The Common Fisheries Policy

The Common Fisheries Policy (CFP) was born in 1970 as the EC dealt with the British, Danish, Irish and Norwegian applications, and was fully developed by 1983 with four areas of operation: structures, markets, conservation and international fisheries relations (Holden 1994). The EC Treaty provided for an exclusive Community competence over the external dimension of the policies included in the treaties (such as fisheries), in fields like the signature of international agreements and relations with third countries or international organisations.⁵¹ This competence was developed by a Council resolution on 3 November 1976 authorising the Commission to negotiate fisheries agreements with third countries.

The accession of Spain and Portugal in 1986 had a major impact on the Common Fisheries Policy. On the one hand, the number of fishermen in the EC practically doubled, fleet tonnage increased by 65 per cent and production by 45 per cent, putting an additional stress on structural policy. On the other hand, the Iberian states had a tradition of fishing in distant waters. This caused anxiety in other member states, which resulted in long transition periods before free access to all EC waters was granted, and forced the European Commission to become a lot more involved in agreements with third countries, almost as an issue of compensation for the newcomers' reduced access to European waters (Lequesne 2000).

⁵¹ Articles 228 to 231 of the EC Treaty. For a detailed study the legal base of the EC activity in the field of international fisheries agreements see Carrera Hernández 1995.

A first important feature of CFP is its growing technical complexity. The markets policy, with detailed and complex regulations similar to those used in the Common Agriculture Policy, is one of the sources of complexity. To this should be added the sophisticated scientific arguments involved in the conservation policy. Finally, the structural policy with its efforts to find ways first to increase, and later to reduce fishing capacity adds more technical nuances. This complexity has also penetrated the area of international agreements, making it relatively inaccessible to non-specialists. As a result fisheries administrations at both EC and national levels can claim an irreplaceable expertise in order to avoid interference from other parts of the administration.

A second remarkable characteristic is the fact that different aspects of CFP have objectives which contradict one another. For instance, conservation policy can go against objectives like the reduction of the deficit in supplies of most species of fish or the preservation of jobs. Lately, as has happened with the Common Agricultural Policy, some voices claim that this lack of coherence is even more acute when CFP outcomes are compared with the objectives of some other EC policies, such as development co-operation. However, this point only started to be acknowledged by CFP policy makers (Commission, some member states' fisheries administrations) from the late 1990s. At the same time, the geographical concentration of fishing activities in certain areas has given the policy a strong regional development perspective.

A third aspect of CFP to be taken into account is the high politicisation of CFP, particularly in relation to its relatively low significance, both in terms of participation in GNP and of overall employment. Fragmentation of the sector both amongst and within member states has prevented the creation of a strong European lobby and fishermen and ship owners have often opted for intensive pressure at national levels to ensure their government's support as opposed to lobbying the Commission jointly (Nielsen 1994; Lequesne 2000). The fishing sector views the European Commission officials in charge of the CFP with deep suspicion, as unelected bureaucrats who need to be kept in check by

national governments, whereas the Community Officials 'see themselves as the guardians of expertise to the face of governments which are under clientelist pressure from fishermen' (Holden 1994: 1; Nielsen 1994: 38-40; Lequesne 2000: 354).

A last relevant general characteristic is the fact that the CFP has generated some perverse effects that burden its future steps heavily. One of them is the growth of the EC fleet caused by the adoption in the 1970s of a structural policy which encouraged the construction and modernisation of vessels (Holden 1994). More efficient fishing techniques allowed for a growth in catches that led to disastrous over-fishing, and the collapse of some of the stocks. Another perverse effect is the practice of using structural funds to placate the fisheries sector every time a significant reform takes place, so that fishermen demand financial compensations for any kind of reform (Lequesne 2000).

In the context of CFP Spain has a particular role. It is by far the member state which has most people directly employed in the sector, it has one of the largest fishing capacities in the EU and it accounts for 29 per cent of the tonnage of the EU fleet (European Commission 2001: 69). Its long tradition of fishing in distant waters and the poor records of compliance with agreements by its fleet have gained a bad reputation for Spanish fishermen both within and outside the EU. This explains, for instance, the restrictive transition period to which it was subject after accession up until 1996. To this should be added the failure to reduce fishing capacity,⁵² since the Spanish fisheries sector has often opted instead for modernisation of vessels and expansive policies in new areas (Garza Gil, Iglesias Malvido et al. 1996).

⁵² The number of boats and the total tonnage were reduced considerably since accession, but the actual fishing capacity grew due to the effects of largely EC funded modernisation. (Maliniak 2001)

Brussels as a location of policy-making

The main arena where decisions for negotiations with third countries are taken at the European level is the EU Council, which amongst other crucial functions issues the negotiation mandates to the Commission, approves its modifications and ratifies the final outcome. Those acts, which are the responsibility of the Council, are first drafted by the Commission, which engages in a process of internal and external consultations until it presents a proposal that has to be endorsed by the Commissioners and sent to the Council.

In the Council the text is examined by the external fisheries policy working party and sent to COREPER. The resulting proposal is then sent for consultation to the European Parliament, the Economic and Social Committee and the Committee of the Regions. At the end of the procedure, the text is discussed by the Council of Fisheries Ministers who will either adopt or reject it after a qualified majority vote. In some cases, such as the conclusion of agreements having important financial implications or EC accession to international fisheries conventions, the Parliament's assent is needed.

In the case of negotiations with Morocco, despite some attempts to get other member states interested in fishing in those waters by reserving some quota to them in the first EC/Morocco agreement, only two countries ever showed a strong interest: Spain and Portugal. Even then, for Portugal fishing in Moroccan waters was always of secondary importance,⁵³ amounting to less than five per cent of total Portuguese catch. In principle, therefore, negotiating in Brussels was considered difficult by Spanish officials, finding themselves facing 11 (and later 14) other countries, mostly with no interest in the agreement with Morocco.

⁵³ Portuguese fishing in Morocco was very specific: after the 1995 agreement around 90% of the catch was one species only, the Silver Scabbard Fish, that the Moroccan fleet was not capturing. Only two ports, Sesimbra and Fuseta, accounted for almost all the activity in Moroccan waters.

However, as often happens within the EU system, countries would have interests in other areas of the CFP, be it other bilateral agreements or the structural, markets or conservation policies. Very few would want to directly antagonise Spain over an issue where they did not have much to win or lose. It would not be accurate to say that no member country had any objection to the way in which the EC negotiated with Morocco. For example, once the 1995 EC-Morocco agreement expired in 1999 some member countries, aware of the Spanish fleet's failure to find new alternatives, started perceiving the agreement with Morocco as a hidden form of structural aid; others, including Germany, Denmark and the United Kingdom, were more and more critical of fisheries agreements which contributed to the depletion of the resources of developing countries instead of helping them to exploit those resources for their own profit. However, none of them used those arguments in the talks about the negotiation mandate with Morocco: Spain could talk about unemployment and regional crisis, arguments to which the EC tends to be quite sensitive, and attached a high political weight to the negotiation.⁵⁴ Moreover, some member states were very interested in the expensive and far less profitable agreements with North Atlantic countries and territories (like Greenland), and did not want those called into question.

The European Commission represents the Community in the international scene in fisheries matters; it is responsible for the negotiation of fisheries agreements with third countries as well as taking part in international fisheries organisations on behalf of the Community. It is, moreover, an important actor in the CFP in general due to its high level of expertise. For all those reasons in the negotiations with Morocco the Commission remained at the centre of the process, as the one directly in charge of negotiations. All the actors involved tried to gain direct access to it. By far the strongest interaction was with the Spanish central government, which at the end of the day was the one which largely determined the extent of concessions during negotiations (Jones 2000:144).

⁵⁴ By contrast some of those arguments that had been silenced in the Morocco negotiations appeared in other cases, most notably in the negotiation of the agreement with Mauritania in 2001.

Caught between the tough Moroccan positions and the intransigence of Spanish government, the Commission was criticised by Spanish officials for not only not defending Spanish interests as its own, but even trying to mediate between Spain and Morocco (Jones 2000:148). Within the Commission, the commissioners responsible for fisheries have been directly involved in the negotiations of the agreements, not only the officials of the DG responsible for fisheries (DG XIV and later on DG Fisheries), particularly as those negotiations became more and more politicised. Thus Commissioners Manuel Marín, Emma Bonino and Franz Fischler became the EC points of reference for the negotiations.

Other actors have also tried to lobby the Commission directly, in particular the regional governments of the affected areas and the representatives of the associated ship owners and fishermen. This was particularly true in the negotiations in 1995 and 2000-2001, when regional governments were most active and have at times helped the rather divided representatives of the fishing industry (ship owners, fishermen local associations, trade union officials) to co-ordinate their positions and access the Commission. Sometimes this was seen by regional governments as even more efficient than lobbying the Spanish central government (Jones 2000: 167).

The European Parliament is not a central actor in the CFP, and it never had a crucial role in the negotiations with Morocco, but it actively monitors the negotiations and defends the 'interests of the sector' through its consultations and, crucially, the eventual ratification of the agreements. In accordance with articles 37 and 300 of the EC Treaty, the Parliament's assent is needed to conclude or amend agreements having important financial implications, such as the ones with Morocco. Spanish MEPs have been particularly active in the fisheries sub-committee, which in 1994 became a full committee under the presidencies of Miguel Arias Cañete (who had become Minister of Agriculture and Fisheries by the time of the 2000 negotiations), Carmen Fraga Estévez (the daughter of the president of Galicia and later Secretary General for Maritime Fisheries in Madrid) and Daniel Varela Suanzes-Carpegna, all

three of them members of the Spanish Popular Party. MEPs have been a target of lobbying activities, and the best organised interest groups (like the Galician ship owners) have been quite successful in getting support for their positions from the Parliament (Jones 2000: 160; Lequesne 2000: 355). The Parliament has defended the importance of the agreements for the EU fleet, using quite strong terms towards Moroccan positions in line with the Spanish official discourse.

The national arena in Spain

The central actor in the process of establishing the Spanish position in fisheries negotiations was by far the central government. Two other groups of actors were however also relevant: the regional governments of Andalusia (*Junta de Andalucía*), Galicia (*Xunta de Galicia*) and the Canary Islands (*Gobierno de Canarias*) and the representatives of the Spanish fishing industry operating in Moroccan and Western Saharan waters. Moreover, given the high media profile of the negotiations and the degree of politicisation of the issue, the media, the parliament and the political parties also intervened in shaping the Spanish fisheries policy with Morocco.

Despite the fact that the day to day management of maritime fisheries is less and less in the hands of the Spanish central government due to the double effect of Europeanisation and decentralisation, Spanish central governments and the central administration remained key actors in the negotiations with Morocco. It was the central government that defined and defended the Spanish position at the Council, followed the negotiations, pressured for linkages with other policies to be adopted in order to get a better deal in the fisheries dossier, maintained permanent contacts with the Commission and, implicitly made the concessions and marked the boundaries of what was and what was not acceptable during the negotiations. It had in its hand the possibility to establish some tacit compensatory measures to attract Moroccan goodwill and the ability to hint at negative bilateral repercussions for tough Moroccan stances.

The way in which fisheries negotiations with Morocco were conducted (or rather, since 1986, prepared and followed) within the Spanish government changed over time, and Europeanisation is one of the main explanations. International fisheries agreements, and in particular those negotiated with Morocco, were largely considered in the late 1970s and the 1980s as a matter of bilateral foreign relations, a responsibility of the Ministry of Foreign Affairs. It was the Minister of Foreign Affairs that defended the 1977 agreement in the Parliament, and the Minister of Foreign Affairs again who signed the 1983 agreement in Rabat, after negotiations which had mainly been conducted by the Spanish ambassador in Morocco, and who again defended it before of the Parliament (*El País*, 1 July 1983; DSCD 1978; DSCD 1983). After accession the focus has been on the Ministry of Agriculture, Fisheries and Food. Successive heads from that ministry have responded to Parliament, negotiated with the sector and in general been held responsible for Spanish positions in the Spanish political arena.

The question of fisheries agreements has been treated since accession to the EC more and more as a policy on its own, relatively detached from the rest of relations with Morocco in terms of policy-making, despite the obvious linkages with foreign policy overall. The Ministry of Foreign Affairs has become less directly involved, although it has followed every negotiation in detail. The administrative unit responsible for maritime fisheries within the Ministry of Agriculture, the *Secretaría General de Pesca Marítima* (SGPM), plays a crucial role at the centre of the issue network of actors that has emerged in each negotiation linking public with private, and regional with national and European players.

As is the case with the fisheries administrations of other member states and of many Spanish regions, many officials from SGPM have direct links with the fisheries industry, and all of them keep a very close contact with the representatives of the fishing organisations. Despite the presence of diplomats in the SGPM, it is not characterised by having a global vision of international issues, and its officials pride themselves rather on having a very detailed

knowledge of the interests of the fishing industry. Commission negotiators meet regularly with officials from the SGPM, who therefore have the representation of the 'Spanish position' in international fisheries negotiations.

The process of decentralisation, which in Spain often ran in parallel with that of Europeanisation for a number of policies, meant that most of the day to day fisheries management is now in the hand of the regional governments (Garza Gil, Iglesias Malvido et al. 1996: 254). This places them in permanent contact with the fishing sector and their concerns. The Galician administration and some Galician politicians have strong links to the sector, on which some coastal areas are extremely dependent, and have been actively lobbying the European and well as the central Spanish authorities in the negotiations for international fisheries agreements, including of course those with Morocco (Lequesne 2000: 352). The authorities of Andalusia were slower to organise their lobbying activities, but in the negotiations for the 1995 agreement and the failed 2000-2001 negotiations they took a very active role in following the negotiations and identifying opportunities for lobbying. The Spanish central government never allowed the regional authorities to become directly involved in the negotiations, although they were associated with the consultations (Jones 2000: 162-164).

If initially the Canary Islands representatives were the most critical of the government's stance in the negotiations for an agreement with Morocco, the Galician authorities were very outspoken in the 1992 and 1995 agreement negotiations, and the Junta de Andalucía was particularly critical in 2000-2001. One reason for that is the unequal impact that the successive agreements had on the regions: the failure of the last negotiations, for instance, hit the Andalusian fishermen particularly hard, since they were the least able to find any viable alternative to fishing in Moroccan waters. Another part of the explanation is the political affiliations: in the early 1990s, the Socialist central government had greater difficulties with Partido Popular-governed Galicia, and the contrary was true for the Aznar government facing the socialist government in Andalusia in 2000-2001.

The question of partisan affiliation is important beyond the regional dimension: the negotiations of fisheries agreements with Morocco have always had a high profile in Spanish press and parliamentary debates. In this context, the fisheries interest groups are able to get their message across as criticism of a supposedly weak position from the government in the press, and in the national and regional parliaments. Their claims are reproduced by the Spanish media in a largely uncritical manner, and the mobilisation of fishermen gets wide coverage in the country. In this context blaming Morocco, and even sometimes blaming 'Brussels' have been common, and very few voices in Spain have advocated arguments in favour of generosity with Morocco or concerns about the depletion of the stocks.

Finally the fisheries associations in Spain had an important role in the negotiations with Morocco. These associations include three types of actors: i) the fishermen guilds, united in provincial and regional associations and a sole national federation (the *Federación Nacional de Cofradías de Pescadores*), represent mainly the interest of coastal fishing of a traditional sort; ii) the ship owners, organised in specialised and/or local associations organised in three large federations (*Federación Nacional de Armadores de Buques de Pesca-FNABP*, *Federación Española de Organizaciones Pesqueras-FEOPE*, *Organización Nacional de Asociaciones Pesqueras-ONAPE*): some of the associations have more resources and better political contacts than the federations themselves, and all of them represent the interest of the industrial high seas fleet; and iii) the trade unions, which are relatively weak and largely confined to the industrial fleet. Fishermen guilds and trade unions have been efficient at organising protests and boycotts, including the blockade of ports to Moroccan products, which have put pressure on Spanish governments in times of negotiations. The ship owners associations have established privileged links with the decision-making centres (SGPM, regional administrations, European Parliament) in order to promote their interest.

3.2 Fishing in Moroccan Grounds

Fisheries negotiations before accession

The rich fishing grounds off North West Africa had been continuously exploited by Spanish fishermen, especially from Andalusia and the Canary Islands, since the late Middle Ages. In some areas fishing and the transformation of its produce became the only viable economic activity for a large part of the population. Thus, the question of fishing rights for Spanish vessels arose as soon as Morocco became independent in 1956. The history of the first years was one of Morocco progressively extending its territorial waters in accordance with the general trend in international law, and Spain not recognising the successive extensions. At the same time, Spain modernised its fleet and increased considerably the pressure on fishing grounds with the creation of a modern refrigerator fleet and the growing captures of some species, particularly cephalopod (squid, octopus and cuttlefish). With expanding internal demand and a progressive exhaustion of resources elsewhere, the Spanish fishing fleet became more and more interested in the Atlantic waters off North Africa.

For Morocco, in the words of its current king, ‘the signature of agreements with Spain has often been linked to the settlement of conflicts related to the achievement of territorial integrity’ (Alaoui 1994: 70). In 1969 the Spanish withdrawal from Ifni created the conditions for a deal, which was known as the Fez agreement. This agreement granted access to the nationals of both parts to the other’s jurisdictional waters under certain conditions affecting ships, their ownership, the crews and the fishing methods. The agreement should have lasted for ten years, but it was terminated by mutual agreement by the end of 1972.

The opportunity for a new agreement came when the agreement ratifying the Spanish acquiescence to the Moroccan and Mauritanian annexation of

Western Sahara was signed in Madrid in 1975.⁵⁵ In a protocol to the agreement, generous conditions were granted to the Spanish fleet in terms of access to Moroccan, Western Saharan and Mauritanian waters. The protocol gave access to the Western Saharan waters to 800 ships, for free in the first five years and on a paying basis for another fifteen years, and to the Moroccan waters to another 800 boats (of which 600 in the Atlantic) for fifteen years, after paying a fee (DSCD 1978: 489-499).

The generous deal, signed under very special circumstances, would not be upheld by Rabat for very long. It had been signed, like the Fez agreement, as a compensation for a Spanish territorial concession, and as soon as the new situation was consolidated, Morocco started exerting pressure for a better deal. Negotiations were re-opened with the first Spanish democratic government and an agreement was finally reached in 1977. The 1977 agreement signals a new phase in fisheries negotiations. Morocco showed for the first time a genuine interest in developing its own fishing industry and exploiting its own resources. Even though other objectives were also taken into account by Moroccan negotiators (the recognition of Moroccan jurisdiction over Western Saharan waters or the transit of Moroccan citrus fruit through Spanish territory), the Moroccans did not treat fishing rights as a bargaining tool that was only interesting for Spain, but as a resource of potential importance for Morocco itself.

Despite severe criticism from the Opposition and heated debates in the *Cortes*, both because of the fishing conditions and because of the risk of an implicit recognition of Moroccan occupation of Western Sahara,⁵⁶ the Spanish government managed to obtain the ratification of the agreement in February 1978 (DSCD 1978). This was not the case in Morocco, where the agreement was not ratified. Thus, instability remained the rule. Successive temporary fishing deals were costly to Spain⁵⁷ and did not stop the average of 120 to 140

⁵⁵ See Chapter Two, section 2.1.

⁵⁶ The agreement used the formula 'Waters South of Cape Nun', as a euphemism for Western Saharan waters -which start only a few kilometres south of Cape Nun (BOCG 1978). See also Chapter Six, section 6.1.

⁵⁷ In 37 months Morocco received under the terms of temporary deals 10 times the sum it would have got had the agreement been ratified.(Gillespie 2000: 191)

arrests per year (DSCD 1983: 4156).⁵⁸ The Polisario Front retaliated against the Spanish ratification of the Treaty with attacks against Spanish boats fishing off West Saharan coasts, often taking hostages. In the worst incident, in November 1978, seven Spanish fishermen were killed. Taking hostages as a measure to pressure the Spanish government yielded some fruit, like the sending of a party representative to a Polisario conference or the meeting of Prime Minister Suárez with the Polisario leader during his visit to Algiers in spring 1980. Morocco, in turn, retaliated with the establishment of an Exclusive Economic Zone of 200 miles in 1981.⁵⁹

The situation only started to improve when a new centre-right government under Leopoldo Calvo Sotelo took power in Spain and announced a new approach to relations with Morocco, which was to become Spain's privileged partner. Under that government negotiations for a fisheries agreement advanced quickly but the fruits would only come with a new, Socialist administration in power. The negotiations ended with the signature on 19 August 1983 in Rabat of a Co-operation Agreement about Marine Fisheries with the Kingdom of Morocco.⁶⁰ The agreement was the first one to be signed and ratified by both countries since 1969, and the first one to last for the whole period foreseen. The agreement was similar to the one reached in 1977: it provided for Spanish access to Moroccan and Western Saharan waters on payment of a fee by both the ship owners and the Spanish government, and for Spanish co-operation and assistance in developing the Moroccan fishing sector.

The 1983 agreement kept the distinction between waters North and South of Cape Nun, as euphemism for Moroccan and Western Saharan waters (Annexes I and II). The 1983 agreement did not include the measures to 'Moroccanise' the Spanish fleet like that signed in 1977, but it included in

⁵⁸ Captures of Spanish vessels were the result of illegal practices by Spanish fishermen, and by no means uncommon: in 1982 Spanish vessels were captured by Morocco (112), France (22), Portugal (20), USA, Ireland, United Kingdom, Algeria and Congo- Brazzaville. However, both captures and liberations tended to coincide with political events in the Moroccan case (Ballesteros 1998: 258).

⁵⁹ If this move was in accordance with a general trend amongst coastal countries, it is significant that it happened just after the signature of a joint communiqué between Spain and the Polisario front which implied tacit governmental recognition (Gillespie 2000: 48).

exchange very large financial compensation (arts. 7, 9 and 10 and Annex III). It was signed for four years, with a 10% yearly reduction of the maximum catch (Annex I), and provided for a revision of the terms in case Spain entered the EC before the agreement expired (art. 16). It started a period of relatively calm relations between Spain and Morocco, particularly in fisheries terms, and the only main trouble in the pre-accession period was an attack in 1985 by the Polisario front on a fishing boat, the *Junquito*, and on the Spanish patrol boat that went to its aid. It also allowed for an expansion of the Moroccan fishing sector.⁶¹

Accession to the EC and the first EC/Morocco agreements

Spanish accession to the EC completely changed the context of Spanish-Moroccan fisheries negotiations. Whereas both Spain and Portugal had bilateral fisheries agreements with Morocco, the EC had none. Article 167 of the Spanish and Portuguese Accession Act provided for the management of the agreements between Spain and third countries to be reserved to the Community, respecting the terms of the agreements until a new agreement, this time signed by the EC, could be achieved.⁶² In practice, during the transition period that management consisted simply of the presence of an EC representative in the joint follow-up committee (Juste Ruiz 1988). Other member states, which had ensured extremely tough conditions of access to their waters to Iberian fleets, mostly saw the signature of an agreement with Morocco as a question of fairness, and also as a good way to reduce pressure on Community waters.

The negotiations had a difficult start: the 1983 agreement was due to expire on 31 December 1987 and, no agreement having been reached by the deadline, Morocco declared a 'fishing out': all EC vessels (711 Spanish and 25

⁶⁰ *Boletín Oficial del Estado*, Num. 243, 11 October 1983.

⁶¹ Morocco's total fish catch increased by 75 per cent between 1980 and 1988 to 550,000 tonnes. Over the same period, the value of exports multiplied eightfold to 260 MUS\$ (*Financial Times*, 7 March 1990).

⁶² A similar provision existed for Portugal in article 354 of the same Act. Morocco agreed with the EC to maintain the same regime for 1987, when a new Agreement would be negotiated (*Official Journal of the EC* L 232, 19 August 1987)

Portuguese vessels) fishing in Moroccan waters would have to remain in port until a new agreement was reached (*El País*, 2 January 1988). The Canary Islands and Andalusia were severely hit, and the European Commission announced 3 MECU compensation for one month, taking into consideration the economic and social circumstances of the fishermen affected, despite the fear amongst Commission officials and some member countries that a high level of payments would provide Spain with an incentive to maintain its tough stand (*Financial Times*, 15 January 1988). This created an important precedent for future EC-Morocco negotiations, and indeed, as we will see, it is one of the reasons why the effect of EC membership was at times a hardening of Spanish negotiating positions, at the expense of the bilateral relationship with Morocco.

During January and February 1988 the negotiations came under increased tension as Spanish fishermen started acting in the Southern port of Algeciras, the main entry for Moroccan products to the EC, first against fishing products and eventually against the whole sea traffic for 24 hours. Those actions were to become familiar in future negotiations. Fishermen were not the only ones to put pressure on Madrid's government: the main opposition party, Alianza Popular, and the press, were very critical of the failure to reach a satisfactory agreement.

As a result of the growing internal pressure, Spanish officials and politicians also put pressure on the European Commission to be as tough as possible with Morocco in order to obtain a deal that would favour Spanish interests, using all available instruments including trade concessions, loans and financial transfers (*El País*, 14 January 1988). This was resented amongst EC officials and caused considerable friction between Madrid and Brussels (*Financial Times*, 15 January 1988).

Agreement came in late February as the result of four factors. First, the pressure caused by the exclusion from Moroccan waters of the Spanish fleet made the Spanish government more inclined to lower its demands. Second, the EC made substantial concessions in terms of reduction of catch, particularly cephalopod (the most lucrative species), better market access for

Moroccan canned sardines (at the expense of the southern EC countries, particularly Portugal) and financial compensation to Morocco. Third, the negotiation was developed in a global context that linked concessions with other EC-Morocco agreements which were crucial for the North African country: one financial and two commercial protocols to the 1976 Morocco-EC Co-operation Agreement, which compensated the North African country for Iberian enlargement.⁶³ And fourth, Spain made bilateral concessions to Morocco: the application of the EC/Morocco trade protocol to Ceuta and Melilla (despite the fact that these cities were not a part of the customs union), the promise of a new Co-operation Agreement and the compromise to allow the transit of Moroccan products through Spanish soil without restrictions.⁶⁴

The EC - Kingdom of Morocco Fisheries Agreement⁶⁵ was signed on 25 February 1988, and it was to last for four years. It did not limit the number of ships, but the total gross register of all the EC boats fishing in Moroccan waters: 97,400 Tons. This was about 20% more than the 1983 bilateral agreement, but it included boats from all other EC member states. The main losses for the Spanish fleet came from the 20% reduction by the end of the period in cephalopod catch, the possibility for Morocco to change by 5% the quantities according to the size of fishing stocks and the needs of its own industry, and the fishing pauses of one month per year to allow the stocks to regenerate. Spain could only maintain the size of its fleet as long as it did not interfere with the development of a Moroccan fishing industry. The EC would have to pay about Ecu 70 million to develop the Moroccan fishing fleet, services and port equipment and joint ventures.

Politically, the agreement had two important implications. On the one hand, it constituted a far more ambitious fisheries agreement than any that had been

⁶³ The linkage between these elements of the package deal is clearly shown by the fact that the European Parliament considered them at the same session as the fisheries agreement, approving the protocols and giving its positive opinion on the agreement (Juste Ruiz 1988: 747). The Development and Cooperation Committee defined the agreement as a 'political fisheries agreement' (European Parliament -*Ecos of the Session*, 13-17 June 1988).

⁶⁴ The transit was a juridical obligation for Spain, but it was used as a means of putting pressure on Morocco and also with protectionist goals, particularly in some agricultural products like citrus fruit. (*El País*, 26 February 1988). The final agreement (*Boletín Oficial del Estado* num. 92, 16 April 1988) was signed in Rabat on 31 March 1988, only a month after the new fisheries agreement entered into force.

signed before. It was clearly linked to the global context of EC-Morocco relations and signalled a tendency towards closer association not only in fisheries but also in other fields. Implicitly, this compensated for the cold reception of the Moroccan application for membership in 1987 and showed the growing interest by the EC in improving its relations with North Africa.

On the other hand, the agreement implicitly recognised Moroccan rule over Western Saharan waters, which were included in the agreement. The expression used in article one was 'waters under the sovereignty or jurisdiction of the Kingdom of Morocco', which is quite ambiguous. However, a clearer indication is to be found in Protocol number one. Although the North/ South division of fishing areas is established in parallel 30° 40'N, quite distant (about 300 km.) from the Morocco - Western Sahara border, all fishing activities in the Southern areas are marked with a double asterisk which is an indication that 'between parallel 30° 40'N and parallel 28° 44' N those fishing activities can not be developed'. Therefore, the whole Saharan-Canarian bank was reserved to the Moroccan fleet, and the only waters in the Southern areas which were open to the EC fleet were those of the Western Sahara which start very close to parallel 28° 40' N.⁶⁶

The agreement was respected without major problems except for a short crisis in March 1990, when Morocco decided a tenfold increase of the fines on foreign vessels operating illegally in its waters in an attempt to stop European over-fishing. The measure affected particularly the small Spanish boats, whose activities were a lot easier to control than those of the large vessels in the high seas⁶⁷, and caused widespread protest in southern Spain. Negotiations for a new agreement started months before the expiration of the 1988 one on 29 February 1992. But unforeseen difficulties came in January 1992 when the

⁶⁵ *Official Journal of the EC* L 181/1, 12 July 1988.

⁶⁶ The Moroccan side counted this as a victory and Foreign Minister Abdelafif Filali infuriated the European Commission by declaring that the agreement recognised Moroccan sovereignty over Western Saharan waters (*El País*, 25 January 1988). The question of the implicit recognition of Moroccan occupation of Western Sahara made Commission officials very uncomfortable and sparked considerable debate in the European Parliament. For a discussion of the question see chapter 6, section 6.1, and Juste Ruiz 1988: 752-755.

⁶⁷ Important parts of the Spanish coastal fleet depended to a large extent on fishing illegally for their survival, betting on their chances and incurring in corruption practices when they

European Parliament failed to approve a financial package worth Ecu 463 million in loans because of Moroccan human rights abuse and its non-compliance with the United Nations Peace Plan for Western Sahara.⁶⁸ Morocco called into question the fisheries agreement and asked for a substantial reduction in EU catches, the agreement was extended and negotiations became even tougher. From that moment onwards, like in 1988, the EC negotiated under the additional pressure of time and the threat of a 'fishing out'.

The agreement⁶⁹ came on 15 May 1992, only two weeks after the end of the extension. This agreement was essentially very similar to the one signed four years before. Increased Moroccan pressure succeeded in achieving better conditions in terms of financial compensation, control and preservation of the fishing grounds and of presence of Moroccans in the crews of the boats fishing in Moroccan waters. Another significant victory from the Moroccan point of view was the improvement of the conditions for market access to canned sardines. The agreement was signed for four years, with a clause for a mid-term revision.

The negotiation of the first two EC/Morocco agreements is a good illustration of the changes that operated in Spanish policy towards Morocco after accession. The balance between constraints and new instruments, the first of the themes of this thesis, changed considerably: Spain lost the capacity to conduct an autonomous policy but gained crucial advantages from being an EC member in terms of bargaining power as well as becoming more able to deflect the pressure exerted by Morocco on the Spanish fleet thanks to generous EC funding. The other theme that stands out when we analyse those two negotiation processes is the change in the policy-making structures

were apprehended, with the knowledge of government officials and public opinion of both sides.

⁶⁸ If the main technical reason for the failure was the lack of quorum, the political relevance of the vote should not be overlooked: in the same sessions all other protocols put to a vote (Algeria, Egypt, Tunisia, Jordan, Lebanon and Israel) were approved except that of Syria. The vote came after two years of critical resolutions with Morocco approved by the Parliament and contributed to an international crisis of legitimacy of the Moroccan regime for its human rights record. See *Official Journal of the EC* C 39, 17 January 1992 and El Houdaïgui 2003: 264-266.

⁶⁹ *Official Journal of the EC* L 407, 31 December 1992

largely resulting from the characteristics of the Common Fisheries Policy, with an increase in the role that the technical structures of the Ministry of Agriculture, Fisheries and Food played. But the elements of continuity are also obvious in the other two themes of our study: neither the identity nor the definition of Spanish interests in the fisheries issue changed substantially, nor did the public opinion or domestic politics show clear signs of and impact of EC membership other than the government's use of the EC competence as an alibi to justify the painful consequences of the agreement for a part of the fishing fleet. The negotiations for new agreements in 1995 and 2000-2001 would confirm this tendency.

A solution to a major crisis

In the early 1990s the ever growing pressure on the Moroccan fishing grounds started to threaten the whole abundance in fish in the area, which suffered from severe over-fishing. In 1994, faced with the evidence of the growing scarcity of fish,⁷⁰ the Moroccan government requested a revision of the agreement which would involve tighter control of the EC fleet activities and a substantial reduction of catches. About 200 licences from European boats were withdrawn. This was considered unacceptable by Spain, whose government pressured the European Commission from May 1994 not to make any concessions (Jones 2000:140). After five months negotiating, the Commission and Morocco agreed to shorten the agreement by one year (until May 1995), but keeping the same conditions.⁷¹

In March 1995 the European Commission and Morocco started new negotiations, which would be of an unprecedented toughness and create enough tension in the entire Morocco - EU relationship to be described as a bilateral crisis (Damis 1998b). Fisheries negotiations became a hot topic in the

⁷⁰ Moroccan officials have repeatedly pointed to over-fishing as the main reason for Moroccan pressure for a new deal. Evidence of over-fishing seems established, but other factors like increased foreign competition (from Mauritania with its high subsidies, and Western African countries like Senegal or Ivory Coast, benefiting from the 1994 devaluation of the CFA Franc) or the failure of the Moroccan industry seemed to have been at least as important in the minds of policy makers in Rabat (White 1997: 318-324).

⁷¹ *Official Journal of the EC* L 111 , 4 April 1996.

press and public opinion of both Spain and Morocco, making it difficult for their governments to lower their demands.

The two negotiating sides started with very distant positions, and for most of the first months, 'in place of meaningful negotiations, there was a dialogue of the deaf' (Damis 1998b: 66). The Moroccan position was very tough: many political actors, not just with interests in fisheries, were convinced that no agreement would be much better than a bad agreement for Morocco. In fact, it would probably have been much harder to reach an agreement if the question of fisheries had been the only aspect of the EU/Morocco relationship.

Four studies have focused in detail on the negotiations for the 1995 Fisheries Agreement: those of Gregory White (White 1997), John Damis (Damis 1998b), Rachel Jones (Jones 2000) and Rachid el Houdaïgui (El Houdaïgui 2003: 244-257). Their analyses of the negotiations and our own findings allow us to establish five main factors that set the context in which the negotiations took part, and that help us to understand its final outcome.

The first factor is the Moroccan domestic context: fisheries had become a very profitable activity, employing 155,000 people and representing over 15% of Moroccan exports, but a large part of the resource was exploited by foreigners (White 1997). The fishing lobbies had grown in power and were, for the first time and exceptionally in Morocco, closely associated with the negotiations; their views were largely shared not only by fisheries officials and technicians, but also by the press, political parties and public opinion. In the end, the signature was a political decision of King Hassan II that took into consideration the strategic importance of relations with the EU (El Houdaïgui 2003: 255-256). A second factor was Spain's internal situation: the Socialist government was in a weak political situation and in the middle of an economic crisis with high levels of unemployment. An estimated 28,000 jobs depended on fisheries in Moroccan waters in the relatively poor regions of Galicia, the Canaries and Andalusia. The fisheries organisations succeeded in getting a high media profile and put pressure on the government with actions like blocking the access of Moroccan products to the EU via the southern Spanish ports, and got sympathy from opposition parties and the press.

The fisheries context in Europe was also important. The year 1995 had started with a bitter fisheries dispute between Spain and Canada over fishing in the Northern Atlantic: Spain resented the lack of 'solidarity' of some other EU member states, particularly Great Britain, and was not satisfied with the final deal. The lesson was to work intensively to keep all the EU countries committed to Spanish interests and to put unrelenting pressure on the Commission to make sure that the Spanish point of view prevailed. The negotiation of an association agreement in parallel with that of the fisheries agreement was the fourth factor: Morocco wanted to use concessions in the fisheries negotiations to get better conditions. Finally, there was a strategic factor: the civil war in Algeria and instability throughout the Maghreb had been a crucial concern to EU governments since the beginning of the decade. Morocco could play the 'stability card' (White 1997: 325) to get a better deal in the fisheries agreement. The run up to the Euro-Mediterranean conference put pressure on both sides: Israel and Tunisia signed association agreements, which put increased pressure on Morocco to make concessions to achieve an agreement quickly; and the EU wanted to avoid demonstrations by fishermen during the Barcelona Conference in November 1995.

The negotiations were long and difficult, with social pressure in Spain and a renewed opposition to the agreement in Morocco. Moroccan attempts to break European solidarity with Spain's intransigent views failed, and the Union was cohesive along the negotiations, despite Spanish complaints about the Commission's 'soft' positions. Eventually, the Commission succeeded in linking the issue of fisheries with the association agreement and on 10 November 1995, only 16 days before the opening of the Barcelona Conference, a deal on both issues was achieved.

The 'Agreement on Relations in the Sea Fisheries Sector between the European Economic Community and the Kingdom of Morocco'⁷² was considerably more generous to Morocco than the previous ones, but went along similar lines. Most of Morocco's main concerns were reflected in the agreement: the reduction of the total tonnage of the EC vessels in Moroccan

⁷² *Official Journal of the EC* L 306, 19 December 1995.

waters, more generous financial compensation, improved access for Moroccan canned sardines to the EC, longer resting periods, the provision for a restructuring of the EC fleet. The Moroccan demand that all fish caught in Moroccan waters should be landed in Moroccan ports was only very partially satisfied (30% of the cephalopod, short of 100% of all species initially demanded by Morocco). The Moroccans also failed to limit the agreement to three years, and the final agreement was signed for four years, and did not include any specific mention of the fact that the agreement would be non-renewable.

From the Spanish government's point of view the agreement was very welcome as a solution to a burning social problem. The new conditions were tougher than Spain would have liked, but faced with the possibility of a complete lack of agreement, the final outcome could only be considered positive. It left four more years to restructure the fishing fleet with generous EC subventions. If Spain and the EC can be considered to have played to their advantage the card of the association agreement negotiations, and Morocco could at least claim to have achieved considerably better conditions, the clear loser of the negotiation was, as Gregory White puts it, 'the fish' (White 1997: 314): the 1995 Agreement did little to stop the irresponsible depletion of the Moroccan waters despite the lip service paid to ecological concerns.

After the tough negotiations came a period of relatively stable relations, compared with the previous years. The Spanish government and the European Commission supported the gradual conversion of the fleet, which took place asymmetrically and at a very slow pace. As a result, when the agreement expired in 1999, thousands of Spanish fishermen were still dependent on Moroccan fishing grounds. The main difference this time was that the negative effects were not spread widely across three regions (Andalusia, Canary Islands and Galicia), but mainly concentrated in a dozen ports in these regions where fishermen had been unable to find alternatives in terms of either fishing elsewhere or directly changing their economic activities.⁷³ This

⁷³ A Spanish Member of the European Parliament complained that in the 1994-1999 period Spain only used 44% of the funds allocated to the EC initiative PESCA, which was

made the problem very visible and, therefore, it soon acquired a high media profile; politically, the negotiations became, once more, a highly sensitive issue.

The end of a long story

In November 1999 the European fleet had to leave Moroccan waters because the 1995 agreement expired, and the EC provided Spain with the necessary funds to pay the fishermen while looking for a solution. Morocco made no offer and refused to enter into direct negotiations for a new agreement, claiming that the agreement had been negative for its interests and that the EU had not respected it (*Europolitique*, 17 November, 1999). In September 2000 the Moroccan side agreed to start negotiations just after an official visit by King Mohammed VI to Spain, in which generous co-operation agreements were signed,⁷⁴ and after the agreement on a negotiation mandate for the European Commission on the renewal of the agriculture chapter of the association agreement. Although the initial Moroccan demands were considered unacceptable by Spanish and EU negotiators, they welcomed the new Moroccan disposition to negotiate, and a certain optimism emerged. But the position of the Spanish government hardly moved in the following months, and after the visit of EC Fisheries Commissioner Franz Fischler to Rabat in late February 2001, disappointment set in again on the EC side when they realised that Morocco would not accept the Spanish demands (*Mar* num. 391, February 2001).

Meanwhile, the European Commission and the Spanish government had been preparing for the worst, and were slowly trying to convince the sector of the need of a painful conversion of the fleet. The negotiation of the vital agricultural chapter of the association agreement was due to start during the same period. However, after the bitter experience of 1995, the government of

specifically designed to encourage diversification in areas highly dependant on fisheries (*EFE*, 4 May 2001).

⁷⁴ In particular an increase of Euro 105 Million in support of investment in Morocco (*Mar* num. 386, September 2000). Those concessions were part of the global policy towards Morocco but implicitly linked to the interest in opening fisheries negotiations.

Morocco refused from the start any linkage between both negotiations, and talks on agriculture did not actually take off until the end of the fisheries ones. In the European side there was also the feeling that better deals involving only agricultural products could be achieved if negotiations were not linked to the fisheries issue.

On 26 March 2001, European Commission negotiators made a last offer to Morocco with a one month deadline. The Moroccan response⁷⁵ did not meet European (and in particular Spanish) expectations, and in the Fisheries Council meeting of 25 April 2001 the member states decided not to make any further offer. In the following days some hopes that an agreement of some sort could still be achieved were expressed by ministers in Portugal (*EFE*, 25 April 2001) and France (*El País*, 3 May 2001), but Spain, the European Commission and most member states made it clear that there would be no other agreement with Morocco and that the reconversion of the fleet should start immediately.

In view of the Moroccan position, in the last days before the final decision the Spanish government was against any new concession to the Moroccans. The main reason was the fear of creating a precedent for all other countries that had, or might sign in the future, fisheries agreements with the EC (Mauritania, Tunisia, Angola, etc.); this would endanger the whole system of international fisheries agreements, very profitable for the Spanish fleet. At the same time, a large amount of the boats affected by the failure of the agreement would have to be dismantled anyway, with or without agreement, as they were old, non-competitive and often failed to meet minimum safety requirements.⁷⁶ Doing this after the failure meant that more generous help would be at hand, and Moroccan intransigence could be blamed for the social impact. The Spanish government refused to explore Moroccan offers for partial agreements that

⁷⁵ The Moroccan Minister of Fisheries, in a letter to Commissioner Fischler, reminded the EU of the concessions already made by Morocco and confirmed the offer presented on 22 March 2001, without any new modifications. *Letter of the Minister of Marine Fisheries of the Kingdom of Morocco to Commissioner Franz Fischler*, Rabat, 23 April 2001 (unpublished).

⁷⁶ During the negotiations, estimates put the amount of vessels that were anyway not competitive, and would need to be dissembled in case of a failure, at 75% (*El País*, 9 December 2000). Eventually, however, one year after the end of negotiations only 37.3% of

would mostly benefit the traditional fleet and made it clear that only an agreement for all sections of the fleet was acceptable.

The fishing sector and the regional authorities had been in contact with the government through an ad-hoc committee, the *Comisión Específica Marruecos*. That committee served as a legitimisation tool for the decisions of the Spanish executive, and gave the government the chair in the only location where all affected actors met, deflecting the possibility of an organised reaction against the government.⁷⁷ It was also the place where the principle of 'solidarity' was institutionalised, meaning that a partial agreement to defend the most vulnerable sections of the fleet (the coastal fleet) was not an acceptable option, and that all interests should be defended with the same intensity. The extraordinary cohesion achieved by the government was only broken once it became clear that the alternative to a partial agreement was no agreement at all. Only then did some of the most directly affected sectors start their protests in Andalusia, which were in no case as organised, far-reaching or widespread as those of 1995.

The government was keen to capitalise politically on the frustration over the lack of agreement. On the same day in which the Fisheries Ministers announced the end of negotiations, Prime Minister Aznar declared in a radio interview that 'no one can think (...) that this will not have consequences for the relationship between Spain and Morocco and between Morocco and the European Union' (*El País*, 26 April 2001). The Spanish and Moroccan press interpreted those declarations as a threat to Morocco, and in fact they signalled the beginning of a period of tense bilateral relations which ended six months later in the withdrawal of the Moroccan Ambassador to Madrid.⁷⁸ The crisis that followed (October 2001- January 2003) started to cool down when King Mohammed VI allowed some Galician boats to work in Moroccan waters for a limited period to help them overcome the disastrous effects of the

the boats had stopped completely their activity after the lack of agreement (*El Correo Gallego*, 9 July 2002).

