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**WHAT DO THEY REALLY WANT?
EXPLAINING THE CHANGING DYNAMICS OF SPAIN'S
APPROACH TO GIBRALTAR
IN THE LIGHT OF BREXIT NEGOTIATIONS**

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Abstract

This thesis focuses on the dynamics in the Spanish Government's stance towards Gibraltar during the post-Brexit period (2016-2019). The study is guided by three aims. On the theoretical level, it sets out an explanatory framework for the analysis of the dynamics in the territorial disputes by combining approaches to irredentism and foreign policy change. On the empirical level, it re-examines the current Spain's position towards Gibraltar within the traditional understanding of irredentism and addresses the factors behind the inconsistencies in the post-Brexit Spanish approach to the Gibraltar issue.

Aiming to assess the dynamics, this study examined statements of Spanish foreign policy executives who held their offices from 2016 to 2019. The findings revealed that despite some variation in emphasis, the Spanish legitimacy over Gibraltar remained unquestioned – Gibraltar was considered a colony whose existence was incompatible with the Spanish right to territorial integrity. However, the visions of how Gibraltar should be returned to Spain differed significantly. The plan to establish a shared British-Spanish sovereignty following the UK's withdrawal was replaced by a more constructive approach of gradually bringing Gibraltar closer to Spain through a closer cross-border cooperation.

The second part of this analysis aimed to address these changes. Following Hermann's propositions on foreign policy change, I examined how four stages of decision-making – initial expectations, external actor responses, recognition of discrepant information and development of alternatives – were dealt with within the Spanish Government. Three “external stimuli” were considered particularly relevant in understanding the shifts in Spain's approach to Gibraltar during the Brexit negotiations: the UK's reluctance to negotiate the shared sovereignty proposal, Gibraltar's self-identification as British rather than Spanish, and the EU's decision to grant Spain a veto right over any future agreement between the EU and the UK involving Gibraltar. However, it was observed that decision-making was more influenced by an individual policymaker's perception of the situation than by external actor responses *per se*.

Keywords: Irredentism, Gibraltar, Spain, Brexit, Sovereignty, Territorial disputes, Foreign policy change.

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“With Brexit we all lose, but on Gibraltar, Spain wins.”¹

-Pedro Sanchez

¹ ‘Sánchez: “Con el Brexit perdemos todos, pero respecto a Gibraltar España gana”’, *El País*, November 25, 2018, https://elpais.com/internacional/2018/11/25/actualidad/1543145628_927784.html [accessed August 15 2010]

1. INTRODUCTION

1.1. Prologue

In 1713, the Spanish King officially ceded Gibraltar to the English Crown under the Treaty of Peace and Friendship Between Great Britain and Spain, known as the Treaty of Utrecht. To this day Gibraltar is recognized under international law as a British overseas territory, although Spain has been disputing its Britishness ever since. While the British authorities hold that the Treaty granted Gibraltar's full sovereignty to Great Britain, the Spanish interpretation of the Treaty is quite different. Opposing to the British stance, the Spanish Government has argued that it was only the castle and the city of Gibraltar which were ceded under the Treaty.² In this regard, the isthmus with its surrounding waters and the airspace were never relinquished by Spain and therefore, according to the Spanish interpretation, should remain under Spanish sovereignty.³ Additionally, Spain has also insisted that the current status of Gibraltar undermines Spain's right to territorial integrity, granted by the UN Resolution 1514.

The contention between London and Madrid regarding Gibraltar has become even more pronounced in the context of Brexit. The UK's decision to withdraw from the European Union not only raised questions about Gibraltar's future status in the EU legal framework, but also created an opportunity for Spain to renegotiate the terms of British rule over the territory. In the wake of the UK's national referendum on its EU membership, José Manuel García-Margallo, the Spanish former Foreign Minister, warned that if the UK chose to leave, Spain "would be talking about Gibraltar the very next day".⁴

Shortly after the results were confirmed, García-Margallo urged to start bilateral discussions on the joint British-Spanish sovereignty of the territory alongside the Brexit negotiations. The idea to establish a joint sovereignty regime was proposed by the Spanish

² Simon J. Lincoln, "The Legal Status of Gibraltar: Whose Rock is it Anyway?", *Fordham International Law Journal*, 18 (1994), 285-294.

³ "Historia y aspectos Jurídicos del contencioso", <http://www.exteriores.gob.es/Portal/es/PoliticaExteriorCooperacion/Gibraltar/Paginas/Historia.aspx> [accessed 12 August 2020]

⁴ Leana Hosea, "What does Gibraltar think about Brexit?", *BBC*, March 9, 2016, <https://www.bbc.com/news/magazine-35743731> [accessed 12 August 2020]

authorities as the only possible solution for Gibraltar to maintain its relations with the EU. According to the proposal, which was officially presented at the UN General Assembly in October 2016, a shared sovereignty between the UK and Spain “would resolve a great many problems, some of them already existing, and others stemming from the United Kingdom’s exit from the European Union”.⁵ Although the UK promised not to transfer Gibraltar’s sovereignty to Spain nor to ever enter into any agreements which could alter Gibraltar’s constitutional status, the Spanish position seemed to be uncompromising. As the former Spanish Foreign Minister stated, Gibraltar had two options: “being British outside the EU or Spanish-British within the EU.”⁶

However, over the past couple of years Spain has apparently softened its stance on the issue. In recent debates concerning the future status of Gibraltar, the center-left government of Prime Minister Pedro Sanchez has laid more stress on practical aspects, such as solving day-to-day issues of the cross-border workers within the new legal framework of the UK-EU relations. The idealistic aspiration to “plant Spanish flag in the Rock” has been replaced by a more pragmatic approach of “an area of shared prosperity”.⁷ Thus, despite the initial Spain’s commitment to seize this historical opportunity to regain Gibraltar’s control, the sovereignty question was eventually taken off the Brexit negotiations table.