⁷⁷ The same model, with similar functions, had been adopted by the Andalusian government during the 1995 negotiations, and was put in place again for the 2000-2001 negotiations. It was known as 'Grupo de Trabajo Andaluz para el Acuerdo con Marruecos'.

⁷⁸ See chapter 6, section 6.3.

sinking of an oil tanker in Galician waters in November 2002. This gesture signalled the beginning of the end of the bilateral crisis, and was the last episode of high relevance of fisheries in Spanish-Moroccan relations.

Fisheries negotiations have been a key factor in Spanish-Moroccan relations from the very independence of Morocco. They were linked throughout the years to other aspects of the bilateral relationship. Spanish accession to the European Community raised hopes that fisheries would be disentangled from the rest of connections between both sides of the Strait of Gibraltar. Instead, new linkages appeared. It now looks as if fisheries will no longer be a crucial dossier in Spanish-Moroccan or EC-Moroccan relationships, as most of the Spanish fleet that worked in Morocco is either re-converted or working in other waters, and the Moroccan fishing industry is successfully exploiting its own waters. It thus may be the best time to look back and see what the exact effects of Europeanisation have been on the whole of the fisheries negotiations with Morocco.

3.3 The impact of EC membership

This third section of the chapter analyses the impact of EC/EU membership on Spanish fisheries policy towards Morocco. First, it focuses on the impact of Europeanisation in terms of governmental objectives and the way in which EC/EU membership has helped to achieve them. Secondly, it discusses the political outcome in general terms, trying to untangle the question of whose interests were best preserved in the negotiations and the agreements with Morocco. Finally, the section outlines the most significant changes in policy-making derived from membership. Those three questions relate directly to the first three of the four themes of Europeanisation identified in chapter one.

The balance sheet

In the years preceding accession, there were in Spain two main expectations in relation to the effects that the Europeanisation of fisheries policy would have on the fisheries negotiations with Morocco. The first was an argument about

the power relationship: a much larger and richer EC would have a lot more bargaining power in front of an extremely dependent (particularly in trade terms) Morocco. The second expectation had to do with the role that fisheries had played in the whole of the Spanish-Moroccan relationship before accession: with the transfer of competence to the EC, Morocco would not be able to use the fisheries card any more to put pressure on Spain in relation to other political issues. Both expectations fall within the first theme of our thesis, *the balance sheet between new constraints and new instruments*.

For the first expectation, we have found that, as long as the Spanish position has been clearly in favour of an agreement and it has been able to convince its partners and the EC institutions of its necessity, the EC has proved able to deploy its political and economic weight to force Morocco to agree to deals that were, from the strictly fisheries point of view, quite detrimental to Moroccan interests. The pro-Western Moroccan elite had to face criticism in their country for their concessions in fisheries, which they saw as almost an inevitable price to pay for good relations with the European Union. The clearest example of the way in which the EU could force a deal in this way is the negotiations for the 1995 agreement (White 1997; Damis 1998b).

But not everyone in Spain would agree that this first argument is valid. The interviews, the parliamentary minutes and the press declarations contain numerous examples of a permanent double complaint: Spain had to struggle to convince 11/14 partners unaware of the importance of an agreement, being only a twelfth/fifteenth of the Council but accounting for 90 per cent of the affected fleet;⁷⁹ and the Commission was not negotiating with all the ‘zeal’ that the ‘vital’ Spanish interest required (DSCD 1988: 8863). Some EC officials tended to ‘mix’ concerns about the future of fisheries with other considerations in areas like development co-operation, thus weakening the European Commission’s position.

⁷⁹ For an example of this arguments see the intervention of Mr. Díaz Aguilar, an opposition Member of Parliament, in the debate about the 1992 agreement. (DSCD 1992)

According to our findings, however, and despite the recent changes in the attitudes of some actors of the Common Fisheries Policy, including the Commission and some states (United Kingdom, Germany, Denmark), against the current policy of agreements with developing countries,⁸⁰ the Commission and the other member states have largely supported the Spanish positions, in spite of the many concerns that Spain's fisheries record raises in the Community. The eventual failure of the negotiations had more to do with the Spanish refusal to agree to a partial or an unfavourable deal than with lukewarm support for Spanish arguments at the EC level.

What about the second expectation? Did fisheries matter less to bilateral Spanish-Moroccan relationships after Spain entered the European Community? Certainly, as we have seen in the first section of this chapter, Morocco used the question of fisheries to put pressure on the Spanish government not only during the negotiations for agreements, but also through the detention of fishing boats. They used the threat of excluding Spanish vessels from their waters as a means of putting extra pressure on the Spanish government because of its social impacts. This pressure became a lot less relevant when EC funds became available to the fishermen affected by the 'fishing outs'; as a result, the Spanish government had a more comfortable negotiation position. It was also the generous sums of money spent by the EC that allowed for a relatively peaceful end to the possibility to fish in Moroccan waters in 2001, paying for the decommissioning of a large part of the traditional fleet and the restructuring or relocation of the rest. The EC funds, however, also had a negative effect in that they were used right until the very failure of the 2001 negotiations to modernise and build new ships⁸¹ instead of using them to help the fishermen change activity.⁸²

⁸⁰ The idea, strongly supported by the United Kingdom, Germany and Denmark and contained in the Commission's Green Paper on the future of CFP, is that agreements with developing countries should not contribute to the depletion of their resources by EC ships, but rather to the development of their own capacity to exploit them twinned with access to EC market in order to favour their economic development. (European Commission 2001: 21-22)

⁸¹ For instance, when the negotiations were about to fail, 40 small ships, only able to operate in nearby Moroccan waters, were being built in Andalusia. (Andalusia 2001)

⁸² This has been a Spanish attitude throughout the years in the CFP that has attracted widespread criticism (Maliniak 2001)

Nevertheless, as the detailed observation of the negotiations and the way in which the deals were obtained shows, the bilateral factor never really disappeared. This was as clear in 1988, when the fisheries agreement was made possible, amongst other things, by Spanish concessions in the field of transit of Moroccan goods through Spain, and it continued to be evident 12 years later, when the visit of King Mohammed VI to Spain, and the granting of substantial bilateral aid to Morocco, paved the way for the opening of negotiations that the Moroccans had repeatedly stated would never again take place. Indeed, the members of the Aznar government, including the prime minister himself, made this linkage very clear when they hinted at the negative consequences that the lack of a fisheries agreement in April 2001 would have on bilateral relations.⁸³

Moreover, similar linkages to those that existed between fisheries and other aspects of Spanish policy towards Morocco appeared in the EC/EU-Morocco relationship. Fisheries have stood out as one of the most contentious issues in the generally good relationship, and have been at times the best Moroccan bargaining tool to obtain concessions from the EC/EU (in terms of trade or financial aid, as the Moroccan negotiators tried to do in 1988 and 1995) or to protect their political stances in such issues as Western Sahara or European criticism of Morocco's poor human rights record⁸⁴. If Spain was at times able to convince the Commission to link the fisheries issue to other subject areas to obtain better deals, some linkages actually went against the Spanish fishing interest. Probably the best example is the trouble caused in January 1992 to fisheries negotiators by the failure of the European Parliament to approve the Fourth Financial Protocol because of Moroccan lack of co-operation with the UN Peace Plan for Western Sahara and its lack of respect for human rights.⁸⁵

As we see, it is hard to make a simple statement about whether Europeanisation has been detrimental or positive to the Spanish position in relation to the right of its nationals to fish in Moroccan waters. It did, in any

⁸³ See above, section 3.2.

⁸⁴ This does not mean that Morocco did not have its own legitimate interest in exploiting its own fishing banks as a means of achieving economic development.

case, profoundly alter both the instruments at hand for the Spanish government and the capacity to act unilaterally. Also, importantly enough, the Common Fisheries Policy has enabled a relatively painless transition towards a future where fisheries will not be at the centre of the political agenda of Spanish-Moroccan relations.

Whose interest?

Crucial to the whole negotiations of the fisheries agreements has been the question of defining interests, since interests have been at the centre of all political discussion concerning this matter: the interests of the fishing sector, the Spanish national interest, the European Union interest. As we shall see, there have been deliberate efforts to shape the definition of those interests to the benefit of some actors. Those questions fall within the second theme of this thesis, *identity and the redefinition of interests*.

By and large, the interest of the ship owners and fishermen that worked in Moroccan waters have been fiercely defended by both Spanish and European Union politicians and civil servants at a high financial cost in terms of EC budget, EC/Moroccan and Spanish/Moroccan relations and ecological equilibrium. If concerns about the lack of alternatives in certain regions can explain the defence of the ability of a part of the traditional (coastal) fleet to continue their activity in Morocco, the general cost-benefit analysis and the context of EC and Spanish policies towards Morocco seem to challenge the logic of this definition of interest.

A triple identification between interests that were, in our view, distinct operated successfully. First, the interest of large ship owners that conduct very profitable activities like the fishing of cephalopod or crayfish were merged with and identified in the political and public debate as the same as those of the fishermen who, due to the modest dimensions and low capacity of their ships, were left with no alternatives if fishing in Moroccan and Saharan waters was restricted. The interests of the 'fishing sector' were presented as a bloc,

⁸⁵ See above, note 85.

and deliberate attempts to disentangle them and address the needs of the less favoured failed. The creation of negotiating tables chaired by the administration and bringing together representatives of all the affected groups and administrations (specific commission of the 2000-2001 negotiations, Andalusian working group in 1995 and 2000-2001) was particularly instrumental for this purpose.

The second step was the direct identification between the interest of the fishing sector and the Spanish national interest. A successful mobilisation of the public opinion and the press with some spectacular protest actions (like blocking the southern Spanish ports) combined with the partisan use of the issue as a tool for debilitating governments at regional and national levels explain this identification. The disproportionate weight of the 'technical' sectors of fisheries administration and of the Ministry of Agriculture, Fisheries and Food compared to other ministries, in particular Foreign Affairs, may also have contributed to that. Spain was subject to Moroccan pressure partly because of the high importance attached to short term fisheries priorities, which weighed a lot more than longer term strategic considerations.

Thirdly, Spanish officials worked hard to establish an identification between the Spanish interest and the EC interest. This was crucial to ensure the necessary mandate from the Council and to compel the European Commission to negotiate toughly in favour of Spanish interests. The permanent complaints about bad Commission negotiators and their lack of enthusiasm put unrelenting pressure on them. In the Council and the Commission, moreover, the idea that the agreement with Morocco had to be obtained at almost any cost was crucial to ensure that compensation in other fields (like the financial protocols accorded just before the signature of the 1988 agreement, or the association agreement in 1995) would be available as a bargaining tool.

As long as these three identifications could be maintained, there was a synergy which guaranteed sufficient pressure and compensations to obtain a deal with Morocco. But when the situation was brought to a limit by Spanish intransigence in front of Morocco's firm position in 2000-2001, the system

showed its perverse effects: the amount requested by Morocco endangered the interest of the industrial fleet elsewhere in Africa by creating a bad precedent; the EU was not ready to use linkages or pressures in other areas; and the possibility of a partial agreement for the traditional fleet and a small part of the industrial one was refused without negotiating the possible conditions. As a result, the most vulnerable actors, the traditional fishermen concentrated in a dozen ports of Galicia, Portugal, Andalusia and the Canaries suffered the worst consequences of the break-up of negotiations.

This analysis of interest sheds some light on which of the four themes of Europeanisation were most present in the case of Spanish fisheries policy in relation to Morocco. The ultimate definition of interests remained largely unchallenged, and only some rhetorical adjustments were made in order to ensure the objective of maximising the catch at the lowest possible cost, irrespective of the effects that this policy had on the relationship with Morocco. The second theme of this thesis, identity and the definition of interest, is therefore of relatively little relevance in the fisheries sector. As we have seen, changes were considerably more evident in the first theme, the balance between constraints and interests. The next section shows that the third theme, decision making, is by contrast one of great relevance in the case of fisheries.

Multi-level decision making

One area in which the impact of accession to the EC has been deeply felt is that of *decision making*, the third of the themes of Europeanisation. The EC exclusive competence to sign international fisheries agreements has been an element that has fundamentally altered the way in which that aspect of Spanish relations with Morocco has been treated. Instead of the relatively centralised process led by diplomats in the Spanish Ministry of Foreign Affairs and in the Spanish Embassy in Rabat, which was characteristic of the negotiations of the 1983 agreement between Spain and Morocco, the EC/EU-Morocco negotiations of 1988, 1992, 1995 and 2001 have been the result of an increasingly complex multi-level network of actors of varying types

(governmental, private), specialisation (diplomacy, technical issues, party politics, etc.) and geographical scope (regional, national, European).⁸⁶

In the Spanish context, the fisheries administration of the central government at the Ministry of Agriculture, Fisheries and Food maintained a crucial role despite the transfer of competence to both Europe and the regions, as it was the sole actor that defined the Spanish national position in negotiations, and had the most decisive influence in fixing and modifying the EC/EU position. This was possible because of the lack of a model for the participation of the *Comunidades Autónomas* in EU decision-making that matches their competence (Molina 2000: 121-126). Aware of the Spanish executive's weight in the EU Council, Spanish fisheries associations targeted the central administration for their lobbying activities, and kept almost permanent contact with it. The Spanish government had privileged access to information from both the people most directly affected by the negotiations and the top negotiators at the EU level. Crucially, it negotiated in Brussels the amounts of the EC/EU funds to compensate those negatively affected by negotiations, and administered the distribution of the funds. This is, therefore, a clear case of how Europeanisation results at times in a strengthening of the nation-state.

The other effect that Europeanisation had in this context was the reinforcement of the fisheries administration and more generally of the Ministry of Agriculture, Fisheries and Food in Madrid and the DG Fisheries in Brussels, with respect to other parts of the administration dealing with external policy and that were in charge of most aspects of relations with Morocco, in particular the Ministry of Foreign Affairs. Even though the latter was closely associated with all negotiations, the definition of the Spanish position and its main alterations were decided upon by the Ministry of Agriculture. This was also the ministry in charge of defending the Spanish position at the Fisheries Council meetings where the EC position was fixed. It has its own seconded officials in the Permanent Representation in Brussels and in the Embassy in Rabat, closely co-ordinated with the heads of both

⁸⁶ Incidentally, this growth in complexity has not only been a feature of the European side: Morocco also witnessed a similar process, albeit on a much lesser scale. See El Houdaïgui

institutions but nonetheless reporting directly to the Ministry of Agriculture in Madrid.

The complexity of the issue network that emerged around every negotiation was further complicated by the existence of direct links between actors that were not a part of the central decision-making core, that includes the Spanish central government and the European Commission. A dense network of relations linked fisheries associations, regional governments, political parties, members of the regional, Spanish and European Parliaments, journalists, etc. to those two actors in the core, but also amongst themselves. Such a rich net of actors is exceptional in the generally centralised domain of Spanish foreign policy.

This plurality was not confined to the definition of the negotiating position and its modifications. It also affected the bilateral negotiations. There were two parallel axes of interaction. There was a formal negotiation led in Morocco by the government –and in the most difficult cases, as in the last weeks of the 1995 negotiations, by the royal counsellors – and on the European side by the Commission. This negotiation included technical and political issues. In parallel there was a bilateral axis between the palace in Rabat and the Spanish government, which conducted a mainly political game. King Hassan II expressed it in the following words: ‘This treaty is, unfortunately, a treaty between Morocco and Europe. But on the political scene, the conflict is between two countries. Between Morocco and Spain’.⁸⁷

On occasions there were even more contacts at play. For instance, in the 1995 negotiations Rachid el Houdaïgui identified links between the Spanish socialist party (PSOE) and its Moroccan counterpart (UFSP), between the two national confederations of businessmen (CEOE and CGEM), between the Moroccan fisheries sector and Commissioner Emma Bonino, and between another member state (France) and Morocco (El Houdaïgui 2003:

2003:244-256.

⁸⁷ Interview of King Hassan II on TV 5 Europe, in September 1995. Quoted in El Houdaïgui 2003: 254.

248,250,253,256). The decision making process had completely changed since the early 1980s as a direct result of Europeanisation, resulting in a complex multi-level policy network.

3.4 Conclusions

Let us now address one fundamental question in our study presented in the first chapter of our study: the issue of change and continuity. The study of Spanish fisheries relations with Morocco between the early 1980s and 2002 reveals a considerable degree of continuity in the main goals of the government and in particular a remarkable stability in the understanding of Spanish policy makers of the role of fisheries within the evolving bilateral relationship between Morocco and Spain. This stability is to a large extent the result of an internal political situation that favoured, as we have seen, the direct adoption of the views of fisheries organisations by the central administration.

However, the EC also played a role as a stabiliser insofar as the large amounts of EC funds allowed the Spanish government to adopt a harder line in the fisheries issues that it could have maintained otherwise. For example, Morocco used the exclusion of EC (in fact, mostly Spanish) fishermen to put additional pressure on the European side, aware of the devastating effects that this had not only on the lives of fishermen themselves, but also of the rest of the transforming industry and the ensemble of the regional economies of some coastal areas. EC subsidies made this situation remarkably more bearable, but this allowed the Spanish administration to be less compromising. Indeed, the EC funds originally intended to serve as a means to restructure the fleet and reduce the amount of fishermen depending on the agreements with Morocco, were used in some cases to modernise the fleet, thus resulting in more pressure on the fishery and more tension with Morocco. All this had an obvious negative effect on the bilateral relationship.

Despite this stabilising effect over Spanish policy, the contribution of EC membership to change has also been remarkable. Of the four themes proposed

in the first chapter, we have seen that the first one, the balance between new constraints and the search for new instruments, is very relevant in the case of fisheries negotiations. The exclusive EC competence imposed on the Spanish executive a major constraint as it could not deal directly with an issue that, by and large, affected Spain far more than any other member state. This meant that it had to work to keep both the interest, support and solidarity of the other member states and the 'loyalty' of the European Commission. This was achieved quite successfully: trends that could have militated against Spanish interests never became too prominent. Those were for example the priority given in France to keeping good relations with Morocco; the opposition of Germany, the Netherlands or the United Kingdom to perpetuate a system of largely uncompensated depletion of the African fisheries resources, institutionalised by EU agreements; or the Portuguese preference for agreements limited to preserving the traditional fleet. There was no open questioning of what was basically a Spanish definition of the EU interest in fishery relations with Morocco.

In terms of instruments, we have seen how the most relevant instrument made available was the generous funds provided by the EC both to compensate for the agreements and to balance the negative consequences of the periods of biological pauses, 'fishing-off' periods, and eventually the conversion of a significant part of the fleet. The larger negotiating weight of the EC in comparison to Spain's alone was clearly felt, in particular when it could offer linkages with other areas, such as financial protocols (e.g. in 1988) or commercial advantages (e.g. in 1995).

As far as the second theme, identity and interest, is concerned, there is no clear evidence that membership of the EC/EU has affected Spain's identity or its definition of interests to a significant extent. By and large the main interest has not been questioned: maximising the fishing opportunities for the Spanish fleet minimising its economic (and political) cost. But in 2000-2001, when the Moroccan demands were too high, in particular in the most lucrative species caught by the industrial fleet, and the level of compensation threatened with

creating a precedent that could endanger the achievement of profitable agreements elsewhere in Africa, the interest was re-defined. And in that occasion the EC/EU provided both a cover and the economic means to deal with the consequences.

The third theme, changes in policy-making, has been the subject of a substantial part of our research. The Common Fisheries Policy has a number of features that have impinged upon Spanish fisheries policy and also that have affected the relative weights of the different sections of the central administration when deciding about fisheries negotiations with Morocco. The actor that benefited most from this change, the General Secretariat for Maritime Fisheries at the Ministry of Agriculture, Fisheries and Food, has very close links with the fisheries sector and it prides itself on being its most ardent defender. A multi-level network of links has provided the representatives of the fishing organisations with multiple opportunities to exert their influence, and have successfully convinced other 'allies' (regional governments, press, MEPs) to work in their favour.

Beyond the already interesting effects on governance and decision-making, we believe that all those changes have affected the final policy outcome by contributing to a tougher position in favour of the interest of a relatively small minority of people, at a relatively high cost in terms of good relations with Morocco. Only a part of this minority was very vulnerable and without alternative ways of living: the hundreds of low skilled fishermen working in the 144 boats that were destroyed after 2001, who had to face the start of an uncertain new professional life.⁸⁸ The industrial fleet could soon find other areas to work profitably once Morocco became closed to them.⁸⁹

⁸⁸ With an average age of 46 (and 27.2% of them being between 50 and 54), only 8% of all the fishermen that took part in the Spanish retraining program had ever worked on land. A quarter of them had no formal education whatsoever and 72% had not even finished their primary education (*Mar*, June 2002).

⁸⁹ About 20% of the boats that were fishing in Morocco could start working in waters of other countries like Mauritania, Brazil, Namibia, Peru, Chile, Guinea or Angola. Those were obviously large, industrial ships that can sail long distances (*Faro de Vigo*, 9 July 2002).

As with the second theme, the fourth, that of the Europeanisation of domestic actors, does not seem to us to be very relevant with the exception of an issue that is largely connected with the point just made. In effect, the Europeanisation of fisheries organisations has not resulted in stable, permanent transeuropean organisations, that could be stronger than national ones. But it has brought about an awareness of the EC mechanisms and the creation of new means of access to policy-makers. This, combined with the consolidation of a relatively closed policy community (Rhodes and Marsh 1992) around the fisheries issues, has allowed for a bigger impact in the negotiating process.

Spanish public opinion, parties and media have not changed their perceptions of the fishery relations with Morocco as a result of Europeanisation, as far as we could observe. The fact that negotiations with Morocco were conducted by the EC could have served as an alibi for the government when it needed to justify the negative effects of the agreements on the fishing sector. Indeed, that might have been particularly tempting as officials, parliamentarians and lobbyists complained about the lack of enthusiasm of the Commission and of other member states. But the political debate went along other lines: since criticism from the opposition was often that the government was not strong enough to impose its will in Brussels, blaming the European Commission could have been perceived as a sign of weakness within the EC/EU.⁹⁰ The Spanish government preferred to blame Moroccan intransigence instead. But EC pressure (and money) did serve as alibis to restructure an obsolete, non-competitive part of the fleet, which resisted any changes despite the unsustainability of their activity from the economic and ecological, let alone political, points of view.

⁹⁰ The clearest example of this is the mutual accusations that the Popular Party and the Socialist Party exchanged in the parliamentary debates during the 2000-2001 negotiations, in which each party pointed at the other's supposedly weak position in Brussels: the PP considered that the González administration had obtained a bad agreement in 1995, which

Fisheries has been an important topic in the relations between Spain and Morocco for a very long time. It was perceived as a source of constant bilateral tensions. However, months after the official end of the 2000-2001 negotiations, and when the question was supposed to be no longer weighing on bilateral relations, the deepest bilateral crisis since the Green March took place.⁹¹ This should make us re-consider the role that fisheries played in the relationship. Morocco made a political use of it for other issues, in particular of territorial nature, but also as a sort of loud-speaker for its unease with Spanish policy. Fishermen often felt the victims of bilateral ups and downs, and their understanding was probably largely correct: fisheries were in the uncomfortable role of serving as an escape valve for general bilateral tensions. In the absence of such a valve, tensions rose to their worst levels between the summer of 2001 and that of 2002. And it is interesting to note that King Mohammed VI took fishery issues for the gesture of goodwill that signalled the beginning of the end of the crisis in autumn 2003.

made it harder to obtain a new one; the PSOE considered that the PP was to blame for the difficulties of the ongoing negotiations. See DSCD 2000.

⁹¹ See chapter 6, section 6.3, for a full account of the crisis.

Chapter 4: Economic and commercial relations

The relationship between Spain and Morocco in economic terms is strongly conditioned by geographical factors. On the one hand, Spain is the natural access point of Moroccan products to Europe and the obvious link between the North African country and the rich core of Europe. On the other hand, the similar latitudes and weather conditions of both countries mean that competition in agricultural products, particularly fruits and vegetables, for the rich European market is fierce.⁹² Madrid has viewed Morocco in economic terms both as a threat and as an opportunity. The same has been true for Rabat vis-à-vis Spain. Spanish governments have acted within the EC/EU sometimes as an advocate of Moroccan interests, and on other occasions as the worst enemy of Moroccan aspirations. This chapter will analyse this dual character and the specific impact of EC membership.

4.1 Pre-accession and the first years of membership: Morocco as the competitor

For most of the 1980s relations between Spain and Morocco in economic terms were strongly influenced by the accession negotiations and then Spain's accession to the European Community, and by the deliberate attempts of Spanish foreign policy-makers to weave a net of common economic interests between the two countries that would contribute to improving bilateral relations. Spanish policy was not homogeneous, and indeed the policy objectives in the negotiations with, and later within, the European Community seemed to bear little relation to the declared objectives of bilateral relations with Morocco. In fact, those two areas were handled almost as if they were disconnected, and this created a contradictory effect: just as the Spanish government started launching a series of bilateral initiatives to improve trade and economic relations with Morocco, Spanish accession was seen in the North-African country as the worst threat to its exports and, consequently, to

⁹² Both Morocco and Spain can sell their products in the winter period when northern European producers are out of the markets and prices are high. This is crucial: 'the main component explaining price variation in fruits and vegetables production is timing' (Noguera Méndez 1996 : 67).

its economic development. It was a paradoxical policy, bilaterally friendly, but multilaterally almost openly hostile.

This section analyses those two trends. Spanish literature on policy towards Morocco tends to focus only on the official line from the Ministry of Foreign Affairs; however a survey of the press of the time, the Moroccan literature on the 1980s, and the official activity of those years shows clearly the importance of the 'Spanish factor' in the relations between Morocco and the European Community, and how the effects this had in turn impact on bilateral relations.

The Common Agricultural Policy, Spain and Morocco before accession

Before Spain's accession to the EC in 1986, agricultural exports to the Community were crucial to the economies of both Morocco and Spain. Their ability to export to the Ten was limited by the Common Agricultural Policy (CAP). The CAP is not only the policy that has always attracted the largest allocation of the EC budget, but also one which has a policy making process that is unique within the EC system. Like the Common Fisheries Policy, the complexity of the regulations has secured a 'high political entry barrier into the policy community' (Grant 1997: 148). The first years of its functioning served to consolidate a central set of actors, which successfully established a sort of oligopoly that dominated the policy. Those actors were the Agriculture Council, the member states (and in particular Germany and France), the powerful agricultural lobbies associated in COPA (Comité des Organisations Professionnelles Agricoles), and DG VI, the agriculture directorate-general.

Within the Commission DG I, the directorate-general for external affairs, conducted trade negotiations for all areas except agricultural trade (Grant 1997). At the EC level agriculture has developed a dynamic of its own and this favours the fact that, despite the existence of co-ordination mechanisms, the national ministries responsible for agriculture have a greater degree of autonomy than other ministries when it comes to European affairs. For all

those reasons, and despite the huge importance that decisions taken in the framework of the CAP have in third countries and in the relations between them and the EU, decisions made about agriculture and agricultural trade remain relatively isolated from foreign policy considerations at large. This characteristic, which as we will see later also has consequences on the national level, determines to a large extent the state of relations of the EC/EU and the Mediterranean countries.

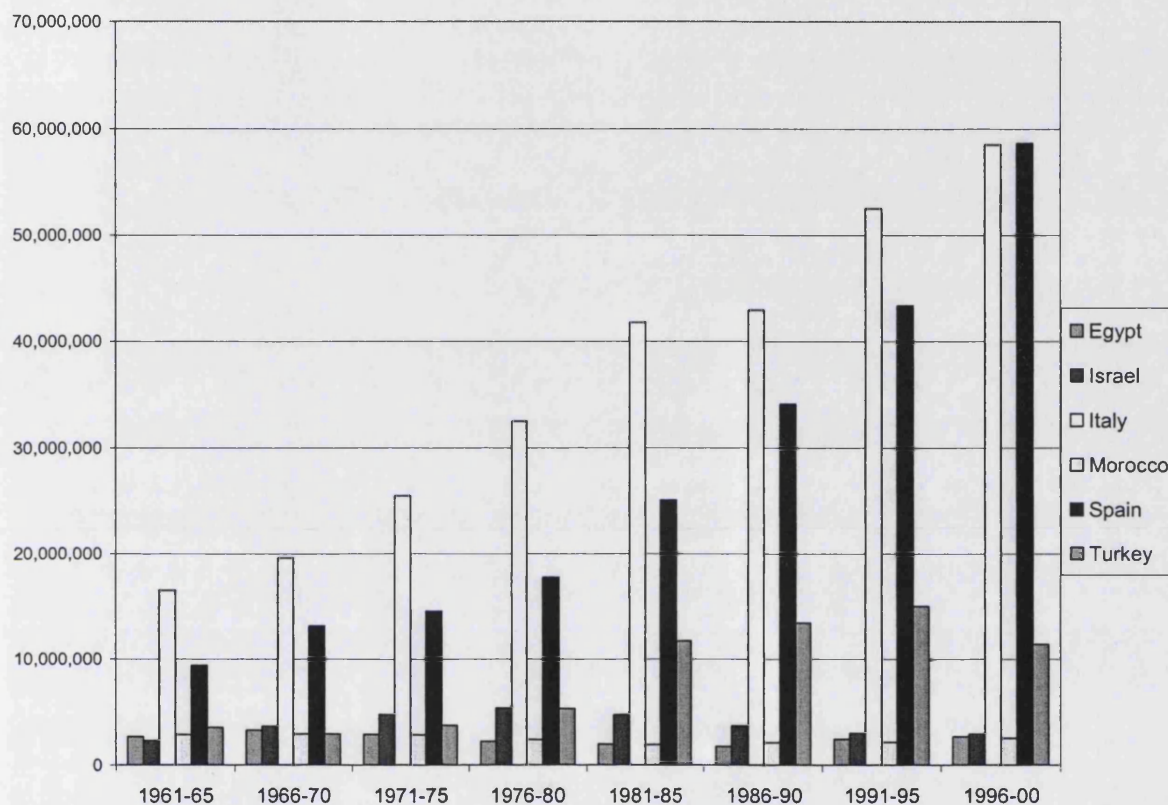
Morocco's independence in 1956 did not put an end to the dependency of its economy on the former metropolis, France. The colonial economy in Morocco shaped a productive structure based on exports from the primary sector (mining, phosphates, citrus fruit, wine, canned sardines) oriented to the French market, and heavily dependent on imports from France (Oualalou 1981:2-4). Morocco continued with those traditional exports and imports to/from France, and extended them to other EC member states, thanks to the preferential treatment granted since the signature of the Treaty of Rome and reinforced by the Association Agreement (1969) and its reviewed version (1976).

In face of an ever growing demand in the EC, specialising in fruits and vegetables seemed to Morocco, as to most Mediterranean countries, a good strategy that would yield good value, by creating numerous jobs and ensuring valuable revenues in hard currency to pay for the high investments needed in such areas as irrigation. International organisations, the International Bank for Reconstruction and Development in particular, supported those projects in Morocco and other countries (Drevet 1986 : 156-157; Pomfret 1987). But from the second half of the 1960s Morocco started to feel the competition from other Mediterranean countries, and in particular Spain and Israel, for some of its most significant exports. As an example, Morocco's share of EC citrus fruit imports decreased from 19.6% in 1965-66 to 11.5% in 1974-75, compared to a positive trend for both Israel (9.9% to 17.4%) and Spain (54.3% to 61.8%). At the same time, imports from the EC grew constantly throughout the 1970s, to the point that a growing trade deficit emerged (Oualalou 1981).

Morocco had low production costs and enjoyed excellent access conditions,⁹³ but its inefficient market organisation and high transportation costs outweighed the advantages. High transportation costs were a direct consequence of the Spanish attitude, closing its territory to the transit of Moroccan products, which forced the producers to use less efficient maritime routes. Spain, despite the comparatively restrictive conditions of access to the EC market, performed a lot better from the 1970s, to the point that just before enlargement it enjoyed a share of the EC fruit and vegetable market comparable to that of Italy, and about 25% larger than that of the rest of the Mediterranean non-member states put together (Drevet 1986: 154). In this context, the Mediterranean enlargements of the 1980s, and in particular Spanish accession, became a major concern for Morocco and dominated the Morocco – EC relations agenda from the start of the decade (Oualalou 1981: 1,5; Pomfret 1987).

⁹³ The Mediterranean policy and the agreements signed with the EC granted important reductions in tariffs on Morocco's agricultural exports of fruits and vegetables, although those exports were also subject to restrictions in terms of calendar, price and amount (quotas).

Table 4.1 Trends in total agricultural exports from selected Mediterranean countries (1961-2000) (in 1000 US\$)



Source: Author's graph from FAO data. FAOSTAT Database, 2002. <http://apps.fao.org>

Moroccan officials and politicians expressed their concerns clearly to their European partners, with growing intensity as the negotiations between Spain and the EC proceeded. Fearing marginalisation in the EC's preference system, the Moroccan authorities asked the EC for an upgrading of its status in relation to the EC, a strategy which culminated in an official application for membership in 1987. In the words of the director of the Moroccan Office for the Commercialisation of Exports, Abdalah Lahlu, 'the enlargement of the EEC is a sign of the danger that threatens the future of our (Moroccan) citrus fruit on the European market' and 'Spain is preparing already for its future

European position and opts for a greater marginalisation of its competitors' (*Le Matin*, 4 April 1985).

In the years that preceded enlargement the EC Commissioner responsible for the Mediterranean, Claude Cheysson (a former French minister of foreign affairs) championed, with British and German support, the position that the question of the repercussions of the Iberian enlargement for the Mediterranean non-member countries should be addressed before enlargement took place,⁹⁴ assuming that Spain would use its position as a member country to secure its access to the EC market and to exclude non-EC competitors from it (Tovias 1995: 101). Commissioner Cheysson accepted some of the arguments in the Moroccan press pointing to Spain as being responsible for possible future social conflicts in Morocco. He declared that 'Spain, who aspires to a great Arab policy, will not want to be the cause of or responsible for the destabilisation of Morocco', to the dismay of Spanish diplomats, who saw it as a Moroccan strategy to revive bilateral conflicts (*El País*, 18 May 1985).

The Spanish executive, which at the time was focusing on accession negotiations, tried to avoid entering into a direct confrontation with the EC authorities or with France on the question of third countries' products access to the EC. The French government had two good reasons to worry about Spanish accession in that field: on the one hand, Spanish producers competed directly with French farmers in Languedoc, who were very actively opposing any concession; on the other hand, France championed the interest of the southern Mediterranean countries (and of Morocco in particular) within the EC. The Commission and some very influential member states wanted a new commercial policy towards the Mediterranean third countries to compensate for the costs of enlargement.⁹⁵ That policy should be agreed with them before

⁹⁴ In a visit to Rabat in 9-11 May 1985 he declared: 'It is important that all this be decided before the accession of Spain, so that when it takes place, Spanish responsibility will be at stake. Spain can cause an alteration of the current balance in the EC- Southern Mediterranean countries relations.' (*El País*, 10 May 1985)

⁹⁵ If the Europe of the Ten needed to import 12% of its tomatoes, 20% of its fruits and fresh vegetables, 6% of its wine, 20% of its olive oil and 55% of its citrus fruit, the Twelve would only need to import 10% of their citrus fruit, be self-sufficient in tomatoes, and have a 10% surplus of wine, fruits and fresh vegetables and olive oil (Khader 1991: 132).

enlargement. Moreover France wanted to impose long transitional periods for Spanish exports of fruits and vegetables to the rest of the EC.

Contacts between the Mediterranean non-members and the EC over the consequences of enlargement started in 1983, but the Commission did not get a mandate to negotiate the compensatory measures with Mediterranean third countries until November 1985, two months before Spanish accession. The long delay has been largely attributed to Italy, which benefited from it because it preferred to talk about trade concessions once Spain and Portugal (who were likely to be on the same side when trying to minimise trade concessions to the Mediterranean non-member states) had become members. Italy, like Spain, wanted to link the negotiations on trade concessions with those of the Second Financial Protocols attached to the Co-operation and Free Trade Agreements with those countries, scheduled for mid-1986. Spain supported the Italian position from outside, convinced like the Italians that the burden of compensating the Mediterranean non-member states should be shared by all EC members, and not only the southern member states (Tovias 1995: 101).

The fear of invasion of EC markets by Spanish fruits and vegetables led to a ten-year transitional period for that sector after long and tense negotiations in which French and Spanish interests were quite directly opposed.⁹⁶ The Italian and Spanish delaying tactics to avoid a decision on the Mediterranean policy worked only partially. In October 1985 an agreement on the adoption of a new commercial policy for the Mediterranean was reached. French Foreign Affairs Minister, Roland Dumas, declared that, if the agreement was kept, 'the French parliamentary ratification process of the treaty of accession could follow its course' (*El País*, 27 October 1985). In fact, Mr. Dumas made it clear that a satisfactory resolution of the Mediterranean question was a basic condition for enlargement, and this strong French stance eventually convinced the Italians, who were the main advocates of enlargement.

⁹⁶ Articles 131 to 156 of the Accession Treaty establish a four-year period under the same access conditions as before accession, followed by a six-year period of progressive dismantling of tariffs and quotas. By the fourth year Spanish fruits and vegetables would be at the same level of EC preference as the Moroccan ones (Tamames 1986: 202-203).

The combination of the agreement on the new commercial policy for the Mediterranean and the transitional periods for Spanish products was very negative for Spanish fruit and vegetable producers, because it broke a basic principle of the Community, EC preference. The situation of the third countries would not change in the first phase of the integration of the Spanish sector into the CAP, which meant that for some products, like citrus fruit, the tariffs paid by Spanish exporters would be considerably higher than those paid by Morocco and others. After that phase (4 years) the EC would examine the evolution of the exports of the Mediterranean non-EC countries,⁹⁷ and if those countries had not managed to keep their traditional flows, the reference prices of several products would be modified, in parallel with the prices that Spanish products would enjoy at that moment, until the end of the transitional period (1996).

In the delicate situation of the pre-accession negotiations, Spanish Foreign Minister Francisco Fernández Ordóñez declared that 'We have no interest in giving the impression that Spain is blocking the negotiation, because we do not want to harm the interests of the Maghreb' (*El País*, 27 October 1985). The reaction of the Spanish public opinion and press was not so moderate, and saw the agreement as giving Spain as a member state treatment inferior to that given to a 'former colony' (Drevet 1986: 186). However, the fact that the agreements still needed to be re-negotiated with the Mediterranean third countries – which would happen in 1986 – was a partial success of the Italian (and Spanish) delaying techniques.

The first years of membership

The tough positions of the Moroccans and the support they got from France and the European Commission accentuated in Spain a perception that was already widespread: the southern Mediterranean countries were, in economic

⁹⁷ As an extra guarantee that Spain could not easily modify this agreement, the procedure to decide about this subject would be negative QMV, i.e. the measure proposed by the Commission could only be blocked with a qualified majority against it, and not, as it is usually

terms, competitors for the same market, and this competition was almost a zero sum game, where every privilege granted in market access would give a potentially crucial advantage to the other side. In the mid-1980s the producers of some of the most affected products, and in particular the Valencian orange and tangerine producers, started diffusing in the Spanish media the image of the invasion of Moroccan products in European market that should be contained to save Spanish producers.⁹⁸

The representation of the interests of Spanish agricultural producers is not centralised in one single organisation, as has been the case to a large extent at EC level. It is divided between three big national federations (ASAJA, COAG and UPA) that in turn represent regional and professional associations. After a period of mobilisation during accession negotiations, and despite being fragmented, the farmers managed to keep quite direct contact with the Ministry of Agriculture and with the regional authorities, and to get favourable (and often openly nationalist) coverage from the press in their claims. Regional governments became adamant defenders of the interests of the agricultural sector, as was for instance the case of the Valencian government (*Generalitat Valenciana*) supporting the orange and tangerine producers' positions in the late 1980s and the Andalusian government (*Junta de Andalucía*) with the tomato producers in the late 1990s. As with the fisheries' negotiations, there was no powerful lobby in Spain to defend the interests of Morocco, or at least the need for a good relationship, that could be compared to the agricultural lobbies.

In the first two years of membership the Spanish Ministry of Agriculture, under strong pressure from the producers, tried to redress two situations it perceived as deeply unfair for Spain: the fact that Spanish products, despite accession, had a treatment which was worse than that of some non-member countries (in particular Morocco); and the level of protection of Mediterranean products within the CAP, which for historical reasons was considerably lower than that

the case, without a qualified majority in favour. In other words, Italy, Greece and Spain together could not block it.

⁹⁸ The Spanish citrus fruit sector, concentrated in the Valencia region, is an important part not only of Spanish agricultural economy but also of the world trade in fresh fruits. It accounts for 40% of world exports of oranges and tangerines (Pool and del Campo Gomis 2000).

of continental products (Gardner 1996). This placed Spain in the position of trying both to improve the treatment of its own producers and to block any attempt to improve access for the products of the Mediterranean non-member countries (Tovias 1995). As the most negatively affected country, Morocco viewed this Spanish position as the confirmation of its fears before enlargement.

For almost seven months in 1986 Spain blocked the adoption of the new EC Mediterranean Policy, which had been designed to compensate the Mediterranean non-member states for the potentially negative impact of the Iberian enlargement on their exports. The main argument that the Spanish negotiators used was the need to ensure that the producers of the Canary Islands (which were excluded from the CAP) would compete in European markets under better conditions than North African imports.⁹⁹ Morocco expressed its intention to link the renewal of the fisheries agreement to the adoption of the EC Mediterranean Policy (*El País*, 24 July 1986) in order to pressure Spain, but to little effect.

It would again be France that would take on the defence of Moroccan interests and pressure Spain. In the French-Spanish summit of Zaragoza held in October 1986 the two countries made a deal that ensured French co-operation in several projects of importance to Spain and the respect of some Spanish claims (in particular in relation to the agriculture of the Canaries) in exchange for Spanish support of the EC Mediterranean policy (Pérez 1987). The Secretary of State for Relations with the EC, Pedro Solbes, admitted that in the summit he and Carlos Romero, Minister of Agriculture, had some 'differences' in their approach to the question (*El País*, 22 October 1986), and the tension between the Ministries of Agriculture and Foreign Affairs was unofficially admitted to the press. The Ministry of Foreign Affairs was thinking in global, strategic terms both in relation to the EC and France, and in relation to the bilateral relations with Morocco, which were strained because of the Spanish attitude towards Moroccan exports to the EC.

⁹⁹ The Canary Islands had been excluded from the CAP at Spanish request. The fact that they are situated at the same latitude as some of the Moroccan producer areas, combined with the

The Spanish government finally removed one of the most disturbing elements of its relationship with Morocco when it announced its compromise, so as to support the EC Mediterranean policy on 16 October 1986. Only five days later the Mediterranean policy was approved together with a series of accompanying measures that granted a favourable treatment of Spanish (and in particular Canarian) products. The policy only granted to the Mediterranean non-member countries conditions that would, at best, maintain their exports at similar levels as those registered in the years before the enlargement. It had been so hard to reach that Commissioner Cheysson could only present it to the Mediterranean non-member countries as a 'take it or leave it' deal, with no possibility of re-negotiating.

It is an indication of the way in which the policy in relation to external agricultural matters was conducted at the time that the very concrete interest of improving the conditions of market access for the agricultural products of the Canary Islands led to a situation of tension with Morocco, to the point that claims were made that 'Spain's actions were aimed at increasing instability in northern Africa' (quoted in Tovas 1995: 102). Also indicative is the fact that the Spanish veto could only be removed under strong French pressure, with significant concessions (some of which directly affected agriculture and fisheries matters) and after a considerable row between the ministries of agriculture and foreign affairs. It is reasonable to object that similar concessions could probably have been obtained without harming so directly the relations with Morocco.

Morocco was the non-Mediterranean member country which complained with most intensity about the EC Mediterranean policy. An official newspaper declared before the agreement was actually signed that it 'brought nothing new but a consolidation of Spanish interests' and that the Alawi kingdom deserved a tailored treatment because its relations with the EC had 'nothing to do' with those of other Mediterranean countries (*Le Matin*, 20 October 1986). It did not sign the agreement before the end of the year, as all other countries except for

similar level of transportation costs, makes the agriculture in the islands particularly sensitive to any increase in Moroccan imports. See Cáceres Hernández 2000.

Yugoslavia had done, but waited for the forthcoming fisheries negotiations as an opportunity to obtain a better deal.¹⁰⁰

In 1987 there would still be some tension between Spain and Morocco because of competition in the field of agriculture. Before accession Spain had been denying to the Moroccan exporters the right to use its territory to send their products to the European markets, forcing them to use the slower, less flexible and unreliable maritime route. The entry in the EC should have put an end to this practice, but in fact it did not: under the strong pressure of the very well organised Valencian citrus fruit producers,¹⁰¹ the Spanish government maintained its restrictions. Contacts were maintained from 1986, but a definitive solution to the question (which could be delayed, but not avoided by Spain) only came with the signature of the 1988 Fisheries agreement: the final agreement on transit rights was signed in Rabat on 31 March 1988, only a month after the new fisheries agreement entered into force.¹⁰²

4.2 The new bilateral economic policy

Global policy and stability in Morocco

If Spain was perceived at times as a fierce competitor of Morocco because of its positions in the negotiations within the EC about agricultural trade, the Spanish government also had the clear understanding since the beginning of the 1980s that economic relations should be a field of co-operation, not conflict, with Morocco. As we saw in chapter 2, when the Socialists first came to power in 1982 they tried to escape the permanent conflicts with the southern neighbours with a new 'global policy' towards the Maghreb. This policy was global in two senses: in scope and in content. In scope the policy targeted all the countries at the same time, abandoning the tactics of alternative alignment ('policy of equilibrium') with Morocco and Algeria for a regional approach. In

¹⁰⁰ See Chapter 3, section 3.2.

¹⁰¹ Their main argument was that it was unfair that Moroccan citrus fruit, with lower production costs because of cheap labour, only paid a 4% tax whereas Spanish exports to the EC paid 12%. (Pérez 1987)

¹⁰² *Boletín Oficial del Estado* num. 92, 16 April 1988. See also chapter 3, section 3.2

content, the policy wanted to frame the difficult territorial questions in a wider web of economic, social and cultural relationships to make the relations with the southern neighbours more manageable (Dezcallar 1992).

In its official definition, Spanish policy towards the Maghreb would have two objectives: 'the defence and promotion of Spanish interests in the region' and 'the promotion of economic prosperity and political and social stability of all states in the region' (Dezcallar 1992: 37). The interests in the first objective include political relations, security, economic elements (energy, the phosphates, fisheries and trade) and socio-cultural links (Spanish language, intercultural dialogue, etc.). Secondly, in the words of one of the designers of the Spanish policy towards the Mediterranean, 'Spain wants a politically stable, economically prosperous and socially developed Maghreb' (Moratinos 1991). In the case of Morocco there was a need to go round the difficult questions affecting territorial issues (Ceuta and Melilla, Western Sahara) and, to a lesser extent, fisheries, the will to enlarge the relations to other fields where mutual interests could be defined and the resolve to avoid being caught again in the dynamics of inter-Maghreb quarrels.

Spain was attempting to define its national interests in new and broader terms. Thus, Spanish diplomacy came up with the concept of a 'buffer' (*colchón*) or a 'web' (*entramado*) of common interests: Spain had to create a number of links and common interests with its Southern neighbour that would tie the two countries together in several fields, so that any crisis in some concrete aspect of the relations between the two countries would not evolve into a fully fledged bilateral crisis. The unspoken assumption was that this web of interests would somehow finally dissolve the territorial claims and Moroccan irredentism, or at least keep them at a secondary level. The contribution to the development of the southern neighbour was a longer term objective, which depended on many factors beyond Spanish control. When events (migration from Morocco, the Algerian crisis and the Islamist threat, riots in Casablanca, the reactions to the Gulf War) demonstrated the need to address the question of stability in north Africa, Spain had to look for new, more effective multilateral instruments, as we shall see further in this chapter.

For the policy to work it was not enough to change the actions that Spain undertook in relation to Morocco. Almost as important was the perception of Spain amongst the Moroccan elite - particularly the people linked to the crown and the political parties - as a partner, not a competitor. Accession to the European Community had a negative impact in the field of agricultural trade, which needed to be redressed. But it also brought a positive change in the perception of Spain, no longer the backwards, isolated country in southern Europe of 1956. The Moroccan elite valued Spain's peaceful political transition, its rapid modernisation and economic development, and its new capacity to shape European affairs (Hernando de Larramendi 1997: 417). In that sense, accession had strengthened the Spanish position vis-à-vis Morocco and had given its government the opportunity to play a new role in relation to the North African kingdom.

Weaving a net of common interests

The most obvious starting point in the search for common interests is, of course, geographical proximity. Spain and Morocco link Europe with Africa, and the 14 km -wide Strait of Gibraltar is a relatively short distance that large infrastructure projects could overcome. The oldest project (first discussed in 1979/80) is a fixed link to unite the two shores by rail and/or road; this project has never been a high priority for Spanish governments, which they have revitalised only when they wanted to show good will to their counterpart (Hernando de Larramendi 1997: 401-403).¹⁰³ Its construction has not actually taken off because of the huge costs of a tunnel, the best option from the technical point of view. Other trans-Strait infrastructure projects include the Maghreb-Europe pipeline, which brings gas from the Algerian Sahara through Morocco to Spain and Portugal - not, strictly speaking, a bilateral project, but one that benefits Morocco and Spain, and largely built with Spanish public money - and the interconnection between the Moroccan and Spanish electricity

¹⁰³ For example, in 1985 the Spanish government tried to counter the negative perception of its accession to the EU amongst Moroccan authorities by sending the Transport Minister, Enrique

grids by means of an underwater cable finalised in 1997. Spain has also been involved in big Moroccan infrastructure projects, both through financial and technical co-operation and through Spanish firms, which have won substantial contracts.

For the 'web of interests' in construction to acquire some consistency, both economies needed to become intertwined in a stream of trade, investment, tourism, etc. The resources generated by the high growth rate of the Spanish economy and the new tendency of large Spanish firms to internationalise could sustain an intensification of trade and investment, and thus contribute to Morocco's economic development. Spain and Morocco signed in 1988 the 'Framework Agreement on Economic and Financial Co-operation',¹⁰⁴ which signals the start of a new era in Spanish-Moroccan economic relations: in four years, 125,000 million ptas were to be made available to Morocco as loans,¹⁰⁵ which went to joint development projects but also to finance the acquisition of Spanish goods (tied aid). The agreement was renewed subsequently until 1996 and then until 2001, with the addition in 1996 of a credit line to encourage Spanish small and medium enterprises to enter the Moroccan market.

In order to encourage further Spanish investment in Morocco both countries signed an 'Agreement for the Mutual Promotion and Protection of Investments' in September 1989, coinciding with the start of a process of liberalisation and privatisation in Morocco. Financial co-operation also had to tackle the problem of debt, a heavy burden for the Moroccan economy. Spain tried for the first time with Morocco the formula of debt conversion. In 1996 an agreement for conversion of debt into private investments was signed. The mechanism was to allow Spain to recover part of the debt and Morocco to reduce its burden, support Spanish investors in Morocco (because it made the conversion of debt conditional on the realisation of private projects) and thus contribute to Moroccan development (Rato 1996: 37). The programme was successful and,

Baron, to Rabat in January 1985 in order to re-activate the project as a way to 'establish closer links and create situations of economic interdependency' (*ABC*, 17 January 1985).

¹⁰⁴ *Boletín Oficial del Estado* n° 290, 3 December 1988.

¹⁰⁵ This quantity was increased up to 150,000 million during the visit of the King of Spain to Rabat in 1991.

despite the increase of the quantity initially foreseen, it was completely used up by private firms within two years (Ramos Mesa 2000).

Since 1977 Spain had been offering to developing countries the loans of the *Fondo de Ayuda al Desarrollo* (FAD), a form of tied aid¹⁰⁶ in which money is lent under favourable conditions with the condition that it has to be used by the recipient to purchase goods and services from the donor country.¹⁰⁷ Morocco became one of the main beneficiaries of those loans: in the 1982-1992 period, it absorbed 10.1% of the total FAD loans.¹⁰⁸ The loans were, to a large extent, directed to infrastructure (35.5%), to the modernisation of the productive sectors (34.5%), mainly industry, and to the defence industry (14%). More often than not they were used to favour the penetration of the Moroccan market by Spanish firms, rather than addressing problems of Moroccan development. They were also used as an element for bargaining in the fisheries negotiations (Gómez Gil 1996: 40-41).

As Spain became a richer country and the growth of the economy made more resources available to the government, development co-operation, and more specifically direct official aid, became a tool of Spanish foreign policy. Spanish development co-operation was initially mostly based on loans, and direct grants grew very slowly, and remained modest compared to those of the EC, France and the USA (see Table 4.2 below). Cultural co-operation with Morocco is of particular importance since Spanish policy makers feel that the heritage of the protectorate has been under-exploited: Spanish is still widely understood in the north of the country, where Spanish TV can be followed thanks to the equipment that ensures reception in Ceuta and Melilla, and interest for the language is alive in the whole country (Hernando de

¹⁰⁶ Although the FAD loans are always mentioned when Spanish development policy is analysed, the analysis of both their legal framework and the way in which they have been used proves that they 'were neither created nor thought as a part of development co-operation, but as a part of commercial policy.' (Schömmel 1992: 171)

¹⁰⁷ The use of FAD credits by the Spanish government has been severely criticised. Firstly, because of their nature of tied aid (which the OECD does not count as official development aid), and secondly, because it was often used for the purchase of military equipment. This last point was particularly acute in the cases of some Arab countries like Morocco and Egypt. For a detailed analysis of Spanish development cooperation in the Maghreb see Gómez Gil 1996 and Hernando de Larramendi and Núñez Villaverde 1996

¹⁰⁸ Source: Subdirección General de Fomento Financiero a la Exportación in Gómez Gil 1996.

Larramendi 1997: 433-434). The Spanish government encourages this interest by funding five schools and five cultural centres.¹⁰⁹

Table 4.2 Official Direct Aid to Morocco: bilateral grants by donor (1986-2000) (in 1000 US\$)

Year	<i>Spain</i>		France		EC		EC + EU MS		USA	
	%*		%*		%*		%*		%**	
1986	0	0	70,600	72.4	11,200	11.5	97,500	100	31,000	31.8
1987	1,100	0.9	83,600	69.3	9,600	7.9	120,700	100	47,000	39.9
1988	1,400	1.1	88,300	71.1	2,800	2.2	124,200	100	46,000	37.0
1989	1,900	1.4	79,700	60.4	5,200	3.9	131,900	100	49,000	37.0
1990	2,000	0.9	111,400	54.6	26,800	13.1	203,800	100	32,000	15.7
1991	2,800	1.5	101,500	55.5	44,000	24.0	182,800	100	39,000	21.3
1992	2,800	1.1	113,600	46.8	47,300	19.5	242,600	100	20,000	8.2
1993	4,300	1.1	114,300	30.3	207,100	54.8	377,700	100	33,000	8.7
1994	2,600	1.4	101,900	29.0	180,500	51.4	351,300	100	26,000	7.4
1995	8,700	3.0	159,300	54.6	63,200	21.7	291,700	100	18,000	6.2
1996	14,900	2.9	252,000	48.5	198,100	38.1	519,300	100	35,000	6.7
1997	21,200	5.0	151,700	36.0	199,100	47.2	421,800	100	13,000	3.1
1998	44,400	8.8	186,300	36.9	210,100	41.6	504,600	100	31,100	6.2
1999	21,600	4.5	185,200	38.7	209,300	43.7	478,900	100	25,600	5.3
2000	56,300	18.9	134,700	45.2	58,200	19.5	298,200	100	37,200	12.5

* After the discontinuous line, comparison with the sum of grants given by the European Commission and the EU member states.

** The USA is included for comparison sake only. Percentage is compared to the EU total (EU + MS).

Source: OECD Statistical Compendium, Edition 2002 and author's calculations.

Finally, the web of interests had another important component: military co-operation. If since the transition the Spanish army had viewed Morocco as the most likely enemy in the case of a bilateral armed conflict (Alonso Baquer 1988: chapter IX), it may seem paradoxical that Spain also became one of the

¹⁰⁹ Four of the five schools (Tanger, Tetuan, Nador and Al Hoceima) and two of the cultural centres (Tanger and Tetuan) are in the north, whereas the rest are in the big cities (Casablanca,

main suppliers of military equipment to the Moroccan army and that the two armies started a series of joint programmes and manoeuvres. It is not: beyond the merely economic interest of arms sales to a country with rocketing military budgets, providing the Moroccan army with equipment of which the Spanish army knew not only the technical characteristics but even the secret codes reassured Madrid about its superiority in the event of conflict. Evidence that the weapons were used in the Sahara War did not seem to disturb the Spanish Ministry of Defence, which had one of the friendliest relationships with its Moroccan counterpart amongst the Spanish government ministries, particularly in the second half of the 1980s.

For the 'web of common interest' to acquire the consistency that the Spanish government expected, official actions were not enough. Once a framework for co-operation and good neighbourliness was put in place, the private sector needed to follow up and give substance to all the agreements. This meant exporting to and importing from Morocco, and investing in the North African country. The process was favoured from the Moroccan side with a series of economic reforms that started in 1983 and continued into the next decade. With a large potential for growth of the bilateral trade and financial exchanges (Tovias and Bacaria 1999: 6, 7), and with official support from both sides of the Strait, economic relations started to intensify at the end of the 1980s.

Table 4.3 Spain's imports from and exports to Morocco (1986-2002) (in Million US\$)

Year	Imports from Morocco	%*	Total Imports	Exports to Morocco	%**	Total Exports
1986	14.491	0.50	2910.164	25.338	1.12	2261.257
1987	18.156	0.45	4053.944	37.631	1.33	2831.552
1988	23.389	0.58	4028.402	40.970	1.22	3352.579
1989	25.700	0.43	5954.361	37.097	1.00	3701.167
1990	35.481	0.49	7288.007	54.360	1.18	4613.112
1991	35.373	0.46	7756.714	51.417	1.03	4992.762
1992	39.134	0.50	8313.132	58.142	1.08	5361.172
1993	35.248	0.51	6920.164	60.601	1.15	5252.392
1994	42.675	0.55	7708.991	57.210	0.94	6108.182
1995	48.603	0.51	9569.302	64.770	0.85	7634.374
1996	52.223	0.51	10155.47	69.722	0.82	8507.583
1997	55.784	0.54	10225.85	73.378	0.84	8689.788
1998	62.619	0.65	11079.99	87.773	0.96	9098.125
1999	62.962	0.51	12330.40	97.838	1.05	9297.824
2000	73.988	0.58	12739.18	104.871	1.11	9443.743

* *Percentage of imports from Morocco over total Spanish imports*

** *Percentage of exports to Morocco over total Spanish exports*

Source: OECD Statistical Compendium, Edition 2002 and author's calculations

Spanish investment in Morocco started to grow in 1986, and the tendency accelerated after the signature in 1988 of the Framework Agreement on Economic and Financial Co-operation and the new Moroccan legal framework for foreign investment put into place that same year. Soon Spain became an important investor in Morocco). Financial institutions, mining, agriculture, textile, chemical industry, mechanical industry, public works and telecommunications were the sectors that attracted most Spanish investors. Those include some of the largest firms with extensive international presence, but also a large number of small and medium enterprises.

All these Spanish efforts did not go unnoticed in Morocco, but the Spanish attitude in relation to the vital issue of Moroccan agricultural exports to the EC affected the image of the country to a larger extent. Within the Spanish government the attitude towards Morocco was not uniform: while the Ministry of Foreign Affairs developed the doctrine of the 'buffer of common interests', the Ministry of Agriculture, Fisheries and Food had no problem in opposing any concession to what it saw as a dangerous competitor. Agricultural lobbies' claims, as happened with fisheries, met with sympathy in the press and public opinion, in particular after the tough conditions imposed upon them in the accession process. This was seen in Rabat as a sign that Spain was not a reliable partner, in particular when it acted within the EC, despite the improvement in bilateral relations. This contradictory policy in economic issues – bilaterally friendly, multilaterally hostile – could not contribute to the solution of political differences in the way that the Foreign Ministry had hoped.

4.3 From competitor to advocate

By the second half of the 1980s, Spanish policy-makers were well aware that the solution of some of the problems that Morocco suffered and which had negative repercussions for Spain, like uncontrolled migration, was well beyond Spanish means. Bilateral efforts could attract the goodwill of an otherwise difficult neighbour, and have considerable beneficial effects for Morocco itself, but they would never be able to stop the divergence that grew bigger between the two sides of the Strait (see figure 2.1 in chapter 2). While Spain progressed in its successful industrialisation and normalised its international situation as it became a full member of the European Community, with growing levels of welfare, Morocco entered a deep economic crisis and proved unable to face the challenges of modernisation, democratisation, massive urbanisation and demographic growth (see table 2.5 in chapter 2).

EC membership provided a new opportunity to mobilise much more substantial resources towards Morocco, which could have a considerably higher impact than Spanish bilateral actions. The 'Moroccan problem' of the last third of the twentieth century, might need a 'European solution', just like the 'Spanish

problem' of the first third of the century was supposed to have needed.¹¹⁰ Spanish governments would seek to use the opportunities provided by the EU in order to solve some of the problems of the relations between Spain and its southern neighbours. That needed a complete change of Spain's role within the EC, from the worst enemy of the economic interest of the Mediterranean non-member countries into the champion of that same interest.

The first Presidency and the early 1990s

The first opportunity to demonstrate the new Spanish attitude within the European Community was the Presidency of the EC, which Spain took over for the first time in January 1989. This came at a particularly good moment since some of the most delicate controversies had been solved at the beginning of 1988: the new fisheries agreement was signed in February, and with it came, after a two-year delay, the commercial and financial protocols to the 1976 Morocco-EC Co-operation Agreement that served as a compensation for the Iberian enlargement; the bilateral agreement for the transit of Moroccan products came only a month later; and shortly afterwards the 'Spain-Morocco Framework Agreement on Economic and Financial Co-operation'. After blocking, for the first two years of its EC membership, European initiatives that would favour Morocco, Spain proved in early 1989 that its attitude had changed.

This change in attitude was not only the result of the pressures in the fisheries negotiations, nor was it simply a projection of the bilateral 'global policy'. In Spain the late 1980s brought the realisation of a new phenomenon: Moroccan migrants no longer saw Spain just as a transit country, but instead as a destination in its own right. This fact was crucial in the change of the Spanish attitude, as we will see in chapter 5. The economic situation of Morocco became a direct concern for Spanish policy makers, aware that only prosperity in Morocco could stop the increasing flow and foster social and political

¹¹⁰ The philosopher Ortega y Gasset's famous sentence 'Spain is the problem, Europe is the solution' had an influence throughout the twentieth century on Spanish intellectuals and

stability in the southern neighbour. The good performance of the very sectors in Spain that were supposedly most threatened by the concessions to Morocco was also important, as it reduced some pressure on the government (see table 4.4).

Table 4.4 Exports of citrus fruit from the main Mediterranean producers (yearly average)

Country	1984-88		1994-98	
	1000 TM	%*	1000 TM	%*
Greece	255	5.4	434	8.3
Italy	266	5.6	179	3.4
Spain	2,006	42.6	2,725	52.5
Morocco	585	12.4	559	10.8
Egypt	153	3.2	269	5.2
Israel	589	12.5	336	6.5
Turkey	222	4.7	344	6.6
Mediterranean	4,704	100.0	5,194	100.0

**Percentage over total Mediterranean exports*

Source: Ahmed El Kamel (2000) based on FAO statistics.

In 1988, some of the obstacles and added difficulties that had emerged for Morocco as a result of Spanish EC membership had been removed. But it was also the year in which Morocco would acknowledge a new interest in a partnership with Spain, which became its second trading partner that year and whose firms started to show an interest in investment in Morocco. The 1989 EC presidency would be the opportunity for the Spanish government to prove that it was not a rival, but an ally for Morocco within the EC, a role which France had been playing almost exclusively ever since the Community was created. Spain also had to prove that the concessions made in 1988 were the

policy-makers.

sign of a new attitude rather than just the consequence of Moroccan pressure during the fisheries negotiations.

The context in North Africa was also favourable. After years of rivalry and changing alliances, the double détente (Algeria-Morocco, Libya-Tunisia) that started in 1987 made possible a process which culminated in the creation of the Union of the Arab Maghreb on 17 February 1989.¹¹¹ This was warmly welcomed by the EC, and in particular by the Spanish presidency. Spanish diplomacy used the Presidency as an opportunity to re-launch the Co-operation Councils with the Maghreb countries, which had been postponed for years. That was a crucial gesture towards Morocco, which was still sore about the refusal of its application for membership in 1987 and sought to establish a privileged political link with the EC.

An extra asset only partly in the hands of the Spanish government was the fact that two Spanish commissioners were put in charge of two crucial portfolios in the EC-Morocco relations: the Socialist Manuel Marín became responsible for Fisheries and Development Co-operation, and the Conservative Abel Matutes for Mediterranean Relations, North-South Relations and Latin America. In 1992 Manuel Marín would substitute Matutes as the Commissioner responsible for Mediterranean Relations, and his position would be strengthened by his new foreign policy responsibilities. The Spanish presence in Brussels was further reinforced by the election of Enrique Barón, a Spanish Socialist, as the Chairman of the European Parliament in 1989.

Finally, 1989 saw the birth of new co-operation between France and Spain on the situation in the Western Mediterranean, an area of crucial interest for both countries. Northwest Africa had been traditionally considered as an area of French influence, and the French Ministry of Foreign Affairs was reluctant to discuss it, in particular with Spain, with whom France had important disagreements. However, the French socialist government through Foreign Minister Dumas, started a new attitude of consultation and co-operation with Spain and Italy, considering that an Arab policy based on Gaullist principles was a fallacy, and that interests and stability in the Mediterranean could only

be preserved through co-operation among the European allies (Baixeras 1996: 150-151). Co-operation with France was particularly important because France would follow Spain in the Presidency of the EC. That meant that a co-ordinated strategy in favour of the southern countries would allow for more significant results. Co-operation with Italy had always been easier, and it was also crucial in many of the initiatives for the Mediterranean. Moreover, Italy would hold the Presidency in the second half of 1990, half a year after the French Presidency.

The Spanish government shared with the European Commission, other member states and the Mediterranean third countries the perception that the Global Mediterranean Policy designed in the 1970s had been a failure. The countries of the southern Mediterranean had failed to develop and fallen into deep economic crises, which resulted in dangerous effects: riots and instability, the growing Islamist threat, illegal drugs trade, and immigration northwards. However, the Spanish government wanted to reform this policy in a very concrete direction. Far from the proposals to liberalise further the trade in the most competitive products of the Mediterranean non-member countries, a policy which would concentrate the costs on Spain and other southern European countries, it preferred an approach based on generous financial aid, distributed the burden proportionally amongst member states according to the size of their economies.

The Spanish presidency was the start of an important cycle of changes in the Mediterranean policy of the European Union, but during the Presidency itself few concrete steps were undertaken. The events that changed the EC context completely came mainly during the French presidency in the second half of 1989: the fall of the Berlin Wall and the changes in Central and Eastern Europe. This contributed to a clear definition of Spanish interests within European Political Co-operation, to include the Mediterranean and Latin America as the main areas of concern, in contrast with Central and Eastern Europe, which had become the priority for the Twelve (Barbé 1996: 16-17). This also created a concern amongst the big Mediterranean EC member states

¹¹¹ See Chapter 2, section 2.2.

that the priority given to Eastern Europe went against European involvement in the Southern Mediterranean.

In the following years France, Spain and Italy¹¹² launched a series of bilateral initiatives towards the region, especially towards the Western Mediterranean: the Italian-Spanish proposal for a Conference on Security and Co-operation in the Mediterranean, the five-plus-five initiative in the Western Mediterranean, the French-Egyptian proposal for a Mediterranean Forum. At the same time they worked within the European Community to ensure that the Mediterranean non-member countries would not be the main losers of the re-orientation of the EC foreign policy priorities. In the European Commission the work of Abel Matutes, EC Commissioner in charge of the Mediterranean, and his team was also important for the definition of a new policy.

The new policy was finally approved in December 1990, at the end of the Italian Presidency, and was called the Renovated Mediterranean Policy. If the third financial protocol had been approved as a compensation for the Iberian enlargement and its negative consequences for the Mediterranean non member countries, the Renovated Mediterranean Policy and the fourth financial protocol were largely a compensation for the new links of the EC with Central and Eastern Europe and the relative loss of ranking within the EC external trade pyramid for the southern Mediterranean countries.

The main feature of the new policy was the increase on the aid package, which for 1992-1996 was three times the amount of the third protocol. Morocco benefited from this increase, although the increase was proportionally smaller, 35%, due to the already generous amount it had obtained with the third financial protocol (see table 4.5). Trade concessions were considerably less significant, the most relevant change being the new deadline for the elimination of duties on traditional amounts of agricultural exports, brought forward by three years. This change was simply the result of the same change in the transition period for Spanish products. In the words of an analyst: 'The

¹¹² Portugal, which is technically not a Mediterranean country, was later on associated with most of the initiatives. The other Mediterranean member state, Greece, never performed a distinctly Mediterranean role within the EC. The reasons for this are discussed in Ioakimidis 1996.

Renovated Mediterranean Policy can be characterized as a minor victory obtained by southern European states over their northern neighbours in that more aid was to be distributed from Brussels without any changes being made to the international division of labour around the Mediterranean – a taboo subject.’ (Tovias 1996: 14) That describes accurately the Spanish strategy towards the region marked by the double concern about the need to ensure economic development for the southern neighbours and about their competitive challenge, to which the Spanish economy was particularly sensitive.

Table 4.5 EC aid to Morocco in the financial protocols 1978-1996 (in MECU)

Protocol	EC budget funds	European Investment Bank loans	Total	Increase from previous protocol
First (1978-81)	56	74	130	-
Second (1982-86)	90	109	199	53%
Third (1987-1991)	151	173	324	63%
Fourth (1992-96)	218	220	438	35%

Source: Institut MEDEA – European Commission (www.medeas.be)

The run up to Barcelona

The facts would soon prove that the Renovated Mediterranean Policy was simply not sufficient to deal with the huge problems that the Mediterranean region faced at economic, let alone political, level. Northern European reluctance had thwarted some financial initiatives, like the creation of a Development Bank for the Mediterranean similar to EBRD for Eastern Europe, and southern European opposition had prevented any significant trade concessions in crucial fields like agriculture or textiles. As a result, the Renovated Mediterranean Policy was clearly insufficient for the needs of the

Arab countries. It failed to address the crucial economic questions of unequal trade liberalisation, growing foreign debt, excessive dependency and the erosion of the trading preferential status of the Mediterranean non member countries. The amount of aid was still low: the quantity that would go from the EC to the 12 Mediterranean non-member countries in the 1992-1996 period (1,075 MECU) was about a half of what Israel alone received from the United States in one year (Khader 1991: 142).

Spain very soon realised the need to go far beyond that stage. In the autumn of 1990 social riots in Morocco resulting from the economic crises were followed by massive demonstrations in support of the Iraqi regime at the time of the Gulf war. Morocco was the only country in the Maghreb which joined the international coalition against the Baghdad regime, and Spain was aware of the political costs of such an option and the need to offer concrete compensation from the European side. This time Spain could count less on Italy, which was absorbed internally by its the deepest political crisis since WWII and externally by worrying events in the former Yugoslavia, and on France, which was in a moment of sour relations with Rabat and wary of Spanish growing protagonism in its former *chasse gardée* (Gillespie 2000: 149).

In this context, in January 1992 the European Parliament did not ratify the 1992-1996 financial protocol for Morocco, as a response to Moroccan failure to comply with UN resolutions on Western Sahara and to its poor human rights record, triggering an outraged Moroccan reaction. This happened in the middle of the negotiations to renew the fisheries agreement, and Spain was thus the main victim of the Moroccan reaction.¹¹³ Spanish officials were increasingly concerned with events in the Maghreb, and became the main advocate of the need for the EC to take significant steps in favour of Morocco. This Spanish attitude was recognised by the Moroccan authorities, who accepted to go back to the negotiation table to discuss fisheries aware that the lack of agreement penalised Spain, 'whose support for Moroccan claims was constant', according to crown prince Mohammed Ben el Hassan (Alaoui 1994: 48). But Morocco made the signature of the new fisheries agreement conditional on the

¹¹³ See chapter 3, section 3.2.

implementation of a new framework of relationships (Núñez Villaverde 1996: 54).

The initial reaction from Madrid was to propose the establishment of a free trade area between Morocco and the EC,¹¹⁴ but Spain soon adopted an approach dealing with the whole Maghreb. In the Council Foreign Minister Fernández Ordóñez insisted on the need to deal with the explosive North African situation. On 17 February 1992 the Council asked the Spanish Foreign Minister to present a political report, and the Commissioner responsible for the Mediterranean to draft a report on the economic situation. The Spanish Foreign Minister's report, 'Europe facing the Maghreb',¹¹⁵ called for immediate action in the Maghreb. A week later Commissioner Matutes presented his own report on the economic aspects of the relationship. On 6 April 1992 the Council held a debate on EC relations with the Maghreb, and asked the Commission to draft a project based upon four pillars: political dialogue, economic, scientific and cultural co-operation, financial assistance and a free trade area (Marquina 1995: 33).

The Commission adopted the Matutes proposal on 29 April 1992.¹¹⁶ The document targeted the whole of the Maghreb, and not only Morocco, but it also signalled the return to a bilateral approach rather than a sub-regional one, in line with the Moroccan preference (Marquina 1995: 33-34). The proposal was well received in Rabat, and the fisheries agreement was signed two days after its adoption at the Commission. Soon afterwards the European Parliament finally gave the green light to the fourth financial protocols for Morocco. The idea of a partnership between the European Union and the Maghreb countries coincided with the approach that Spain was trying to consolidate in its relations with Morocco, which found its clearest expression in the 1991 bilateral Treaty of Friendship, Good Neighbourliness and Co-operation. Thus, Spain was trying

¹¹⁴ In a time in which Europe was still officially supporting the Arab Maghreb Union, this meant going along with the Moroccan Government, which considered that the Union was not working and went back to the idea of a privileged partnership with Europe (Marquina 1995: 33). The Spanish Prime Minister had already given his support to this proposal in his visit to Rabat in July 1991 (Núñez Villaverde 1996: 61).

¹¹⁵ Ministerio de Asuntos Exteriores *Actividades 1992*, pages 877-891. The report was dated 21 February 1992, and was prepared by Jorge Dezcallar, the Spanish General Director for Africa and the Middle East.

¹¹⁶ SEC(92) 401, sent to the Council and to the European Parliament in June 1992.

to upload to the European level an approach that would make it appear as a partner, not a rival, of Morocco, and that stressed the common interests over the competition elements.

The new EC approach was announced in the Declaration on Euro-Maghrebi Relations at the Lisbon European Council in June 1992.¹¹⁷ The declaration, drafted by the Spanish Foreign Affairs Ministry (Marquina 2000:524), reflected a compromise between the northern and southern EC member countries. The need to create a zone of stability and prosperity around the Mediterranean was acknowledged, but Community preference and the agricultural and industrial production of the southern member states would not be endangered. In exchange, the partnership would include political aspects like respect for human and minority rights, respect for democracy and a commitment to international law, all of which the northern countries wanted to include but the southern member states would have preferred to leave aside.

In Spain, the proposal of a free trade area and the new agreement with Morocco was seen as an opportunity for Spanish firms to develop their exports, but not as a reason to make substantial sacrifices (Gillespie 2000: 150). Some northern countries would have preferred a more substantial liberalisation of the agriculture exchanges, whereby Morocco could export more Mediterranean products but would also buy more Atlantic products, which the EC produced in excess (milk, cereals, beef, etc.). The southern member states, and in particular Spain, opposed this strategy and opted for financial compensation that would allow Morocco and the other Maghreb countries to increase their self-sufficiency in food production (Marquina 1995: 36). This Spanish position was contained in a document presented to the Council in September 1993, and its acceptance by the European side triggered a Moroccan reaction a month later calling for a full liberalisation for its agricultural exports. As a result during 1994 only two rounds of negotiation were held, with no positive results (Núñez Villaverde 1996: 55).

¹¹⁷ See the conclusions of the European Council in 'Consejo Europeo (Lisboa, 26 y 27 de junio de 1992)', *Revista de Instituciones Europeas*, no.19 (1992-2), pp 729-777, in particular p. 744.

Nevertheless, Spain would continue with the policy of trying to direct the EC's attention towards the Mediterranean after the Lisbon European Council. The improvement of bilateral relations with France played an important role in that effort (Gillespie 2000: 152). Only a joint Spanish-French effort with Italian and Portuguese support could generate the needed changes in EC external policies. All these countries had a much clearer interest in the Western Mediterranean, and given the extremely difficult situation in Algeria and Libya, their main interests were in Morocco and Tunisia. But the relatively good prospects of the Middle East Peace Process and especially the need to get the other EC member countries involved made them opt for an all-inclusive approach, which eventually left only Libya out of the Euro-Mediterranean partnership.¹¹⁸

The permanent pressure of the southern EC member countries succeeded in keeping the Mediterranean at the top of the EU agenda in the following two years. In Corfú, at the end of the Greek presidency (24 and 25 June 1994) the idea of a Euro-Mediterranean Conference was agreed upon, and half a year later the Essen European Council (9 and 10 December 1994) decided to hold a Euro-Mediterranean Conference in November 1995 in Barcelona under the Spanish presidency. The Cannes European Council (26 and 27 June 1995) was crucial because it liberated the funds that would be needed for the Euro-Mediterranean partnership to work. Spanish Prime Minister Felipe González successfully convinced German Chancellor Kohl of the importance of the Mediterranean for the EC (Baixeras 1996: 158). The Commission officials in charge of the dossier were aware of the need to get the northern EU member states interested in the partnership, and thus opted for an emphasis on free trade and consulted large European firms when drawing of the proposals. As a result of those efforts German support was finally obtained and the final quantity of aid promised in Cannes, 4.685 MECU for the 1996-99 period, more than doubled the previous financial protocols.

¹¹⁸ 12 Mediterranean non member countries took part in the Barcelona conference: Mauritania, Morocco, Algeria, Tunisia, Malta, Egypt, Israel, the Palestinian Authority, Jordan, Lebanon, Syria, Cyprus and Turkey.

The Euro-Mediterranean Partnership and the Euro-Mediterranean Association Agreement

The efforts to organise the Barcelona Conference started long before the Spanish presidency itself. Commissioner Marín's team in Brussels was in permanent contact with the Spanish Ministry of Foreign Affairs in the two years before the Conference (Baixeras 1996: 159). The compromise of including all Mediterranean member states, except Libya, caused difficulties for Spanish diplomacy. Despite the fact that Spain's main interest was in the Western Mediterranean, in order to ensure the political success of the Conference most diplomatic efforts focused on the Mashrek, and in particular on Syria and Lebanon, whose participation was deemed crucial by Spain, the rest of the member states and the Commission.

The run up to the Conference was particularly complicated in terms of relations with Morocco. While important sections of the foreign ministry were busy preparing the guidelines of the Conference and discussing with all the countries involved, two crucial negotiations between the EU and Morocco were taking place: one on the fisheries agreement and the one on the new association agreement. Success in both before the start of the Conference was crucial both for Spain and for Morocco. Spain did not want internal unrest which could hamper the smooth development of the Conference at a time when the eyes of the whole region would be focused on Barcelona. Morocco could not afford to arrive at the Conference in a situation of conflict with the EU and without an agreement that Israel and Tunisia had already signed, if it wanted to maintain the discourse of its privileged relationship with Europe.

The negotiation of the association agreement, and in particular its agricultural chapter, would be a crucial test of the extent to which Spain had changed its role within the EC in relation to Morocco. Spain and other southern countries had been pressuring the Commission in the initial talks during 1993 and 1994 in order to avoid concessions in crucial imports, like tomatoes (Marquina 1995: 38-40). But in 1995, during the last stages of the negotiation, and unlike in 1986, Spain was not the country blocking the agreement for its narrow

interests. Instead, two northern countries took most of the blame at the last moment: the Netherlands and Germany.¹¹⁹ If in general the concessions made to Morocco were considerably lower than Rabat expected, the French permanent representative to the EU, Pierre de Boissieu, commented that ‘Spain has paid a particularly high bilateral price for this agreement’ (*El País*, 26 October 1995). Indeed, the representatives of the producers of the products affected (mainly tomatoes, citrus fruit and some fresh vegetables like cucumbers and courgettes) protested vehemently in Andalusia and the Canaries, and even in Barcelona during the Conference, against the conditions of the agreement.

What had changed since the early years of membership to explain this approach? The situation was different both at the EU level and at the domestic level. At EU level extremely tough negotiations for a new fisheries agreement were running in parallel and explicitly linked by both sides. Morocco used the fisheries dossier to obtain some advantages for its agriculture, and Spain, as the main beneficiary of the fisheries agreement, had a reason (and an alibi) to make concessions. Although Luis Atienza, Agriculture and Fisheries Minister at the time, denied at the time that there was an exchange of ‘fish for tomatoes’ (*El País*, 23 October 1995), the perception of the farmers was that their interests were sacrificed to those of the more radically mobilised fishermen. At the same time, Spain was holding the EU presidency, with the Euro-Mediterranean Conference in Barcelona as the star project. This meant that the pressure to solve all difficulties with a crucial Mediterranean third country like Morocco was very high.

¹¹⁹ Many EU countries had something to lose from the concessions to the Moroccans, depending on the product: Portugal with canned sardines, Greece with citrus fruits, France and Ireland with potatoes and tomatoes, Spain and Italy with almost every product. However, all of them gave a higher priority to the agreement with Morocco. Only the Netherlands and Germany, and to a lesser extent Belgium, blocked the agreement for some time to defend their agricultural interests in the tomato (Belgium and the Netherlands) and cut flower (Germany and the Netherlands) sectors, attracting criticism from other member states. According to the Commission, the potential loss of the German cut flower sector was estimated at about 270,000 ecus, 0.01% of the 2,770 million ecu in EU exports to Morocco in 1994, which were expected to rise exponentially with the Association Agreement (Vidal-Folch 1995). One of the Moroccan interviewees interpreted this German attitude as a warning sign to Spain, the member country which had most interest in the Agreement, that it should make more concessions, rather than showing an attitude driven by self-interest.

During the Presidency the Ministry of Foreign Affairs had a position of strength vis-à-vis the domestic ministries and could shape the policy more intensively than in other periods. A skilful use of the Presidency combined with a good understanding with the Commission also allowed for a new distribution of the costs of trade concessions to Mediterranean non-member states, which started to be shared by non-Mediterranean northern member states, showing that lack of solidarity with the Mediterranean was not necessarily an inherently southern European (or Spanish) characteristic. In the domestic sphere, the EU Presidency was also crucial in a context of strong internal pressures on the government. Agricultural producers in Andalusia, Valencia and the Canary Islands started mobilising relatively late, compared to the fishermen. Their claims got wide coverage in the press, although this time some writers started to challenge the terrible consequences forecast if the agreement were to be signed.¹²⁰

On 8 October 1995 the Spanish Parliament, under the influence of fishermen and farmers organisations, refused unanimously to accept the draft Association Agreement which was being discussed in the Council at the time because of its potentially harmful effects. But, despite the negative vote in the Parliament, the agreement was approved with hardly any change by the Spanish government in a classic case of the use of EU politics (and in particular of the Presidency) as a means of overcoming parliamentary scrutiny.

The final result was that Spain made concessions that were politically difficult in the domestic arena, although economically not very relevant (as proved by the evolution of the fruit and vegetable markets in the following years), and, more importantly, this time it did not appear to be the only obstacle to the realisation of Moroccan interests. This was crucial for the credibility of the new, self-assigned, role of advocate of the interests of the Mediterranean non-member countries that Spain sought to play at that time. This does not mean that the Moroccan interest was better preserved: the constraints on Moroccan

¹²⁰ After all the gloomy predictions in 1986, in ten years Spanish agricultural family income had gone from 87 to 121% of the EU average (Vidal-Folch 1995); Spanish tomato exports to the rest of the EU had doubled in the period 1991-1994 and were growing at a 20% yearly rate despite the concessions to Morocco (Commission 1996), and Moroccan citrus fruit exports had stayed at similar levels since the early 1970s (Bataller Martín and Jordán Galduf 1996: 143).

agricultural exports remained, by and large, the same and they 'will continue to pose serious disadvantages for Morocco as it tries to export its agricultural products to the EU Market' (Damis 1998a:108).

The Euro-Mediterranean Conference took place in Barcelona in November 1995, bringing together the political leaders from the 15 EU member states and 12 Mediterranean non-member countries. The general political difficulties that threatened the success of the Conference, in particular those linked to the Arab-Israeli conflict, had been skilfully managed, and the two negotiations with Morocco on fisheries and on the Euro-Mediterranean Association Agreement had finished in agreement two weeks before the start of the Conference. The summit launched the Euro-Mediterranean Partnership, an ambitious EU initiative towards the Mediterranean that was born with the intention to develop political and security, economic and social/cultural dimensions of co-operation, linking them in one single process.

Politically, the Euro-Mediterranean Conference was considered a success for Spanish diplomacy, and it was presented as such to Spanish public opinion by the government. Certainly it did represent the most significant improvement in the Mediterranean policy of the EC/EU's history since 1957, and represented a crucial step in overcoming the level of rhetoric in the EU policy towards the Mediterranean, thanks to the Cannes financial package. Spain and the other southern member states had succeeded in launching a major initiative that was likely to address their security concerns in relation to the Mediterranean while preserving their sensitive sectors from the competition of the non-Mediterranean member countries.

But it was not clear whether or not the economic decline of the Mediterranean non-member countries would be stopped and a real area of stability and prosperity would emerge. Trade barriers to some of the most competitive exports from the Mediterranean, particularly agriculture, the feared effects of a trade liberalisation on their industries and the difficult adjustments and reforms demanded by the Europeans represented a considerable challenge for those countries.

In the case of Morocco the effort demanded by the Euro-Mediterranean Association Agreement¹²¹ could hardly be compensated by the new financial instruments like the MEDA programme. The exclusion of agricultural products from the liberalisation of trade meant that liberalisation would be in fact an opening of the Moroccan market to European industrial exports (Aghrout and Alexander 1997; Zaïm and Jaidi 1997), since Moroccan industrial exports entered the EU, by and large, without duties already. It also entailed the progressive elimination of duties until 2009, which would reduce the income of the Moroccan government considerably.¹²² In agriculture, some minor improvements in the access conditions for Moroccan products (mainly an extension of the duty free quotas) could not hide the fact that the growth of the Moroccan agriculture exports to the EC was severely limited, at least until the distant prospect of liberalisation in 2012. However, a revision of the agricultural chapter was foreseen for 2000, giving some room for hope on the Moroccan side.

After the conference Spanish diplomacy hoped to ensure that the western Mediterranean countries, and in particular Morocco, would receive the largest amount of support. It also expected other EC countries to take a more active engagement in the project (Baixeras 1996: 160-161). This second objective proved hard to achieve, especially as the Mediterranean countries competed for EU funds and attention with Central and Eastern Europe and the northern member states started to press for their own priorities. The MEDA programme,¹²³ the main financial instrument of the Euro-Mediterranean partnership, proved difficult to implement. At the end of the first period, 1995-1999, only one third of the total MEDA funds had been used, which forced progressive reforms on the system to reinforce strategic programming and simplify the procedures (Bataller Martín and Jordán Galduf 2000: 173). The MEDA II programme had a new, simplified regulation,¹²⁴ the 2000-2006 funds, approved by the Nice European Council (7, 8 and 9 December 2000),

¹²¹ *Official Journal of the EC* L70, 18 March 2000.

¹²² In the early 1990s import duties represented around 25% of Morocco's budgetary income (Zaïm and Jaidi 1997: 58).

¹²³ *Official Journal of the EC* L189, 30 July 1996.

¹²⁴ *Official Journal of the EC* L311, 12 December 2000.

reached 5.350 MEUR, and the question of implementation was largely improved.¹²⁵

Table 4.5 MEDA funds engagements (1995-2002) (in MEUR)

Programme	1995	1996	1997	1998	1999	2000	2001	2002	Total	%
Algeria			41	95	28	30.2	60	50	254.2	6.17*
Egypt		75	203	397	11	12.7		78	698.7	17.0*
Jordan	7	100	10	8	129	15	20	92	289	7.0*
Lebanon		10	86		86			12	182	4.5*
Morocco	30		235	219	172	140.6	120	122	916.6	22.2*
Syria		13	42		44	38	8	36	145	3.5*
Tunisia	20	120	138	19	131	75.7	90	92.2	593.7	14.4*
Turkey		33	70	132	140	310.4	147	20	832.4	20.2*
West Bank/Gaza	3	20	41	5	42	96.7		100	207.7	5.0*
Total bilateral	60	371	866	875	783	719.3	445	602.2	4119.3	81.2⁺
Regional	113	32	93	46	133	159.8	228.3	18.6	806.1	15.9⁺
Technical assist.			22	20	21		84.1	11.8	146.1	2.9⁺
Total	173	404	981	941	937	879.1	757.4	632.6	5071.5	100.0

* Percentage of the total bilateral aid

⁺ Percentage of Total MEDA (bilateral and multilateral) in the region.