The final draft of the Withdrawal Agreement did not impose any obligations related to the Gibraltar’s constitutional status. However, in November 2018, Spain lifted its veto and voted in its favor. Such shifting attitudes raise questions about the current Spanish standpoint in the long-running dispute. Does Spain still want Gibraltar back? If it does, how can the Government’s decision to leave the sovereignty question aside be explained?

⁵ Intervención de España ante la ONU sobre Gibraltar, October 4, 2016, http://www.spainun.org/wp-content/uploads/2016/10/Intervenci%C3%B3n-Espa%C3%B1a-Item-58-71AG-versi%C3%B3n-compilada-ESP.ING_.pdf [accessed 12 August 2020]

⁶ “Spanish flag will fly in Gibraltar “sooner than chief minister thinks””, *El Pais*, October 6, 2016, https://english.elpais.com/elpais/2016/10/06/inenglish/1475762366_981489.html [accessed 12 August 2020]

⁷ “Sánchez stresses Spain’s strength to decide EU position on Gibraltar after Brexit”, *The Diplomat in Spain*, October 19, 2019, <https://thediplomatinspain.com/en/2019/10/sanchez-stresses-spains-strength-to-decide-eu-position-on-gibraltar-after-brexif/> [accessed 12 August 2020]

1.2. Aims and Research Questions

This thesis focuses on the dynamics in the Spanish stance towards Gibraltar during the post-Brexit period (2016-2019). The study is guided by three aims. On the theoretical level, it sets out an explanatory framework for the analysis of the dynamics in the territorial disputes by combining approaches to irredentism and foreign policy change. On the empirical level, it aims to re-examine the current Spanish position towards Gibraltar within the traditional understanding of irredentism and to present an explanation to the inconsistency in the post-Brexit Spanish approach to the Gibraltar issue. Therefore, the core research questions which are to be answered in this study are the following:

- 1) *How was the Spanish position towards its historical claims on Gibraltar reformulated following the UK's decision to withdraw from the EU?*
- 2) *What were the driving forces behind the changing Spanish approach towards Gibraltar's sovereignty in the post-Brexit period?*

In order to answer these questions, I will address the following sub-questions:

- How were the Spanish intentions toward Gibraltar articulated by Mariano Rajoy's government in 2016-2018?
- What changes did occur in Spain's position with regard to Gibraltar following the shift of government in 2018?
- Can the current Spanish position on Gibraltar be understood as of irredentist character?
- How did the internal and external factors (changes in the government, positions of Gibraltar, the UK and the EU) contribute to Spain's changing behavior in the dispute?

1.3. Previous research

Over the last two decades, the Gibraltar dispute has provoked some academic discussions in the disciplines of history and legal studies. Legal approaches have been predominantly interested

in the constitutional status of Gibraltar as a British overseas territory as well as on Gibraltar's right to self-determination under the UN legal framework.⁸ Historical studies, on the other hand, revolved around Gibraltar's role during the Spanish Civil War and the shaping of Gibraltar's national identity.⁹ Although these studies provide a rich historical background, they are insufficient to understand the significance of the conflicting British and Spanish views on Gibraltar in the present political settings.

In the context of the UK's withdrawal from the EU, it was the issue of Northern Ireland that attracted most scholarly attention. However, Gibraltar – the other border between Britain and the EU – has surprisingly not been subjected to much academic debate. Relatively few articles have been published on this topic. *Brexit, the Misrepresentation of Democracy, and the Rock of Gibraltar*¹⁰, a short essay by James J. Friedberg, professor of law at West Virginia University, provided some valuable insights on the challenges concerning Gibraltar's sovereignty in the post-Brexit context. An article by Turkish scholars Ugur Yldiz and Anil Camyamac analyzed the causes behind the changing EU's position towards Gibraltar through the lens of constructivism.¹¹

Several articles by Spanish scholars have addressed the issues of future relations between Gibraltar and Spain. These articles have been mostly focused on how Spain could redefine its relationship with Gibraltar following the UK's withdrawal from the EU. The options suggested ranged from a shared sovereignty regime, earlier proposed by the Spanish authorities, to a practical *Modus Vivendi* of cross-border dialogue.¹² However, to my knowledge, none of the scholarly work

⁸ See, Simon J. Lincoln, "The Legal Status of Gibraltar: Whose Rock is it Anyway?", *Fordham International Law Journal*, 18 (1994); Christian Leathley, "Gibraltar's Quest for Self-Determination: A Critique of Gibraltar's New Constitution", *Oregon Review of International Law*, 9 (2007).

⁹ See, Julio Ponce Alberca, *Gibraltar y la Guerra Civil Española. Una neutralidad singular* (Seville: Secretariado de Publicaciones de la Universidad de Sevilla, 2009); Peter Gold, "Is Gibraltar a Nation?", *International Journal of Iberian Studies*, 14 (2001).

¹⁰ James J. Friedberg, "Brexit, the Misrepresentation of Democracy, and the Rock of Gibraltar", *University of Bologna Law Review*, 5 (2020).

¹¹ Uğur Burç Yıldız and Anil Çamyamaç, "Explaining the European Union's Changing Position towards the Gibraltar Question after the Brexit Referendum", *Mediterranean Journal of Social Sciences*, 8 (2017).