Source: European Commission 'Le Partenariat Euro-méditerranéen et les activités régionales MEDA' Notes d'Information Euromed, May 2003.

¹²⁵ The implementation ratio doubled the average of the 1995-1999 period in 2001. Source:

The Euro-Mediterranean Association Agreement with Morocco took a long time to ratify: it only entered into force on 1 March 2000. This also delayed the revision of the agriculture chapter, foreseen for 2000 and still ongoing at the time of writing. The run-up to the negotiations on agriculture was marked by tense yearly bargaining on the quota for Moroccan tomato imports. Spain and the European Commission tried to distribute the costs of concessions to Morocco amongst member states,¹²⁶ but the Moroccan initial negotiating strategy aimed directly at creating a division of interests within the EC: Morocco offered to improve the market access for high value added products in which the EC has a surplus, like cereals, beef or milk in exchange for an almost completely open access for its tomatoes (*El País*, 7 May 2002). The main beneficiaries of this would be France, the United Kingdom and the Netherlands, whereas Spain would be the biggest loser. This shows how in economic terms, and when it comes to agricultural imports, Spain still is the main obstacle for Moroccan interests, despite its political will.

Despite those disagreements, Spain had not lost its global Mediterranean interest, as it proved during its third Presidency of the EU in the first half of 2004. On 22 and 23 April 2002 Valencia hosted the Fifth Euro-Mediterranean Conference of Foreign Ministers in a difficult context due to the derailment of the Middle East Peace Process. In that occasion Morocco saw how its regional rival, Algeria, signed an Association Agreement with the EU, and how in general its position as a privileged partner eroded progressively. That was the first EMP meeting after the 11 September 2001 terrorist attacks in the USA and topics of fight against terrorism, immigration control and the crisis in Palestine took priority in the agenda over trade and economic issues.

First Mediterranean

¹²⁶ Mainly by modifying the calendar for Moroccan imports in order to allow Moroccan producers to export in April and May, competing directly with early production in France, Belgium and the Netherlands, instead of November and December, when they compete with Canarian and Andalusian production.

The impact of EC membership

At this point, we should go back to the original question of the thesis and ask where in the economic and trade policy towards Morocco has the impact of EC membership been most clearly felt, and how. For this purpose we will go back to the four themes of Europeanisation that we proposed in the first chapter.

In the *balance between new constraints and new instruments* for Spanish foreign policy, the first theme, we must first note that, despite the fact that trade policy and common agricultural policy are common policies just like fisheries, with accession to the EC Spain did not lose much autonomy. The reason is simple: Moroccan exports to Spain were hardly the issue at stake; the bilateral issue was about Moroccan exports to the rest of the EC. And in that sense Spain did gain leverage with very little loss. The Spanish government had access to new European instruments, in particular financial ones, and they were particularly skilled in shaping those instruments and using them to serve Spanish interests.

A major success of Spanish policy was to attract EC/EU attention towards the Mediterranean, and in particular towards Morocco, but making sure that the solutions proposed by the EC/EU would not go against Spanish interests. The policy of 'aid, not trade' can be counted as a success owing not only to the negotiating skills of the southern member countries led by Spain, but also of the decision making structure of the EC and in particular the strength and relative autonomy of the Common Agricultural Policy. In other areas of economic policy, like financial relations, trade and investment promotion or development co-operation, Spain retained a very large degree of autonomy from the European level, and its governments used that autonomy profusely in bilateral relations.

Probably the most salient theme of Europeanisation that we have observed in this chapter is the second one, *changes in identity and the definition of interest*. Here we include this tension between the roles of a competitor and an advocate of Moroccan interest. Rather than a complete transformation of the role, we

have witnessed first how the role of an advocate of Moroccan interest was born after accession, and how since then both roles have been present in one form or another in the bilateral relationship. However the fact that Spain, and in particular its government and diplomatic service, has consciously attributed to itself a role which was the exact contrary of the initial Spanish attitude towards Morocco within the EC is in itself a remarkable impact of EC membership.

The transformation did have many sources, but the impact of EC membership was decisive. The bilateral policy already in place in economic issues, the so called 'global policy' towards the Maghreb, that advocated friendly relations with Morocco, was one important source. External events, like the appearance of the phenomenon of immigration and the convulsions in the Arab World also played a role. But EC membership itself was a decisive factor: sitting in the Council not only gave Spain new opportunities; it also changed its own perception of what it could achieve for other countries.

There were some events that did not really change the self-perception of Spain, but did alter the priorities and facilitate some Spanish concessions: the fisheries negotiations and the pressures of France in the late 1980s are the clearest examples. But the two Spanish presidencies of the EU were crucial turning points. Also two events contributed to the genesis of the role of advocate of Moroccan interests: the fall of the Berlin Wall and the risk of relegation for the Mediterranean region, and EC/Morocco crisis caused by the failure of the European Parliament to approve the fourth financial protocol for Morocco in 1992. Those were moments that put in danger Morocco's privileged partnership with the EC/EU, which was in itself detrimental to Spain's interest, and the Spanish government seized the opportunity to redefine its role within the EC in relation to its southern neighbours. That was not just an act of policy towards Morocco and the Maghreb: it gave Spain the opportunity to enhance its own profile within the EU and on the international scene (Barbé 2000: 46-47).

The new role as an advocate of Moroccan interests only made sense in an EU context, and although it emerged as a natural continuation of the 'global policy' towards the Maghreb developed by Spanish policy makers since the

early 1980s, it was shaped by the opportunities, constraints and structures of the EC/EU. It was, indeed, strongly influenced by the values and beliefs that were at the core of the EC/EU approach to external relations: the importance of trade and economic co-operation to overcome rivalries, the search for multilateral and comprehensive strategies rather than ad-hoc solutions, an extended concept of security that includes military, political, economic and social aspects.

Decision making, the third theme of the thesis, changed relatively little because of the impact of membership. In agricultural matters the Ministry of Agriculture did acquire more independence and influence, as had happened with fisheries policy, but the existence of a clear blueprint for Spanish policy towards the region and the support of the prime minister's office, in particular during the two presidencies, preserved a large role for ministries with a greater strategic vision: Foreign Affairs and Economy. Those two ministries were also very active at the bilateral level with relatively little influence from the European level.

Europeanisation through *the domestic context and actors*, the fourth theme, has played a limited role. The most remarkable feature is the mobilisation of agricultural lobbies during the pre-accession process that continued and grew with accession to the EC/EU with its Common Agricultural Policy. Unlike fishermen, Spanish fruit and vegetable producers did not have to worry about Morocco before accession, but seized the opportunity to try to limit direct competition as soon as Spain became a member state. The citrus fruit producers in the 1980s and the tomato producers in the 1990s have been particularly active in the regional capitals, as in Madrid and Brussels, to limit Moroccan imports.

In the field of economic and commercial relations we have witnessed an impact of Europeanisation that has more to do with projection, that is adapting the policy to take advantage of the new opportunities, than with reception from the EC/EU level. EC/EU membership has been the catalyst for a change in the self-attributed identity of Spain in relation to Morocco, and that has affected the definition of Spanish interests in relation to the North African neighbour. The

other themes of Europeanisation, and in particular the appearance of new constraints, the changes in policy-making and Europeanisation via the domestic arena have been relatively less important in this area.

4.4 Conclusions

Before accession to the European Community the trade and economic links between Spain and Morocco were a relatively small part of their bilateral relations. Spanish accession to the EC changed the situation as it threatened directly an important part of Moroccan exports to the Community. It was an unprecedented challenge for the Moroccan economy and thus, indirectly, for its social and political stability: 'the Southern Enlargement of the EC implied that the stabilization of three new northern Mediterranean democracies (namely Spain, Portugal and Greece) had been obtained partially at the expense of the economic stability of southern and eastern Mediterranean non-members' (Tovias 1996:19). In the mid-1980s, Spain and Morocco saw each other as competitors in EC markets, in particular for agricultural products. In the first two years of membership, Spanish activities in the EC confirmed Moroccan fears, as Spanish negotiators in the EC tried to avoid any concession to the North African country.

But the Spanish economic potential grew considerably after accession to the EC. The Spanish government started to implement the policy of the 'buffer of interests', a web of common interests that was designed to prevent bilateral conflicts with Morocco in the future. Political, cultural and defence co-operation were important parts of it. But the main substance of the policy was the economic agreements, which allowed for an increase in trade, official development aid, and direct investments. Moreover, Spain changed its attitude in the EC and started to advocate the allocation of EC funds to the development of the southern Mediterranean, and especially Morocco. Spain adopted a role of defender of the interest of the southern Mediterranean member countries in the face of a concentration of EC efforts on Central and Eastern Europe.

The EU seems to be better suited than Spain alone to conduct a policy towards Morocco for several reasons. It does not have the negative background of

direct confrontation and post-colonial quarrels that have overshadowed Spanish-Moroccan relations. It has considerably higher amounts of money to contribute to Moroccan development. And it is in a strong position in trade terms: whereas 56% of Moroccan imports come from and 62% of Moroccan exports go to the European Union, Morocco only represents 0.87% of the EU exports and 0.72% of its imports (Eurostat 1999). Morocco is extremely dependent on the EU, and thus in a weak position in bilateral negotiations.

Spain has played, in relation to Morocco, a contradictory role: sometimes the toughest competitor, sometimes the main advocate. Spanish actions in the European Union have often been contradictory with the official rhetoric of friendship and partnership with Morocco. The contradiction between a long term general interest in the development of Morocco and short term considerations about specific sectors of the Spanish economy has hindered the credibility of the Spanish policy towards the southern neighbour. But how do we explain the permanence of this contradiction?

Firstly, we have already mentioned the particular decision-making structures of the agriculture sector. As in the fisheries sector, despite the existence of official co-ordination mechanisms, the influence of the EU institutional structure on the distribution of responsibilities between ministries reinforces the role of the Ministry of Agriculture. In the domestic sphere, despite the general agreement on the need to have good relations with Morocco, the existence of powerful agriculture lobbies with strong regional bases contrasted with the absence of visible lobbies for the improvement of economic relations with Morocco. Firms with interests in Morocco either lobbied the government individually and directly or had been attracted to that market precisely by the government itself with its measures (tied loans, debt conversion, etc.). However, a small group of Spanish diplomats followed tenaciously the line of cultivating good relations with Morocco, and at times (the first and second presidencies, the European Parliament/ Morocco crisis in 1992, the preparation of the Barcelona conference) they enjoyed the highest political support, including of the Prime Minister and his office.

The Spanish government tried to export the contradictions between short and long term interests to the European level instead of making the choices at home. This is a common practice in the European Union. But the practice of the last 15 years has shown that uploading the contradictions to the European level makes the EC policy contradictory, and does not solve the bilateral difficulties. In that sense, the European Union could not provide a satisfactory solution to the 'Moroccan problem' in economic terms because Spain itself had not even decided what a satisfactory solution would be. In the words of Alfred Tovias, Spain wants to achieve stability in the Mediterranean but it is not willing to 'pay the price' that this would involve: 'a totally different international division of labour around the Mediterranean, whereby France, Italy, Greece and Spain would let Mediterranean non member countries (except for the special case of Israel) specialize in those products in which they have the largest comparative advantage, that is, in Mediterranean agriculture and petrochemicals.' (Tovias 1996: 21)

Another explanation of the partial failure of the Spanish efforts can be the fact that the Spanish government chose instruments that were not suitable for the objectives it sought. Thus, it used economic and cultural ties to try to overcome some issues which were political in nature. It also tried to modify the economic situation in Morocco with instruments which were just not efficient enough: the Spanish capacity to shape the Moroccan economy and social conditions has proved to be very limited.

An additional weakness of the Spanish strategy was the fact that Morocco never displayed a clear wish to have Spain as a privileged partner at any price. France had been an advocate of Moroccan interests ever since Moroccan independence, it has been and still is Morocco's main trade partner and foreign investor. It has a considerably bigger influence in the EC. In view of the Spanish positions in areas like agricultural exports or fisheries negotiations, Moroccans had little doubt about who represented better their interest within the European Union. Morocco is extremely dependent on the European Union, but its interdependence with Spain, despite its growth as a result of Spanish efforts, is still limited. Moreover, interdependence with Spain is often felt more

in its negative aspects (smuggling, fisheries, agriculture competition) than in its positive ones.

Spain sought to project actively its economic policy towards Morocco onto the European level, but it lacked the internal coherence and a clear project. As a result, and despite the official rhetoric and efforts of Spanish foreign policy makers, trade and financial aspects of the relations did not always contribute to an improvement of relations between Spain and Morocco. Europeanisation provided opportunities for both hostile and friendly actions towards Morocco in the EC context. It also allowed Spanish foreign policy makers to frame their activities in the larger context of the Mediterranean policy. But it could not solve internal contradictions which were a matter of making difficult choices.

Chapter 5: Immigration matters

Compared with the other salient issues in Spanish policy towards Morocco, immigration is a relatively new problem. It started to become a matter of concern for Spanish policy makers just as Spain entered the European Union, and there was no previous significant record of negotiations or conflicts with Morocco over the issue. In 16 years, immigration has become one of, if not the, main priorities of the Spanish government in relation to its southern neighbour.

5.1 The rise of immigration matters on the political agenda

In the second half of the 1980s three parallel phenomena took place. In the EC the member states enlarged their new co-operation in internal security affairs to immigration issues, a topic which soon became of great concern to some of the most influential member states. Spain became a member of the European Community and, for this reason, elaborated a law on foreign residents, regulated immigration and improved the control of its borders. Just at the same time, and partly as a result of the implementation of its new aliens law, Spain began to come to terms with its new reality as a target country for Moroccan immigration, not just a transit state; this immigration started to grow in that period and continued throughout the 1990s into the 21st Century. These three phenomena contributed to placing immigration in the centre of the European and Spanish political arenas.

European Co-operation in immigration policy

European co-operation in Justice and Home Affairs, a relatively new topic of co-operation in EC/EU history, has progressed from the periphery of the integration process to its core at an unprecedented speed, from an area which was virtually absent from the treaties at the beginning of the 1990s to 'one of the most dynamic and expansionist areas of EU development in terms of generating new policy initiatives, institutional structures and its impact on European and national actors' (Monar 2001: 748) ten years later.

Because of its fundamentally intergovernmental decision-making process, carefully preserved not only with the pillar structure of the Maastricht Treaty, but even in the process of 'cautious communitarisation' (Geddes 2001: 24) that started with the Amsterdam Treaty, co-operation in Justice and Home Affairs, and in the concrete domain of migration control, remains 'an emblem of national sovereignty' (Guiraudon 2000: 251). Immigration control is decided upon in relatively closed structures which have acquired a remarkable autonomy from other institutions at European (European Parliament, European Court of Justice) and national (parliament, courts) levels. The common agenda and most actions tend to be decided upon by a relatively closed group of officials in the Ministries of Interior and Justice in a secretive way that leaves little room for external influence even from other parts of the national governments (den Boer 1995; Guiraudon 2000; Geddes 2001; Monar 2001).

This policy style can partly be explained by the way in which this co-operation started. The idea of co-operation in migration issues was born in the EC context as an extension of the activities of groups devoted to co-operation in fighting criminal activities, including terrorism and international illegal drug traffic, like Trevi, the Club of Bern and the STAR group.¹²⁷ These

¹²⁷ Trevi was created in 1975 as part of European Political Co-operation mainly dealing with the fight against terrorism and extremist violence. The Club of Bern involved the EC and Switzerland and focused on anti-terrorism. STAR (Standige Arbeitsgruppe Rauschgift) brought together Austria, Denmark France, Germany, Luxembourg, the Netherlands and Switzerland to fight against drug trafficking (Bigo 1996).

groups involved police officers and civil servants who created a special style of relatively opaque co-operation. The style was the one which prevailed when in 1985 France, Germany and the Benelux countries signed the Schengen agreement (Bigo 1996).¹²⁸ Immigration soon became one of the most important issues for the Schengen group, which only included some of the member states, but the Trevi group also moved into the area of border control and immigration. All of this was happening, paradoxically, in one of the lowest points in the flows of legal migration (1982-1985) (Guiraudon 2000: 254).

The main reason behind this move towards matters of border controls is to be found in the single market project, intended to open the internal borders of the EC, allowing for a freer movement of people and goods.¹²⁹ This was an EC project, and all member states would be affected. An Ad Hoc Group on Immigration bringing together the EC interior ministers with a permanent secretariat attached to the Council of Ministers was created in 1986. Meanwhile the Schengen agreement served as a sort of 'laboratory' in which some willing countries could go beyond the lowest common denominator in the field of Justice and Home Affairs. The bases of this co-operation were established at the level of content, but also of style, in the work of Schengen and other groups, in particular Trevi (Monar 2001).

Europeanisation had the effect of allowing a logic of confidentiality to come to the forefront. It meant that administrations and experts from each country had to confront each other, but it also allowed them to avoid dialogues with other sectors in their own society. Not only were associations excluded from the game, but so were local actors and parliamentarians (Bigo 2000: 183).

¹²⁸ On 14 July 1985 France, Germany, Belgium, Luxembourg and the Netherlands signed in the town of Schengen (Luxembourg) an agreement to abolish the internal borders of the signatory states and to create a single external border managed in accordance with a single set of rules. The membership of the group grew until the Treaty of Amsterdam incorporated the decisions taken since 1985 by Schengen group members and the associated working structures into EU law on 1 May 1999 (Source: European Commission web site <http://europa.eu.int>).

¹²⁹ This is made explicit, for instance, in art. 7 of the Schengen convention, that calls for a co-ordination of the visa policies 'in order to avoid the negative consequences in the field of immigration and security that may result from a reduction in the control of common borders.'

The area of Justice and Home Affairs entered the fundamental texts with the signature of the Treaty of Maastricht, which created a 'third pillar', relatively independent from the European Community and largely in the hands of member states. The Treaty of Amsterdam brought many of the areas of the third pillar into the EC Treaty with the inclusion of a new Title about "Visas, asylum, immigration and other policies related to the free movement of persons". This would bring those areas into the first pillar five years after the entry into force of the Treaty. During those five years, they were treated in a similar way as other third pillar matters: the Commission shared its right of initiative with the member states, Council decisions had to be unanimous and the European Parliament was simply consulted, with no power to decide.

Very soon co-operation in immigration matters at European level had acquired some unique characteristics: a closeness and secrecy of the working groups and meetings, a higher degree of autonomy of the policy-makers, and a leading role of the ministries of interior and justice; the 'ad hoc' and exceptional character of many of its measures and structures, often taken as a reaction to 'crisis' situations; an almost invariable preference for exclusive rather than inclusive approaches;¹³⁰ and a 'pass-the-parcel' philosophy, by which responsibility and costs of fighting illegal immigration were delegated whenever possible to carriers and to third countries (den Boer 1995: 94-95).¹³¹ All of these characteristics would be replicated in the new style of Spanish immigration policy making.

Therefore co-operation in immigration matters had an important impact in terms of organisation. But it also consolidated a convergence in ideological terms. The trend towards a restrictive vision of immigration had started with the oil crisis of the early 1970s, but the main changes in government

¹³⁰ This preference for exclusive approaches is very clear in measures dealing with asylum: the list of prosecution-free countries, allowing asylum-seekers to request asylum in one EU country only, the proposal to introduce maximum quota, etc. all go in the direction of reducing the number of people that can seek asylum in the EU (den Boer 1995: 95).

¹³¹ There are several examples of this latter point: 1) the carrier sanction liability (Directive 2001/51) delegated costs and responsibilities to airlines, land and sea carriers, 2) the preparations for EU enlargement transferred many of the costs of controlling illegal immigration to the Central European candidate countries; and 3) the neighbourhood policy both in the Mediterranean and in Eastern Europe is also using the same strategy (den Boer 1995: 95).

perceptions only came in the 1980s. Those changes were more accentuated in the industrialised countries (Appleyard 2001: 10-11). In Western Europe, as in other parts of the industrialised world, the restrictive view came with a 'securitisation of immigration', as it coincided with a new conceptualisation of security (Bigo 2000; Huysmans 2000b).

The Copenhagen school of International Relations has devoted its attention to the evolution of the concept of security. The new security agenda extends far beyond its military conception: there are military, economic, political, environmental and societal concepts of security. 'The security of a society', according to Buzan, 'can be threatened by whatever puts its "we" identity into jeopardy' (Buzan 1993: 42). Immigration as such does not necessarily constitute a threat to the identity of the receiving society, but it is enough for it to be *perceived* as a threat: 'perceived threats may not be real, and yet still have real effects' (Buzan 1993: 43). The extent to which immigration will be perceived as a threat, and the extent to which it becomes a political issue will depend on the conditions of the society.

The securitisation of immigration, that is the inclusion of immigration in the security agenda of a country, is to a large extent the result of a political strategy. 'By saying "security" a state-representative moves the particular case into a specific area; claiming a special right to use the means necessary to block this development'.¹³² An official attitude that links migration to internal security (whether it is for political convenience, bureaucratic inertia, or both) can therefore contribute to the social perception of immigration as a threat. 'In Western Europe migration is increasingly presented as a danger to public order, cultural identity, and domestic and labour market stability; it has been securitized' (Huysmans 2000b: 752). It is crucial to bear in mind this process and to study the 'securitisation/insecuritisation practices which run through the internal sphere as much as the external sphere' (Bigo 2000: 178).

¹³² Ole Waever 'Security, the speech act: analysing the politics of a word', unpublished second draft, Centre for Peace and Conflict Research, Copenhagen, 1989. Quoted in Buzan 1991: 17.

The securitisation of immigration has partly been the result of internal processes of politicisation both in the member states and in the European Union. This process accelerated with the exponential growth of the number of refugees, asylum seekers and immigrants that arrived in Western Europe in the 1989-1993 period with the convulsions in the southeast and east of the continent.

Yet securitisation was also the result of the way in which European co-operation in immigration has developed from a culture of internal security and police co-operation. The regulation of migration is dealt with in the EU in a conceptual framework created by police and home affairs officials whose professional disposition is to define a policy concern in security terms. A good example of this is the 1990 Convention Applying the Schengen Agreement, which locates the regulation of migration and asylum in the same institutional framework that deals with terrorism, transnational crime and border control (Huysmans 2000a: 756-757). Therefore, Europeanisation in the field of immigration is closely linked to the securitisation of migration.

The growth of migration from Morocco to Spain

Compared with most of its Western European partners, Spain is a relatively new country of immigration. Until the 1970s Spain was in fact a country of emigration, and still nowadays large numbers of Spanish nationals live in countries such as France, Germany or Argentina, similar to what happened with other southern European countries such as Italy or Greece, or with Ireland. Moroccan immigration to Spain started shortly after Moroccan independence in 1956, but did not acquire large dimensions until the 1980s, and in particular after 1985, as Spain joined the European Community. In those years Spain ceased to be a mere country of transit towards the final target areas of western Europe and became a place where Moroccan migrants wanted to settle (Pumares Fernández 1993; López García 1994).

Morocco has become crucial for Spanish immigration policy for two reasons. Firstly, it is the country of origin of the largest foreign community in Spain, and its nationals still try to emigrate in large numbers. Secondly, it is a country of transit for potential foreign immigrants to Spain from other Maghrebian (Algeria, Mauritania), African (Nigeria, Senegal, Sierra Leone, etc.) and even Asian (China, Pakistan, Iraq, etc.) countries.

According to the National Statistics Institute (*Instituto Nacional de Estadística*) based on the local registers (*padrón municipal*) on 1 January 2002, 307,458 Moroccan citizens were legally registered as living in Spain.¹³³ They represented 15.5% of the total foreign residents and almost one in five non-EU residents. Other sources challenge that estimate, but all of them agree that Moroccans are the largest foreign community in Spain (see Table 5.1 below). From being a relatively small part of the legal residents in Spain in 1985 (2.14%), they became the largest foreign community in the country. In the 1992-2001 period the number of Moroccans living legally in Spain grew at an average rate close to 15% (see Table 5.2).

¹³³ There is no agreement amongst social scientists about how accurate this figure is. The local registers are not checked against duplication, and therefore there is the possibility that some of the foreigners may be registered in more than one place, be it because of some expected benefit, or just because they do not bother to check out from their former place of residence when they move; moreover, registration is voluntary and not enforced, so many more people could be living in Spain and not be registered. The alternative ways to count the number of Moroccan are the national census (more accurate than the local registers in avoiding repetition, but only updated every ten years) and the Ministry of Interior records (which only contain legal residents).

Table 5.1 Different estimates of the Moroccan Population living in Spain

Source and date	Local registers (01-01-2002)*	National Census (01-11-2001)**	Ministry of Interior (31-12-2002)***
Total number of Moroccans	307,458	247,872	282,674
% of Moroccans amongst all foreigners	15.54	15.77	21.35
% of Moroccans amongst non-EU foreigners	20.66	n.a.	n.a.
Total number of foreigners in Spain	1,977,944	1,572,017	1,324,001
% of foreigners of total Spanish population	4.73	3.85	3.24

Sources:

* *Instituto Nacional de Estadística 'Explotación Estadística del Padrón a 1 de enero de 2002', Notas de Prensa, 5 August 2003 (Madrid: INE).*

** *Instituto Nacional de Estadística 2003 Censos de Población y Viviendas 2001. Resultados (Madrid: INE).*

*** *Ministerio del Interior 2003 Anuario Estadístico de Extranjería 2002 (Madrid: Ministerio del Interior).*

Table 5.2 Yearly growth of the number of Moroccan living legally in Spain (1992-2002)

Year	Number of legal Moroccan residents	Increase from previous year %
1992	54,105	-
1993	61,303	11.7
1994	63,939	4.1
1995	74,866	14.6
1996	77,189	3.0
1997	111,100	30.5
1998	140,896	21.2
1999	161,870	13.0
2000	199,782	19.0
2001	234,937	15.0
2002	282,674	16.9

Source: Author's calculations from Ministry of Interior data (Interior 2002).

Data for illegal immigration are, for obvious reasons, more difficult to establish. The fact that many Moroccans lived illegally in Spain was exposed by the regularisation processes undertaken in 1985, 1996 and 2000. The last of these processes only regularised the situation of half of the Moroccans that applied (Interior 2002). Estimates in 2001 calculated that more than a third (38%) of the total illegal migrants living in Spain were Moroccans.¹³⁴ The only estimate that can be made with official figures is the difference between the Ministry of Interior register of legal Moroccan residents and the local registers. That difference in 1 January 2002 was 234,937 Moroccan legal residents compared to 307,458 Moroccans locally registered. That is, one in four Moroccan locally registered in Spain would be an illegal immigrant.¹³⁵

Throughout the 1990s academics and other experts pointed to the fact that migration to Spain, however new and broadly publicised a phenomenon, was relatively small in terms of the ratio of immigrants per total population; but after a steady growth in the 1990s, and if we take the local registers as a reference, four regions are already above the 5% threshold (INE 2003). Migration in general, and Moroccan migration in particular, have become a matter of social and political concern. In opinion polls conducted in 2002, 28% of respondents mentioned immigration as one of the main problems for Spain, after only ETA/terrorism and unemployment (CIS 2002).

This can partly be explained because Moroccan immigrants concentrate in some areas of Spain, and in particular the provinces of the Mediterranean littoral, from Cádiz to Girona, in the archipelagos and in Madrid.¹³⁶ In some agricultural areas and in many towns, Moroccans have become the image of the immigrant. Moroccans are also the foreign group which has attracted most adverse reactions. Public opinion polls have consistently revealed that they are the least preferred group of foreigners amongst Spaniards (Díez Nicolás 1999;

¹³⁴ Source: El País, Temas, Inmigración en España. <http://www.elpais.es/temas/inmigracion>

¹³⁵ Data about illegal immigration should be considered as estimates only, for obvious reasons.

CIS 2002). Political and media discourse, bilateral disagreements with Morocco, international incidents involving Arab and/or Islamic countries (like the Gulf War, or the terrorist attacks of 11 September 2001 in the USA and those of 11 March 2004 in Madrid), the historical background, etc. all have played against the image of Moroccans in Spain.

The land border with Morocco around the cities of Ceuta and Melilla was, in the 1990s, an important means by which Moroccan, but also other African and even Asian migrants, could penetrate the weak Moroccan border controls. Simultaneously, the waters of the Strait of Gibraltar and of the Atlantic between Western Sahara and South Morocco and the Canaries started to be sailed by an increasing number of precarious boats loaded with immigrants from Africa and Asia who wanted to enter Spain (and the EU) illegally.

Their numbers grow year by year. According to the Spanish police, in the year 2000 alone 177 of those boats were stopped in the Canaries, 527 in Andalusia and 76 in Ceuta and Melilla; at least another 30 boats sank. A total of 14,863 immigrants were arrested (four times more than in 1999), 55 corpses were recovered and at least 47 people disappeared. The constant increase since the late 1980s reached its peak in 2001, when 18,517 people were arrested in the Spanish coasts. In 2002 the amount was slightly lower, with 16,504 people arrested.¹³⁷

The permanent arrival of immigrants has produced not only technical difficulties (accommodation, transport, repatriation), but also passionate political debates. The dangerous conditions in which immigrants travel have outraged political and social groups in Spain and Morocco, although the proposed solutions differ radically.¹³⁸ The capacity of Spain to act as the external border of an ever more closed European Union is permanently put in

¹³⁶ In 31 December 1999, 38 % of legal Moroccan residents lived in Catalonia, 16.4% in Madrid, 14.8% in Andalusia, 5.2% in the Valencian region, 4.9% in Murcia and 20.6% in other regions (Interior 2002).

¹³⁷ The data come from a Ministry of Interior press conference as reported by *El Día* (*El Día*, 4 January 2003).

¹³⁸ An estimated 2000 people died between 1990 and 1998 trying to cross the Straits (*The Guardian*, 29 June 1998).

doubt by the images of exhausted immigrants landing from *pateras*¹³⁹ on an almost daily basis summer after summer. And the questions of integration and social tensions are affecting all levels of government and civil society.

It is important to show that both *pateras* and the land borders of Ceuta and Melilla have been only one of the ways by which foreign migrants have reached Spain. By far the most common situation is not that of immigrants entering Spain illegally, but that of migrants entering legally and overstaying. In that sense the airports of Barcelona and Madrid and the borders with other EU countries have been the main routes of access for most immigrants. They do not have, however, the media impact of the *pateras*.

Immigration from Morocco does not only involve Moroccans: out of 31,739 stopped by the Moroccan authorities when they were trying to emigrate to Europe in 2002, 16,141 (51%) were Moroccan, 1,445 (4.5%) Algerian, 13,424 (42%) subsaharan Africans and 729 (2%) Asian.¹⁴⁰ The country, a traditional land of emigration, has also become a country of transit as EU visa requirements make it increasingly difficult for African and Asian migrants to access their target directly by legal means. Some of these immigrants enter Morocco legally without needing a visa,¹⁴¹ and attempt to cross to Spain from there. Others enter the country illegally by sea, air or land. While the Mauritanian border is relatively under control because of the walls built to fight the Polisario front during the war, it is the 1500 km-long border with Algeria that Moroccan authorities have most difficulties controlling.¹⁴²

¹³⁹ *Pateras* originally denominates small wooden boats, mainly used in inshore fishing activities, which are very poorly equipped to sail the dangerous waters of the Strait of Gibraltar or the open waters of the Atlantic. The use of the term has been generalised to all sorts of small boats, often heavily overloaded, that attempt to smuggle immigrants into Spain.

¹⁴⁰ Those data were made public by Larbi Messari, former cabinet minister of Morocco and a prominent member of the Istiqlal party, and were the first yearly account ever offered by the Moroccan authorities, who until that moment only had given partial figures (*El País*, 29 July 2003).

¹⁴¹ At the moment (November 2002) citizens from Congo (Brazzaville), Guinea (Conakry), Ivory Coast, Libya, Mali, Niger, Senegal and Tunisia do not need visas to enter Morocco, just a valid passport. However, out of these nationalities only Malians are frequently amongst illegal immigrants stopped trying to cross from Morocco to the EU.

¹⁴² In 1999, 12,499 illegal immigrants were stopped at the Moroccan-Algerian border, of which 2,072 were Algerian citizens and 10,094 came from Subsaharan Africa; at that time, three to four migrants per arrested immigrant were estimated to be crossing the border successfully. Data published in *As-Sabah*, (12 January 2001), a Moroccan newspaper, quoting

The appearance of immigration in the Spanish political arena

In 1985 Spain prepared the legislative framework for dealing with the arrival of migrants through the approval of an Aliens Law.¹⁴³ In the absence of an important flow of immigrants or any agreed EC policy, the new law was seen as a part of the modernisation programme (Baldwin-Edwards 1997: 507; Santamaría 2002: 68). The law was the first serious attempt to regulate extensively the situation of foreigners in Spain, still a new and minority phenomenon at that time, in the run-up for EC membership. It was drafted taking into account the existing legislation in some EC member states, such as France or Belgium, which had started restricting access to the same sort of economic migrants that they had welcomed in the previous decades. Indeed, Spanish law was remarkably restrictive for a country in which less than 0.2% of the population were foreigners (and most of them were European citizens), and where immigrants were starting to fulfil an important economic function (Santamaría 2002: 68).

The new Spanish law affected Moroccans negatively in three ways. Firstly, the implementation of the law made manifest the existence of large numbers of illegal Moroccan residents in Spain, and the need to regulate their situation. Secondly, the law excluded Moroccans and Western Saharans from the preferential treatment reserved to Latin Americans, Filipinos, Andorrans, Equatorial Guineans, Sephardic Jews and Gibraltarians, i.e. all other nationals of territories which had colonial or historical links with Spain. Finally, it ignored the situation of thousands of Muslim citizens who lived in Ceuta and Melilla without Spanish documents, and put them at risk of expulsion. The assumption was that their lack of documents meant that they were foreigners, even though many of them had lived in the city for generations.

The latter point generated a strong reaction amongst the Muslim population of the North African cities, in particular in Melilla. Tension between the Muslim and Christian communities in Melilla lasted until 1987, and Morocco used the

a yearly report of the Foreigners Service at the Regional Security Direction in Uxda (east Morocco). A detailed survey about the role of Morocco as a transit country for subsaharan migrants can be found in BIT 2002.

occasion to revamp its long-standing claim over the two cities.¹⁴⁴ That episode made Spanish foreign policy makers aware of the importance of immigration in bilateral relations with Morocco, as a factor which could be instrumentalised by the North African kingdom in its relations with Spain.

From 1988 the Spanish media started reporting regularly on the arrival of *pateras* at the Andalusian and Canarian coasts, smuggling illegal immigrants onto Spanish soil. In parallel, Ceuta and Melilla, with the only land border between the EU and Africa, became 'magnets for would-be illegal migrants to continental Europe from all over the African continent' (Gold 2000: 120). Media coverage of that situation remained extensive throughout the following years, contributing to its increased political relevance. As the numbers of arrested illegal immigrants rose, problems with accommodation, transport and repatriation acquired a political dimension, causing tensions between public administrations (local authorities, regional and central governments). The overcrowding of provisional detention facilities in non-peninsular locations (in Ceuta, Melilla and, some years later, the eastern Canary Islands) became a major political issue in the local and regional contexts.¹⁴⁵

In Ceuta and Melilla the issue of non-Moroccan refugees came to the public debate in July 1992, after Morocco refused to accept 72 sub-Saharan Africans that had entered Melilla despite the readmission agreement signed six months earlier (see below). This first crisis was resolved in about one month after strong pressure and bargaining, but the situation tended to worsen, not improve. Between early 1993 and 1995 more and more immigrants entered the enclaves. In October 1995 Ceuta, which was struggling to house and process the administrative situation of about 300 Africans, saw the arrival of 60 Kurdish would-be refugees. The immediate transfer of the latter to the peninsula outraged the African applicants, some of which had spent two years in the city, and triggered a riot that ended up in violent clashes between them and the police and some members of the Spanish community.

¹⁴³ Organic Law 7/1985, about Rights and Liberties of Foreigners in Spain. BOE 158/1985 of 3 March 1985.

¹⁴⁴ See Chapter 6, section 6.2.

¹⁴⁵ The situation is similar to the one experienced in Italy in areas such as Puglia and in particular in the islands of Sicily and Lampedusa.

The attitude adopted by the local authorities, the police and many of Ceuta's citizens has been described as openly racist in a city where other racist incidents, mainly involving military personnel, were not new (Carr 1997). In June 1996 a similar outbreak erupted in Melilla. The repatriations that followed attracted criticism of the central government's methods which reportedly included deporting without any court order, ignoring at least four asylum claims, sedating the deportees without informing the police officers in charge, and sending them to four countries despite the fact that they came from fourteen, with 50 of them ending up in prison in Guinea-Bissau (*El País*, 29 September 1996). Interior Minister Jaime Mayor Oreja admitted that the action had not been 'a model', but justified it in order to deter future would-be migrants (*El País*, 30 July 1996). Prime Minister Aznar was more explicit: 'there was a problem and it was dealt with' (*El País*, 30 July 1996).

However the issue of repatriation and readmission of non-Moroccans became a priority. After the situation in Ceuta and Melilla stabilised with the construction of EU-funded fences in the late 1990s,¹⁴⁶ the issue kept being relevant in other areas, in particular in Fuerteventura, the most eastern of the Canary Islands, from 2000.

Another element which enhanced the debate about immigration was the start, in 1992, of violence against immigrants inside Spain. If the very first victim, Lucrecia Pérez (killed in February 1992 by a group of skinheads) was Dominican, a majority of subsequent incidents of violence involved Moroccans.¹⁴⁷ In 1999 and 2000 two important outbreaks of violence took place in Terrassa (Catalonia, July 1999) and El Ejido (Andalusia, January 2000) with large segments of the local population rioting and targeting the Moroccan communities and their property. All those events, extensively reported in the Spanish and Moroccan media, caused immediate political reactions and placed the question of immigration at the centre of the Spanish political arena.

¹⁴⁶ See Chapter 6, section 6.3

¹⁴⁷ Of the 13 major violent incidents to hit the Spanish media in the 1992-2000 period, 10 involved Moroccan immigrants. According to the Association of Moroccan Immigrant Workers in Spain (ATIME), 23 immigrants lost their lives between 1992 and 2000 because of racist attacks.

By the time the Spanish Parliament undertook the reform of the Aliens Law in 1999, immigration had become one of the most political issues in Spain. The reform was an initiative of some opposition parties who considered that the 1985 law was too restrictive and only focused on the control aspects of the issue, overlooking important questions such as the need to integrate immigrants into Spanish society. It was therefore seen as not adequate to the new realities of Spain as a country of immigration.¹⁴⁸

The ruling *Partido Popular* initially accepted important aspects of the proposal, but changed its position during the debate and eventually negotiated changes with the Catalan and Canarian nationalists, which made the law considerably more restrictive.¹⁴⁹ The law was approved shortly before the 2000 elections.¹⁵⁰ After its clear victory in those elections, the *Partido Popular*, who had successfully advocated a tougher position on immigration matters, used its newly acquired absolute majority to approve a new, even more restrictive text that was opposed by all opposition parties, immigrant associations and trade unions. The text was restrictive in allowing people to migrate to Spain, but it did at the same time give legal immigrants a number of new rights and better access to social services, so their situation actually improved – this was, after all, the spirit of the first proposal. Migration was by that time one of the most controversial and most salient political issues in the Spanish political landscape.¹⁵¹

The policy of progressively trying to seal the EC borders against illegal immigrants meant an increased responsibility for Spain, which became an important entry route of immigrants from Latin America and especially from

¹⁴⁸ The initial proposals presented were in 1998 by *Izquierda Unida*, a leftist party, *Convergència i Unió*, the Catalan nationalist coalition that ruled Catalonia at the time, and by the mixed group. The main opposition party, the *PSOE*, participated actively in the works to unify the three proposals in a joint one.

¹⁴⁹ Two positions within the government were represented by Interior Minister Jaime Mayor Oreja, who advocated a very restrictive law, and Labour and Social Affairs Minister, Manuel Pimentel, who wanted a more open approach. The dispute was settled inside the government in favour of the former, triggering the resignation of Mr. Pimentel shortly before the general elections. Immediately afterwards the *Partido Popular* presented a battery of restrictive measures in the Senate, where it had a majority (Pérez-Díaz, Álvarez-Miranda et al. 2001: 104-108).

¹⁵⁰ *Ley Orgánica 4/2000. Boletín Oficial del Estado*, 11 January 2000.

¹⁵¹ *Ley Orgánica 8/2000. Boletín Oficial del Estado*, 23 December 2000. For a detailed comparison of the two texts see (Pérez-Díaz, Álvarez-Miranda et al. 2001: chapter III).

Africa via Morocco. Spain, with so little experience in receiving migrants, could hardly contribute much to the birth of European co-operation in immigration matters. Conversely, dissent from the Schengen and other agreements from Spain was exceptional and Spanish immigration policy coincided, by and large, with the general trends in the EC (Baldwin-Edwards 1997).

Spain joined the Schengen agreement on 25 June 1991. The implementation of the Schengen agreement impinged very directly on relations with Morocco. First, the inclusion of Ceuta and Melilla in the Schengen territory meant that measures had to be put in place to seal the then extremely porous land border with Morocco. The subsequent construction of fences around the cities as well as the surveillance systems in the Strait of Gibraltar can be considered 'compensatory measures' in the sense of the Schengen convention, that is measures to compensate for the weakening of the control in the borders between EC member states. The imposition of visas on Moroccan citizens, as well as the signature of the 1992 readmission agreement (see below), were also direct consequences of the Schengen dispositions (Barros 2002: 112).

We should not think that the keen Spanish acquisition of the ideological and organisational characteristics of EC co-operation was a case of simple adaptation out of a 'Europeanist' faith. There was a convergence of interests between officials in the Spanish Ministry of Interior and the new groups that were being created in the European context. In particular, the leading position of the Ministry of Interior in immigration matters was reinforced by the fact that it was the one responsible for Spanish participation in the discussions about immigration at EC level. This could have worked against the role of the Ministry of Foreign Affairs, whose actions in relation to Morocco sought to create the closest and friendliest possible relations.

Convergence with Europe became an important alibi for the Spanish government. The discourse of Spain as the door of Europe and of the Spanish obligations within the Common Market and, later on, in the Schengen space was useful to justify the restrictive measures before parliament, public opinion and the Moroccan authorities. In the Spanish case European integration is

both the source and a legitimising factor of the securitisation of the discussions about migration and of a restrictive policy towards non-EU immigration in general.

This securitisation operates in two directions: domestic and external. At the internal level, the securitisation of immigration is apparent in the association of immigration with crime, social conflicts and poverty. At the external level, it has to do with defining immigration as an international security issue that endangers the sovereignty and stability of a member state (Weiner 1992).

Both internal and external securitisation are relevant in the case of Moroccan immigration. The images of the daily landings of *pateras* and the news about Moroccans being smuggled in inhuman conditions across the country in lorries (with subsequent deaths) in the media, conveniently magnified, contribute to presenting Spain as a 'containment wall' against the flood of African immigration into the European Community.¹⁵² The frequent tragedies at sea and on land served as the justification to intensify co-operation in fighting illegal immigration, and to demand Moroccan co-operation. Social peace is portrayed to be at risk; in the words of Spanish Minister of Interior, Jaime Mayor Oreja, 'Spaniards should know that this issue is the most important challenge to a smooth living together in Spain over future decades' (*Canarias*, 20 July 1999).