¹² See, Martín Ortega Carcelén, "The joint sovereignty proposal for Gibraltar: benefits for all", *Real Instituto Elcano*, http://www.realinstitutoelcano.org/wps/portal/rielcano_en/contenido?WCM_GLOBAL_CONTEXT=/elcano/elcano_in/zonas_in/europe/ari50-2017-ortegacarcelen-joint-sovereignty-proposal-gibraltar-benefits-for-all [accessed 15 August 2020]; Alejandro del Valle Galvez, "Gibraltar, the Brexit, the Symbolic Sovereignty, and the Dispute. A Principality in the Straits?", *Cuadernos de Gibraltar*, 1 (2017), <https://orcid.org/0000-0002-5944-3047>

to date has addressed the issue of the changing Spanish Government's perspective towards Gibraltar throughout the Brexit negotiations – albeit earlier there had been references in this regard. In an article published in 2013, Spanish law professor Alejandro del Valle Galvez pointed out that “Spain’s strategy on Gibraltar has been erratic and there have certainly been significant non-consensual jumps in focus depending on each government in office”.¹³ This thesis thus aims to address this issue in the context of the challenges provoked by the UK’s decision to withdraw from the EU.

1.4. Thesis Outline

This thesis consists of six chapters. The second chapter provides historical background of the Gibraltar dispute outlining the roots of conflicting interpretations of the UK and Spain on Gibraltar’s sovereignty. Historical background is followed by theoretical assumptions that are divided into four sections. In the first section I discuss the debates related to the concept of irredentism and its applicability to the case of Gibraltar. The second section explores the strategies that are employed by the claimant states to justify their territorial claims. Based on Kornprobst’s assumptions, I suggest that the irredentist behavior can be studied through a two-dimensional approach focusing on how states defend their legitimacy over the disputed territory and how the recovery of the “seized land” is perceived. The third section focuses on the changes in the irredentist behavior. Following a brief reflection on why the existing explanations are insufficient for this research, I suggest to theorize the dynamics in the irredentist stances as a changing foreign policy behavior. Based on Hermann’s assumptions on foreign policy change, I underline the conditions under which changes in foreign policy behavior are more likely to occur. These approaches are combined into an analytical framework presented in the last section of the chapter.

Methods used in the research as well as main limitations are presented in the fourth chapter. The fifth chapter examines the changing Spain’s approach to Gibraltar after the Brexit referendum. In line with the analytical framework, the analysis consists of two parts. In the first part I explore

¹³ Alejandro del Valle Galvez, “The Gibraltar crisis and the measures, options and strategies open to Spain”, *Real Instituto Elcano*, http://www.realinstitutoelcano.org/wps/portal/rielcano_en/contenido?WCM_GLOBAL_CONTEXT=/elcano/elcano_in/zonas_in/spanishforeignpolicy/ari32-2013-delvalle-crisis-gibraltar-medidas-opciones-estrategias-espana [accessed 15 August, 2020].

how both dimensions of justification for irredentist claims – Spain’s legitimacy in Gibraltar and visionary plan of Gibraltar’s re-integration into the Spanish territory – were articulated by prime ministers and foreign ministers of two consecutive governments. The second part of the analysis sets out to explain the causes behind the inconsistencies in the Spanish Governments’ stance towards Gibraltar. The examination follows a four-step model in order to find out how particular issues were dealt with by different foreign policy executives. Lastly, in the sixth chapter I discuss the findings and provide insights for further research.

2. Historical Background: Territorial Integrity vs. Self-Determination

“The Catholic King does hereby, for himself, his heirs and successors, yield to the Crown of Great Britain the full and entire propriety of the town and castle of Gibraltar, together with the port, fortifications, and forts thereunto belonging; and he gives up the said propriety to be held and enjoyed absolutely with all manner of right for ever, without any exception or impediment whatsoever.”

– Article X, Treaty of Utrecht, 1713

After being recaptured from the Moors in 1462, Gibraltar remained under Spanish sovereignty until the beginning of the eighteenth century. In 1704, it was seized by a combined English and Dutch fleet during the War of the Spanish Succession. Nine years later, Great Britain and Spain signed the Treaty of Utrecht, which concluded the War as well as officially ceded Gibraltar’s control to Great Britain. This, however, did not put the end to the dispute, because the Treaty raised considerable controversy regarding the territorial scope of the cession. Basing its claims on the Article X, Spain argued that the only territories transferred to Great Britain under the Treaty were the city of Gibraltar, the castle, its fortresses and the port, while “the Isthmus (including the adjacent waters or the overlying airspace) was not ceded by Spain.”¹⁴ Thus, British control of the Isthmus is considered by Spain as an occupation, which is “illegal and contrary to international

¹⁴ “History and Legal Aspects of the Dispute”, <http://www.exteriores.gob.es/Portal/en/PoliticaExteriorCooperacion/Gibraltar/Paginas/Historia.aspx> [accessed 12 August 2020]

law”.¹⁵ Conversely, Britain argued that its legacy in the southern part of the isthmus “is based on continuous possession over a long period of time”.¹⁶

These were not the only arguments used in defense of territorial rights. In 1960, the UN passed Resolution 1514, which outlined the “necessity of bringing to a speedy and unconditional end colonialism in all its forms and manifestations”.¹⁷ On the basis of the resolution, Gibraltar was included by the Special Committee of Decolonization in the list of “Non-Self-Governing Territories subject to Decolonization”. The resolution stated that:

Article 1

1. All people have the right to self-determination; by virtue of that right, they freely determine their political status and freely pursue their economic, social and cultural development [...]
6. Any attempt aimed at the partial or total disruption of the national unity and the territorial integrity of a country is incompatible with the purposes and principles of the Charter of the United Nations.¹⁸

These two provisions generated much debate on the future status of Gibraltar. While the UK argued that self-determination principle implied to respect the free will of Gibraltarian people, Spain maintained that British control of Gibraltar disrupted Spain’s territorial integrity, in violation of paragraph 6.¹⁹ Aiming to implement the first principle, in 1967, the UK held a referendum in Gibraltar, which demonstrated that the absolute majority of voters wished to stay under British rule. However, before the referendum Spanish authorities had insisted that Gibraltarians “did not form a real ‘people’ but only an artificial population created through British imperialism” and therefore should not be granted the right of self-determination under the provisions of the UN

¹⁵ *Ibid.*

¹⁶ Gerry O’Reilly, “Gibraltar: Sovereignty Disputes and Territorial Waters”, *Boundary & Security Bulletin*, 7 (1990), 71.

¹⁷ Declaration on the Granting of Independence to Colonial Countries and Peoples, <https://www.ohchr.org/EN/ProfessionalInterest/Pages/Independence.aspx> [accessed 12 August 2020]

¹⁸ J. Lincoln, 294.

¹⁹ Miguel Antonio Sanchez, “Self-Determination and the Falkland Islands Dispute”, in *Third World Attitudes Toward International Law—An Introduction*, ed. by Frederick E. Snyder and Surakiart Sathirathai (Dordrecht; Boston: M. Nijhoff, 1987), 110.

resolution.²⁰ In other words, from the Spanish perspective Gibraltarians were seen as mere inhabitants from the UK rather than a separate people whose will should be respected.

In the context of sovereignty disputes, the parallel between Spanish claim over Gibraltar and Spanish reluctance to give up on five territories in the northern Africa has also caused certain amount of controversy. Two of the territories – Ceuta and Melilla – are situated on the Moroccan coast and were acquired by Spain in the sixteenth century. While Gibraltar is considered by the UN as a non-self-governing territory pending decolonization, this is, however, not the case for Ceuta and Melilla. Opposing to Morocco’s claims that UN principles of territorial integrity should as well be applied to its territories, Spanish authorities argued that “the majority of residents there are Spanish and wish to remain under Spanish rule” and that military bases in Ceuta and Melilla are essential for Spanish national security.²¹ Morocco, on the other hand, emphasized that Spanish arguments used in defense of its right to claim Gibraltar are exactly the same as those used by Morocco claiming territories owned by Spain.

However, The UN Assembly along with the Special Committee seemed to have supported Spain’s position in the Gibraltar debate as the results of the referendum held in Gibraltar were declared invalid under UN Resolution 2353. Consequently, the Special Committee issued an official statement, which indicated that the protection of territorial integrity of states should be considered a priority over other issues. As observed by Melissa R. Jordine, an American historian, the UK’s argument of the priority of self-determination principle seem to have been rejected by the UN “because abiding by the wishes of the population would force the UN to sanction or approve of Gibraltar remaining a colonial possession indefinitely”.²² Therefore, the UN recommended to further address the dispute through bilateral negotiations between the UK and Spain, excluding Gibraltar’s representatives.

These negotiations were carried out at two levels. In 1984, two years before Spain’s accession to the EU, Spain and the UK signed the Brussels Agreement which set a framework for bilateral negotiations concerning Gibraltar. In the framework of these talks, Spain has twice proposed to reintegrate Gibraltar to Spain. However, the proposals were point-blank rejected by

²⁰ Robert Aldrich and John Connell, *Last Colonies* (Cambridge: Cambridge University Press, 1998), 214.

²¹ Gerry O’Reilly, “Ceuta and the Spanish Sovereign Territories: Spanish and Moroccan Claims”, *Boundary and Territory Briefing*, 1 (1994), 1.

²² Melissa R. Jordine, *The Dispute Over Gibraltar* (Broomall: Chelsea House Publishers, 2007), 17.

the British authorities.²³ The idea of shared sovereignty was for the first time raised in 2001. A year later, Gibraltar held a referendum on this question. Nevertheless, Gibraltarians overwhelmingly rejected the proposal with just slightly over one percent voting in favor. Following the results, the British Foreign Affairs Committee stated that

[...] there was no prospect whatsoever that any agreement on the future of Gibraltar which included joint sovereignty could be made acceptable to the people of Gibraltar, and [...] the outcome is likely to be the worst of all worlds—the dashing of raised expectations in Spain, and a complete loss of trust in the British Government by the people of Gibraltar.²⁴

Since the shared sovereignty proposal collapsed, the UK and Spain agreed to create a new framework for negotiations, “in which Gibraltar would have its own voice”.²⁵ This led to the establishment of a trilateral instrument – the Forum of Dialogue, which was focused on cross-border cooperation issues and involved British, Spanish and Gibraltarian governments. Nevertheless, in 2011, following the formation of the new government, Spain demanded to transform the trilateral forum into a four-sided entity to include local authorities. The UK, however, rejected to change “what was agreed bilaterally in October 2004”.²⁶ Since then, negotiations on Gibraltar remained deadlocked.

3. Theoretical Assumptions

In order to answer our research questions, the theoretical framework chosen for this study combines approaches used in both humanities and political science. While humanistic approaches provide valuable insights into how irredentist narratives are constructed by the authorities of a given state, approaches of political science shed more light to the circumstances surrounding the dynamics of the decision-making in the irredentist policies. This chapter thus proceeds as follows.

²³ “Gibraltar: Time to get off the fence”, The Foreign Affairs Committee, <https://publications.parliament.uk/pa/cm201415/cmselect/cmfaaff/461/46106.htm> [accessed 12 August 2020]

²⁴ Ibid.