But justification sometimes comes from abroad: in Spain the political discourse about 'non-EU immigration' (*inmigración no comunitaria*) was largely built by importing political and socio-cognitive categories from the EU political arenas, particularly the European Parliament and France, in problematic terms (Santamaría 2002a: 67-69). In a largely pro-European country where Europe has symbolised democracy for a long time, the reference to EU agreements and other EU member states policies constitutes a powerful factor of legitimisation. Also, the rise of the anti-immigrant extreme right in EC countries like Austria, France and the Netherlands is presented as

¹⁵² The discourse on non-EU migration is full of negative metaphors like the 'containment wall', 'wave', 'tide', 'invasion', 'illegals', 'demographic time bomb', etc. Enrique Santamaría devotes to these metaphors a whole chapter of his book Santamaría 2002b.

proof of what could happen if Spain does not control the arrival of immigrants.¹⁵³

In the absence of a virulently anti-immigrant extreme right party in Spain, the Popular Party and its government's discourse about immigration was the most restrictive amongst the main political players in Spain (political parties, trade unions, business federations, etc.). This has been particularly true since the government's change of position (immediately replicated by that of the Popular Party group in Parliament) in November 1999, in the middle of debating the reform of the Aliens Law. In order to respond to the accusations of 'alarmism' made by the opposition, the government resorted to the EU connection in its claim to be displaying 'sense, maturity and prudence' (Pérez-Díaz, Álvarez-Miranda et al. 2001: 107). Thus, the Interior Minister defended the second, restrictive reform of the Aliens Law claiming that the then existing law would not be deemed acceptable in any other EU member state (*El Mundo*, 18 November 1999). The possibility of expelling foreigners was present in many EU member states, and there was 'no reason for Spain not to have the same legal instrument that the other EU member states have' (DSCD 2000: 1427). But probably the best example of the securitisation of migration by the Spanish government is the inclusion of 'extraordinary and uncontrolled migratory movements' as a risk to Spanish security in the Strategic Defence Review (*Revisión Estratégica de la Defensa*), the document that outlines the main priorities of Spanish defence policy until 2015 (Defensa 2002: 150-151).¹⁵⁴

¹⁵³ This has been an argument used in particular by the Popular Party in power and its ministers. For an example of this discourse see the interview with Foreign Affairs Minister Ana Palacio in *La Vanguardia/Magazine* (8 September 2002) or Interior Minister Jaime Mayor Oreja defence of the Aliens Law reform in the Spanish Parliament in DSCD 2000: 1424.

¹⁵⁴ The section devoted to migration in this document uses many of the characteristic expressions of a securitising language: 'the fight for survival of the masses', 'gigantic migratory movements', 'demographic explosion', etc. (Defensa 2002: 150-152). The inclusion of those references to immigration was criticised by several associations and trade unions as sending a racist and xenophobic message (*El País*, 19 November 2002).

5.2 Immigration and foreign policy

Co-operation in immigration matters has moved rapidly from the periphery to the centre of EU activity, acquiring more and more relevance and influencing other parts of EU policy-making, and in particular external relations. This influence has also been felt in the member states, which in turn have influenced and shaped European co-operation in migration affairs according to their priorities and preferences. Spain was no exception: with immigration, and in particular immigration from Morocco, ranking increasingly high as a concern for Spanish governments, it is no surprise that it also became a crucial element in the complex bilateral relationship between Morocco and Spain.

The interconnections between immigration and foreign policy in Western Europe remained a relatively unexplored territory until the last decade (Pastore 2000: 30), although immigration control is a policy area with crucial repercussions in the bilateral relations between sending and receiving countries. Scholars specialising in the EU have often chosen to focus on one of the three 'pillars', establishing a clear distinction between the Common Foreign and Security Policy (and later the European Security and Defence Policy), the policies of the European Community, and Co-operation in Justice and Home Affairs. Even though the Amsterdam Intergovernmental Conference of 1996 contributed partially to the blurring of the limits between the last two, both in political and in academic terms, there is still a lot of theoretical and empirical work to be done in establishing the links between co-operation in immigration issues and European foreign policy; it is striking how relatively little attention the issue has attracted (Smith 2003a: 240).

In this section we will explore the ways in which migration has become an issue of foreign policy both in Spain and the EU in relation to Morocco. The main assumption is not that any policy related to immigration is by nature foreign policy, but that immigration policy does have some aspects which impinge directly on policy towards third countries.

Immigration enters the bilateral agenda

As immigration became a hot political topic, Spanish foreign policy makers identified it as one of the main factors in the complex equation of bilateral relations with Morocco. The 'buffer of common interests' that was supposed to prevent bilateral tensions from escalating into full-fledged crises was not the only reason to increase economic interaction with Morocco. When it became clear that Morocco was becoming one of the main sources of Third World migration towards Spain, prosperity for the Alawi kingdom was seen as crucial to stop the ever growing influx of people. Thus, beyond the political motivations, security considerations (which now included not only stability, but also immigration) inspired the new Spanish attitude of economic co-operation with Morocco. Immigration became securitised not only in the internal sphere, but also in the external relations of the country.

As we have seen in the previous chapter, Spanish policy makers realised that the size of the Spanish economy and the means at their disposal were not enough to produce in Morocco transformations of the scope that were needed to stop the migratory flux. From the late 1980s they turned increasingly to the EC in order to mobilise European resources to improve the economic situation in Morocco. The change of Spanish attitudes within the EC in relation to Morocco and other Maghreb countries was closely related to the realisation of the importance of immigration (Moratinos 1991; Ibáñez 1995; Tovias 1995).

Tackling the basic causes of migration seems the best way of addressing the question, and there is a basic consensus about this among European governments, but it has two obvious disadvantages: results are uncertain and depend on a number of variables which the Spanish government or the European Union cannot control, and will come to fruition, in any case, in the mid to long term. Spanish authorities, and in particular those in the Ministry of Interior in charge of immigration control, were not ready to wait that long. Negotiations with Morocco on migration had started in 1984, but it was not until 1988 that a joint Spanish-Moroccan commission was created to debate the matter. In the second meeting of this commission, in 1990, Spain

conveyed to Morocco the intention to ask all Maghreban citizens for a visa as a result of its commitment to fulfil the requisites of the Schengen group. The fact that Morocco did not react negatively to this, as was feared, could have derived from Spain's unconditional support for the Moroccan government symbolised by Spanish Prime Minister González's visit in a moment of acute internal unrest and riots (Ibáñez 1995: 99-100). At the same time accession to the Schengen group was an excellent alibi for a measure that the Spanish, in the face of growing immigration from Morocco, would probably have wanted to implement anyway.

The imposition of visa requirements for Moroccans was only a first step in the Spanish attempt to control immigration from Morocco. A second was the signature of an agreement on the crucial issue of the readmission of illegal immigrants from third countries reaching Spain via Morocco.¹⁵⁵ This agreement was similar to the sort of bilateral agreements that other Schengen countries had signed with third countries, as well as to the 'multi-bilateral' agreement signed between the Schengen states and Poland (Barros 2002: 112). Satisfaction for this success of Spanish diplomacy would not last long: Morocco delayed the ratification of the agreement because of the vote of the European Parliament against the ratification of the fourth EC-Morocco financial protocol in January 1992.¹⁵⁶ During the summer the first so-called '*pateras* crisis' took place, with an estimated 10,000 Moroccans crossing the straits illegally (Ibáñez 1995: 100), and the application of the agreement proved enormously difficult as the Moroccan administration used technical grounds to make the readmission of nationals of third countries almost impossible.¹⁵⁷ Ten years later, the only repatriations that Morocco accepted regularly were those of its own nationals.

¹⁵⁵ *Acuerdo de 13 de Febrero de 1992 entre el Reino de España y el Reino de Marruecos relativo a la circulación de personas, el tránsito y la readmisión de extranjeros entrados ilegalmente*. (Madrid, 13 February 1992).

¹⁵⁶ See previous chapters.

¹⁵⁷ Article 2 of the agreement requires 'proof' that the foreigner comes from a country which makes re-admission possible. Since it was difficult to prove with documents either that the *pateras* had left from Moroccan territory or that the third country nationals had been in Morocco just before they attempted entry into Spain, Morocco refused almost every re-admission. Moroccan Foreign Minister Benaissa complained years later that 'not all illegal African immigrants used Morocco to reach Europe' (*Arabic News*, 6 August 2000).

In 1998 the perimeters of Ceuta and Melilla were considerably reinforced, while 25 billion pesetas were allocated to strengthen the protection of the southern coastline in the following five years.¹⁵⁸ So far the most noticeable effect has been an increase in arrivals to the Canary Islands once the control system was put into place in the Strait (see Table 5.3 below).¹⁵⁹ Without the political will of Rabat, containing the smuggling of people into Spain would be a very hard task, much as the perimeters of Ceuta and Melilla and the naval vigilance mechanisms in the Straits and around the Canaries may be reinforced. Indeed, even if Rabat were ready to co-operate, it is hard to imagine that it could bear the enormous financial cost of controlling the whole of its 3,500 km long coast, sealing its border with Algeria, repatriating the immigrants caught in illegal transit towards Europe, etc. as well as the political cost of antagonising other, mainly African governments,¹⁶⁰ without very substantial compensation and financial aid.

Table 5.3 Percentage of illegal immigrants arrested in the Spanish coast in 2001-2002 by area of detention

Area	2001	2002
Strait of Gibraltar	78%	59%
Canary Islands	22%	41%

Source: Ministry of Interior, Press Conference of the Minister of Interior (*El Día*, 4 January 2003).

The Spanish government continued to make efforts to increase bilateral co-operation with Morocco on the immigration issue. Two agreements

¹⁵⁸ Including radar installations, night vision equipment, heat detector systems, helicopters, etc. in a complex system called SIVE- *Sistema Integral de Vigilancia del Estrecho*, i.e. Integral System for the Monitoring of the Strait (Gepts 1999).

¹⁵⁹ A patera-crossing to the islands is now considered to be cheaper and less risky (Gepts 1999).

¹⁶⁰ In the context of the Western Sahara dispute, Morocco pays great attention to relations with the countries of Subsaharan Africa, where support for the Polisario theses and recognition of the SADR are widespread.

concerning residence and work permits¹⁶¹ and temporary workers¹⁶² were signed in 1996 and 1999 respectively. The implementation of the new Aliens Law approved in December 2000 meant that, after the regularisation process, immigration to Spain could only be achieved legally by way of quotas that the Spanish governments negotiates with the sending countries. Morocco was initially picked as one of the countries that was to be allocated a yearly contingent of legal immigrants.

In January 2001, days after the new Aliens Law was voted in Parliament, Interior Minister Mayor Oreja travelled to Rabat to offer the signature of an agreement to regulate the migratory fluxes, but got a cold reception. The offer was also made to Ecuador and Poland in subsequent days, and Spain signed the first of those agreements with Ecuador.¹⁶³ It was soon clear that the agreement was very problematic to implement,¹⁶⁴ confirming Moroccan objections to the methods proposed by Spain (Anuario CIDOB 2001: 58). The summer of that year the arrival of *pateras* reached unprecedented levels: 18,517 immigrants were arrested, 30% more than in 2000.¹⁶⁵ In a context of soured relationships because of the failure of the fisheries negotiations,¹⁶⁶ senior members of the Spanish government and administration complained repeatedly about the lack of Moroccan co-operation. The relations worsened to the point of crisis in October when the Moroccan ambassador to Madrid was withdrawn, precluding any hope that a mixed commission would be created to establish a quota for legal immigration in 2002.¹⁶⁷

¹⁶¹ *Acuerdo en Materia de Permisos de Residencia y Trabajo entre el Reino de España y el Reino de Marruecos* (Rabat, 6 February 1996)

¹⁶² *Acuerdo Administrativo entre España y Marruecos relativo a los trabajadores de temporada* (Madrid, 30 September 1999)

¹⁶³ *Acuerdo entre la República de Ecuador y el Reino de España relativo a la Regulación y Ordenación de los Flujos Migratorios* signed in Quito on 31 January 2001.

¹⁶⁴ The agreement foresaw that all illegal Ecuadorian immigrants should fly back to Ecuador, ask for a work permit, and then come back to Spain. The operation would have been very expensive and it provoked such opposition both in Ecuador and Spain that the system had to be modified. Two years later the failure of the agreement was quite apparent: if the Spanish government had estimated in 2000 that 30,000 Ecuadorians would benefit from it every year, in 2002 only 80 people were expected to migrate legally under the terms of the agreement (*El País*, 12 November, 2002).

¹⁶⁵ Ministry of Interior, Press Conference of the Minister of Interior (*El Día*, 4 January 2003).

¹⁶⁶ See chapter 3.

¹⁶⁷ The consequences for Moroccan workers of the lack of agreement were deeply felt in 2002. For example, the lack of co-operation between the authorities meant that the number of

The arrival of illegal immigrants via Morocco had been continuously growing in the the 1990s. By the end of the decade Spanish authorities and media had grown convinced of the complicity, at least by lack of action, of the Moroccan authorities. The first demand of the Spanish government to Morocco was that it should increase its efforts in fighting the illegal emigration both of its own nationals and of nationals of other countries transiting through its territory. This would involve more control of the arrivals in Morocco (for instance, by imposing visas on many African nationals that did not need them) and also more control on the Moroccan coasts to prevent *pateras* from leaving towards Spain.

The second demand was the readmission of non-Moroccan illegal immigrants that had reached Spain through Morocco. Despite the signature of an agreement that granted that readmission in 1992, Morocco did not apply it. The third controversial issue was the repatriation of under-age Moroccans. They could not just be abandoned at the border like adults: the law requires that their family take care of them. In practice, this has proved almost impossible in most cases. Since they are not of penal age, those minors are put in children's homes from which they often escape in search of some way to earn money to send back to their families, causing considerable trouble to the Spanish authorities.¹⁶⁸ The last point in which Spain demanded Moroccan co-operation was the regulation of a legal way for Moroccans to migrate to Spain.

But the Spanish government had relatively few instruments available to induce the Moroccan government to co-operate. Thus, policy-makers dealing with immigration matters in Madrid saw the need to turn to the European Union to find mechanisms to force the Rabat government to contribute to

Moroccan workers that could get temporary permits to work in agriculture in 2002 was a tenth of the previous year's figure. (*El País*, 11 November, 2002)

¹⁶⁸ According data from the *Delegación del Gobierno para la Extranjería y la Inmigración*, in 2002 4,738 Moroccan citizens under 18 were sent to those children's homes, representing 75% of all the foreign minors that entered those institutions. This figure represented an 86% increase in relation to 2001. Source: Fiscal General del Estado 'Sobre la prodeencia del retorno de extranjeros menores que pretendan entrar ilegalmente en Espana y en quienes no concurre la situación jurídica de desamparo' Instrucción 3/2003

stopping the flow of illegal immigrants and to co-operate in the regulation of migration flows.

Looking for a European solution I: the carrot

The question of immigration from Morocco could not only be dealt with from the point of view of border control. In the Spanish government, and in particular in the Ministry of Foreign Affairs, the awareness that the only solution (in the mid to long term) to avoid a permanent and ever growing flow of immigrants from Morocco is prosperity, has long been established. This is not easy, in particular since Morocco has been severely hit by economic crises since the start of the 1980s and some of its economic indicators have worsened in the 1990s.

Migration concerns, together with the search for a buffer of common interests, were behind Spanish attempts to divert EC/EU attention (and money) towards Morocco and the Mediterranean in general from the late 1980s. These initiatives produced significant achievements, like the agreement on the Cannes financial package, the Barcelona Conference in 1995 which launched the Euro-Mediterranean partnership and the EC/Morocco Association Agreement. The importance of migration concerns in convincing other European partners should not be underestimated. But the effects of such initiatives in terms of increasing prosperity in the sending countries like Morocco would in any case only come years later.

The difficult implementation of the new programmes, in particular MEDA I, the political troubles in the Middle East that brought the process to an almost complete stop, and the poor performance of the southern Mediterranean economies soon undermined the confidence in the capacity of the Euro-Mediterranean partnership and the new Euro-Mediterranean Agreement with Morocco to change the situation in the mid-term. Moreover, the number of immigrants arriving every year in Spain from Morocco, far from decreasing, was growing rapidly in the second half of the 1990s (see Table 5.2 above).

Less than six months after the Barcelona Conference, elections gave José María Aznar's Popular Party a relative majority. Immigration policy in Spain would change considerably with the new government, but only after some time, and in particular during the second mandate, obtained in 2000, where the Popular Party got an absolute majority in parliament. The change in the Spanish political landscape was reflected in Spain's positions in the EU. Aznar's governments gave great importance to Justice and Home Affairs issues, such as the fight against ETA terrorism or the control of illegal immigration.

At the European level, negotiations for the Amsterdam Treaty gave to Justice and Home Affairs an unprecedented importance within the EU. Justice and Home Affairs would be the main topic of the European Councils of Dublin, Tampere (October 1999) and Sevilla (June 2002). The Spanish government made an effort to upload to the EU level some of its main internal priorities, and met with an increasingly favourable European context. Some of the pillars of Aznar's European policy like the co-operation in the fight against terrorism and the European contribution to Spain's efforts to stop illegal immigration were precisely the areas in which the EU member states were more willing to integrate further at the turn of the 21st century. The international context was also favourable, in particular after the terrorist attacks of 11 September 2001 in the USA that put terrorism at the top of the list of priorities of the main international actors.

The failure of the repeated bilateral efforts during the years from 1990 to 2001 to obtain further Moroccan co-operation in issues like the readmission of third country nationals, the regulation of legal migration or the control of the illegal sea crossings, caused frustration in Madrid. And this despite the fact that the terms of co-operation had mostly been defined by the Spanish government unilaterally, and with no substantial compensation on offer. In a context of worsening relations with the Alawi kingdom, and in the absence of either a credible carrot (i.e. a substantial compensation in political or economic terms) or a strong enough stick (i.e. the threat of some credible retaliation that had effect on the Rabat authorities) Spanish policy makers turned to Brussels.

The first good occasion to put pressure on Morocco in order to get its collaboration in the immigration issue was the negotiations for the signature of a Euro-Mediterranean Association Agreement. Spain was not the only EU member country with a high number of Moroccan migrants: Moroccans were also numerous in France, the Netherlands, Belgium, Italy and Germany (see Table 5.4 below). The Euro-Mediterranean Association Agreement¹⁶⁹ contains a few provisions on immigration, in particular referring to the rights of Moroccan workers in EU member states (arts. 64 and 65) and the establishment of a dialogue in immigration matters (art. 69.3). More importantly, it includes a joint declaration on re-admission: the parties agree to adopt provisions and measures for the re-admission of their own nationals bilaterally. But the crucial issue of re-admission of non-Moroccans that had transited via Morocco is not mentioned.

Table 5.4 Number of Moroccans living legally in the European Union by country (1999)

Country	Number of Moroccans	% (aprox.)*
France	459,788	28.7
Spain	140,896	8.8
Belgium	137,520	8.6
Netherlands	135,721	8.5
Italy	120,531	7.5
Germany	72,147	4.5
Other	n.a.	33.4
Total (aprox.)	1,600,000	100.0

* Percentage of Moroccans in the country over the estimated amount of Moroccans living in the EU.

Source: Action Plan for Morocco Council document number 11426/99 Limité JAI 75 AG 30

¹⁶⁹ *Official Journal of the EC* L 70, 18 March 2000.

The creation of the High-Level Working Group on Asylum and Migration in December 1998 opened a new window of opportunity for the Spanish government. The group was to prepare cross-pillar action plans for the countries of origin and transit of asylum seekers and migrants. The General Affairs Council on 25 and 26 January 1999 approved the group's proposal to prepare Action Plans for Afghanistan and the neighbouring region, Morocco, Somalia, Sri Lanka, Iraq and Albania and its neighbouring region. Spain, which had been actively promoting the creation of the working group and the idea of the action plans, was designated as the co-ordinator for Morocco. The Action Plan for Morocco was approved by the General Affairs Council on 11 October 1999 for submission to the Tampere European Council of October 1999.¹⁷⁰

The Action Plan for Morocco puts an emphasis on Morocco both as a sending country and a transit country. It makes specific reference to the particular importance of emigration from Morocco for Spain (points 22 a/d/f, 27). The fact that Morocco did not require visas from the nationals of many West African countries, together with the Algerian civil unrest and the Moroccan denial of re-admission demands, are mentioned in the plan as amounting to a serious challenge (point 63). The Action Plan foresees co-operative measures (dialogue, an information campaign to warn against illegal migration, the fight against criminal networks) but also measures to enforce the existing readmission agreements, in particular for third country nationals and stateless persons, and the adoption of visa requirements by Morocco for nationals of the West African region (Ivory Coast, Guinea, Mali, etc.). Measures to improve economic conditions in Morocco in order to stop the flow of Moroccan migrants are also included.

The Plan outlines the financial resources that will be made available, largely through the MEDA II programme. The MEDA II programme 2002-2004 reflects those concerns and allocates money to improve border controls (40 MEUR), create a Moroccan governmental structure to deal with legal emigration (5 MEUR) and assist the development of the Northern provinces

¹⁷⁰ Council document number 11426/99 Limité JAI 75 AG 30

(70 MEUR), the source of about 40% of the total migration to the EU.¹⁷¹ In this way, the MEDA programme, which was initially a response to the immigration challenge by creating prosperity in the sending countries, focused also on the border control dimension, in line with the change in European policy on the question of illegal immigration.

The Conclusions of the European Council at Tampere (15 and 16 October 1999), where the Action Plan was approved, are the clearest indication of that shift in the EU approach to migration. Despite some lip service paid to the idea to promote co-development and protect human and minority rights in the sending country (point 11), it is significant that each point devoted to the ‘management of migration fluxes’ (points 22 to 27) mentions the fight against illegal immigration and/or readmission except one,¹⁷² whereas the regulation of legal immigration is only mentioned secondarily in one point.¹⁷³ The two reforms of the Spanish Aliens Law in 2000 and the immigration policy since then have coincided largely with the ‘spirit of Tampere’.

Looking for a European solution II: the stick

The Action Plan was adopted unilaterally by the European Union, despite the fact that there had been some EU-Morocco dialogue on migration issues before. This was an uncomfortable situation for the Moroccan side, but not as disappointing as being included in the same group as Sri Lanka, Afghanistan, Iraq, Somalia and Albania. The Moroccan government officials, who see their

¹⁷¹ European Commission MEDA II: Programme Indicatif National 2002-2004 Maroc . In http://www.delmar.cec.eu.int/fr/ue_maroc/medaiib.htm. In the 1990s Moroccan and Spanish politicians assumed that the Rif was the main source of the emigration going to Spain. Although this was disproved by a poll conducted in late 2001 (*El País*, 2 October 2001), it is likely that this image was in the mind of those drafting the programme.

¹⁷² Point 25, devoted to the need of the candidates for enlargement to implement the Schengen ‘acquis’.

¹⁷³ Point 22, and only mentioning ‘information campaigns about the real possibilities of legal immigration’ in the sending countries.

country as having a special relationship with the EC/EU since its very start and as one of its closest partners, felt deeply unhappy about the plan.¹⁷⁴

The consecutive presidencies and the Commission made efforts to convince Morocco to collaborate in migration matters. In September 2000 the Council authorised the Commission to negotiate a Community readmission agreement with Morocco (together with 3 other countries), but by May 2002 Morocco had not yet agreed to launch formal negotiations. A framework more suitable for the dialogue was created during the French presidency in 2001 by the EU-Morocco Association Council decision to establish a working party for social affairs and immigration, as foreseen in article 73 of the Association Agreement.¹⁷⁵ The Action Plan was quietly put aside, and the bases for a more balanced co-operation were established. Meanwhile, bilateral relations between Spain and Morocco worsened, and reached the crisis stage in October 2001 following a summer of bitter declarations exchanged across the strait on the issue of illegal immigration from Morocco.

Frustrated with the failure of all attempts to end the bilateral crisis illustrated by the withdrawal of the Moroccan ambassador to Madrid, the Aznar government tried to go one step beyond, and obtain not only co-operative measures, financial assistance and dialogue, but also the threat of effective European sanctions against the Moroccan government if it refused to co-operate in the control of migration flows. The opportunity arrived with the third Spanish presidency of the EU, in the first half of 2002. In the run-up to the Seville summit in June 2002, with the bilateral crisis still unsolved and the Moroccan ambassador back in Rabat, the governments of Spain and the United Kingdom started to draw up a proposal to use the EU's 'financial and economic clout' against countries that did not co-operate in the fight against illegal immigration, including a linkage between that co-operation and EU aid and even the threat of suspension of agreements with that country (*The Guardian*, 24 June 2002).

¹⁷⁴ This is an observation that I heard not only in the interviews with Moroccan officials, but also with their European counterparts.

¹⁷⁵ Decision No 1/2001 of the EU-Morocco Association Council of 4 April 2001 (*Official Journal of the EC* L112/14, 21 April 2001)

The proposal, contained in points 11 and 13 of the Spanish Presidency proposal to the General Affairs Council on 'Co-operation with third countries of origin and transit to jointly combat illegal immigration',¹⁷⁶ could not be agreed upon despite German and Italian support because of the opposition of France, Sweden and some other smaller member countries. In the Spanish press it was interpreted as an action directly targeting Morocco (*El País*, 24 June 2002), although the idea was not entirely new nor Spanish.¹⁷⁷ But it certainly constitutes another example of the Spanish attempts to use EU leverage for bilateral relations with Morocco in immigration issues.

In the end the conclusions of the Presidency after the Seville summit included four points (33 to 36) on the integration of immigration policy into the external relations of the EU. The European Council agreed that a clause on readmission (explicitly including readmission of non-nationals that have transited through the country) should be included in every future co-operation or association agreement, relations with non-co-operating countries should be systematically reassessed and EU should consider taking some 'measure or position in the framework of the CFSP and other policies of the EU, within the respect of the compromises acquired by the EU' against non-co-operating countries (point 36). This threat is considerably less concrete than the Spanish and British proposal.

The idea of 'punishing' Morocco for its failure to co-operate in the fight against illegal immigration from its territory lost momentum after Seville, and the Commission, in narrow co-operation with national experts and officials, including Spaniards, worked to redress relations with Morocco while addressing the widespread concern with illegal immigration amongst most member states' governments. This was part of a larger trend in immigration policy, in which the Commission adopted a new, more proactive role in the integration of immigration concerns into European foreign policy.¹⁷⁸ In

¹⁷⁶ Council 9917/3/02 REV 3 Limité JAI 135, RELEX 118, MIGR 55

¹⁷⁷ Austria proposed for the first time the idea to use negative action against the third countries that did not co-operate in the fight against illegal migration at the start of its Presidency in 1998, but the proposal was shortly withdrawn in the face of a lack of support from other member states.

¹⁷⁸ The role of the European Commission started to grow after the Amsterdam Treaty went into effect but a whole policy to integrate co-operation in immigration issues with other EU

December 2002 the Commission presented a report asking for a substantial increase in EU funding for the regulation of migration.¹⁷⁹ The largest amount for the 2000-2004 period programmed by the EU for an individual country was for Morocco (see Table 5.6 below).

Table 5.5 Financial resources programmed for external aid 2000-2006 and linked to the migration issue for Morocco

<i>Concept</i>	<i>Amount (in euros)</i>	<i>Time period</i>
Support for economic development at regions with high emigration such as Province du Nord, support for reintegration.	70,000,000	2002-2004
Organisation of legal emigration via creation of a migration centre	5,000,000	2002-2004
Fight against illegal immigration by supporting improvement of management of border controls	40,000,000	2002-2004
CGED-DPG (Spain): technical equipment and training for border control, fighting illegal immigration and detection of falsified documents	376,276	2001
AFD (France): development of the country of origin by Moroccans residing in France and through rural tourism and the creation of SME	1,500,000	2001
Int Ent (Netherlands): support to entrepreneurs of Moroccan origin residing in Europe in setting up economic activities in Morocco.	450,241	2001
French National Police: financial and technical assistance for combating illegal migration	665,980	2001
IOM- socio economic development of migration prone areas	1,056,315	2002
COOPI (Italy): the Moroccan immigrant in Italy as an agent in development co-operation	889,316	2002
Total amount for Morocco	119,938,128	2000-2006
Total amount for the whole world	934,468,288	2000-2006
Percentage attributed to Morocco in the world total (excluding multilateral programmes)	12.8 %	2000-2006

Source: 'Communication from the Commission to the Council and the European Parliament: Integrating Migration issues in the European Union's Relations with third countries.' COM (2002) 703 final Brussels, 5 December 2002 (pp. 57-58)

policies was not outlined until the 'Communication on a common policy of illegal immigration', adopted on 15 November 2001 (COM (2002) 672). The Council approved the comprehensive plan proposed in the communication on 28 February 2002.

¹⁷⁹ 'Communication from the Commission to the Council and the European Parliament: Integrating Migration issues in the European Union's Relations with third countries.' COM (2002) 703 final Brussels, 5 December 2002

5.3 The expressions of Europeanisation

Throughout this chapter it has been evident that the growth of immigration from Morocco to Spain, the creation of a Spanish migration policy and the beginning of a European co-operation in migration issues have coincided in time. Moreover, those processes have had an influence on each other in general, but also in the particular case of relations with Morocco. We now devote this third section to the study of the interrelation between Spanish foreign policy towards Morocco and European co-operation in migration affairs, and the different expressions of this relation. We will do so by analysing the four themes of Europeanisation in relation to immigration.

In the *balance between new constraints and new instruments*, the first theme of Europeanisation, it is important to remark that, unlike trade, fisheries and agriculture, immigration is not a common policy. Member states keep a large degree of autonomy in their immigration policies. That is not to say that there are no constraints at all: for example, since its accession to the Schengen group in 1991 Spain has a special responsibility as the south western gate to the Schengen space of the free movement of people, in particular because of the geographical proximity of Morocco. The relative ease of movement within *Schengenland* means that Spain has become a much coveted target for would-be immigrants and it has to concentrate much more effort at controlling its southern boundaries. In other issues, such as deciding whom it will ask for a visa, Spain has also lost some autonomy.

European measures, however, represent relatively weak constraints on Spanish policy. In exchange, Spain has gained access to EC/EU instruments. Indeed, it has worked towards the creation of new instruments. The first way in which Spanish governments have acted has been the launching of major European foreign policy initiatives that target the Mediterranean and, with particular intensity, Morocco, in order to create prosperity there, and thus remove the incentive to emigrate. We should not underestimate the role that

migration concerns played in initiatives such as the 1995 Barcelona Conference, that gave birth to the Euro-Mediterranean partnership.

As we have seen in the previous section, Spain also tried to use European instruments in order to strengthen the control over its own borders. The clearest expressions of it are the use of European funds to pay for such projects as the fences built around the cities of Ceuta and Melilla, and the surveillance system in the Strait of Gibraltar. Another example is the way in which Spain has pushed within European co-operation in immigration affairs to use the leverage that the EU has to force Morocco to co-operate in migration issues on the terms decided by Spain: see for instance the drafting of the Action Plan for Morocco or the proposals on the integration of immigration policy in EU external relations at the Seville summit.

One caveat about these European instruments is the fact that Spanish governments have not always been successful in their attempts (the Action Plan and the Seville proposals were after all failures). Nor is it clear that the instruments will have a real impact on actual immigration from Morocco, or that the impact will be the one foreseen by Spanish governments. For example, reinforced controls in the Strait, Ceuta and Melilla paid for with EU money have not reduced the total number of immigrants; they have just diverted the flow towards the Canaries and eastern Andalusia. We can state, however, that in general the advantages of being an EC/EU member have been exploited by the Spanish governments, and have been more relevant than the constraints. More often than not, Schengen and the later EU requirements (in particular, since Schengen was incorporated to the EU acquis in 1999 by the Treaty of Amsterdam) have been more an alibi than an uncomfortable imposition on Spanish governments.

The issue of *interest and identity*, the second theme of this thesis, has changed considerably, the main difference being the transformation of Spain into a country of immigration. As immigration has become a crucial issue in the political arena, it has also entered the list of priorities of the Spanish government in relation to Morocco. Nevertheless, those changes cannot be

directly attributed to Europeanisation: the relative prosperity of Spain and the economic failure of Morocco are more relevant. The one aspect in which Spain did change its own perception as an international actor as a direct result of being a member is its role as the guardian of Europe's south western entrance, which is at the same time the limit with the poorest continent, Africa. Spanish government have used this claim to get resources from the EU, and also to justify their actions in front of Parliament and public opinion. But we believe that their actions prove that the definition of interests and the international identity of Spain have also genuinely changed as a direct result of Europeanisation in the immigration field. Finally, it is important to remember in this respect that the role of Spain as an advocate of Moroccan interests as described in chapter 4 was partly a result of immigration concerns.

Probably the aspect in which we have observed a most notable impact of EU membership is the third theme of Europeanisation, *changes in decision-making*. We have seen how the leading role of the Ministry of Interior in that field reflects to a large extent the configuration at EC/EU level, in which interior and justice ministries have managed to monopolise the main decision bodies that deal with immigration, often with strong support from their prime ministers (as was the case in Spain). In a mostly Europeanist country like Spain, where control of European affairs is relatively underdeveloped, the Ministry of the Interior could affirm that autonomy in its participation in European co-operation in migration issues. To gain legitimacy and maintain influence within the government structure Spanish diplomats had to adopt the discourse on immigration; the weak position of the foreign ministers of the Aznar governments after 2000 contrasted vividly with the interior minister, always one of the strongest figures of the government.¹⁸⁰

Having said that, we must add that after 2000 the hard line on immigration has not been exclusive to the Ministry of the Interior, and other ministries like Defence or Foreign Affairs, plus the Prime Minister himself, have had similar

¹⁸⁰ Josep Piqué and Ana Palacio became foreign ministers without previous diplomatic experience and without a network of contacts within the Ministry. In addition neither had a predominant role in the Popular Party or a regional power base.

positions. The main publicly known tensions on the migration dossier happened in late 1999 between the Minister of Interior Jaime Mayor Oreja and the Minister of Labour and Social Affairs Manuel Pimentel, during the discussion about the Immigration Law, and were eventually solved with the arbitration of Prime Minister Aznar in favour of the former (Pérez-Díaz, Álvarez-Miranda et al. 2001: 104-108).

In the Morocco dossier we have found that the initiatives that initially came from the Ministry of Foreign Affairs in relation to emigration were more related to the causes of emigration than to the argument over immigration, whereas those inspired by the Ministry of the Interior or the European co-operation in immigration affairs concentrated on fighting illegal immigration. But the former adopted as priority objectives issues related to the control of illegal immigration (readmission of non-nationals, readmission of minors, co-operation in fighting illegal migration), and we have found no evidence that this process involved a direct confrontation between ministries. By the start of the 21st Century, Spanish foreign policy had adopted the fight against illegal immigration as a priority, just as the EU had done.

Finally, we have seen how the effects of Europeanisation have also been important in *the domestic arena*, the fourth theme of this thesis. Europe has been at the same time the source of and the excuse for the securitisation of immigration in the Spanish political agenda. The socialisation of government officials in the European context was only one of the ways in which the concepts were transmitted. Politicians, the media and some academics borrowed ideas and categories, mainly from France and the EC/EU discourse, to describe and analyse the new phenomenon of immigration (Santamaría 2002b). The Spanish public has become aware of its new condition as a host country and instinctively has compared its situation to that of its neighbours. The rise of radical anti-immigrant parties in many EU countries (France, Belgium, Denmark, Austria, the Netherlands) did have a mobilising effect in the media, associations and parties and created an awareness of the issue that was disproportionate to the dimension of the phenomenon. In that respect,

immigration is an issue in which Europeanisation has had a notable impact on the domestic political dimension.

5.4 Conclusions

Spanish accession to the European Union coincided in time with three important processes. The first of them was the modernisation of the Spanish legislation about foreign residents and the adoption of a legislative framework inspired by those of the Western European countries.¹⁸¹ The second important process was a steady increase of migration from Morocco to Spain, both of Moroccan nationals and of nationals of other countries that used Morocco as a transit country. Finally, it coincided with the creation of the Schengen group and the first steps towards EC co-operation in matters of asylum and migration.

In this chapter we have analysed how these three processes have interacted with each other. In the area of immigration, which formally remained by and large in the hands of the Spanish government and not EU institutions, the influence of Europeanisation is still deeply felt. Rather than constraining the Spanish capacity to take decisions because of a transfer of competencies, this influence is felt more in terms of providing the ideological framework for the formulation of the Spanish migration policy and its effects on the foreign policy towards Morocco. In parallel, the European Union also provides a new arena in which Spanish governments can seek to use more efficient instruments in their relationship with Morocco.

We have attributed to Europeanisation changes not only in the balance between instruments and constraints, but also in the interests and identity of Spain in relation to immigration, in the decision-making process and in the domestic political arena.¹⁸² The fact that Spanish immigration policy, and in

¹⁸¹ When we talk about modernisation here we are referring to the adoption of a comprehensive normative framework together with the technological means necessary for its management. Before 1985 Spain did not have the instruments to control the foreign population that lived in the country or their legal condition. But a 'modern' law did not have to be as restrictive as the one approved: that was a matter of political choice.

¹⁸² When we refer here to the interests and identity of Spain, the assumption is that those interest and identities are the ones defended by the government. To be fair we should mention

particular immigration as a foreign policy issue towards Morocco developed just as Spain became a member of the EC/EU can explain the importance of Europeanisation in this issue.

The choices made by Spain in its immigration policy have been strongly influenced by the approaches adopted by other countries, such as France. Thus, for example, the government has applied most policing efforts to stopping the migrants from entering the country rather than monitoring their irregular employment. Spain, like Italy, has an important 'black' economy that generates demand for illegal immigration. But both countries have opted for a tough approach towards illegal immigration, and in particular towards the sending countries, rather than a tough approach to regulating their informal economies and fraudulent employment (Barros 2002: 124).

Spain has made explicit efforts to tackle the causes of immigration in the sending countries, and in particular in Morocco, but not the causes in its own territory. The only instance in which the Spanish government claimed to tackle the issue of Spanish conditions that favoured illegal immigration was the reform of the Aliens' Law in order to avoid a so-called 'pull effect' (*efecto llamada*) by which a permissive law would be an invitation to illegal immigrants. After the implementation of the new law, however, the number of illegal immigrants has continued to grow.

In the area of migration the Spanish government has tried to implement a 'pass-the-parcel' philosophy and to get Morocco to share the burden of controlling irregular immigration. Indeed, Morocco is expected to act as the real 'policeman' of the Southern border in a similar way as the Central and Eastern European candidates have become, by and large, in the East (Barros 2002: 124). But Spain lacks the incentives to engage Morocco in an issue that is of very low priority for its government. By uploading this approach onto the European level, the Spanish government is slowly obtaining some successes, since good relations with the European Union are a high priority for the Rabat government. But the deepest causes of migration in the sending countries

that important sections of the civil society and some political parties did not share that understanding of Spain's role.

(poverty, lack of economic perspectives, political unrest, etc.) and in Spain itself (large irregular economy, weak demographic growth, unwillingness of the local workforce to engage in certain jobs, etc.) will remain even if Morocco co-operates fully, and it is thus likely that the issue will continue to be contentious between the two countries for some time. As other issues like fisheries have become less important, immigration has gained its own place as one of the most controversial issues in the bilateral agenda.

Chapter 6: Territorial and post-colonial disputes

No single issue has caused as much controversy between Spain and Morocco as the territorial issues that arose after Moroccan independence in 1956. There is a strong feeling in the North African country that Spain represents the main obstacle to the realisation of the territorial integrity of which Morocco was deprived by colonialism. At the same time, Spanish military planners, but also its public opinion, have identified Morocco as the most likely source of a military threat to Spain (Hernando de Larramendi 1992: 154-155). Two issues have been prominent in bilateral relations: the conflict over Western Sahara and the sovereignty over Ceuta, Melilla and the lesser Spanish possessions off the Moroccan Mediterranean coast.¹⁸³

The Common Foreign and Security Policy of the European Union, despite its name, is not a 'common' policy of the EU in the sense that states have transferred their competence to the EC in the way that they have done, for example, with fisheries or trade. Foreign policy is indeed one of the fields in which member states have kept most control. This is particularly true as far as issues that have to do with colonial history are concerned. In this context, Europeanisation is unlikely to have had a similar impact than in the cases we have been studying so far. In this chapter we will study three particular aspects of the territorial issues between Morocco and Spain, as a way to identify whether or not membership in the EC/EU has had an effect on Spanish foreign policy, and how the impact has changed among issues. The three issues that we will study are those related to the Western Sahara, Ceuta and Melilla, and one concrete incident, the occupations of the Leila/Parsley island in summer 2002.

¹⁸³ Some Spanish authors would not define Ceuta and Melilla as a foreign policy issue. Here we take the view that this issue is perceived as an international dispute, and this international dimension puts the issue in the realm of foreign policy. There are numerous examples in which countries would not accept a topic to be an international dispute but only an international solution has solved the issue: Portugal with its overseas territories (1960-1974), Indonesia with East Timor (1975-1998), etc. (Gorjão 2002: 146).

6.1. The Western Sahara

The connection between European integration and other large trends and phenomena in International Relations, such as Franco-German rapprochement or the Cold War, has been extensively dealt with in the specialised scholarship. It is, however, striking how little attention has been devoted to the relationship between colonialism and de-colonisation and European integration, despite the fact that they have coincided in time and that the former still plays an important role in Europe's contemporary politics, in particular in its foreign policy (Hansen 2002). The European states have brought in their colonial historical baggage as they have acceded to the EC/EU, and this has had an impact both on their post-colonial policies and on the EC/EU relations with the rest of the world.

In the case of Spain the traumatic and incomplete de-colonisation of Western Sahara was a heavy burden for democratic Spain to inherit. Unlike in Portugal, the end of the dictatorial regime in Spain had little, if anything at all, to do with the troubled colonial situation in Africa. However, like its Portuguese counterpart, the transitional regime after the dictatorship had to deal with a poisoned situation in a climate of internal uncertainty and of the complete re-definition of external priorities. The unsatisfactory outcome and the humiliation suffered at the hands of Morocco with the Green March,¹⁸⁴ the continuing links between the Spanish population and the Sahrawi refugees, and the political support enjoyed by the latter within the Spanish party system kept the issue alive up to the time Spain became an EC member.

Democratic Spain and the Western Sahara

When the last Franco government signed the secret Madrid Agreements in 1975, a large section of the political class and the public opinion felt a deep frustration at the way in which Spain had yielded to the Moroccan pressure exerted by the Green March. Most democratic opposition leaders thought that the normalisation of Spain's international status would entail the annulment of

the Madrid Agreement. The transition governments hoped that the cession of the Western Sahara would start a 'silver age' in relations with Morocco (Ballesteros 1998: 257), but none of the old problems (fisheries, Moroccan claim to Ceuta and Melilla) improved significantly.

The first political transition government's foreign minister, José María Areilza, defined the official position towards Western Sahara as one of 'cautious distance, but not indifference' (Cisteró Bahima and Freixes Sanjuán 1987:27).¹⁸⁵ The opposition parties, in particular those of the left, completely embraced the Sahrawi cause, and an 'Association of Friends of the Sahara' was created as early as January 1976. That same year leaders of Spain's largest Socialist party, the PSOE, including Felipe González, visited the refugee camps to show their solidarity with the Polisario front, which they recognised as the only legitimate representative of the Sahrawi people, and six months later six opposition parties signed a public declaration asking the government to denounce the agreement.¹⁸⁶

In face of this strong pressure, the first elected governments of the Unión del Centro Democrático (UCD) started to rectify the official position. The government not only declared its support for the self-determination of the Sahrawi people, but undertook some significant steps. In September 1978, after several visits to Algiers, Javier Rupérez, representing the UCD, attended a Polisario conference and signed a joint communiqué whereby that party recognised the Polisario as the only representative of the 'Sahrawi people in the fight' for their liberty.¹⁸⁷ Although this was only a party position, the effects in terms of, for example, Polisario guerrillas not assaulting Canarian fishing boats were felt for the next year and a half. The government also resumed its relations with Algeria and improved them with a visit to Algiers

¹⁸⁴ For a summary of the main events see Chapter 2, in particular section 2.1.

¹⁸⁵ In Spanish '*prudente alejamiento aunque no indiferencia*'.

¹⁸⁶ Spanish Socialist Workers Party (PSOE), Spanish Communist Party (PCE), People's Socialist Party (PSP), Carlist Party, Spanish Labour Party and Communist Movement.

¹⁸⁷ The formula is slightly more restrictive than the one used by the PSOE and other leftist parties because of the addition of 'in the fight' after mentioning the Sahrawi people. This formula does not preclude the existence of other representatives of the Sahrawi people (Barbier 1982: 304).

by Prime Minister Adolfo Suárez in April 1979 which included an interview with the General Secretary of the Polisario Front.

As we saw in Chapter two, the UCD policy of compensatory gestures towards Morocco and Algeria only served to make Spanish foreign policy a hostage to the pressures from both countries in the decade 1975-1985. The arrival of the Socialists into power in 1982, preceded by the short lived period of clear pro-Moroccan alignment of the Leopoldo Calvo Sotelo government, was strongly feared in Rabat, in particular because of the firmly established support for the Sahrawi cause within the Socialist party. The Spanish left had presented the denunciation of the Madrid Agreement as a condition for the full normalisation of the foreign policy of Spain as a democratic country.