²⁵ Letter to the Chairman of the Committee from the Chief Minister, Government of Gibraltar, 17 December 2004, The Foreign Affairs Committee, <https://publications.parliament.uk/pa/cm200405/cmselect/cmfaaff/488/488we18.htm> [accessed 12 August 2020]

²⁶ del Valle Galvez, “The Gibraltar crisis and the measures, options and strategies open to Spain”, *Real Instituto Elcano*, http://www.realinstitutoelcano.org/wps/portal/rielcano_en/contenido?WCM_GLOBAL_CONTEXT=/elcano/elcano_in/zonas_in/spanishforeignpolicy/ari32-2013-delvalle-crisis-gibraltar-medidas-opciones-estrategias-espana [accessed 12 August 2020]

First, I conceptualize the term of irredentism and discuss its applicability to the Gibraltar dispute. Second, I theorize how irredentist positions are manifested by states focusing on the patterns of two narratives – the defense of legitimacy and the visionary plan of the recovery of the “lost land”. Lastly, I present some theoretical prepositions on foreign policy change which are further used as guidelines to investigate the underlying motives behind the changing dynamics of the irredentist behavior.

3.1. Conceptualizing the Gibraltar Dispute: A Case of Irredentism?

In the literature on nationalism and territorial disputes, Spain’s refusal to recognize British sovereignty over Gibraltar is often described as a form of irredentism. The term of irredentism emerged in the nineteenth century from the Italian national movement *Italia irredenta* (‘unredeemed Italy’) that sought to annex the lands Italy had lost to the neighboring Austrian Empire during earlier wars.²⁷ Although in recent centuries the world has witnessed numerous examples of diverse territorial disputes, irredentism has not yet received much scholarly attention. The reason for this disregard, as several scholars point out, is that there is no consensus so far as to what territorial disputes should be named as such²⁸. The proximity of irredentism to other nationalism-driven conflicts generates confusion in defining the concept. In a body of literature which deals with nationalist claims, irredentism often overlaps with separatism or secession and therefore is not explicitly conceptualized as a separate phenomenon. Thus, aiming to avoid any terminological fuzziness, I will briefly overview existing definitions of the term.

In the most general sense, irredentism denotes claims made by a state to areas in another sovereign state.²⁹ However, some scholars point out that for territorial claims to be considered irredentist, the area in question must be linked to the claimant state by virtue of cultural

²⁷ Karin von Hippel, “The Resurgence of Nationalism and Its International Implications”, *The Washington Quarterly*, 17 (1994), 185.

²⁸ For further discussion, see, Donald L. Horowitz, “Irredentas and Secessions: Adjacent Phenomena, Neglected Connections”, *International Journal of Comparative Sociology*, 33 (1992) and Gigi Gokcek, “Irredentism versus Secessionism: The Potential for International Conflict”, *Nationalism and Ethnic Politics*, 17 (2011).

²⁹ Oleh Martin Griffiths and Terry O’Callaghan, *International Relations: The Key Concepts* (New York: Routledge, 2002), 175; James Mayall, *Nationalism and International Society* (Cambridge: Cambridge University Press, 1990), 57.

associations, such as ethnicity or religion. As argued by an American political scientist Gigi Gokcek, “irredentism refers to political efforts to unite ethnically or religiously related segments that have been incorporated into several different states”.³⁰ A similar definition had been earlier suggested by Donald Horowitz, a prominent scholar of nationalism, who defined irredentism as “a movement by members of an ethnic group in one state to retrieve ethnically kindred people and their territory across borders”.³¹ These definitions share one fundamental premise – they outline ethnicity as a primal drive for such conflicts and therefore imply that territorial disputes with no ethnic component should not be classified as cases of irredentism.

This may let us assume that irredentism is closely linked to the ethnic understanding of the nation and shall be therefore analyzed in terms of ethnonationalism. Ethnonationalism, as defined by a pioneer scholar in the study of nationalism Walker Connor, “denotes both the loyalty to a nation deprived of its own state and the loyalty to an ethnic group embodied in a specific state, particularly where the latter is conceived as a ‘nation-state’”.³² Hence, theorizing Spanish claim over Gibraltar in this context would indicate two things: that the Spanish people in Spain regard the people of Gibraltar as an ethnic part of the Spanish nation, which was deprived from the Spanish state, and that the Gibraltarians themselves share a sense of belonging to the Spanish nation embodied in Spain. None of these statements, however, seem to be empirically supported. Although surveys show that a majority of Spaniards consider Gibraltar as part of Spain³³, their assertions are rather based on territory than on people. As Karin von Hippel, a British political scientist, noted, “the Spanish claim on Gibraltar is an example of irredentist claim based primarily on territory”.³⁴ Likewise, the sense of belonging Gibraltarians share does not seem to be bounded with Spanishness either. In 1950, Kenneth A.N. Andersson, the Governor of Gibraltar, described the Gibraltarian identity in the following words:

³⁰ Gokcek, 279.

³¹ Horowitz, 119.

³² Daniele Conversi, *Ethnonationalism in the Contemporary World: Walker Connor and the Study of Nationalism* (London: Routledge, 2004), 36.

³³ Javier Noya, “Gibraltar and public opinion in the UK and Spain”, *Real Instituto Elcano*, http://www.realinstitutoelcano.org/wps/portal/rielcano_en/contenido?WCM_GLOBAL_CONTEXT=/elcano/elcano_in/zonas_in/ARI36-2013-Noya-Gibraltar-public-opinion-UK-Spain-Espana [accessed 13 August 2020]

³⁴ von Hippel, 186.

“it is very clear that the Gibraltarian is certainly not a Spaniard. He has naturally developed characteristics of his own derived from his forebears and it is not too much to say that the Gibraltarian race is unique and very proud of its British Citizenship. The synthesis of blood is still going on.”³⁵

Furthermore, two referendums, held in 1967 and in 2002, showed that the absolute majority of Gibraltarians opposed to the idea of Spanish sovereignty by voting to remain under the British rule.³⁶ Thus, if irredentism is understood as a movement driven by several ethnically kindred groups that share a sense of belonging to one community, it remains unclear why the Gibraltar dispute is conceptualized as such. Provided that neither the Spaniards, nor Gibraltarians are likely to identify themselves with one another, why is this case often understood and explained in terms of irredentism?

Although existing literature does not reflect much upon the choice of the term, I suggest that this has to do with the way irredentism is defined. Some authors choose to broaden the definition of irredentism by including other factors beyond ethnicity, such as history or geography. For instance, Naomi Chazan, a Jewish political scientist, noted that irredentism encompasses “any political effort to unite ethnically, historically, or geographically related segments of a population in adjacent countries within a common political framework.”³⁷ Indeed, both historical and geographical factors are often taken into consideration while analyzing irredentist claims. As stressed by von Hippel, such claims are complicated “because they are based on historical memory, usually shared by the contenders for the geographical space”.³⁸ This might suggest that even if the claimant state is not ethnically bonded to the disputed territory, the former can justify its claims in terms of historical righteousness. In other words, the claimant state may pursue to recover the territory, if it is perceived as illegally taken away. Not only the shared past, but also the geographical proximity matters. As American political scientists Thomas D. Lancaster and James L. Taulbee pointed out describing the Gibraltar question, “proximity lends plausibility – the

³⁵ Edward G. Archer, *Gibraltar, Identity and Empire* (Routledge, 2006), 34.

³⁶ Gibraltar Fact Sheet, <https://www.gibraltar.gov.gi/press/gibraltar-fact-sheets> [accessed 13 August 2020]

³⁷ Naomi Chazan, “Introduction”, in *Irredentism and International Politics*, ed. by Naomi Chazan (Boulder: Lynne Rienner Publishers, 1991), 1.

³⁸ von Hippel, 190.

claimants are nearby, the legal titleholders are not”.³⁹ These two features might prove useful in understanding why Spanish claims over Gibraltar are usually conceptualized in the scholarly under the framework of irredentism – although ethnic ties between the claimant state and the disputed territory may not be apparent, both historical and geographical features are notorious in the dispute.

This thesis adopts the broader definition of the term and therefore regards irredentism as political efforts of a sovereign state to retrieve an area, which is related to the former through either ethnical, historical or geographical links. Thus, in line with this definition, Spanish claims over Gibraltar here are conceptualized as a case of irredentism and therefore are further analyzed as such. In the following section I focus on how the claimant states defend their right to reclaim a territory, what strategies they implement and what arguments are used in support of their claims.

3.2. Irredentism Described: A Two-Dimensional Approach

Due to its complex and multifaceted nature, irredentism is difficult to explain and generalize. As pointed out by American political scientists David S. Siroky and Christopher W. Hale, the irredentist activity may range “from “softer” claim making about the territory [...] up to military action”.⁴⁰ This is precisely the reason why there is no universal theory so far, which could explain why some states decide to pursue irredentist policies and how their intentions are justified. Since every dispute is unique in its origins, dynamics and actors, a *one-size-fits-all* approach is unlikely to prove satisfactory. Nevertheless, there have been several attempts in the scholarly to theorize the conditions under which irredentist claims are more likely to be articulated. Some authors argue that irredentism is primarily driven by rational choice (competition for economic resources and power) while others point to ideational determinants (nationalism and self-determination).⁴¹ Proponents of the rational choice approach see irredentism as elite-driven process

³⁹ Thomas D. Lancaster and James L. Taulbee, “Britain, Spain, and the Gibraltar Question”, *Journal of Commonwealth and Comparative Politics* 23, (1985), 251.

⁴⁰ David S. Siroky and Christopher W. Hale, “Inside Irredentism: A Global Empirical Analysis”, *American Journal of Political Science*, 61 (2017), 118.

⁴¹ Julianna Christa Elisabeth Fuzesi, (2006). *Explaining irredentism: the case of Hungary and its transborder minorities in Romania and Slovakia* (Doctoral dissertation), London School of Economics and Political Science (United Kingdom), 19-20.

and suggest that states may pursue such policies for political or material gains.⁴² Ideationalists, on the other hand, are more focused on symbolism, identity construction and historical experiences in their explanations.⁴³

Although based on different perspectives, these two approaches share one fundamental feature from a methodological point of view – they are both concerned with explaining what factors may encourage states to pursue irredentist ambitions. However, analyzing the origins of irredentism is beyond the scope and focus of this thesis. Rather than asking the cause-effect oriented question of why irredentism occurs, I seek to examine how irredentist claims are articulated by the state and what factors lead to changes in state's irredentist behavior.

With regards to the first question, the approach proposed by a German political scientist Markus Kornprobst is of valuable reference to this analysis. Kornprobst argues that in irredentist disputes, states usually follow a two-dimensional strategy in order to justify their claims to themselves as well as to their external environment. The first dimension is concerned with legitimization of the claims. In other words, the claimant state seeks to prove that it “has the right and, given its history, the obligation to retrieve the disputed territory from the status quo power”.⁴⁴ The second dimension refers to a visionary aspect, which demonstrates “how unity will be realized”.⁴⁵ It can be understood as a plan or strategy, which indicates how the disputed land can again become incorporated in the territory of the claimant state.