However, the election of the PSOE to government with an absolute majority in Parliament did not substantially modify the official position. The Spanish position was to support the exercise of the right to self-determination in accordance with UN and OAU declarations.¹⁸⁸ Support for the efforts of international organisations became a constant of Spanish foreign policy, so as to avoid a bilateralisation of the issue. In open contradiction with their previous demands, the Socialists decided not to denounce the 1975 Madrid Agreement, considering that 'the historical evolution has led to the *de facto* superseding of those agreements' and that denouncing them 'would constitute a futile act that would probably just cause confusion among the parties involved in the conflict'(OID 1983: 839).

Under the Socialist government the Ministry of Foreign Affairs designed a new, global strategy towards the Maghreb in which good relations with all actors, and in particular with Morocco and Algeria, became a priority. But relations with the Polisario Front, which had seen the hopes of change in the Spanish position in their favour vanish with the pragmatic approach adopted by the Socialists, became strained. The Polisario Front protested against the 1983 fisheries agreement between Spain and Morocco, the first fruit of co-

¹⁸⁸ For an official account of the Spanish official position see the written answer to a parliamentary question in OID 1983.

operation under the Socialist government, and threatened the Spanish fishing boats that would operate in Saharan waters.

Captures and acts of aggression by the Polisario Front worsened the relations with the Socialist government. The most serious incident, in September 1985, was the attack on a Spanish fishing boat (named 'Junquito') and on the Spanish army patrol that went to its rescue. This triggered a firm reaction, including the expulsion from Spanish territory of all Polisario representatives and the closure of its information offices. Nonetheless, and in line with the idea of having a stable and coherent policy towards the region, Spain did not modify its support for the self-determination of the Western Saharans within the United Nations and voted in favour of an Algerian resolution asking for direct talks between Morocco and the Polisario Front and supporting the right to self determination on 12 November 1985.

By the time Spain became a member of the European Community in 1986, the policy towards Western Sahara had acquired a clear profile. The Spanish government would play a role of neutral engagement. The temptation to support openly one of the parties to the dispute had been resisted despite intense pressure from Morocco, and the permanent pro-Sahrawi mobilisation of public opinion. Support for multilateral initiatives, and in particular the UN efforts to solve the conflict, was complemented by a strengthening of the links with Morocco and with the Saharan refugees through aid and technical co-operation. Spanish governments were still exposed to pressures from both directions, but at least a clear position had emerged, which could be legitimated with reference to multilateral declarations. The Western Sahara, if still prominent, was not in the first line of issues in the bilateral relationship with Morocco.

The EC/EU and the conflict in Western Sahara

Accession to the European Community presented the Spanish executive, but also other national political actors, with the opportunity to upload the difficult issue of Western Sahara to the European level in order to obtain more leverage over Morocco while at the same time deflecting tensions from the

bilateral relationship. But first the Spanish executive had to work to put the issue on the EC agenda: until accession the profile of the EC in the issue had been very low. When war broke out the Nine declared their neutrality in a conflict that they defined as African,¹⁸⁹ and by and large kept on ignoring the question for the following ten years.¹⁹⁰ At the UN their vote was split, with Ireland and Greece (like Spain) voting in favour of the resolutions that asserted the Western Saharans' right to self-determination, and the rest of member states abstaining (Koulaimah 1995: 104).

Spanish membership contributed to the inclusion of the issue of Western Sahara in the EC agenda even before the Spanish executive tried to obtain a declaration from the Council. The changes came first in the European Parliament, where the arrival of 60 Spanish MEPs informed about the issue, combined with a Socialist majority after the 1984 elections, created a momentum that the national committees of support to the Sahrawi cause in the member states could not miss. In 1985, following the creation of all-parliamentary groups in several member states' national parliaments, the European Parliament witnessed the birth of the 'Peace for the Sahara' intergroup. This intergroup meets monthly and has been since 1985 a crucial element of mobilisation for the Sahrawi cause in the Parliament.

A European Parliament with a conservative majority had approved in 1981 the 'Lalor report' that assumed some of the main Moroccan thesis, and in particular the idea that the conflict was a bilateral issue between Morocco and Algeria, after a bitter debate and with the opposition of the whole left.¹⁹¹ After 1986 the position changed. Western Sahara started to feature in resolutions about the Mediterranean, aid to refugees and expatriates in developing countries, arbitrary detentions in the Western Sahara and ACP-CE joint assembly sessions, as well as in a growing number of parliamentary questions (Urruela 1995: 114-115).

¹⁸⁹ See *Official Journal of the EC* C 276, 22 November 1976.

¹⁹⁰ For example in 1976 in a declaration about Africa and the OAU the Nine reaffirmed the right of the Namibian and Rhodesian peoples to self-determination, ignoring the open conflict in the Western Sahara. *Bulletin EC*, 2-1976, pp. 85-86

¹⁹¹ *Official Journal of the EC. Annex: Debates of the EP* 1980-1981 session. Report of Proceedings from 10 to 13 March 1981, 12 March 1981 (pages 167-178). See also in the same publication the Proceedings from 9-13 February 1981.

A second consequence of Spanish membership was the need to negotiate the 1988 EEC-Morocco fisheries agreement,¹⁹² which included the waters of Western Sahara. The Twelve wanted to avoid formally recognising the Moroccan annexation of the territory by the back door, which was an objective of Moroccan diplomacy, while keeping the fishing possibilities open. Eventually the agreement used the expression 'waters subject to sovereignty or jurisdiction of the Kingdom of Morocco', by which the Commission hoped to avoid the issue.¹⁹³ The Moroccan authorities made the opposite interpretation: 'This distinction between jurisdiction and sovereignty amounts to a recognition *de facto* but also *de iure* of the Moroccan sovereignty over the whole of the waters from Tanger to Lagouira' (Alaoui 1994: 71).¹⁹⁴ The division into zones contained in the annexes made it clear that the agreement did affect Western Saharan waters (Juste Ruiz 1988: 753-755) and the European Commission had to face considerable criticism in Parliament. If there still was any doubt, the following agreement, signed in 1992,¹⁹⁵ included in the annexes a reference to the Western Saharan port of Dakhla as 'one of the Moroccan ports' that would receive technical visits.

Despite the fact that the European Commission was negotiating under the strict supervision of the Council, and in particular under strong pressure from the Spanish executive, the government in Madrid seized the opportunity domestically to try and de-couple the fisheries issue from its position on Western Sahara. Thus, in a written answer to a parliamentary question the government claimed that: 'From the moment of Spanish accession to the EC the negotiation and signature of fisheries agreements with third countries is a competence of the Community. There is, therefore, no direct relation between

¹⁹² *Official Journal of the EC* L 181/1, 12 July 1988. See chapter 3.

¹⁹³ When asked in the European Parliament, Fisheries Commissioner Cardoso e Cunha claimed that the fisheries agreement was not about establishing territorial limits and that 'the Commission does not question International Law'. See: *Official Journal of the EC. Annex: Debates of the EP Session 1987-1988, Report of Proceedings from 13 to 17 June 1988*. See also answer by Commissioner Cardoso e Cunha on 1 April 1987 to the written question 1914/86 by Mrs Barbara Simmons of 21 November 1986 in *Official Journal of the EC* C226, 24 August 1987.

¹⁹⁴ Lagouira is the southernmost point of Western Sahara. The quotation comes from the PhD thesis written by Crown Prince Mohammed Ben Al Hassan Alaoui, now King Mohammed VI (Alaoui 1994).

¹⁹⁵ *Official Journal of the EC* L 407, 31 December 1992.

the fisheries agreement that links Morocco and the EC and our country's policy towards Western Sahara'(OID 1988: 558-559).

In 1988, Morocco and the Polisario Front reached for the first time an agreement on the Pérez de Cuéllar plan in the United Nations. The emergence of a UN consensus that coincided with the Spanish position (search for a solution agreed by both parts that ensured the exercise of self-determination by the Sahrawis) provided the background for a Spanish initiative to obtain a common declaration. In September 1988 the Twelve expressed their determination to support the UN's efforts to hold a referendum and called on the parties to contribute to a 'just and lasting peace in the region'.¹⁹⁶ This was a significant change given the fact that only Spain, Greece and Ireland had voted in favour of the referendum in the UN.

The UN consensus was also the basis for a 'Resolution on the political situation in Western Sahara' approved by the European Parliament in March 1989.¹⁹⁷ This time the European Parliament defined the issue as a problem of decolonisation, which ought to be solved respecting the right of the Saharan people to self-determination. It urged the member states and EPC to use their influence in order to implement a referendum and to encourage Morocco and the Polisario Front to enter into direct negotiations, and called on the European Commission to increase its humanitarian aid to the refugees. The European Commission reacted and started providing an increasing amount of humanitarian assistance to the Western Saharan refugees in Algeria until it became, at the turn of the millennium, the main donor and guarantor of their food security.

The Spanish government was the main promoter of declarations on the Western Sahara from the Twelve in the late 1980s.¹⁹⁸ The common European position became a foreign policy reference in the same way that UN positions already were in terms of justifying Spanish positions both before public opinion and to Morocco. The Socialist governments continued with their

¹⁹⁶ *Bulletin EC*, 9-1988, point 2.4.1., p. 60

¹⁹⁷ *Texts adopted by the European Parliament*, March 1989, Doc.A2-374/88 of 15 March 1989, pp. 20-22.

strategy of referring to multilateral declarations and initiatives instead of defending a distinct national position that might arouse Moroccan hostility. In that sense it became highly functional for Spanish foreign policy purposes that the European Parliament had made itself the advocate of the Sahrawi cause within the EC/EU, while other pro-Sahrawi member states (Ireland, Sweden, etc.) contributed to keeping the issue alive within the Council.

For Spain the ideal situation is to see its position defended within the EU while keeping the lowest possible profile, in order to avoid antagonising Morocco. Spain does, however, contribute to keeping the debate active. Within the European Union this is more or less possible, as CFSP negotiations are conducted behind closed doors and other member states are anyway ready to come forward to defend the Sahrawi cause. However, it is interesting to see how Spain did not use the Western Sahara issue to enhance its profile within the EC/EU in a similar way as it had done with the Mediterranean policy, nor did it present itself to the public opinion as the champion of the Sahrawi cause in the EC/EU in the way that Portugal did with the Timor issue, for example.

The Western Sahara has not disappeared from the bilateral relationship between Morocco and Spain, despite the Spanish attempts to upload its position to the European level, for several reasons. The first reason is that the EU position can only be very cautious. One member state, France, has been the strongest western ally of Morocco in this issue, from the start of the war, in which French troops took part to support the Mauritanian occupation against Polisario resistance (November 1977- June 1978) and provided weapons and training to the Moroccan army, until 2001 when President Jacques Chirac referred in Rabat to the Western Sahara as the 'provinces of south Morocco' (*BBC News Online*, 3 December 2001). Other member states have kept a very low profile, torn between committed parliamentarians and political activists that defend the Sahrawi cause and the will to keep friendly relations with Morocco. In the CFSP context the decided support of some openly pro-Sahrawi member countries (Ireland, Sweden, Greece) does not compensate for the reticence of the rest.

¹⁹⁸ For example, the Minister of Foreign Affairs Fernández Ordóñez confirmed the Spanish initiative behind the Madrid declaration of 23 February 1989 in an intervention in the Spanish

Another reason that keeps the issue alive is that it is still being discussed in the UN, and in that forum Morocco monitors very closely any Spanish action. The UN is the only multilateral framework where the issue can be dealt with, since the Arab League and the African Union are too divided, and seen as not neutral by the contenders, and the Arab Maghreb Union does not carry the necessary political weight. The UN is therefore the target of both the Polisario and Moroccan diplomatic manoeuvres. Spain is too committed on the issue (if nothing else, because it still is, in UN terms, the administering colonial power, as Moroccan annexation has not been recognised) to keep a low profile there, and is therefore subject to permanent Moroccan pressure.

Finally, a crucial element that maintains the Western Sahara as an unavoidable priority for Spanish foreign policy makers is the high degree of awareness and mobilisation of the Spanish civil society, reflected also in the political parties and among local, regional, national and even European MPs. The Polisario Front has been particularly successful in shaping the perception of Spanish NGOs, public opinion and the press on the issue, to the point that the Moroccan arguments are virtually absent from the political debate in Spain.¹⁹⁹ The already difficult situation of Spanish diplomacy in relation to Morocco is further complicated by the initiatives of Spanish associations, sometimes with the support of local and regional authorities, such as the symbolic 'referendum' (9-21 October 2001) organised by a group of NGOs, in which Andalusians were asked whether or not the government of Spain should unequivocally support the celebration of a self-determination referendum in Western Sahara and whether or not the Spanish government should recognise the Polisario Front as the sole legitimate representative of

parliament (OID 1989: 387).

¹⁹⁹ In other words, those who defend the need to be more understanding with the Moroccan position in the Spanish press usually do not defend it in terms of the Moroccan historical rights to the land (the main Moroccan argument), but considering the importance of good bilateral relations, or criticising the Polisario marxist ideology and organisation. The failure of the Moroccan government to explain its case in the Western Sahara issue to Spanish public opinion was signalled in many of the interviews conducted with journalists, academics and European diplomats.

the Sahrawi people. About 97% of the roughly 125,000 ballots cast answered positively (*El País*, 29 October 2001).²⁰⁰

6.2. Ceuta and Melilla

If the study of the relation between colonialism and European integration is relatively underdeveloped, there is a particular aspect which is even less studied than the rest: that of the remnants of the European empires, that 'confetti of empire' (Groom 1997: 21) that some member states still keep. This mainly includes two types of territories: the extra-European territories that are considered an integral part of European member countries²⁰¹ and the 'Overseas Countries and Territories' (OCTs), 20 territories scattered around the globe and under the sovereignty of four member states.²⁰² There is still one more exception, that of Gibraltar, that 'pebble in the EU's shoe' (Groom 1997) that constitutes the oddity of the last colony in Europe, belonging to one member state and claimed by another member state.

Ceuta and Melilla, the two Spanish North African cities, became an integral part of the EC/EU by virtue of Spanish accession in 1986. Remarkably enough, one year afterwards Morocco's application to EC membership 'was dealt with in no uncertain terms, Rabat was told that the organization was open only to Europeans, and that was that' (Neumann 1998: 400). The Spanishness of the two cities, and by extension its Europeanness, was to be consolidated by Spanish accession to the EC, so that the European Flag would fly 'in the very same region which the EU itself has defined as non-European' (Hansen 2002: 490).

²⁰⁰ Although the referendum had no official validity whatsoever, nor any backing of the central government, the initiative did garner much coverage in the Spanish press. Some of the polling stations were located in public buildings, including one in the regional parliament main building in Seville. In parallel 150 Andalusian local governments made institutional declarations and the regional Parliament voted a resolution. All this caused outrage in Morocco, where the press accused not only the Andalusian government but also the Madrid government of being behind the whole event.

²⁰¹ This first category includes the four overseas departments (DOM) of France (Réunion, Guadeloupe, Guiana and Martinique) and the cities of Ceuta and Melilla.

²⁰² There are 11 British OCTs (Anguilla, Montserrat, British Virgin Islands, Cayman Islands, Turks and Caicos Islands, Falkland Islands, South Georgia and the Sandwich Islands, Saint Helena and dependencies, British Antarctic Territories, British Indian Ocean Territories and Pitcairn), 7 French OCTs, known as TOM (Mayotte, New Caledonia, French Polynesia, St. Pierre and Miquelon, Southern and Antarctic Territories, Wallis and Futuna islands), 2 Dutch (Aruba and the Dutch Antilles) and 1 Danish (Greenland). (European Commission 1999)

Ceuta and Melilla as an integral part of democratic Spain

Ceuta (72,000 inhabitants, 19.5 km²) and Melilla (62,000 inhabitants, 12.5 km²) are two towns, 250 km apart, that, together with the lesser enclaves, 'constitute the total of Spain's remaining possession in North Africa' (Marquina 1987:114), totalling 33 square kilometers. The two cities have been in Iberian hands since the fifteenth century, when the peninsular kingdoms completed the Reconquista with the creation of an advanced line of defence in North Africa; the other enclaves (the island of Alhucemas, the Rock of Vélez de la Gomera, and the Chafarinas Islands) are nowadays only occupied by military staff, and their original function was to ensure communication between the cities and their defence (Marquina 1987).

The terms of the dispute are well known. For Spain Ceuta and Melilla, unlike its other African possessions, never were considered a colony or a part of the Protectorate. The cities were incorporated to the Spanish crown when Spain was already a national state and Morocco could not be considered a unified political entity. Moreover, in several treaties signed with the Moroccan sultans since the 18th century the latter acknowledged Spanish sovereignty over the cities. Morocco argues the contrary: even though Spanish presence dates from a very long time ago, the cities were Moroccan when they were taken by the Portuguese (who took Ceuta in 1415) and Spaniards (Melilla, 1497). The sultans may have included Ceuta and Melilla in some treaties but certainly the history of both cities is one of regular sieges and attempts to expel the European from North African soil, which was achieved in all other Iberian possessions. Morocco's territory will not be complete until those two cities are united with the Alawi Kingdom.²⁰³

It is not our intention here to make a historical survey of the issue of the two cities. But the arguments above show a fundamental clash between Spanish and Moroccan definitions of their status. The Moroccan claim is not linked to

²⁰³ There are numerous texts published in order to defend one position or the other, and their analysis is beyond the scope of this work. For a general exposition of the arguments see del Pino 1983. For a detailed exposition of the Spanish position presented by a Spanish diplomat see Ballesteros 1998.

a particular situation or negotiating strategy; it has been voiced ever since Moroccan independence in 1956 and is likely to continue for a long time. It is based on the principle of territorial integrity and geographical contiguity, very much like the Spanish claim on Gibraltar, even though their situation from the international law point of view is different.

In her work about irredentist disputes, Karin Von Hippel (1996) studied the case of Ceuta and Melilla. She identified one major domestic factor, the army, as the most important element of the explanation for the Spanish decision not to negotiate the status of the city and to defend sovereignty over the cities with all available means, including force. Under Franco the army had a particular fondness of the cities: the General launched the failed coup that led to the Spanish Civil War from North Africa, and during his regime 'Spain adamantly defended its position in the two cities, primarily because of the power and influence wielded by the army in domestic politics' (von Hippel 1996: 159). Von Hippel considers that the conservative elements of the army were responsible for Spain's inflexibility as far as the sovereignty over the cities was regarded and quoted the increases in defence expenditure in the 1980s and the large amounts of soldiers stationed in the cities²⁰⁴ as examples of the army's influential role in Spanish politics.

However, we have found no indication that other actors in the democratic Spanish political scene are less attached to the defence of the sovereignty over the two cities. The diplomatic service, the main political parties and leaders (with the temporary exception of the Communist party), and the Parliament, have not been less resolute in their defence of Spanish sovereignty. Certainly the situation of the two cities needed to be consolidated when democracy arrived, both in order to overcome the military predominance in the discussions about them and in view of the events in Western Sahara. And a role had to be found for those two cities in a new, decentralised and democratic Spain.

²⁰⁴ According to her own calculations, between 7 and 10 per cent of all the army was stationed in the two cities between 1971 and 1995, with two peaks in 1981 and 1991 (von Hippel 1996: 165).

The occasion came with the drafting of the Spanish Constitution in 1978. The Constitution stipulates that the Spanish nation is indivisible (art. 2), and that the army is the guarantor of Spain's territorial integrity (art. 8.1). But, as it is often the case in modern constitutions, the exact territory of that Spanish nation is not directly defined. However, in two articles about the Parliament and the Senate and their composition (62.2 and 69.4 respectively) the cities are directly mentioned. Any proposal to change the status of the two cities would therefore entail a reform of the Constitution, which would need a 3/5 majority in both chambers, and arguably even a nation wide referendum.²⁰⁵ The young Spanish democracy fully embraced the argument that both cities were as Spanish as any other and acted in consequence.

The issues related to Ceuta and Melilla are therefore considered internal politics, and the official position of the Spanish government is that there is nothing to be negotiated with Morocco inasmuch as the sovereignty issue is concerned. In the first years of Socialist government the right wing opposition demanded a more energetic defence of the Spanishness of the two cities and the extreme left asked for a cession to Morocco; the government had to face some doubts within the PSOE itself (García Flores 1998: 29-30). However, the Spanish foreign service remained vigilant and made all efforts to avoid an internationalisation of the issue. In their first period the Socialists in power finally embraced without reservations the idea that Ceuta and Melilla were and should remain Spanish cities with their full rights. This confirmation was exactly what Morocco did not want and it undertook several initiatives to pressure Spain during the 1980s.²⁰⁶

The Spanish government worked to consolidate the situation in several ways. It kept a strong military presence in the two cities, a gesture of a more

²⁰⁵ The Spanish Constitution has been modified to adopt some of the dispositions of the Maastricht Treaty without a popular referendum, so it is not unthinkable that this requirement could be skipped.

²⁰⁶ For example the presentation by the Moroccan Progress of Socialism Party of a resolution to the meeting of Mediterranean leftist political parties in Belgrade in July 1984 (which the PSOE delegates were able to abort, with the help of other European parties and the Polisario Front), Ghadaffi's declarations about a hypothetical Libyan intervention in case of a Spanish-Moroccan conflict in a time of Libyan-Moroccan alliance (*El País*, 22 December 1984), or a resolution of the Libyan-Moroccan Union Parliament calling for the 'liberation of the Moroccan lands of Ceuta and Melilla' (García Flores 1998: 32-34)

symbolic than strategic meaning, since their territory is too vulnerable for territorial defence. Moreover, the army was reorganised to face an attack from the south. Spain made no secret of its purchases of sophisticated equipment that would serve as a deterrent of any possible Moroccan aggression. To those somewhat threatening strategies was added a new set of initiatives of military co-operation with Morocco, including arms sales, joint exercises and information exchange. This co-operation was reassuring to the Spanish military in that they would know in advance the equipment and tactics of the Moroccan army.

The preparations for accession to the European Community brought unexpectedly into the light the internal situation of the two cities. As we have seen in chapter 5, in 1985 the 'Alien's Law' (*Ley de Extranjería*) was approved in order to bring Spanish immigration regulations up to European standards, and it was focused on dealing with non-EU nationals already in Spain rather than improving border controls (Gold 2000: 93). The law had an unforeseen effect in the cities of Ceuta and Melilla and in the relations between their communities. According to the new law, 10,170 (83.6%) of the Muslims of Ceuta and 14,049 (82.5%) of those of Melilla were foreigners (INE 1987), even though many of them had been born in the cities. The Muslim communities of both cities, 23% and 34% of the total populations of Ceuta and Melilla, respectively (Carabaza and de Santos 1992: 94), started to mobilise in order to avoid becoming illegal and thus subject to possible deportation; soon thereafter the Christian population of the cities demonstrated for a strict application of the law. A tense period of communal tensions between 1985 and 1987 witnessed some of the worst intercommunal disputes in those cities that are in themselves a micro-cosmos of the Mediterranean diversity (Driessen 1992: 189).

As tensions grew and violent incidents with the police attracted media attention, the Istiqlal party in Morocco led the mobilisation in solidarity with the 'oppressed brothers' in the enclaves and compared Spanish policy with

those of Israel and South Africa (*El País*, 10 February 1986).²⁰⁷ The Moroccan government kept a relatively low profile in the issue in order to maintain good relations with Spain, but they did support two Muslim leaders from Melilla who went from claiming equal rights for Muslims to advocating the Moroccan character of the city. The relative moderation of the Moroccan government was in part the result of the policy of friendship and co-operation pursued by the Spanish government since 1982. It was also a proof of the instrumental use that the regime made of the claim, a secondary cause in comparison with other issues, in particular Western Sahara. Finally, it reflected the new situation created by Spanish accession to the European Union, which provided new incentives for Morocco to co-operate with Spain.

The Spanish government treated the issue mostly as a matter of law and order, and eventually also as one of unequal rights, but always as a strictly internal question. The initiatives taken in relation to the crisis came almost invariably from the Ministry of Interior, and despite the evident risk to Spain's international image and stance, very little influence seems to have been exerted by the Foreign Ministry.²⁰⁸ The solutions for the short term (special regulations for the residence issue, reestablishment of public order) and the longer term (infrastructures and investment, approval of the Statutes of Autonomy) did not involve an international or bilateral dimension in any sense (OID 1987: 221).²⁰⁹ Accession to the European Community had thus its first impact on the situation in the cities, but the Spanish position hardly changed in relation to the main issue, that of sovereignty.

²⁰⁷ Rachid el Houdaïgui describes Moroccan political parties as being marginalised in the decision-making process of Moroccan foreign policy. For that reason they have sometimes tried to act as a counter-balance but by the 1980s King Hassan II had established such firm control over foreign policy that it is unthinkable that any major initiative in that field could be sustained for long without at least his acquiescence (El Houdaïgui 2003: chapter 1).

²⁰⁸ In December 1986 an editorial in the newspaper *El País*, close to the Socialist party, complained about the lack of a global policy towards Morocco and the lack of consideration of the Ministry of Interior for global foreign policy, mainly referring to events in Melilla (*El País*, 15 December 1986).

²⁰⁹ By contrast, in a survey carried out in February 1987 the perception of a relative majority of Spanish public opinion (44%) was that the turmoil in Melilla had to do with demands for independence, and only a minority (25%) thought they were concerned with equal rights for the Muslims (López García 1992: 151)

Outposts of Europe

Accession negotiations to the EC provided the opportunity to correct a failure of Spanish diplomacy in the early 1980s in relation with Ceuta and Melilla: the exclusion of the cities from NATO. 'Accession to NATO in 1982 – in the hope of a part of Spanish public opinion – should help Spain recover Gibraltar, reinforce the Spanish character of Ceuta and Melilla and would definitely dispel the threat of "africanisation" of the Canary Islands' (Hernando de Larramendi 1992: 154). But as the UCD governments hastily negotiated accession to NATO they failed to obtain a specific coverage under the organisation for the cities of Ceuta and Melilla. According to article 6 of the Washington treaty, all the Spanish territory on the peninsula as well as the Balearic and Canary Islands were covered, the Canary Islands being well north of the Tropic of Cancer, that marks the line between islands covered by the treaty and those excluded. However, Ceuta and Melilla are on mainland Africa, and therefore excluded from coverage.²¹⁰ That failure stood in stark contrast with the special dispositions obtained by France in 1949 in relation to Algeria and by Turkey in 1951 for its mainland Asian territory.

This failure is in part the result of the haste with which the negotiations were conducted: the UCD government, sensing that it would not win the elections, wanted to agree on the conditions of accession before the end of its mandate. Morocco exerted pressure on the United States, with whom important defence contracts had just been signed, and the latter did not want to find itself in opposition to Morocco in case of a conflict.²¹¹ The other allies also preferred to exclude the cities. After accession Spanish diplomats exerted pressure in Brussels to obtain some political guarantees but only obtained an unambiguous declaration from Joseph Luns, then NATO secretary general, that Ceuta and Melilla were not part of NATO (García Flores 1998: 56-57).

²¹⁰ Paradoxically the lesser enclaves, which are islands, are technically covered by NATO.

²¹¹ The arrival of Ronald Reagan in the US Presidency signalled the start of one of the warmest periods of the historically friendly American-Moroccan relations. The American ambassador to Morocco singled out Morocco as 'the primary example of how America supported a proven ally and friend' (*The New York Times*, 1 February 1983). This support was particularly obvious in the Western Sahara conflict, but also extended to a certain degree to relations with Spain, as the American-Moroccan manoeuvres in Al-Hoceima showed at the start of the socialist period (Zunes 1998).

Exclusion from NATO had more political than strategic relevance. Any attack on a Spanish ship or plane, or on the lesser enclaves, just off the cities would be enough for Spain to deserve NATO assistance. Moreover, NATO membership has brought a modernisation of Spanish troops, and permanent contact with other allies, that have thus become aware of the issue and have been exposed to the Spanish point of view. Politically, however, the fact that the two cities are not a part of NATO gives exactly the sort of message of exceptionality that Spanish government wants to avoid.

Thus, negotiations for accession to the European Community provided the opportunity for Spain to get some sort of further 'international certification' of its sovereignty over the two cities. A second and contradictory concern was to maintain a relatively low profile for this issue to avoid a Moroccan negative reaction and adverse publicity.²¹² Finally, the main concern in the negotiations was the preservation of the special economic status of the enclaves that, like the Canary Islands, enjoyed a very generous fiscal regime in order to compensate their economies for the difficulties imposed by their geography.

The second protocol of the Treaty of Accession of Spain to the EC ensured that the cities of Ceuta and Melilla, like the Canary Islands, would get a special treatment, and in particular they would not be part of the EC customs union, although their products would be exempted from the common custom tax, subject to a series of rules of origin, when entering the EU. The main differences with the rest of the EC territory include the free movement of goods, the exemption from VAT, trade policy (the common external tax does not apply for goods entering the cities) and Common Agriculture and Fisheries Policies (Planet Contreras 1998).

All the exemptions, combined with the generous national and local tax provisions for the cities,²¹³ could not avoid the progressive decline of the two

²¹² The Spanish Minister of Foreign Affairs made that clear in front of the Foreign Affairs Committee of the Spanish Parliament when he explained that the government was working to establish a link between the situation in the Canaries and that in Ceuta and Melilla. 'If technically this is possible', he said, 'politically we are not doing it very openly for a reason that everyone can understand.' (OID 1985: 318)

²¹³ The cities are not only exempted from VAT, but also from special alcohol and petrol taxes. They also enjoy a 50% reduction of personal taxes over profit obtained on the cities by residents or non-residents, a 50% reduction of taxes over any profit obtained by residents that

cities' economies. The cities have often had the dubious honour of having the highest unemployment rates in the whole European Community, well above both the EC and the Spanish average. In 1999 the official unemployment rate in both cities was 27.3% in Ceuta and 22% in Melilla.²¹⁴ The difficult economic situation made the cities qualify for the maximum level of regional aid from the EC, being considered 'Objective 1' regions.

The European Regional Development Fund (ERDF) has invested generously in the cities (see Table 6.1 below), and to its investment we must add part of the 101,3 MECU of the Interreg 2 programme for transborder co-operation between Spain and Morocco, a substantial part of which went to the two cities.²¹⁵ The EC is therefore an important economic agent in the efforts to address the specific economic challenges that characterise the two cities (geographical isolation, lack of land and natural resources, excessive concentration on the services sector, deficient infrastructure, poorly trained workers, etc.) and that add to their vulnerability.

Table 6.1 European Regional Development Fund investment in Ceuta and Melilla (in MECU/MEUR)

Period	1989-1993 (MECU)	1995-1999 (MECU)	2000-2006 (MEUR)
<i>Ceuta</i>	49.2	47.4	77.1
<i>Melilla</i>	72.1	42.1	58.4

Sources:

- For the 1989-1993: European Commission, Representation in Spain 1995 Ceuta y la Unión Europea, Madrid and European Commission, Representation in Spain 1995 Melilla y la Unión Europea, Madrid.
- For the 1995-1999 period: European Commission 1994 INFOREGIO Sheets N° 94.11.09.012 and 94.11.09.013.
- For the 2000-2006 period: European Commission Objective 1 Programme for Ceuta and Objective 1 Programme for Melilla in the EC website (<http://europa.eu.int>)

have more than a third of their patrimony in the cities and also a 50% reduction of the Societies tax. Those national benefits are complemented by ones offered by the local authorities.

²¹⁴ As calculated by the National Statistics Institute (INE) on the basis of an employment survey (EPA) rather than on the basis of unemployed people inscribed in job centers (INEM).

²¹⁵ INFOREGIO Sheet N° 94.00.10.002.

It is interesting to see that the EC/EU has not hesitated to embrace Ceuta and Melilla as its own territory despite the fact that the political sensitivity of the issue is well known to all member states. Whereas most extra-European territories of member states are not considered part of the EU (European Commission 1999), Spain has opted for a model which until its accession only the French overseas departments had: Ceuta and Melilla are considered an integral part of the EU. This is partly in contradiction with all the exemptions that Spain negotiated for them. Its significance is however both economic (structural funds are only available to EU territory, not to OTCs) and political: unlike NATO, the EU makes no exception of Ceuta and Melilla. The absence of controversy around this issue in the EC has a double explanation: the presence of a pre-existing model of extra-European EC territories (the French DOM) and the fact that the main advocate of Moroccan interest within the EC, France, was precisely the member state with least interest in opening a debate about non-European territories. The EC/EU does therefore provide the extra legitimacy to Spanish sovereignty over Ceuta and Melilla that Spain failed to obtain from NATO.

The fact that the EC/EU defined Ceuta and Melilla as a part of its territory did not modify substantially the bilateral situation. Morocco still considered that Spain should enter into a bilateral negotiation, or at least some sort of dialogue about the sovereignty over the two cities; it never considered this issue to be a topic to be negotiated directly with the EC/EU. Equally, the European Commission, the European Parliament and the other member states never considered that the dispute about the sovereignty of the two cities was a matter that should feature in any way in the EU/Morocco relationship. Despite the strong symbolic and economic backing that represented the EC/EU presence in Ceuta and Melilla, the underlying dispute remained an issue between Morocco and Spain.

This was made clear by Morocco's reactions and pressure during the process that would give to the two cities their own statute as autonomous cities

(*ciudades autónomas*) in the early 1990s. During the negotiation between political parties in Spain, and in particular in its late phase in 1994, Morocco increased the pressure fearing that the consolidation of a territorial model for the cities would strengthen their attachment to Spain. The statutes of autonomy give the cities less powers than those enjoyed by the autonomous communities (regional governments). In particular they do not grant their assemblies legislative powers. Both statutes start with an unequivocal statement: 'Ceuta (Melilla), as an integral part of the Spanish Nation and within its indissoluble unity, accedes to its self-government regime (...)'.²¹⁶ Their approval in February 1995 completed the constitutional organisation of the Spanish territory and reduced the exceptionality of the cities within the Spanish regional structure.

The fact that Morocco did not provoke a major crisis when the statutes were approved had to do with secret bilateral agreements and generally good mutual relations,²¹⁷ but also with the delicate moment for the Moroccan government, which was simultaneously negotiating the Euro-Mediterranean Association agreement and the fisheries agreement with the EC (García Flores 1998: 46-47; Gold 2000: 50). Even though the issue remained in the bilateral sphere, the Moroccan government could not ignore the added leverage that Spain now had because of its membership in the EU.

In conclusion, with accession to the European Community new opportunities opened for Spanish diplomacy to reduce the tensions caused by the issues of the Western Sahara and of Ceuta and Melilla in the bilateral relationship, while at the same time reinforcing Spain's firm stance on the issues. While the general framework of relations improved considerably with enhanced co-operation and the adoption of a role of advocate of Moroccan interest in the

²¹⁶ *Estatuto de Autonomía de Ceuta*, art. 1, and *Estatuto de Autonomía de Melilla*, art. 1. The reference to the 'indissoluble unity of the Spanish Nation', which refers to art. 2 of the Spanish Constitution, can be found in the Autonomy Statute of 6 of the 17 autonomous communities (Andalucía, Murcia, Extremadura, Castilla la Mancha, Comunidad Valenciana and the Canary Islands).

²¹⁷ The daily newspaper 'El Mundo' reported in September 1994 a secret deal between the Spanish Foreign Minister Solana and the Moroccan Prime Minister Filali to prepare a lukewarm Moroccan response to the statutes (*El Mundo*, 21 September 1994).

EC by the Spanish executive, Spain consolidated the position of Ceuta and Melilla in its own internal structure as well as in the EC/EU.

6.3 The Parsley island incident

The CFSP and its predecessor, the EPC, have been widely criticised because of their limitations. The CFSP in particular, because of its promise of a common foreign policy, created a wave of disappointment resulting from the gap between the expectations it arose and the capabilities it actually had to achieve a real impact, in particular in the convulsed Balkans of the early 1990s (Hill 1993). The Parsley island incident of 2002 further put in question two crucial issues within CFSP: solidarity and leadership (Monar 2002). The incident took place in July 2002, when Moroccan policemen set foot on a tiny deserted islet that both Morocco and Spain considered their own, and raised the Moroccan flag. This triggered a major reaction from Spain, including a military operation that brought to Spain's occupation of the island. The incident only concluded after Colin Powell, the US secretary of state, brokered a deal that allowed lead to Spain's withdrawal and the return to the *status quo ante*.

Despite its very limited military extent, the incident became a major diplomatic issue. The situation of a member country involved in an international crisis because of its extra-European territories had been faced before in the EC, for example with France in Algeria and Britain in the Falklands. But the Parsley island crisis was a crucial test for the CFSP and its revamped institutional structure at the start of the new millennium.

Spain expected and demanded unreserved support from its European allies, and it mostly found it, in particular as long as it could portray Morocco as the aggressor and the one who had broken the *status quo*. Its position became harder to defend when Aznar's government took the offensive; some actors, such as France or the European Commission, were not ready to back that move unreservedly. This, and the fact that the final solution could only be found with a mediation from Washington, cast serious doubts about CFSP's ability to deal with international crises.

From the Spanish policy point of view the Parsley island incident was part of a wider bilateral crisis that extended from autumn 2001 to January 2003. This crisis dispelled many illusions about the state of relations with Morocco, and in particular about the effects of Europeanisation on those relations. It tested both dimensions of Europeanisation: projection, i.e. the degree to which Spain could use EU instruments to defend its own instruments, and reception, i.e. the degree to which membership in the EU had changed Spanish perceptions, decision-making mechanisms and the definition of its interests.

The end of an illusion

The signature of the Treaty of Friendship, Good Neighbourliness and Co-operation in 1991 seemed to promise the start of a period of particularly friendly relations with Morocco, but issues like the Moroccan campaign against the statutes of autonomy and the eruption of migration issues in the bilateral agenda partly dispelled that hope. That would be the case again after the Barcelona process. Three texts were signed in November 1995: the EC-Morocco Fisheries agreement, the EU-Morocco Euro-Mediterranean Agreement and the Barcelona Declaration. In principle those three texts should have provided the framework at the heart of which should stand a strong link between Spain and Morocco. But slowly old and new problems started to surface and illustrated the contradictions inherent in the relationship.

The Socialist team that had built, with mixed success, the foreign policy of a democratic and European Spain left government in March 1996, six months after the Barcelona Conference. The arrival of the Popular Party (PP) in power did not seem to presage major changes, although the party had taken a harder line on the issue of Ceuta and Melilla. Prime Minister Aznar, just like Felipe González, chose Rabat for his first visit abroad, the agreements were ratified and co-operation with Morocco seemed to be finally on track. But the environment changed gradually, partly as a result of a certain 'neglect' by the PP government (Gillespie 2004: 2): Abel Matutes, Aznar's first foreign minister, stopped over in Rabat just once, compared to his predecessors one or two visits a year (El País, 15 November 1999).

One of the first issues to worsen the climate between the two partners was that of immigration. The continuous arrival of immigrants with the accommodation, human rights, and public order concerns that arose created a sense of resentment in the enclaves against what was seen as the Moroccan government's lack of interest in stopping illegal migration. As we saw in the last chapter, the Spanish government made that latter point a priority in its dealings with Morocco. Meanwhile it resorted to a solution that the PP, now in government, had been advocating since the early 1990s: an upgrading of the border fences from the ineffective wire fence put in place in 1986 to a fully fledged system of control, largely paid for with EC funds (Gold 2000: 130-131).

Very little consideration seems to have been given by the Spanish government to the psychological effect of such an endeavour on the Moroccan side. An observer noted that, as outposts of the Schengen space, 'Ceuta and Melilla have once again reverted to their original strategic roles, as a *cordon sanitaire* against a new "invasion" from Africa, this time from impoverished migrant workers' (Carr 1997: 64). Migration did not stop, and although a police report in June 2000 confirmed a massive reduction of entrances in the two cities,²¹⁸ evidence showed that migration routes had simply changed, now favouring sea entry to the enclaves, the Canary Islands and Andalusia. In this context migration continued to be a factor causing tension between Spain and Morocco, with Spanish officials becoming more strident in their demands on Morocco, from 2000 onwards. Tension was further heightened by Aznar's visit to Ceuta and Melilla in January 2000 and the unseating of Mustafá Aberchan, Melilla's first Muslim mayor, in July 2000, one year after his accession to the post.

In 2001 the elements of conflict in the bilateral relationship started to converge. In the Sahara issue the UN special envoy, James Baker, presented a new plan that favoured Moroccan aspirations: a plan which proposed a period of 4 to 5 years of limited autonomy under Moroccan sovereignty followed by a referendum with an enlarged census to confirm the final status of the

territory. The plan was endorsed by France, which was no surprise, but also by the United States and the United Kingdom, despite the fact that the Polisario Front rejected it. In this context Morocco perceived Spain as one of the last obstacles to the approval of the plan, which Rabat saw as the way to an international confirmation of its sovereignty over the disputed territory.

In April 2001 the break-up of negotiations for a new EC-Morocco fisheries agreement triggered a series of threatening declarations by cabinet members, including Prime Minister Aznar. During the summer senior officials from the Interior and Foreign Affairs Ministries issued ever more hostile declarations about the immigration issue in the face of the largest wave of *pateras* landings on the Spanish coast ever. Meanwhile, in the EC, Spanish officials pressed for a restrictive interpretation of the agreement that allows Morocco to export limited amounts of tomatoes to EC member states, and showed no sign of relaxing its position in the face of the upcoming revision of the agriculture chapter of the Association Agreement due that same year. During the summer the leading Spanish newspapers published several articles indicating disappointment with the new King of Morocco, Mohammed VI, for his failure to reform, including fostering the democratic process and the freedom of press.

The first warning sign from Morocco came on 4 September 2001: King Mohammed VI, in an interview with the French newspaper *Le Figaro*, contested vigorously the criticism that officials from the Spanish ministries of Foreign Affairs and Interior had been voicing,²¹⁹ and pointed to Spain as being partly responsible for both illegal immigration and drugs smuggling.²²⁰ He rejected all parallels between his own role in Morocco and that of King Juan Carlos in Spain,²²¹ and made it clear that reforms in Morocco would

²¹⁸ From around 50 entries per day for each enclave in 1999, the average went down to less than one per day one year later (Gold 2000: 131).

²¹⁹ 'We don't accept that Madrid says that all the difficulties faced by Spain originate in Morocco' (*Le Figaro*, 4 September 2001).

²²⁰ 'The responsibility (for drugs smuggling and international migration) is shared. But from the Moroccan side, it is mainly a question of lack of means.' (ibid.)

²²¹ 'The Spanish monarchy has nothing to do with the Moroccan monarchy. Moroccans never were like anyone else, and they do not ask anyone else to be like them.' (ibid.)

proceed 'at a Moroccan pace'. Indeed, he explicitly named France as the advocate of Moroccan interest within the EU, with no mention of Spain.

On 28 October 2001 the Moroccan government recalled its ambassador to Madrid for consultations, making official the start of the worst bilateral crisis since the Green March of 1975. The Ambassador was to remain in Rabat until January 2003. Although no official explanation was given for the gesture, the Spanish declarations after the end of the fisheries negotiations, the position on the Western Sahara issue, the immigration crisis and a general upset mood about the state of bilateral relations were considered the main factors behind the Moroccan gesture. In particular, the fact that Spain sustained that any solution to the issue should be approved by both sides, when not only France but even the USA and the UK seemed ready to support Morocco, was thought to be the main cause for the withdrawal, to days before King Mohammed VI's first visit to the Western Sahara. Spanish attitude in the UN as well as in the EU, where it thwarted a French attempt to move European policy on the Sahara towards the 'autonomy' solution proposed in the Baker plan, seems to have been one of the triggers of the crisis (*La Vanguardia*, 29 October 2001).

The Spanish government considered that the Moroccan government had started the crisis and did not feel the need to change policy. The crisis was further aggravated with the visit in December 2001 of the head of the opposition, PSOE leader José Luis Rodríguez Zapatero, to Rabat, which attracted criticism from the Spanish government, and by the false information (initially confirmed by the Spanish government) that Felipe González, the former Prime Minister, had met secretly the Moroccan Prime Minister and King Mohammed VI without informing the government (*El Mundo*, 25 February 2002).