In both dimensions, state leaders employ particular arguments to support their claims. Such arguments are usually framed in terms of historical justice and righteousness – the disputed land is portrayed as illegally taken away from the claimant state, and therefore the latter is seen as having the right to reclaim it. The construction of the narrative of justification thus can be viewed as a purposive action of political players through which certain historical events are strategically employed aiming to justify the need to retrieve the lost territory. As proposed by a Swedish historian Klas-Goran Karlsson, narratives of legitimation can be conceptualized as an ideological

⁴² Alberto Alesina and Enrico Spolaore, *The Size of Nations* (Cambridge: MIT Press, 2003); Briger Heldt “Domestic Politics, Absolute Deprivation, and the Use of Armed Force in Interstate Territorial Disputes: 1950-1990”, *Journal of Conflict Resolution*, 43 (1999), 451-78.

⁴³ Fuzesi, 20.

⁴⁴ Markus Kornprobst, “Dejustification and Dispute Settlement: Irredentism in European Politics”, *European Journal of International Relations*, 13 (2007), 463.

⁴⁵ *Ibid.*

use of history since they are constructed “by means of absolute chronological boundaries [...], black-and-white descriptions, strong lines of continuity and perspectives of unproblematic progress”.⁴⁶ In such narratives, “the other side” of the story within a given historical context is often omitted or neglected, which, according to Klas-Goran Karlsson, can be also defined as a non-use of history. The non-use of history is “a special case of the ideological use of history”, which denotes “an ideological adoption by some intellectual and political groups of an attitude according to which history, or some part of it, should be ignored”.⁴⁷ This thus lets us assume that any irredentist discourse of justification is highly subjective and largely based on the dominant historical narrative of the claimant state.

However, the discourse of justification in the irredentist disputes shall not be confused with explanatory reasons – i.e. the objective causes due to which a state may pursue irredentist policies. As noted by Alexander B. Murphy, an American geographer, arguments employed by the state do not necessarily reflect the motives of irredentist intentions. The reasoning behind such policies may be based on economic or geopolitical motives, yet “leaders rarely make speeches declaring that they are seeking to incorporate a neighboring territory into their domain because [...] the territory would provide better access to the sea or because the state is too small to compete effectively with its neighbors”.⁴⁸

As the first part of this study is intended to analyze the stances taken by a state with regards to a disputed territory, these considerations will provide valuable guidance. However, they do not account for the changing behavior in irredentist disputes and prove insufficient to answer the second research question. Therefore, in the following section I propose to theorize irredentist disputes as part of a state’s foreign policy agenda in order to understand what factors might contribute to the changing dynamics in the state’s irredentist behavior.

3.3. Irredentism as Part of Foreign Policy: Understanding Changing Behavior

⁴⁶ Klas-Goran Karlsson, “The Uses of History and the Third Wave of Europeanization”, in *A European Memory? – Contested Histories and Politics of Remembrance*, ed. by Małgorzata Pakier and Bo Stråth (USA: Berghahn Books, 2012), 51.

⁴⁷ Ibid.

⁴⁸ Alexander B. Murphy, “Historical Justifications for Territorial Claims”, *Annals of the Association of American Geographers*, 80 (1990), 533.

Previous research on the patterns in the irredentist behavior has been primarily focused on either resolved disputes in the post-war Europe or the existing non-democratic cases with a possibility of military intervention.⁴⁹ Although these studies provide rich empirical analysis, theoretical tools they employ cannot be universally applicable.

The approach proposed by Kornprobst is developed aiming to explain how most of European states have come to settle their territorial disputes by the end of the twentieth century. Through the examples of the Federal Republic of Germany and the Republic of Ireland, Kornprobst demonstrates that states withdraw their territorial claims if the aforementioned dimensions – legitimacy and visionary plan – are dismantled, i.e. ‘dejustified’.⁵⁰ Although aimed at explaining changes in the irredentist behavior, this approach is exclusively centered on the resolved irredentist disputes. Therefore, it can only be applicable for cases where a state officially confirms the rejection its irredentist claims. This approach, however, cannot explain why a state with previously explicit irredentist intentions decides to adopt a softer line on the issue without officially withdrawing its claims. In other words, it does not deal with position changes within ongoing disputes.

The approaches that focus on the cases of irredentism in the non-democratic states are too of little use for the purpose of this study because they are mainly based on arguments related to institutional instability and anocracy. It is widely assumed, however, that democracies are unlikely to engage in military conflicts with each other, and therefore the study of the dynamics of irredentist claims under democratic conditions may require a different approach.

An irredentist dispute, as defined in this thesis, always involves a state competing over a territory in another sovereign state. Thus, it entails intentions and actions of one state directed towards its external environment. In this regard, it can be argued, the irredentist behavior of a claimant state may be discussed as part of its foreign policy. Based on this assumption, I suggest that aiming to understand the changing dynamics of state’s actions and intentions in an irredentist dispute, it is helpful to contextualize irredentism within the foreign policy decision-making framework.

⁴⁹ For further discussion on irredentist cases in post-war Europe see, Kornprobst. For examples of irredentism under non-democratic conditions, see Siroky and Hale.

⁵⁰ Kornprobst, 463.