The Parsley Island crisis

On 11 July 2002, while the Kingdom of Morocco celebrated the wedding of its new King, twelve Moroccan gendarmes landed on a tiny rocky islet 300 metres off the Moroccan coast, 11 km west of the centre of Ceuta, and raised

the Moroccan flag. The island, known as Layla in Berber, Toura in Arabic, and Perejil (Parsley) or Coral in Spanish, had remained for a long time in relative obscurity, and it was mentioned in very few texts because of its minute size and lack of population or strategic relevance.²²² The 'occupation' raised alarms in Madrid, where the government was afraid of a precedent being set for the other Spanish North African enclaves. The Ministry of Foreign Affairs demanded in a *note verbale* that the *status quo ante* be immediately restored by Morocco on the very day of the Moroccan landing. Within three days five warships, two submarines, surveillance planes and assault helicopters had been deployed and the defences of all the North African enclaves reinforced.²²³

Initially Spain had hoped for a bilateral solution, and it asked the EU not to intervene. Thus, the first reactions of the European Commission and the Council Secretary General, Javier Solana, on 12 July were relatively mild, hoping for a bilateral solution based on dialogue. But as Morocco made clear that it had no intention of leaving the island, the Spanish executive changed its tactics and asked the Danish Presidency for open support (*El País*, 15 July 2002). The declaration issued by the Presidency expressed its total solidarity with Spain,²²⁴ demanded Morocco's immediate withdrawal and pointed to the North African country as the initiator of the crisis. Romano Prodi, President of the European Commission, contacted the Moroccan Prime Minister by phone and reminded him that 'Europe contributes in a decisive manner to the economic development of Morocco' (*El País*, 15 July 2002). Similarly NATO, which on 12 July had declared the conflict to be a 'strictly bilateral problem', reacted to the new Spanish request by describing the Moroccan

²²² Notably the Hispano-French Treaty of 1912 that marked the limits of the Spanish Protectorate did not mention the island. Morocco considered that it became Moroccan territory in 1956, whereas Spain seemed to consider it its own, albeit inconsistently: military maps and official atlases included or excluded it in different occasions. (Egurbide and Rodríguez 2002; González 2002).

²²³ Including, significantly, those islands that did not have a permanent military presence like some of the Chafarinas Islands.

²²⁴ The Danish Presidency consulted some member states about the issue, in particular Great Britain, which was deemed to have a direct interest in the issue because of the proximity to Gibraltar. However France was not consulted, which triggered a protest by the French government afterwards (Yáñez 2002). Declaration in: *OID Declaración de la Presidencia de la UE* nº9116, Brussels, 14 July 2002.

occupation as an 'unfriendly gesture' and demanded the immediate restitution of the *status quo* (*El País*, 16 July 2002).

After an initial hesitation, Spain, in parallel with the bilateral contacts, had opted for a display of military and diplomatic strength, and had achieved the backing of its allies. On 16 July the Moroccan government, surprised by the firmness of the Spanish and European reaction, issued an official declaration in a defiant tone, calling Ceuta and Melilla 'occupied cities' and Parsley Island a 'liberated' territory (*El País*, 17 July 2002).²²⁵ The same day the Spanish ambassador to Rabat was called back to Madrid. Negotiations were not interrupted, and the United States was asked by Spain to act as a mediator. Thus, while official declarations remained confrontational, an agreement seemed at hand on the evening of Tuesday, 16 July: Morocco would withdraw from the island on the condition that Spain would not re-occupy it; afterwards a dialogue including this and other problems would be opened (*El País*, 18 July 2002).

The day after (i.e. 17 July, six days after the Moroccan landing) Spain surprised not only its southern neighbour but all of the international community by sending 28 soldiers in three helicopters to occupy the island. In less than an hour the Spanish flag had replaced that of Morocco and the operation had been completed without any casualties.²²⁶ The Moroccan authorities were surprised and outraged by the gesture, that amounted to a 'declaration of war',²²⁷ especially as they had assumed that the issue would have been solved by that same morning.²²⁸

²²⁵ If that language may be common in international fora like the United Nations, it was new in a bilateral framework (Sanz 2002).

²²⁶ The six Moroccan soldiers that had replaced the gendarmes who had initially taken the island presented no resistance, were captured and sent back to Morocco via Ceuta less than four hours after the assault of the islet.

²²⁷ The Moroccan Foreign Affairs Minister declared that 'The Spanish occupation constitutes a blatant violation of the 1991 Hispano-Moroccan Treaty of Friendship, Good Neighbourliness and Co-operation and a denial of international legality; it constitutes a despicable act and amounts to a declaration of war.' (*El País*, 18 July 2002).

²²⁸ According to the Moroccan Foreign Minister Mohammed Benaissa an agreement had been reached with Foreign Minister Ana Palacio on that night and witnessed by the American ambassador to Rabat. The only disagreement was that the Spanish Foreign Minister demanded that the agreement be ratified by the Moroccan King by 4 AM, Rabat time. But at

External support for Spain was to be tested again. The executive told its European partners about the actions almost immediately, and got expressions of solidarity from almost all of them. However in the Political and Security Committee the French representative opposed the publishing of a declaration in order to preserve good relations with Rabat, and the Italian representative supported him in general terms. The European Commission reacted through a declaration of its President that had been previously agreed with Prime Minister Aznar: the Commission was still worried about the situation, wanted a return to the *status quo* and a dialogue between Spain and Morocco, and showed its disposition to contribute to this dialogue. By contrast the NATO spokesman expressed satisfaction with the fact that *status quo* had been restored and the Danish ambassador to NATO pointed out that his country had demanded the Moroccan withdrawal.

The same two actors, France and the European Commission, insisted that Spain should withdraw from Parsley Island, and on the need for bilateral talks, although they expressed their solidarity with Spain (*El País*, 19 July 2002). In view of this, Spain did not seek any further declarations or support from the EU and turned again to American mediation. The United States had been cautious not to condemn either occupation of the island, and had kept its options for a mediation open. A new agreement was reached on 20 July 2002 thanks to the direct intervention of the American Secretary of State, Colin Powell. So much was the agreement the product of American diplomacy that it was announced in Washington by the Department of State.²²⁹ That same evening the Spanish troops withdrew from the islet and two days later the Spanish foreign minister visited Rabat in order to discuss the issue bilaterally with her Moroccan colleague.

The bilateral crisis did not end immediately after the episode. In September the two foreign ministers were supposed to meet again, but the meeting was

that time of night it was not possible to get the royal confirmation (*El País*, 19 July 2002). At 4:21 AM, Rabat time, the Spanish helicopters reached Parsley island and started the assault.

²²⁹ The joint statement issued by the Spanish and Moroccan Foreign Ministers two days later made direct reference to the intervention of Colin Powell in the agreement: 'The Ministers [...] have formally confirmed the agreement [...] as interpreted by the Secretary of State of the United States of America, Mr Colin Powell, on 20 July 2002.' *OID Comunicado* nº 9120, Madrid, 22 July 2002.

cancelled; in October a Hispano-Algerian rapprochement was met with suspicion in Rabat, which saw it as a warning sign from Madrid. But after October 2002 relations went progressively back on track. On 11 December 2002 the foreign ministers met in Madrid and paved the way for a normalisation with the creation of working groups and a restoration of the level of co-operation provided for by the Treaty of Friendship, Good Neighbourliness and Co-operation.²³⁰ Three days later King Mohammed VI offered some of the fishing vessels affected by a massive oil spill off the Galician coast the possibility to fish in Moroccan waters with no compensation, as a gesture of solidarity with Spain. The initiative signalled a clear will to end the crisis and both diplomacies reacted accordingly. Normalisation was made official on 30 January 2003 when King Mohammed VI announced the return of the Moroccan Ambassador to Spain after a 15 months absence, a measure immediately reciprocated by Spain. The crisis was officially over.

What were the reactions to the crisis within Spain? On the domestic sphere the management of the crisis initially attracted criticism from opposition, and in particular from the second largest parliamentary group, the Socialists, which blamed Aznar's government for the deterioration of a crucial relationship that it had inherited in a very good state. But the government's reaction to the Moroccan landing on the island was not controversial. Domestically, it was not a question of everyone being completely sure about Spain's claim to the island; what was at stake was something different: how determined was the government to protect its Northern African territories in the face of Moroccan aggression?

The answer to this question was of crucial relevance to the citizens of Ceuta and Melilla and to those of the Canary Islands. Hence the first reaction of the government: to increase military presence and readiness in the North African enclaves, in the Eastern Canary Islands and in the south of the Peninsula. Should there be a second Green March, the government would not abandon them as had happened in Western Sahara. In Parliament the major political

²³⁰ *OID Comunicado Conjunto España Marruecos* n° 9221, Madrid, 11 December 2002.

parties of the opposition shared this interpretation with the exception of Izquierda Unida (post-Communist left) and the Basque Nationalist Party, although there were complaints about the way in which the government had chosen to act without consulting Parliament (DSCD 2002)²³¹. The government was criticised more for having allowed the crisis to happen than for its management, to which it replied by blaming the Moroccans for being solely responsible for the crisis (DSCD 2002).

Public opinion by and large approved the action of the government: according to a survey conducted days after the Parsley island episode 73.5% of Spaniards had a good or very good opinion of the military intervention and only 11.4% had a bad or very bad opinion (CIS 2002). In Ceuta and Melilla the perception was even more positive. The Popular Party TV spot for the 2003 regional elections in Ceuta ended with an image of the Spanish soldiers raising the Spanish flag over Parsley Island: in those elections the Popular Party won a landslide victory, obtaining absolute majorities in both cities.²³²

6.4 Europeanisation and the territorial issues

The analysis of these three territorial issues shows that the impact of EC/EU membership has been very limited. The issues have by and large remained at the bilateral level and the principles of Spanish policy in the issues of Western Sahara and Ceuta and Melilla have stayed the same over time. In the Parsley island incident the European element was a lot less important than the national elements of explanation, and even a third actor, the USA, had more impact than the EU in the final solution. A brief overview at the four themes of Europeanisation that we are analysing in this thesis confirms this impression.

²³¹ : In fact the Parliament was consulted over the Parsley island crisis, but in a manipulative way: Aznar secured parliamentary approval for his policy by giving the impression that a diplomatic solution was still being pursued—yet this was just hours before the special forces were sent in.

²³² Asked during the campaign about the possible impact of the episode, the President of Ceuta and PP candidate for re-election answered: 'I do not know what impact the Parsley island issue will have on the elections. What I do know for sure is that the citizens of Ceuta are fully satisfied with the determination, firmness and the treatment given by the government to the issue.' (*El País*, 3 May 2003)

The first theme is the *balance between new constraints and new instruments*. The constraints on Spanish foreign policy on the territorial issues mainly come from its interest in Morocco and its internal public opinion, rather than from the European sphere. The EU has not challenged Spanish positions on the Western Sahara, and even in the case of Ceuta and Melilla, in which the EU is directly affected since they have become part of its territory, Spain could make its own interpretation prevail. Conversely, the instruments obtained have not made a big difference for Spain either. Firstly, because the sort of instruments that the EC/EU has are more adequate to negotiations in technical issues, such as trade or fisheries, than to highly sensitive political questions. And secondly, because the use that Spain could make of European instruments is severely restricted by the presence of France, who in the issue of Western Sahara is clearly pro-Moroccan and in other issues, like the Parsley island incident, has been at least ambiguous. The partial exception to this remark is the case of the humanitarian aid provided by the European Commission to the Western Saharan refugees, but this aid was a result of the European Parliament's pressure, rather than the Spanish executive's.

The issues of *identity and interest* have remained almost completely untouched by Europeanisation. Membership in the EC/EU has not altered the position that was defined in the first years of democracy, between 1976 and 1984, in either the Western Sahara or the North African Spanish territories. For the Western Sahara issue the key element in Spain's self-perception is the role as the former metropolis, responsible for a failed decolonisation that caused a long war; accession to the EC would not alter this identity. The 'Europeanness' of Ceuta and Melilla, rather than creating a new identity for the cities, represents an international confirmation of their belonging to Spain. Once again, the identity and definition of Spanish interest remained relatively stable after accession.

The *decision-making processes*, the third of the themes of Europeanisation, has not changed significantly either. Ceuta and Melilla were treated as an issue of internal politics in Spain before 1986 and became the subject of internal EC policies with accession: just like Spanish policy, EU policy

ignores the international dispute about the city and deals with them in the same way as any other EU territory. The Western Sahara is treated as foreign policy and dealt with within the appropriate frameworks, mainly the CFSP and humanitarian aid policy, and the adaptation pressures on the Spanish foreign ministry are very weak when compared with other policy areas. Nevertheless, the appearance of some European actors that played a role in the conflict, such as the European Commission or the European Parliament, did deflect to some extent pressure on Spain from both sides, in particular from the Polisario Front.

Finally, the fourth theme, *Europeanisation through the domestic context*, is mostly absent in this chapter: we have found no evidence of impact of EC membership upon the positions of social actors, political parties or local and regional powers. But we have observed that the EC/EU, like the UN, has served as a cover for the Spanish government's relatively neutral position in the Western Sahara issue, where it faces an openly pro-Sahrawi public opinion, in which some sectors demand a clear backing from Spain to the Polisario Front. Such move could worsen the relations with Morocco to an unpredictable extent. The EC/EU, as well as the UN, have provided with their joint declarations a valuable legitimising tool that has helped the Spanish government to resist the unrelenting pressure, both from home and from Rabat. However, the EU policy is far from being clear and determined enough to allow Spain to hide completely behind it.

In all four themes we have witnessed a low impact of EU membership. The first explanation to this weak impact of Europeanisation is that the CFSP, unlike the policies studied in previous chapter, is still largely in the hands of member states. There is no common policy or a cession of sovereignty. Nonetheless, as discussed in Chapter One, there is still a case for arguing that Europeanisation also acts within CFSP. But there are particular factors in each of the three territorial disputes that we are studying that make an impact of EC/EU policy on Spanish foreign policy particularly unlikely.

The Spanish involvement in the Western Sahara conflict was a priority of Spanish foreign policy long before accession. Both the reaction to the crisis caused by the 1975 Green March and the reformulation of the Western Sahara policy within the foreign policy of a democratic Spain had already taken place before accession. As a member state Spain sought to upload the issue to the EC/EU level, and succeeded to a certain extent: the EC/EU has a policy towards the Western Sahara, albeit a timid one, which involves the member states as a group (for example, with their yearly joint statement at the UN), the Commission (mainly with humanitarian aid) and the European Parliament.

Two factors have limited Spanish success in the EU context. The first one is the presence of a diffuse resistance of some member states and the Commission to antagonising Morocco on an extremely sensitive issue for that country, while, crucially, there is also an open strategic rivalry with one member state, France (Koulaimah 1995: 104-105). The fundamentally different understanding of the issue by the two main EU players explains the very low profile kept by the EU in a conflict which takes place in its near abroad, so different from its role in places like the Western Balkans, Cyprus or even the Middle East. The second factor is the UN involvement in the issue, and in particular the fact that every important decision about it is taken by the UN Security Council, of which Spain is not a permanent member, and where the EU voice would anyway suffer from the problem of divergence with France. As a result, there is no EU Western Sahara policy articulated enough for Spanish governments to hide behind, and the issue is still troubling the bilateral relationship.

Ceuta and Melilla have not become a subject of CFSP not because Spain treated them as their *chasse gardée* in the way that, for example, France treated the Chad issue, but simply because they are not considered a matter of foreign policy at all. Peo Hansen signals the extent to which the academic literature about European identity has overlooked the issue of the non-European parts of the EU (Hansen 2002: 488-490); we must add our surprise over how the literature about foreign policy – unlike that about agriculture,

trade and development policies - has left unexplored the consequences of the existence of such territories for EU external relations.

We have found no evidence that other member states challenged the Spanish assertion that Ceuta and Melilla are undisputed parts of the national territory; this is no exception to the general rule that applies within the EU when it comes to non-European territories under the sovereignty of a member state. Europeanisation in the case of the Spanish North African possessions was almost completely absent because the substance of the foreign policy issue was simply not on the EU agenda; there was no pressure for Spanish adaptation or change of position because the Spanish position – that the cities are an integral part of Spain – is simply adopted by the EU.²³³

In the case of the Parsley Island crisis the first impression is that Spain acted unilaterally, by and large sidelining the European framework and opting instead for American mediation. This needs to be qualified after a careful examination of the sequence of events. In the very first moment Spain hoped to keep the issue within the bilateral framework and asked the EU actors to keep a low profile. But after two days it did request full support from its allies in order to induce Morocco to withdraw from the islet. Jörg Monar's (2002) interpretation is that the response of the allies, including the Commission, was too timid and hesitant: 'It is quite possible that if the EU had come out with a strong show of solidarity with Spain against Morocco on the day of the "invasion", including the threat of sanctions, that Spain would not have taken military action in order not to endanger a common front which Morocco would have found difficult to resist' (Monar 2002: 254).

Our interpretation is different: there was a general feeling of satisfaction in Madrid about the response of the allies (with the partial exception of France, who had been excluded by the Danish presidency from the consultations); indeed, by 17 July (around 4am) an agreement had been reached, with

²³³ This is in open contrast with the EU policy on Gibraltar. In the case of Gibraltar, Britain has faced a permanent challenge to its sovereignty by another member state, Spain, and this has made the situation of Gibraltar within the EU very uncomfortable and unstable, a source of trouble for European integration at large (Groom 1997). The most obvious reason that explains that difference is that Morocco is not a member state that can challenge Spain on the Ceuta and Melilla issue within the EU in the way that Spain does with Gibraltar. On the other side is the case of the French DOMs, which is more similar to that of Ceuta and Melilla.

American mediation, between the Spanish and Moroccan ministers of Foreign Affairs. Yet the invasion proceeded nonetheless two hours afterwards, mainly for bilateral and internal reasons: the Aznar government was determined to prove it would not tolerate any violent pressure from Morocco.²³⁴ But where our analysis coincides with Jörg Monar's is in the Spanish government's utter disappointment at the French reaction (behind which some other member states hid) and in particular with the Commission's offer for mediation between the two parts and their call for a rapid Spanish withdrawal after the Spanish military operation.

To a certain extent, the conclusions about the Parsley Island incident seem to contradict those about Ceuta and Melilla: the EU did not accept Spain's understanding of the situation as the only valid explanation, and even the European Commission in time of crisis preferred to safeguard a strategic partnership with Morocco than to show an indivisible EU solidarity. But perhaps one attitude, the uncritical EU acceptance of the Spanish definition of its North African possessions, is at the root of the other: when faced with a crisis and difficult choices, the other EU member states and the Commission did not feel committed to an issue which they had not properly agreed upon. We can find at least two precedents of the Parsley island crisis in EC history: the French war in Algeria (1954-1962) at a time when Algeria, from 1957, was supposed to be EC territory 'just as much as (...) Brittany' (Hansen 2002: 487); and the Argentinian invasion of the Falklands in 1982. Those happened in very different European institutional frameworks: during the war in Algeria there was not even an institutionalised political dialogue; during the Falklands war foreign policy was a matter dealt with by the European Political Co-operation. In both cases the events proved that the unspoken issue of the colonial legacy, which was apparently accepted by all member states, did not translate into an automatic and unconditional solidarity in times of crisis (Stavridis and Hill 1996; Hansen 2002).

²³⁴ The study of this decision, and the extent to which it was taken by Aznar himself and his Defence minister while the Minister of Foreign Affairs was negotiating, and whether or not she knew that the agreement she just obtained would not stop the military action are open for future researchers to study. At the moment the documents publicly available do not confirm those details.

6.5 Conclusions

Territorial issues have been at the heart of Spanish policy towards Morocco ever since the latter's independence. They were still highly relevant just before accession to the EC in 1986 and they remained so 16 years later. In all this time the Spanish and Moroccan differences over the status of Ceuta, Melilla and the lesser enclaves have remained intact, as have their disagreements over Western Sahara, with two new territorial conflicts, one about the sovereignty over Parsley Island and one about the delimitation of maritime waters, resurfacing.²³⁵ Such complete lack of political progress stands in stark contrast with the considerable achievements in technical areas such as trade, investment, finance, cultural co-operation, infrastructure projects or development aid, but also in political dialogue and bilateral partnership.

How can we explain this contrast? First of all, territorial issues are notoriously intractable in the realm of international relations and diplomacy. Spanish foreign policy makers in the successive PSOE and PP governments were profoundly marked by the negative experience of the Green March and the difficulties experienced by the first democratic governments of the UCD in their dealings with the Maghreb. The conflict over the Western Sahara and the regional rivalry in the Maghreb with which it became associated showed a potential to poison the whole bilateral relationship. On the issue of Ceuta and Melilla no compromise seems at hand other than avoiding Moroccan references to the enclaves, so far as possible.

The way in which the two issues were addressed was twofold: bilaterally, the goal was to try keep the issues off the agenda and avoid open and public negotiation with Morocco; multilaterally, Spanish governments tried to find as

²³⁵ The lack of an agreed delimitation of the Atlantic waters between Morocco and the Canary Islands was the framework for disagreement when in autumn 2001 Spain decided to allow oil prospecting on waters that it considered its own, triggering Moroccan protests. It is not clear how important this was in the 2001-2002 crisis, but it could have had some significance given the competition between French, American and Spanish companies for the prospecting. Results so far have however been disappointing. For a full discussion of the issue see Íñigo Moré (2002) 'Petróleo: el próximo conflicto hispanomarroquí?' *Análisis del Real Instituto Elcano* 49/2002, 13 September 2002.

much support as possible for their position, in particular from their European allies, in order both to have more leverage over Morocco and to justify their own positions with reference to multilateral decisions. Both strategies succeeded to a certain extent in avoiding an open conflict for a while, but their limitations were made obvious by the Parsley Island episode.

Spanish insistence in refusing to talk about the sovereignty of Ceuta and Melilla is well grounded in international law and it is generally accepted by most of the main players in the domestic political arena; indeed, a departure from that line would entail a serious division in the political system and would certainly attract criticism in the national arena, let alone in the enclaves themselves. The Constitution would be quoted as an obstacle to even talking about the issue. Politically, however, the refusal to open a dialogue creates huge frustration in Morocco and does very little service to Spain's international image on that issue.²³⁶ If international law and 18th century treaties do not sustain comparisons between the status of Gibraltar and that of the two cities, it seems harder to assume that geography is all they have in common in the world of international relations.

But much more frustration and resentment from the Moroccan side is caused by the Spanish position on the issue of Western Sahara. From the position of 'cautious distance, but not indifference' defined by Foreign Minister Areilza in 1978, to the 'constructive neutrality' defined by Minister Palacio 25 years later,²³⁷ Spanish governments have been struggling to maintain a balanced position. On the one hand they had Morocco, whose number one foreign policy objective was the consolidation of its rule over Western Sahara (Damis 1987); on the other, was Spanish public opinion, with NGOs, press, opinion leaders and many politicians being largely sympathetic to the Sahrawi cause (de Saint Maurice 2000: 143-144). On the bilateral front Spanish governments

²³⁶ One of the Moroccan interviewees pointed to the fact that Spanish governments try to monopolise the agenda of bilateral negotiations so that only the issues that interest them (fisheries in the past, immigration now) figure in the top positions.

²³⁷ 'Neutrality means thus that the only Spanish interest in the conflict is that its solution be in accordance with international legality and guarantee the stability of the region. Constructive, because our attitude must also be to stimulate the parts, with which we keep a very special relationship, to negotiate a consensual solution. And also active because Spain does not want that this conflict ends up being forgotten' (DSS 2003).

have completely failed to transmit an image of neutrality to Morocco: in the best case their position is seen as unreliable, at worst as an unconditional support for the Polisario Front.

The multilateral answers to the territorial issues were partly more successful. The 'European panacea' (Hernando de Larramendi 1992: 153) to the Moroccan question could also be applied to Ceuta and Melilla: integrating them in the EC/EU would provide a political cover but also a crucial economic support to ensure the viability of the enclaves. But there were also limits to the allies' solidarity, in particular with two of them: France and the United States. The United States' refusal to grant NATO coverage to Ceuta and Melilla was a serious blow to Spanish aspirations. France, within the EU, did not allow Spain to transform it into a more active player in the Western Sahara issue, largely neutralising the Spanish possibilities to play a more active role under EU cover. In the Parsley Island dispute France showed solidarity with Spain but partly blocked EU support; the United States, rather than acting as an ally, became a mediator between Spain and Morocco. Even the European Commission proved an unreliable ally when it offered its mediation rather than its solidarity after Spain's reoccupation of Parsley island.

The Socialist governments followed a line on the territorial issues based on pragmatism, the construction of a network of interests and a political dialogue to prevent disagreements from escalating into crises. The search for multilateral support for Spanish positions and the reinforcement of the Spanish position via the consolidation of the economic, legal and political status of Ceuta and Melilla and their inhabitants were also important. Actions in relation to the enclaves were taken in anticipation of the possible Moroccan reactions: the reorganisation of the army to face the 'threat from the South' was coupled with bilateral military co-operation; the measures that could cause a negative Moroccan perception (introduction of the visas, approval of the statutes of autonomy) were discussed bilaterally beforehand, sometimes in secret.

This strategy was not modified initially by the PP government after it came to power in 1996, but it soon revealed its weaknesses: Spain was left in a reactive position, the Moroccan stance was not modified or weakened in any of the territorial issues, the demands in other areas (fisheries, agricultural imports into the EC, etc.) continued to grow and new issues, in particular immigration, emerged as conflictual. The PP government shifted towards a new strategy combining enhanced military strength (and a clear indication of the resolve to resort to force if necessary), a more assertive policy towards Morocco – without fear of antagonising it, a higher priority on the domestic agenda (including party competition) over the bilateral relationship, an opening towards Algeria, less emphasis on European solutions and a closer alignment to the US. This strategy was representative of the new foreign policy style of the second Aznar government,²³⁸ of which the Parsley Island crisis was one turning point.

Spanish positions and actions in relation to the territorial disagreements with Morocco are firmly grounded in the domestic arena. The Spanish governments have not kept the issues of Ceuta and Melilla and Western Sahara as their own ‘chasse gardée’, but have tried to get the European Union, NATO and Spain’s bilateral partners involved in support of the Spanish stance. Nonetheless, given the limits of solidarity within both organisations, they have worked to build a network of political and economic links with Morocco in order to make pressure on the territorial issues less attractive and more costly Rabat. And, aware of the fragility of those links in relation to the strength of the Moroccan territorial claims, the Spanish governments have made no secret of their ultimate willingness to resort to military strength to defend the territory.

EU membership has made little difference to this fundamental stance. None of the four themes of Europeanisation identified in this thesis has been prominent in any of the disputes that we have studied, although there has been some degree of Europeanisation, as we have seen. The main reason for this weak impact is the nature of CFSP, with a low degree of institutionalisation that has

²³⁸ After the March 2001 elections, which gave the PP an absolute majority in both chambers.

preserved the member states' freedom of independent action to a very large degree. But there are also specific characteristics of the disputes studied in this chapter that explain this low impact: the particularly intractable nature of territorial issues, which imply very powerful domestic and international constraints; the problematic link between the remnants of colonisation and European foreign policy; and the existence of a strategic rivalry with another member state, France, in some of the issues.

Chapter 7: Conclusions. Europeanisation and its limits

The thesis has thus far focused on separate issue areas of Spain's policy towards Morocco. Now we need to bring together the four studies and then establish the limits of Europeanisation in our case study, contrasting Europeanisation with other possible causes for change in the policy that we are studying. We will then be in a position to see what contribution this thesis makes to the study of Spanish policy towards Morocco, to the analysis of EU's policy towards Morocco and to the use of the concept of Europeanisation in the study of European foreign policy.

7.1 The conclusions from the four case studies

The four themes of Europeanisation

Chapter One proposed four themes of Europeanisation, that is four areas in which policy change might be at least in part explained by the impact of membership in the EC/EU. We have found that there is a considerable variation amongst the four case studies in each of themes. There are however some general trends that can be witnessed across the whole spectrum of issues in Spanish policy towards Morocco.

The first theme we identified was *the balance between new constraints and new instruments*, which seems an obvious way of assessing Europeanisation. Have Spanish governments lost autonomy and therefore the capacity to defend the 'national interests' as they define them because of membership in the EC/EU? Or have they profited from EC/EU membership to advance their goals at relatively low cost in terms of autonomy? The answer to this question is not the same for all areas of the policy towards Morocco.

In the territorial disputes the situation has not been significantly altered by membership. The Spanish strategy of uploading to the EC/EU level the Western Sahara issue and to gain legitimacy and economic support for its sovereignty over Ceuta and Melilla showed its limits with the 2001-2002

bilateral crisis; the use of EC/EU instruments has thus been very limited. On the other hand, there is little evidence of Spain having felt constrained to change its policy on territorial issues because of being an EC/EU member. The migration issue is another example in which constraints derived from the EC/EU level have been of relatively little relevance, but in this case Spain has been able to make some use of European instruments in its own favour. The most important difference between those two cases is that the Spanish executive had to overcome diffuse resistance from some member states and a clear strategic rivalry with France in the territorial issues, whereas in the immigration issue its objectives were shared by other member states (including the largest ones). But even on this issue, when Spanish strategy became too threatening for Morocco in the 2002 Seville summit, France was a key element in blocking the Spanish proposals.

The issue of new constraints versus new instruments is more present in the study of fisheries, trade and agriculture policy, all of them common policies at EC level, in which Spain has lost a certain degree of autonomy. In those areas, unlike in the CFSP, Spain can be outvoted and, even more importantly,²³⁹ it is not directly the Spanish executive negotiating with Morocco, but the EC. The evidence found in the research shows, however, that in practice the Spanish executive has by and large been able to ensure that the concrete interests of Spanish fishermen, farmers and industry prevail over the objective of contributing to Morocco's development. Moreover, the EC/EU has provided Spain with the economic support to compensate for the losses in negotiations with Morocco, particularly in the fisheries issue.

In terms of *identity and interest*, EC membership has been felt more in the global context of policy towards Morocco than in the concrete areas of study within this policy. This has been particularly true for those issues where there was a long tradition, a heavy weight of history and a well established concept

²³⁹ Technically the difference between unanimity and majority voting might be considered essential. In practice the fact that the conflict of interest on those issues is largely with Morocco rather than amongst member states, and the particular sensitivity of the fisheries and agriculture issue for some Spanish regions has been the background of a situation in which the risk to Spanish interest has been more the indifference of other member states and the lack of conviction in the Commission than the actual bargaining. This was confirmed by the interviewees, in particular for the fisheries dossier.

of what the 'national interest' was. Fisheries and the territorial issues are the cases in point, both of which had been consolidated in the years before membership. In those two issues the Spanish definition of the national interest has remained remarkably stable and Spain's perception of its own rights and responsibilities has changed very little.

Despite Spain's integration in the EC/EU, Spanish diplomats and politicians have retained a self image of a country that has unique problems, not comparable to any other. Comparisons of Spain's territorial disagreements with Morocco with other similar issues have been rejected from the start, in particular for the Ceuta and Melilla issue: Gibraltar,²⁴⁰ the Falklands, French Guyana, or any other extra-European EU territory is deemed not to be comparable by Spanish diplomacy.²⁴¹ Also comparisons between the Spanish position on the Western Sahara issue and other cases, such as Portugal with East Timor, have not been publicly made by successive Spanish executives or the Spanish diplomatic service.

On the issues in which Spain had less previous experience, or where the context changed noticeably, the impact of membership has been more evident. In the economic relationship, the combination of accelerated economic development and its new position as an EC member allowed Spain to change its attitude towards Morocco. Thus, the EC/EU framework allowed Spain to complement its policy of creating economic links with Morocco with a new identity as the advocate of Moroccan interests within the EC/EU. On the immigration issue Spain became aware of its own transformation, from a country of emigration, then transit, then a target for immigrants. The new self-perception of Spain emerged as the country became an EC member state and became established, as we saw in chapter 5, under the influence of the new European approach to migration issues.

²⁴⁰ The comparison with Gibraltar, and in particular with Spain's claim to the Rock, has been an important part of the Moroccan argument to recover the city. For obvious reasons, it has always been contested by Spanish diplomacy. See the main arguments against this comparison in Ballesteros 1998: 400-415; García Flores 1998: 22-24.

²⁴¹ The only comparison that has been acceptable to Spanish diplomats and some academics is the one with European Turkey: borders that have moved between one side and the other of a Strait between two continents and have eventually stabilised in the current configuration.

Changes in *decision-making processes* are often the main focus of studies of Europeanisation. We have found that, in three of the four cases, those changes were relevant not just in organisational terms, but also for the final policy outcomes. In the negotiations of fisheries agreements the transfer of the competence to negotiate international agreements changed the rules and relegated bilateral contacts with Morocco to a secondary place in the negotiations. The fisheries administration within the Ministry of Agriculture, Fisheries and Food, and that very ministry itself were reinforced within the Spanish context as they were the ones representing the Spanish views in the EC/EU meetings where a common position was agreed upon. A similar phenomenon happened with the Ministry of Agriculture on the issue of Moroccan imports of fruits and vegetables, and with the Ministry of Interior in the immigration dossier.

We have found that those changes in the relative weights of some ministerial departments as a result of the organisation of tasks within the EU (including the different compositions of the Council and the structure in three pillars) have been the most noticeable impact on decision-making. Other phenomena like socialisation have only been obvious in areas in which Spanish decision-makers were less familiar with the issues, in particular in immigration. Immigration is also the exception in the general rule that the more a policy area is still at the hands of the state in formal terms, and the less the EC/EU level has institutionalised it, the weaker the impact will be. The territorial conflicts, the issue of agricultural imports and the fisheries dossier all confirm this tendency: the very institutionalised CAP and CFP have impacted more on decision-making in Spain than the CFSP.

Finally, the last theme of Europeanisation, the *impact through the domestic context and actors*, has been the least important in all four cases. The contact and links with EC/EU institutions and with their equals in other member states does not seem to have changed the basic views of the domestic actors (political parties, regional governments, pressure groups, etc.) on relations with Morocco even though they have adapted their strategies to participate in the multi-level decision game established in areas such as agriculture and

fisheries. The same is true for the media and public opinion at large, whose perceptions of Spain and Morocco and their relationships do not appear to have changed significantly with accession or afterwards as a result of membership.

The main difficulty in assessing changes in Spanish public opinion is the lack of data that are comparable throughout time. There are three main sources of information that cover parts of the period we are studying. The first one is the monthly barometer of the *Centro de Investigaciones Sociológicas*, which sometimes includes questions about foreign policy. These barometers have been conducted regularly since 1982, but they only include very concrete questions dealing with hot topics of foreign policy and international affairs rather than data that can be compared over time. The most useful source for the 1986-2002 period are the four studies conducted by the INCIPE under the direction of Salustiano del Campo in 1991, 1992, 1995 and 1997. They asked the same questions to a sample of the general population and a sample of 'opinion leaders' about their views on international affairs and Spanish foreign policy. The *Real Instituto Elcano de Relaciones Internacionales* started its own foreign policy barometer in November 2002, and it is therefore of little use to follow the evolution of Spanish public opinion between 1986 and 2002.

The INCIPE surveys of the 1990s show that Spanish public opinion and its leaders are deeply suspicious of Morocco. Most of the respondents that identify a direct threat to Spain's security point to Morocco as the most likely source of conflict (see table 7.1). And this happened at a time, the early and mid-1990s, when the bilateral relationship was at its best level and Algeria, the other southern neighbour, was in the middle of a civil war. Morocco, as a country, attracts very little sympathy amongst the general Spanish population, although it does have a considerably more positive perception amongst opinion leaders (see table 7.2). When asked about what should be done with development aid to a list of 17 countries (increase it, maintain it or reduce it), Morocco was the one which, together with Algeria, was given a lowest increase.

Table 7.1 What country causes a serious threat to Spain's peace?*

	General population				Opinion Leaders			
Year	1991	1992	1995	1997	1991	1992	1995	1997
Morocco	42.4	39.9	36.5	32.5	85.7	66.7	100	50
Others** and n.a.	57.6	60.1	63.5	67.5	14.3	33.3	0	50

* That question was asked to those that answered that there was one country that posed a serious threat to Spain's peace. Amongst the general population they were 14.4 in 1991, 14.4 in 1992, 14.2 in 1995 and 10.2 in 1997; amongst opinion leaders they were 7.1 in 1991, 8.7 in 1992, 10.1 in 1995 and 11.8 in 1997.

* * Those include the USA, Algeria, Libya and other Arab states. None of them has been quoted by more than 25% of the respondents in any of the surveys.

Source: Del Campo, Salustiano 1998 La Opinión Pública Española y la Política Exterior. Madrid, INCIPE

Table 7.2 Sympathy for foreign countries in Spanish public opinion (1997)

10 indicates maximum sympathy, 1 minimum sympathy

General population		Opinion Leaders	
Germany	6.30	Germany	7.39
Switzerland	6.12	Portugal	7.23
Sweden	5.82	Italy	7.11
Canada	5.78	France	7.00
Italy	5.70	UK	6.96
Japan	5.59	USA	6.94
USA	5.48	Mexico	6.51
Portugal	5.42	Sweden	6.28
UK	5.33	Argentina	6.20
France	5.29	Japan	6.20
Mexico	5.22	Switzerland	6.15
Brasil	5.19	Canada	6.01
Argentina	5.17	Brasil	6.00
Nicaragua	4.88	South Africa	5.95
South Africa	4.80	Nicaragua	5.77
Cuba	4.72	Russia	5.60
Russia	4.58	Cuba	5.57
China	4.41	Morocco	5.39
Egypt	4.39	Israel	5.17
Saudi Arabia	4.01	China	5.09
Israel	3.62	Egypt	4.97
Morocco	3.40	Saudi Arabia	4.09
Algeria	2.94	Algeria	3.72
Libya	2.89	Iran	3.46
Iran	2.59	Irak	3.35
Irak	2.58	Libya	3.09

Source: Del Campo, Salustiano 1998 La Opinión Pública Española y la Política Exterior. Madrid, INCIPE

Therefore, there is no available evidence of a change in public opinion as a direct result of EU membership when it comes to relations with Morocco. This is mainly due to the lack of data which are comparable throughout time. The trend seems to be, however, stability, and indeed perceptions about Morocco are assumed to be mostly stable by Spanish academics. That might reflect the fact that Morocco and EU membership are perceived as separate, rather than interlinked, topics.

There is, however, one effect that we have identified in all four chapters: the instrumental use of the EC/EU framework by the executive as an alibi, a cover for policy shifts, or an excuse not just towards Morocco but also in the domestic context. Moreover, the mainly positive perceptions of the European integration process on the part of the majority of Spanish population throughout the period studied (1986-2002) have favoured the use of the European context as a legitimising factor. That confirms the predictions of those authors that argue that European integration in general and European foreign policy in particular have reinforced the position of the executives of the member states in their domestic arenas (Wallace 1983: 10; Moravcsik 1994a; Hill and Wallace 1996: 6-8).

Explaining variation between issue areas

The impact of EC/EU membership has been unequal, as we have seen. In the previous section we have advanced some possible explanations for this variation. Those explanations could be combined to try and have a more general framework to explain on which areas Europeanisation is likely to have a stronger impact. The first two factors are the degree of institutionalisation of the policy area at EU level, and the novelty of the issue, i.e. the existence or absence of a historical weight and a previous record of relations with Morocco on that concrete issue. The hypothesis about the first factor is that the more institutionalised the policy area, the more impact of Europeanisation; and vice-versa. The hypothesis about the second factor is that the more historical weight exists, the less Europeanisation will be evident.

Figure 7.1 Likelihood of Europeanisation

	High degree of institutionalisation	Low degree of institutionalisation
New issue	1	3
Weight of history	2	4

According to the hypotheses just presented, the matrix works as follows. Case 1, a new issue in an area which is highly institutionalised, would be the one in which Europeanisation would be strongest. Conversely, the least impact would be in case 4, an issue weakly institutionalised and with a large historical record. None of the cases we have studied fits perfectly in case 1, but the economic relations are the one which comes closest to it: two highly institutionalised EC policies (Common Agricultural Policy, trade policy) are the framework for a topic which had not featured prominently in the bilateral relations before 1986. Case 4 could be associated with the territorial issues, an old issue dealt with within the lowly institutionalised CFSP. Cases 2 and 3 are the middle ones, where Europeanisation is likely to have a role, but not to be completely decisive. Case 2 would be the case of fisheries in this study: the CFP is highly institutionalised, and there was a long record of Spanish-Moroccan fisheries relations at the moment of accession. Case 3 could be the case of immigration, a new issue in a lowly institutionalised framework (although this framework changed considerably towards the end of the 1986-2002 period).

This first explanation of the extent to which the impact will be felt in a concrete area is only concerned about one aspect of Europeanisation, namely that of reception, or the top-down dimension. But we have incorporated in this thesis a second dimension, that is projection, the capacity of a member state, in this case Spain, to upload its own preferences to the EU level. There are many conditions for this uploading to succeed which have to do with the internal organisation of the EU system, but also with the concrete context, both within the EC/EU and internationally. We have tried to specify those conditions in the preceding chapters for the four issues we have studied.

The conditions include the attitudes of the main actors at EU level. Those attitudes do not explain *per se* the successes and the failures of Spanish executives to upload their preferences, but they do help us identify in which areas this has been more difficult. In the following figure we have tried to summarise the attitudes of Spain's partners within the EU, selecting three important issues in each of the areas that we have studied: fisheries (a,b and c), economic exchanges (d,e and f), immigration (g,h and i) and territorial issues (j,k and l).

Figure 7.2 Attitudes of Spain's partners on some issues of the policy towards Morocco

Attitudes Situations	Converging interest	Solidarity	Indifference/ Neutrality	Rivalry/ Opposition
a. Fisheries negotiations 1988	Portugal	Southern MS	Northern MS, Commission	-
b. Fisheries negotiations 1995	Portugal	Southern MS, Commission	Northern MS	-
c. Fisheries negotiations 2001	-	Southern MS, Commission	Northern MS	-
d. Agricultural imports (1980s)	-	Southern MS	Northern MS	France, Commission
e. Barcelona Conference	France, Italy, Commission	Rest of MS, European Parliament	-	-
f. Association agreement	-	Most MS, Commission	Belgium, Germany, Netherlands	-
g. Re-admission of illegal immigrants	Most MS	Rest of MS, Commission	-	-
h. Joint control of the Strait	Italy	Rest of MS, Commission	-	-
i. Sanctions for non-co-operation on immigration	United Kingdom	Italy, Germany, Denmark, Austria	Most member states	France, Sweden
j. Western Sahara	European Parliament, Pro-Sahrawi MS	-	Moderate MS	France
k. Ceuta and Melilla	-	All MS, Commission	-	-
l. Parsley Island	-	Most MS	France, Commission	-

The figure above shows how France has been the one actor that has been most often at odds or at least lukewarm towards Spanish aspirations, although this has been more true in political questions than in those more economic in nature. The French position goes a long way in explaining the failure of the Spanish attempts to upload positions on the Western Sahara, to obtain unconditional support in the Parsley Island crisis and to approve concrete mechanisms to force Rabat to co-operate in the immigration dossier at the Seville summit. However France has been a relatively sympathetic partner in the fisheries issue and a valuable ally in the Spanish advocacy of the Mediterranean in general and of preferential treatment for Morocco in particular, for example in the negotiations of the Association Agreement. Disagreements with France have to do with a certain strategic rivalry, but also with the fact that France and Spain are much more interested in Morocco than is any other member state. For the majority of member countries, Morocco has been a very secondary concern.

This French factor in the Spanish policy towards Morocco is not a novelty introduced with Spain's membership in the EC. As we saw in Chapter Two, the whole history of Spain's colonisation and de-colonisation of Morocco was largely influenced by the paradoxical combination of strategic rivalry with and military dependency on France in the difficult moments (the Rif war, post-independence turmoil). The issues linked with de-colonisation and territorial disputes (Tarfaya, Sidi Ifni, Ceuta and Melilla, Western Sahara, Parsley island) have poisoned Spain's relations with Morocco, while France could build a new relationship with Morocco from the start. Moreover, France succeeded in maintaining Morocco's economic dependency, born in colonial times, almost intact for a long time, and only partly transformed (mainly on the trade aspects) into dependency on the EC. France has kept the position as the main foreign investor, with a vast influence over a large majority of the Moroccan elite (politicians, businessmen, military, cultural elite), and its largest community abroad living in Morocco.

The failure to find a common approach to Morocco with France is one of the reasons for the difficulties of Spanish policies towards Morocco. Spain found

in France the most valuable partner when it concentrated its efforts within the EC to create a new approach to the whole Mediterranean region in the early 1990s. But it never undertook an open bilateral dialogue on the crucial bilateral relations with Morocco (or Algeria or Mauritania, for that matter) and, as a result, an underlying mutual suspicion weakened the EU's political cohesion on crucial issues of the policy towards the Maghreb, most notably the Western Sahara conflict. France's treatment of the Maghreb as its own *chasse gardée* is to be blamed for this as much as Spain's insistence on the uniqueness and exceptionality of its relations with Morocco, and its utter rejection to even discuss such crucial issues as the status of Ceuta and Melilla or the long term perspective of its fisheries policy.

We have been talking about some areas in which Europeanisation has been more intense, and others in which it has been less intense, but without specifying the degree, nor indeed the quality of those changes. Charles F. Hermann (1990), in his study of foreign policy change, suggests that there are at least four graduated levels of change: *adjustment changes*, *programme changes*, *problem/goal changes* and *international orientation changes*. Adjustment changes affect only the level of effort and/or scope of the recipients; programme changes are those affecting the instruments of foreign policy but not the goals; problem/goal changes include a re-definition of the situation and of the purposes of the political action; international orientation changes involve 'the redirection of the actor's entire orientation towards world affairs.' (Hermann 1990)

Taking into account the definition of *international orientation changes*, we can see how this could not apply to Morocco, as the nature of Spain's foreign policy has not been altered to such an extent since the end of the Franco regime. But if we apply the other three categories of Hermann's typology to the changes produced by the impact of EC/EU membership in each of the areas that we have studied we can find the three types.

In territorial issues, the changes derived from EC/EU membership have mostly been *adjustment changes*: neither the definition of the problems, nor the ultimate goals and even most of the basic instruments (including the

military option) have changed substantially after accession. Spain has adapted its discourse and tried to take advantage of its membership of the EC/EU while refusing to reassess any of its main positions. There have been *programme changes* both in the fisheries and economic exchanges areas: the objectives have not been assessed (fishing as much as possible in the most profitable conditions, protecting Spain's agricultural productions), although some new objectives have appeared (for example, promoting Morocco's prosperity), but the strategies and policies have changed considerably because of accession. Finally, we have witnessed a *problem change* in the issue of immigration, the only one in which the ultimate goals are new. This novelty is partly a result of the new realities (immigration to Spain only took off around 1986) but also of the European influence, as we saw in Chapter Five. We could argue that the programme change in the relation to economic relations and territorial issues had already started to take place during the first years of democracy in Spain, preceding accession. Thus, in terms of the quality of change, Europeanisation has been most relevant in the immigration issue.

The policy as a whole

So far the analysis has concentrated on four areas of Spanish policy towards Morocco and has compared the findings in those four areas. In the course of the thesis some of the linkages between issues have already been spelt out. It is now time to analyse the impact of EC/EU membership on the whole of the policy towards Morocco.

First of all, if we apply to the overall policy the same criteria as those we have applied to its components, we could place Spanish policy towards Morocco in between cases 2 and 4 of the Figure 7.1 (see above). That is, the historical legacy previous to accession is very important, and the degree of institutionalisation is somewhat in the middle: high for economic issues, low for political ones. On this basis, we would predict a low to middle impact overall for Europeanisation. In Hermann's terms we can state that the changes in Spanish policy towards Morocco correspond to the level that he

defines as *programme change*, that is, the main goals of the policy have remained stable but Europeanisation has brought new means and strategies.

More concretely, one theme that we have analysed in depth is the way in which Europeanisation has reinforced a tendency in which the Ministry of Foreign Affairs has lost some influence in the issues that we have analysed, whereas other ministerial departments and the prime minister's office have gained influence. This is a general trend in Spanish foreign policy, with the partial exception of its strictly European policy (Molina 2002). But what have been its concrete consequences in terms of policy?

In the 1986-2002 period Spain has conducted a somewhat contradictory policy towards its southern neighbour. On the one hand it has designed a policy of good neighbourliness that has extended into the European level in the form of a role of advocacy of Moroccan interests within the EU; in the name of this policy some fundamental disagreements with Morocco (sovereignty over Ceuta and Melilla, situation in Western Sahara, concerns for democracy and human rights) have been treated discreetly by Spanish diplomacy. On the other hand, and simultaneously, Spanish governments have defended some very concrete domestic interests (fisheries, tomato markets, readmission of immigrants) in an open manner, sometimes using overtly hostile language towards the southern neighbour, in stark contrast with their discreet manners in political matters.

The most obvious explanation for this contradiction is the popularity and direct relevance of the second group of issues (fisheries, migration, agriculture) for Spanish public opinion, and its electoral relevance, in particular in Andalusia, Galicia and the Canary Islands. By contrast, in other issues, for example over democratisation in Morocco, the potential for support of government action is diffuse and weakly organised.

Yet, as we have seen, the analysis of policy-making also helps us understand this contradiction. We could define the Spanish activity within the EC/EU in relation to Morocco as the uploading of internal contradictions. Some Spanish preferences are in open contradiction with each other. For example: Spain

would like to see a prosperous and stable Morocco; it believes that Moroccan prosperity will be achieved through close association with the EU. But when Morocco tries to exploit its economic comparative advantages in relation to the EU market, it threatens Spain's model of development, in particular in some of Spain's poorest regions, such as Andalusia or the Canaries. This is an uncomfortable internal contradiction that is usually solved with short term calculations of political costs.

European integration has created a system where different parts of the national administrations meet their European counterparts in Brussels and create, together with the experts from the European Commission and the lobby groups of their area of activity, policy communities that reinforce their autonomy within the governments of their own country. In practice, for Spanish policy towards Morocco this has meant that the different ministries have had an opportunity to upload their visions directly onto the European level with less mediation from the Ministry of Foreign Affairs than used to be the case before accession. The clearest examples of this tendency have been, as we saw in Chapters Three and Five, fisheries and immigration.

As a result, rather than contributing to a more homogeneous policy, Europeanisation has allowed different sections of the Spanish executive to defend positions that were in essence contradictory. Uploading contradictions to the EU level rather than resolving them in the country itself is by no means a characteristic exclusive to the policy towards Morocco, nor even to the Spanish government. In any case, the result of this policy is not the solution of the contradiction, but the emergence of a contradictory European foreign policy. Thus, for example, the Euro-Mediterranean partnership is largely influenced by the Southern European concept of 'aid, not trade', which has so far proved unable not only to reduce the economic differences between the two shores of the Mediterranean, but even to prevent the gap from widening still further. Another example is the European strategies to control massive migration to the southern Mediterranean countries, focusing on border control rather than on controlling illegal employment in the large 'black economies' of those countries.

These considerations explain why Spain is still seen as a competitor and a threat in Rabat at times, despite the official discourse of goodwill and partnership. But they do not explain why Spain put in place some initiatives at the bilateral and EU level that, despite the underlying contradiction, were clearly strategic and the product of much leadership on the part of the Ministry of Foreign Affairs. In particular they do not explain the initiatives undertaken between the first and second Spanish presidencies of the EC/EU (1989-1995) in the area of the Mediterranean policy, which were to a large extent linked to the Moroccan policy.

To answer those questions we will apply Roger Kingdon's concept of 'windows of opportunity': those moments of opportunity that an actor, the policy entrepreneur, who is strongly committed to some form of policy change, can use for introducing a reform. (Kingdon 1984: 174-178; Gustavsson 1998: 34-35). We consider a relatively small group of Spanish diplomats that designed the renovated policy of Spain towards Morocco and the Mediterranean as the policy entrepreneurs who wanted to reform the policy towards Morocco. The EC/EU provided them with three clear windows of opportunity. Two of them were relatively foreseeable and embedded in the institutional system: the first two Spanish presidencies. The second one was an unexpected crisis, more a challenge than an opportunity: the crisis that flowed from the failure of the European Parliament to approve the fourth Morocco-EC financial protocols in January 1992.

In those three cases, the relative weight of the Spanish Ministry of Foreign Affairs and its capacity to lead Spanish policy were considerably increased as a direct result of Spain's membership in the EC/EU. In the presidencies, the Ministry of Foreign Affairs took a leading role and could impose its views on those of other ministries to a large extent. In the 1992 crisis the Moroccan pressure which affected particular areas such as the fisheries negotiations and the agreement for the readmission of immigrants urged Spain to take an initiative in the EC framework which was lead again by Foreign Affairs. Moreover, in the 1989-1995 period the context was also favourable to Spain as the Commissioners in charge of relations with the Mediterranean (Abel

Matutes and, from 1992, Manuel Marín) and important members of their teams were Spaniards and had close links with the Spanish diplomatic service. This favourable situation explains why, despite its contradictions and the relative pre-eminence of socio-economic short term interests, Spain's policy towards Morocco did have a certain strategic vision and contributed to the emergence of a mid- to long-term partnership strategy across the Mediterranean.

7.2 The limits of Europeanisation

Chapter One stressed the importance of clearly defining the limits of the concept of Europeanisation. The concern is not to attribute automatically any observed change to Europeanisation: we need to be relatively parsimonious in the use of the term if we want it to retain some meaning. Chapter One attempted to establish those limits in three directions: qualitatively, that is, assessing the extent and quality of the changes observed; causally, that is, trying to establish the causal link between pressure for adaptation/ new opportunities and actual policy change; and comparatively, i.e. testing the explanatory power of the Europeanisation thesis against other possible explanations.

We have tried to establish the causal links between European integration and Spanish foreign policy change throughout the four case studies. In the first section of this chapter we also introduced Hermann's typology of foreign policy change and applied it to Spain's policy towards Morocco in order to assess the scope and quality of the changes. This second section attempts to establish the limits in the third direction, that is comparatively. Our goal here is to identify what changes are best explained by Europeanisation and what other changes could be explained by other phenomena.

Foreign policy change and Europeanisation

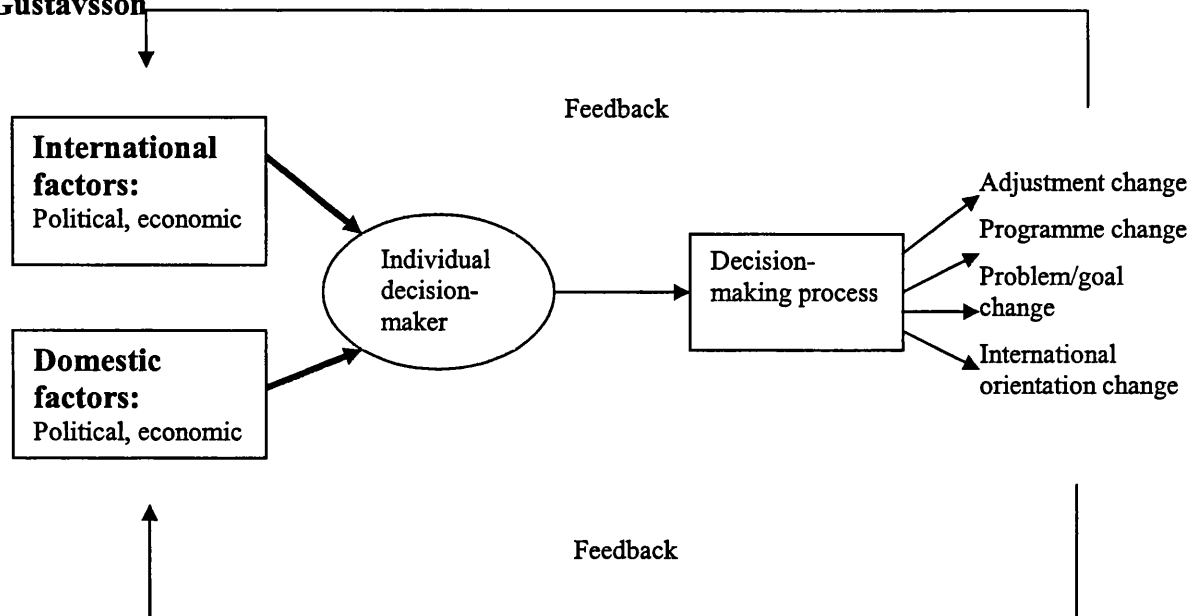
The main difficulty of establishing Europeanisation as some sort of independent variable that can be contrasted with other independent variables is the difficulty of isolating the EU-effect from the other possible causes of

change (Bulmer and Lequesne 2002: 18). In addition, European integration is at the same time the context of the changes that have operated in Spain's foreign policy since 1986, and a possible cause of these changes. To solve these difficulties we will resort to some of the concepts in the growing literature on foreign policy change within Foreign Policy Analysis.

The idea of foreign policy change is based on the assumption that 'there are patterns in the foreign policy of a government, and not just single acts.' (Goldmann 1982: 230). The pattern, i.e. the policy of an actor, should help us both explain and predict future actions; a great amount of Foreign Policy Analysis literature has focused on explaining the causes and consequences of a policy, and is based on the idea of stability and continuity. The study of foreign policy change focuses precisely on the exception, which is the moments when those predictable patterns change.

Many of the authors that have written about foreign policy change have proposed their own models to facilitate empirical investigations. Jakob Gustavsson (1998) proposes a model based on three steps. The first step is the identification of a number of sources, then the study of the individual decision-makers that mediate them, and the last step is the study of the decision-making process. The result of the three factors is change in foreign policy. Gustavsson's model distinguishes two broad categories of sources, following as we do in this thesis the distinction between international and domestic factors. His model can be visualised in the following figure:

Figure 7.3 The causal dynamics of foreign policy change according to Gustavsson



Source: Gustavsson, Jakob 1998 The Politics of Foreign Policy Change. Explaining the Swedish Reorientation on EC Membership, Lund: Lund University Press, page 25.

Gustavsson's model is useful in that it identifies sources of change, and those, once identified, could be contrasted with Europeanisation. Yet, the problem with this model for our purpose is that the model would not take into account the fact that Europeanisation also impinges directly on the decision-making process, apart from its impact on individual decision-makers. However, for the specific purpose of establishing the limits of Europeanisation in the transformation of Spanish policy towards Morocco by comparison with other possible explanations this model can be useful. In the next two sections we will therefore proceed, as suggested in the first chapter, to compare and contrast the impact of other domestic and international sources of change on the policy towards Morocco with that of Europeanisation.

Domestic factors for change

The main reorientation of Spanish foreign policy took place before Spain became a member state. The arrival of the Socialist party in power and the

implementation of a new approach towards the Maghreb - and in particular towards Morocco - has been identified as the most relevant event in this policy both by some of the people that participated directly in the policy (Morán 1990; Moratinos 1991; Dezcallar 1992; Viñas 1999) and by academics that have studied it in depth (Hernando de Larramendi and Núñez Villaverde 1996; Gillespie 2000; Marquina 2000; Lemus de la Iglesia 2003). For this reason, the role of Europeanisation could only be relatively modest. However, the reorientation of the policy was not something that happened at once; it was a gradual process that was influenced by prospective and actual membership in the EC/EU. Moreover, despite continuity in the rhetorical level and the use of the same concepts (global policy, buffer of interests), the policy has undoubtedly changed since it was first formulated in the early 1980s.

Uxía Lemus de la Iglesia (2003) identifies three main sources of the change in the Spanish strategy towards Morocco during the 1980s. The first one is changes in the basic structural conditions of Spain, and in particular its accessions to NATO and the EC. The second source of change was the political leadership that the new government, with its successive absolute majorities, could use to implement an innovative political programme. Finally, the continual tensions with Morocco in the period were also a source of the change. All three sources were mediated by a relatively small group of diplomats formed under Foreign Minister Fernando Morán. This group gradually came up with the concept of a 'global policy', that it implemented with strong and continued support from the successors of Morán in the Ministry of Foreign Affairs as well as from Prime Minister González and his advisors.

The first step of the design of a comprehensive strategy towards Morocco, the Maghreb and the Mediterranean was not directly affected by the EC framework. The second step, the uploading of Spanish concerns to European level and the preference for a multilateral approach, was a direct result of membership. From 1988-89 we cannot de-couple Spain's bilateral actions towards Morocco from its positions towards issues that affect Morocco within the EC/EU. Although that might seem a truism, we should not forget that the

European foreign policy system contains a number of special relationships, sensitive issues and *chasses gardées* in which member states have tried to avoid any EC/EU interference.

The partisan dimension is one of the domestic sources of change in Spanish policy towards Morocco. We have signalled that there is a wide agreement that the accession of the Socialist party to power in 1982 is a key element to understanding the transformation of policy before accession. After accession the party remained in power until 1996, when it lost the government to the Popular Party (PP). During the first four years thereafter, when the PP governed with the support of peripheral nationalist parties (the Canarians of CC, the Catalans of CiU and the Basques of EAJ-PNV), the line followed in the policy towards Morocco was relatively similar to previous years, although the profile was lowered. But after 2000, when the PP got an absolute majority, the effects of a change of government were felt more clearly, in particular in the migration issue. The difficult negotiations in the fisheries and the tomatoes issues in 1999-2000 contributed to the tensions, and the open hostility after the breakdown of fisheries negotiations in April 2001 and the following summer are at the root of the 2001-2002 open crisis.

It is not our intention here to construct hypotheses about whether the crisis would have happened at all with the Socialists in power, or whether the management of the Parsley Island incident would have been different. The analysis of what is now publicly known about the decision to intervene militarily in that island points to a decision at the centre of the executive involving Prime Minister José María Aznar and Defence Minister Frederico Trillo, but an accurate account would need more information. In any case, the second period of PP rule does clearly witness important changes in the foreign policy orientation of the government,²⁴² and those changes include the policy towards Morocco.²⁴³ The partisan factor is therefore important in studying Spanish policy towards Morocco, and the explanatory power of the

²⁴² This period witnessed a change in the relationship with the US, a new strategy and the search for new allies within the EU and Spain's open alignment with the coalition that occupied Iraq in 2003.

²⁴³ The Moroccan interviewees have been unanimous in signalling the responsibility of the Aznar government and the change in style compared with the socialist governments.

Europeanisation thesis is certainly limited compared to the party dimension in issues such as immigration or the 2001-2002 crisis.

In decision-making, on the contrary, we have found that Europeanisation has been an important factor for change. The changes in the distribution of weight in the formulation of the policy towards Morocco had to do with political priorities, but were also influenced by EC/EU structures, as we saw in the previous chapters. In particular for fisheries, agriculture and immigration the specialised ministries saw their influence reinforced within the executives in relation to issues affecting relations with Morocco. Europeanisation has had a much more noticeable impact on the policy towards Morocco than a new factor: the emergence of the regional dimension in Spanish foreign policy. Although we have seen that it did have some relevance in the issues studied in the thesis, for example in fisheries, we have found that despite the novelty of the presence of regional governments and the emergence of regionally based policy communities that aim to influence the foreign policy of Spain, their activity has acted more as a stabiliser and a resistance to change, in particular in regard to socio-economic interests, than a source of foreign policy readjustment.

Finally, we have signalled in the previous section that Europeanisation has played a role in the relations between Spanish governments and their public opinion, acting sometimes as a legitimising factor, an excuse, an alibi or a cover for changes in the policy. This should not lead us to forget that Spanish public opinion about Morocco appears stable, showing little sign of a direct impact of EC/EU membership. Europeanisation has been observed in operation via the instrumental use of the EC framework, but it has only really shaped public opinion to a certain extent on the migration issue. And even on that issue the growing number of immigrants, the media coverage and the political debate around the issue of the *pateras* have had a much clearer impact than EU membership.

External factors for change

What about external factors for change? Has there been any factor(s) that explain the changes in Spanish policy towards Morocco other than the impact of its membership in the EC/EU? Those factors could come basically from two directions: the regional and global context, or Morocco itself.

In the global context the main change has been the end of the bipolar system. The events that between 1989 and 1991 transformed the world had a comparatively small effect on Spanish-Moroccan relations. This bilateral relationship had never been subject to Cold War logic, and the Soviet threat had always been diffuse in the area of the Strait. As a result, the disappearance of the Soviet bloc did not affect the bilateral relationship in a significant way. The most noticeable effect came precisely because of Spain's membership in the EC: as Europe turned its attention to the East, Spain and Morocco had to struggle to attract the EC's attention towards its southern neighbours.

Chapter Two outlines the main changes in the regional context of the Western Mediterranean. Certainly the intra-Maghreb *détente* of the late 1980s, that led to the creation of the Arab Maghreb Union contributed to the consolidation of Spain's global approach towards the Maghreb. Other factors raised Spanish anxiety about the possibility of a negative evolution in Morocco, in particular the first Gulf War and the Algerian crisis in the 1990s. Those regional factors did contribute powerfully to the upgrading of relations with Morocco and in particular to the uploading of Spain's concerns to the EC level.

Spain's accession and membership in NATO had, as we saw in Chapter Six, little effect on bilateral relations with Morocco. This is particularly true because of the exclusion of Ceuta and Melilla from NATO coverage. The strategic partnership between Morocco and the USA was a counterweight to Spain's accession to NATO. As a result, the NATO factor has been of relatively limited importance in the bilateral relationship and in Spanish policy towards Morocco.

Morocco's foreign policy has been generally stable throughout the studied period. The country has not suffered any major internal convulsion or regime

change. Morocco started a process of economic liberalisation in the 1980s followed by a timid political liberalisation in the 1990s, in particular after 1998 with the arrival of a Socialist Prime Minister, Abderrahman Yussufi, to power. In this context the most noticeable novelty was the death of Hassan II and his substitution by his son, now King Mohammed VI, in 1999.

This change, and the renewed impulse to democratisation that it brought about, were welcome by Spanish governments, but they did not produce a qualitative change in the Spanish policy. Indeed, the worst bilateral crisis happened precisely in this period. The Parsley Island incident could represent, at first sight, a radical change of strategy in the Moroccan side. There are two alternative interpretations: the high profile of the incident was clearly a function of the importance that Spanish media and the Madrid government gave to it from the very start, and Morocco could have been trapped in an unexpected military crisis.

Another explanation could have to do with a change in the global context: that caused by the 11 September 2001 terrorist attacks in the USA. Both Morocco and Spain showed signs of feeling that their strategic importance had increased as a result of those attacks, and that they could count on increased American backing for that reason. Even Algeria seemed to feel that its new, friendlier relations with the USA now that they both were in the same side of the 'war against terror', would give it a greater leverage over the American giant. Paradoxically, this parallel assumption did not bring Spain and Morocco closer, but might have prompted them to enter on a more direct confrontation assuming that their ally would back them (Gillespie 2004: 8-9).

In conclusion, EC/EU accession and membership was the main external source of change in Spanish foreign policy, and the one which can explain the most transformations in Spanish policy in 1986-2002. This explanation should be combined with one important domestic factor, the change of party in power in 1996 and the subsequent change of attitude and in the importance that the Popular Party gave to good relations with Rabat in contrast with the Socialist period. Europeanisation and party politics are, in our opinion, the most relevant explanations for change, and explain the evolution of Spanish policy

better than domestic Spanish factors, such as the rise of the regional dimension or the evolution of public opinion, or other international changes such as the end of the Cold War, changes in Moroccan politics or the impact of 11 September 2001.

In general continuity, and not change, has been the main characteristic of Spanish policy towards Morocco. The main transformation of Spanish policy towards Morocco happened before 1986. After that date, the fundamental principles of the policy have remained by and large stable. Only Europeanisation and the change of party in power had some significant role in bringing about change. But the issues included in the policy did not stay identical. Continuity in Spain's policy and strategy could not stop the evolution of some of the issues: the fisheries situation became unsustainable, immigration grew and its socio-economic roots worsened, the avoidance of territorial issues did not solve them and caused frustration in Morocco. The combination of all those factors converged in 2001 and caused a crisis, which was the result of an accumulation of tensions rather than a major shock in either of the sides or the regional context.

7.3 The contributions of the thesis

This thesis started from a very general theoretical concern, assessing the impact of EC/EU membership on a member state's foreign policy. At the same time the research has focused on the highly specific case of Spanish policy towards Morocco in the period 1986-2002, with the aim of bringing a new perspective to analysing this policy. Finally, and as a result of the focus on the interrelation between national foreign policy and European foreign policy, the thesis allows us also to draw some conclusions about EU policy towards Morocco.

Understanding Spain's policy towards Morocco

The literature about Spanish policy towards Morocco is abundant, in particular in Spanish, and there is no lack of studies devoted to it. The historical background and the weight of history play an important role in

many of the accounts of Spanish policy towards Morocco. This includes in particular the consequences of the colonial experience and the difficult decolonisation. History, but also education, is the reason for the existence of a number of 'misunderstandings' and prejudices that weight heavily on the bilateral relations. A large number of studies devote preferential attention to those cultural and subjective factors in the policy, including their influence on public opinion (Hernando de Larramendi 1992; López García 1992; Larbi Messari 1996; Sehimí 1996; Míguez 1999).

Another larger part of the literature on Spanish policy towards Morocco has significant normative content. The high political sensitivity of the Moroccan issue in Spain has been the background for a great number of publications written either by external observers in order to criticise the policy and/or suggest a new approach (Moha 1992; Ghilès 1997; del Pino 2002; Obiols and Solanilla 2002), or by the people that designed and conducted the policy themselves (or people very close to them), and to a certain extent justify it (Morán 1990; Moratinos 1991; Dezcallar 1994; Baixeras 1996; Matutes 1997). This literature is useful because the writers often have a deep knowledge of the area and the empirical details.

Finally, a third bloc of literature focuses on very concrete aspects of the Spanish-Moroccan relationship. By far the most studied aspect from several perspectives is the issue of Ceuta and Melilla (del Pino 1983b; Marquina 1987; Lería y Ortiz de Saracho 1991; Carabaza and de Santos 1992; Ballesteros 1998; García Flores 1998; Planet Contreras 1998; Gold 2000). Other studies have focused on other, more technical, areas of the Spanish policy towards Morocco: fisheries (Juste Ruiz 1988; Manteca Valdelande 1990; Jones 2000), immigration (Ibáñez 1995), agriculture and trade (Bataller Martín and Jordán Galduf 1996) and development co-operation (Gómez Gil 1996, Alonso et al. 2003). Those studies tease out the technical complexities of the different areas, which sometimes can be very specific.

In addition to this breadth of literature focusing directly on Morocco, there are a number of texts that deal with Spain's policy towards the Maghreb. Those have the virtue of putting this policy in a regional context, and to give some

comparative perspective which is useful, because Morocco tends to be treated in Spain as a completely exceptional case. Some works in this group, moreover, succeed in finding a good balance between an in depth analysis of the technical issues and a global vision of the whole policy towards Morocco in context (Hernando de Larramendi and Núñez Villaverde 1996; Gillespie 2000; Marquina 2000).

What are the contributions of this thesis to this already rich literature? The first contribution is the use of a comprehensive concept of foreign policy. The global analysis of foreign policy towards Morocco needs to be complemented by a critical and accurate analysis of the technical issues at stake. The study of some of these issues after 1986 cannot be undertaken without reference to the EC framework; but the technical nature of some of the policies (like fisheries), or the particular institutional set-up of other (like immigration) should not make us forget that they are as much foreign policy as the 'high politics' issues like Western Sahara. Indeed, we have seen how particular interests in some of the technical areas have had an impact on the whole policy which is disproportionate to their economic relevance.

A second contribution of the thesis is a direct result of this analysis. Spanish policy towards Morocco contains some internal contradictions that seriously hinder the possibility of success for any strategic design. Those contradictions are rooted in a decision-making system where well-organised, regionally-based concrete interests acquire more weight than general strategic considerations. This imbalance is reinforced by membership in the EC/EU, with its relatively decentralised decision-making pattern that favours these narrow interests even more than the Spanish national arena.

A third contribution is the analysis of Spain's role within Europe beyond the role it played in the launching of the Euro-Mediterranean partnership. Despite the fact that Moroccan diplomats and academics, and some other scholars (Tovias 1995), have always pointed to Spain's ambiguous role in the EC/EU, with a negative impact on trade terms for Moroccan interests, the Spanish literature has often concentrated exclusively on the diplomatic successes of the 1992-1995 period, when Spain led the EU towards a new approach to the

Mediterranean region. A detailed study of the relations between Spanish and EU policies, however, shows that the contradictions mentioned in the previous paragraph have been uploaded by Spanish executives to the EU arena.

This latter point bring us to the final contribution of this thesis to the study of Spanish policy towards Morocco: the limits of the myth of a European solution to the Moroccan problem, an 'EC panacea' (Hernando de Larramendi 1992: 153). The EU offers excellent opportunities to Spanish governments to conduct successfully its policy towards Morocco. But when choices need to be made within Spain, the EU framework *per se* cannot be the solution; moreover, on some issues, such as the dispute about the sovereignty over Ceuta and Melilla, the solution can only be bilateral. The new EU instruments can be a useful tool for protecting Spanish interests, but they cannot substitute a strategic approach, especially if it implies domestic political costs in the relationship with Morocco.

The EC/EU and Morocco

The study of European policy towards Morocco is beyond the scope of this thesis. Nonetheless, some of the findings of our research are useful for an understanding of the policy that the European Union has conducted towards Morocco in the 1986-2002 period, and indeed of its future prospects. This comes, firstly, via a better understanding of Spanish policy and the motivations and expectations of Spanish executives when they act within the European foreign policy system. But there are also some conclusions that are useful to the understanding of the whole policy towards Morocco beyond the 'Spanish factor'.

Spain's contribution to the European policy towards Morocco has been mixed. Morocco was a privileged partner of the EC before Spanish accession largely because of its special relationship with France. Spanish accession brought in the first instance elements of tension, in particular in the areas of agricultural imports and fisheries. Those elements did not disappear, but were partly

compensated from 1989 as Spain assumed the advocacy of the interests of the Mediterranean countries within the EC/EU. In 1992, when the crisis between the European Parliament and Morocco peaked in the middle of the negotiations for a fisheries agreement, Spain was particularly active in supporting its southern neighbour. From that moment until 1995 it exerted a joint leadership in the making of the Mediterranean policy together with the Commission and, to a lesser extent, France and Italy. But after 1996 the Spanish role became less visible, and by the late 1990s Spain was permanently pressing to include immigration as a priority in the bilateral Morocco-EU agenda, leaving other issues in a secondary place.

The record of Spain's activity within the EC/EU in relation to Morocco is therefore mixed. It has contributed to an increase in tension and to highlighting topics that put Morocco in a weaker position *vis-à-vis* the EU. At the same time, it has contributed to the emergence of a strategic vision and a partnership in which Morocco plays a key role. But in either case Spain's impact has been significant.

Very few of the interests that were defined by Spain were seriously challenged by other member states. In this way the EC/EU has not contributed to the solution of the dilemmas of Spain's policy towards Morocco. The exceptions are the issues in which Spanish interest directly confronted that of the other member state with a strong interest in Morocco: France. The lack of agreement between Spain and France goes a long way in explaining the EU's discreet role in the Western Sahara conflict or its failure to come up with a co-ordinated response to the Parsley Island crisis. But the joint efforts of both countries are also important for understanding the privileged attention that Morocco gets in the Mediterranean context.

Beyond the study of the Spanish position, this thesis also points to the issue of the multiplicity of multi-level arenas in which policy towards Morocco is decided upon in the EU context. The relevance of the CFSP is partly questioned when we see how other policies of the European Union have managed to retain a large degree of autonomy in deciding about issues of direct relevance to the relations with third countries. The clearest example of

this in our thesis has been the issue of fisheries. The Euro-Mediterranean partnership and the Association Agreement went a long way in aligning the economic and political strategies of the EU towards Morocco, but still some areas like immigration policy and agriculture keep a large degree of autonomy. Indeed, co-operation in immigration matters has been successfully taking over part of the EU's foreign policy agenda: this issue is becoming the main European concern in some relationships, including that with Morocco. The EU's contradictions challenge the effectiveness of its approach to Morocco, and highlight the problem of a decentralised and loosely articulated foreign policy system like the EU's.

This thesis also contributes a warning call for the study of EU policy towards Morocco. The European Union has integrated the colonial heritage of its member states with very little questioning. Thus, it has found itself with EU territories in South America, the West Indies or North Africa. In the case of Spain, it has integrated Ceuta and Melilla as full EU territories without any questioning of their sovereignty despite the well known and constant Moroccan claim to the cities. Neither Morocco nor the EU have wanted this issue to figure in their bilateral dealings since 1986, nor are they likely to want it to do so in the near future. But this dormant conflict should not be ignored forever. If tensions rise between Spain and Morocco, the EU-Morocco partnership will necessarily be affected. Neutrality or mediation cannot be options, as the Parsley Island conflict showed, if a foreign policy of the EU, embodying the interests of its member states, has to have any credibility (Monar 2002). But the failures to address the Ceuta and Melilla issue and to contribute to the solution of the Western Sahara weaken the EU role in its near abroad and preserve a continuing role for the USA in the region.

Europeanisation and foreign policy

This thesis has been written in the midst of a sustained growth in the interest in Europeanisation, with an ever larger amount of texts written about this subject, including a number of excellent treatments of the theoretical dimension of the concept and its empirical implications (Boerzel 2002; Bulmer and Lequesne 2002; Featherstone and Radaelli 2003). Some of the

texts deal with foreign policy, and the concern about the effects of the European foreign policy system on national foreign policies seem well established.

In this context our definition of Europeanisation of a foreign policy as *the process of foreign policy change at the national level originated by the adaptation pressures and the new opportunities generated by the European integration process* contains an important element, the inclusion of two dimensions of Europeanisation: reception (top-down, downloading) and projection (bottom-up, uploading). The research has shown how the impact of EC/EU membership on a policy cannot be assessed only by focusing on pressure for adaptation; it has to be complemented by the study of the way in which the policy is shaped by the new opportunities arising from membership. The conclusions we have just outlined about the EU's policy towards Morocco show that the study of Europeanisation is not only useful in understanding the policy of a member state, but also in analysing the whole of Europe's foreign policy system.

In this study we made the choice to consider under the heading of foreign policy technical issues that are not part of the CFSP, but that have an important role both for a particular member state and for the EU. The need to analyse the effects on the national policies of the complex EU system, with its semi-autonomous policy communities in the different areas of EU activity, is highlighted by this research. The consequences of the three-pillar structure and the selective cross-pillarisation, in which some policy areas extend beyond their original scope into policy areas of another EU pillar (for example, JHA issues concerning immigration penetrate the CFSP) is another issue that should be included in the studies about the impact of EU membership.

Another important conclusion is the fact that Europeanisation happens to a large extent before the actual moment of accession. Indeed, we argue that the pressure for adaptation is stronger before accession than once a country is a member state. The evolution of the foreign policies of the candidates for the next enlargement of the EU confirms this tendency (Vaquer i Fanés 2003).

The impact, as we suggested in the first section of this chapter, will be more strongly felt the less historical weight the country has in the area towards which the policy is directed, and the more institutionalised the policy is at EU level.

Finally, we have seen how most changes associated with Europeanisation have to do with the institutional framework, with its limiting effects but also with the new opportunities it offers to member states. Yet, we have observed very little actual convergence between the member states, which confirms the need to clearly distinguish between Europeanisation and concepts such as harmonisation and convergence. A lack of does not mean that the positions of other member states is unimportant: as the role of France in this case has shown, disagreements and diverging points of view limit the scope of Europeanisation, in that they block the adoption of joint institutionalised arrangements, or joint foreign policy actions.

7.4 Final observations

Europeanisation has been a major source of transformation of Spanish foreign policy since 1986. The impact of EC/EU membership has been felt at all levels of policy: from identity and the definition of interest, to the decision-making process; from the domestic political context and public opinion, to concrete policy decisions. Its impact has been most noticeable in those areas of foreign policy in which Spain did not have a previous record of links or a tradition of relations, or in areas where the context is completely new, such as the former Soviet bloc.

That was certainly not the case with the Spanish policy towards Morocco. The bilateral relationship was crucial for Spain well before it became an EC member, and the impact of EC/EU membership has been less marked here than in many other areas of Spanish foreign policy. Continuity and the persistence of old problems at the centre of the bilateral agenda have been the most remarkable characteristics of this policy. Indeed, if there was any doubt about the importance of the classical themes in bilateral relations (fisheries,

Spain's possessions in North Africa, the Western Sahara), the 2001-2002 crisis exemplified the limits of the transformation of the Spanish policy.

The main conclusion of this thesis is therefore paradoxical. Europeanisation has been, together with the change of the party in power, a major motor of change of Spanish policy towards Morocco after 1986. But at the same time, membership of the EC/EU has allowed Spanish policy makers to delay or to avoid some basic dilemmas of the policy towards Morocco. It has done so by providing new resources that have temporarily strengthened Spain's position on some issues (fisheries, Ceuta and Melilla) without altering the nature of the fundamental disagreements with Morocco. Another way in which the crucial arbitration between conflicting interests has been delayed is by uploading contradictory strategies that the decentralised and complex EU system has incorporated without much difficulty.

Concretely, Europeanisation has been a source of adjustment changes and programme changes, which have more often resulted from the will to profit from the new opportunities than from the adaptation pressures from the EC/EU level. But Europeanisation has acted as a stabiliser when it comes to problem/goal changes; rather than challenging Spanish definition of problems in its relations with Morocco, the effect of EC/EU membership has been to delay the process of facing up to the contradictions involved in the definition of Spain's interests in relation to Morocco.

The decentralised nature of EU decision-making has allowed different parts of the Spanish executive to upload contradictory interests to the EU. This has removed the need to arbitrate within Spain between those interests to a certain extent, but has not solved the dilemmas, of which the Moroccan side is clearly aware. And it has contributed to a contradictory European policy, in which the EU declares its willingness to contribute to Moroccan development and to have a close partnership but still hinders the development of the areas in which Morocco is most competitive, while avoiding dialogue about the territorial issues that dominate Moroccan foreign policy.

Any observer with a good knowledge of European foreign policy may argue that the findings of this thesis are by no means exceptional in the EU context. If anything, they are typical of the way in which the EU system deals with foreign policy issues. Uploading contradictions, avoiding dilemmas at home, using the EU framework as an alibi for national policies, all of these are witnessed across the whole spectrum of EU members in all sorts of subjects. The impact of EC/EU membership on Spanish policy towards Morocco is only one example of some of the least studied aspects of Europeanisation.

Indeed, the largely paradoxical nature of Spain's policy towards Morocco is by no means an exception in the global context of relations between developed and developing countries. Spain's fisheries relations with third world countries can be perfectly compared to the Japan's; its position on agricultural products is closely similar to that of other EU members or even the USA; nor is its immigration policy exceptional. The analysis of the contradictions and the 'exceptional' situations in this policy benefits therefore from being analysed in the wider framework of international relations, as well as from comparisons with cases that present some analogies.

This study ends, therefore, by stressing exactly the contrary of its initial remarks. The Introduction to this thesis outlined the very special characteristics of the Spanish-Moroccan relationship. But, as the Conclusions have underlined, despite its very particular features, Spain's position on Morocco is better understood in terms of normality in the European, and indeed the international, context than as a unique, *sui generis* policy.

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Interviews

(The positions of the people interviewed is the one held at the time of the interview unless stated otherwise – interviews were all on the record, and are all listed below)

Ms Assia Bensalah Alawi, lecturer at the Mohammed V University in Rabat and Director of Research, *Centre d'Études Stratégiques de Rabat*. (Rabat, 26 May 2003)

Mr Fouad Ammor, member of the cabinet of the Moroccan Minister for Higher Education, Managers Training and Scientific Research, former member of the cabinet of the Moroccan Minister of Labour, Vocational Training, Social Development and Solidarity. (Rabat, 26 May 2003)

Mr Abelardo Almecia, former General Director of Structures and Fisheries Markets (1996-2000), General Secretariat for Maritime Fisheries, Spanish Ministry of Agriculture, Fisheries and Food. (Madrid, 11 January 2003)

Mr. Laurent Amar, Counsellor (Mediterranean), Permanent Representation of France to the European Union. (Brussels, 4 November 2002)

Mr. Mohammed Amire Belhaj, Head of Service Co-operation with the EU, Moroccan Ministry of Foreign Affairs. (Rabat, 5 June 2003)

Mr. Bernard Boigelot, North Africa and Yemen desk officer, European Commission Humanitarian Office. (Brussels, 6 November 2002)

Ms Marie Annick Boudin, Second Counsellor, French Embassy in Rabat. (Rabat, 11 June 2003)

Mr. Rafael Centenera Ulecia, Deputy General Director for International Fisheries Matters, General Secretariat for Maritime Fisheries, Spanish Ministry of Agriculture, Fisheries and Food. (Madrid, 6 November 2001 and 14 January 2003)

Ms. **Petra Corti**, Assistant, Maghreb Desk, Europaid, European Commission. (Brussels, 7 November 2002)

Mr. **António Duarte Pinho**, Counsellor (Fisheries), Permanent Representation of Portugal to the European Union. (Brussels, 10 April 2002)

Mr. **Larbi El-Harti**, writer and freelance journalist. (Rabat, 9 June 2003)

Mr. **Eugenio Fernández García**, Maghreb Countries Desk officer, External Relations H3, DG Agriculture, European Commission. (Brussels, 4 April 2002)

Mr. **Gabriel Ferrán**, First Secretary (responsible for Immigration), Spanish Embassy in Rabat. (Rabat, 11 June 2003)

Mr. **Javier Garat**, General Secretary of the Spanish Federation of Fishing Organisations (FEOPE); former assistant to the Fisheries Counsellor in the Permanent Representation of Spain to the European Union (1997). (Madrid, 10 July 2002 and 10 January 2003)

Mr. **José Manuel González Gil de Bernabé**, General Secretary of the Spanish National Federation of Guilds of Fishermen. (Madrid, 30 July 2002)

Mr. **Matthew Hedges**, Second Secretary, Political Affairs and Attaché de Presse, British Embassy in Morocco. (Rabat, 9 June 2003)

Mr. **Ramón María Irribarren Udobro**, attaché de presse, Spanish Embassy in Rabat. (Rabat, 4 June 2003)

Mr. **Lothar Jashcke**, Administrator, Directorate V (Mediterranean bassin et al.), Directorate-General E (external economic relations, common foreign and security policy), Council of the European Union. (Brussels, 5 November 2002).

Ms **Sana Jellasi**, representative in Morocco of Intermón/Oxfam. (Rabat, 22 June 2003)

Mr. **Driz Khrouz**, Head of Cabinet of the Moroccan Minister of Education and Youth. Lecturer in Economics in Faculté de Droit d'Agdal, Rabat. (Rabat, 12 June 2003)

Mr. **Hassan Lemhouer**, Head of Service Regional European Organisations, Moroccan Ministry of Foreign Affairs, and former Spain desk officer (2000). (Rabat, 3 June 2003)

Mr. **Alberto López García-Asenjo**, General Director of Structures and Fisheries Markets (1996-2000), General Secretariat for Maritime Fisheries, Spanish Ministry of Agriculture, Fisheries and Food; former Counsellor for Agriculture, Fisheries and Food at the Spanish Embassy in Rabat (1993-1996) and former Fisheries Counsellor at the Permanent Representation of Spain to the European Union (1996-2002). (Madrid, 8 January 2003)

Mr. **Miguel Lucena**, Head of the Delegation of the Government of Andalusia in Brussels. (Brussels, 18 April 2002)

Mr. **Xabier Markiegi Molina**, Director of the *Instituto Cervantes* in Rabat. (Rabat, 3 June 2003)

Mr **Vidal Maté**, Journalist specialised in Agriculture and Fisheries at *El País*. (Madrid, 4 July 2002)

Mr. **Juan Manuel Molina Lamotte**, Political Counsellor, Spanish Embassy in Rabat. (Rabat, 4 June 2003)

Mr. **Raimon Obiols i Germà**, Member of the European Parliament. (Brussels, 16 April 2002)

Mr. **Xavier Prats Monné**, Head of Unit: Co-ordination of the European Social Fund policy and local development; Member of the Cabinet of Commissioner Manuel Marín (responsible for Mediterranean) 1990-1993, Deputy head of Cabinet of Commissioner Manuel Marín 1993-1995. (Brussels, 12 April 2002)

Ms **Paloma Sancho Martín**, expert co-ordinator, Co-operation Technical Office Spanish Embassy in Rabat. (Rabat, 6 June 2003)

Ms **Jamila Settati**, Director of the research unit on Euro-Mediterranean Studies, University of Casablanca. (Casablanca, 23 May 2003)

Ms **Raquel Sevilla García**, Western Sahara Desk Officer, General Directorate External Relations, European Commission. (Brussels, 7 April 2002)

Mr. **Paul Sikert**, Political Counsellor, American Embassy in Rabat. (Rabat, 5 June 2003)

Mr. **Francisco Soto**, journalist, permanent correspondent in Rabat for *Avui* and *Grupo el Correo*. (Rabat, 10 June 2003)

Mr. **Mohammed Sidati**, representative of the Sahrawi Republic to the European Union. (Brussels, 16 April 2002)

Mr. **Haydon Warren-Gash**, British Ambassador to Morocco. (Rabat, 9 June 2003)

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