According to a leading scholar in international relations James N. Rosenau, foreign policy can be conceptualized in terms of orientations, commitments and behaviors.⁵¹ Foreign policy as orientation refers to general principles of conduct that guide a state's decision-making in international affairs. Foreign policy as commitments can be understood as a materialized translation of these orientations – i.e., they are strategies and plans developed in pursuit of particular goals. Lastly, foreign policy as behavior refers to the day-to-day action of states in the international arena. In other words, it manifests the “real practice” of how strategies and plans are followed (or not) by the responsible decision-makers. In order to avoid confusion in the stage of analysis, it is crucial for the researcher to clearly define the concept under study. This research thus revolves around the latter conceptualization of foreign policy – i.e., the behavior of policy makers in concrete external situations and events.

William Wallace defined foreign policy as a bridge between domestic and international politics.⁵² This implies that aiming to understand how foreign policy decisions are made, a researcher should consider both domestic and external political environment. Drawing on similar assumptions, a number of scholars have addressed both groups of factors as important determinants in explaining foreign policy shifts. While domestic factors denote the influence of leadership, state's institutional setting and policy making process, external factors are concerned with the international environment of the state (e.g. economic crisis, membership in international organizations, sanctions and benefits by the international community).⁵³

Several theoretical models have been proposed to analyze how these factors interact in affecting foreign policy behavior. These explanatory models were categorized by a Swedish political scientist Jakob Gustavsson into three groups – checklist models, structural constraints models and cyclical models.⁵⁴ The latter two are rather centered on major changes in foreign policy orientation that evolve over longer periods of time. As this study has no intention to deal with the

⁵¹ James N. Rosenau, “The Study of Foreign Policy”, in *World Politics: An Introduction*, ed. by James N. Rosenau, and others, (New York: The Free Press, 1976), 15-35.

⁵² William Wallace, “Establishing the Boundaries”, in *The Nature of Foreign Policy: A Reader*, ed. by James Barber and Michael Smith (Edinburgh: The Open University Press, 1974), 7.

⁵³ Spyros Blavoukos and Dimitris Bourantonis, “Identifying parameters of foreign policy change: An eclectic approach”, *Cooperation and Conflict*, 20 (2014), 1-18, <https://doi.org/10.1177/1354066107083143>

⁵⁴ Jakob Gustavsson, “How Should We Study Foreign Policy Change?”, *Cooperation and Conflict*, 34 (1999), 77.

Spanish foreign policy as a whole and is focused on a short time span, I will narrow down my focus to those assumptions that can also be applicable to explain minor adjustments in foreign policy excluding those concerned with the entire reorientation of foreign policy track. A checklist model proposed by American political scientist Charles F. Hermann⁵⁵ is of valuable reference in this regard.

According to Hermann, a foreign policy change can be driven by four sources: political leader, bureaucratic advocacy, domestic restructuring, and external shocks. The first three fall under the category of domestic determinants. A leader driven change, Hermann argues, “results from the determined efforts of an authoritative policy-maker, frequently the head of government, who imposes his own vision of the basic redirection necessary in foreign policy”.⁵⁶ The latter two domestic determinants – bureaucratic advocacy and domestic restructuring – are concerned with the role of the elites within the government. A change driven by bureaucratic advocacy occurs when a particular group within the government sees the need for change and is influential enough to advocate it to those in power. Domestic restructuring, on the other hand, refers to a change when “elites with power to legitimate the government either change their views or themselves alter in composition”.⁵⁷ It is worth to note, however, that Hermann’s approach focuses exclusively on the cases when the existing government decides to change its foreign policy direction. Other authors, on the contrary, also include changes that occur as a result of an entry of a new government.⁵⁸ Since the case studied here involves a shift in power, this thesis follows the broader explanation of the concept and therefore considers a change of government as part of domestic restructuring.

With regards to external determinants, Hermann suggests that a shift in foreign policy track may be also driven by external events which can pose either “a threat or an opportunity”.⁵⁹ However, it is not the external events *per se*, but rather an individual perception of them that produces a change in foreign policy behavior. Unlike dominant theories of international relations

⁵⁵ Charles F. Hermann, “When Governments Choose to Redirect Foreign Policy”, *International Studies Quarterly*, 34 (1990), 3-21.

⁵⁶ *Ibid.*, 11.

⁵⁷ *Ibid.*, 12.

⁵⁸ For examples, see Kjell Goldmann, *Change and Stability in Foreign Policy: The Problems and Possibilities of Détente* (London: Harvester Wheatsheaf, 1988) and Jerel A. Rosati, *Foreign Policy Restructuring. How Governments Respond to Global Change* (Columbia: University of South Carolina Press, 1994).

⁵⁹ Hermann, 15.

that see state as a “black box” and tend to disregard internal decision-making factors, approaches to foreign policy making have taken into account the role of an individual policymaker. Similarly to Hermann, Frederik Doeser, a Swedish political scientist, argued that no external factors can result in a foreign policy change unless the individual decision-maker has the desire to initiate it.⁶⁰ In this respect, external factors are treated not as significant factors in their own right, but rather as a “window of opportunity” which can be capitalized by a certain political leader.

In order to understand how both domestic and external factors can contribute to a change in foreign policy, Hermann proposes to divide the foreign policy making into seven stages. As some of them present overlapping assumptions, four stages have been selected for this study: initial policy expectations, environmental stimuli, recognition of discrepant information and development of alternatives. At the core of each stage, there is a policymaker who assesses the situation and decides to either commit to the existing policy or initiate a change.

While the policymaker is considered an important variable in Hermann’s approach, this model does not imply that some factors should be prioritized over others aiming to understand the outcomes of foreign policy. In general, I suggest that Hermann’s assumptions should be viewed as an analytical tool rather than a theory. There are strengths and weaknesses in this respect. On one hand, this approach does not allow to hypothesize on the relation between actors involved in the process and the decision made. However, such approach can be particularly useful when the research revolves around a multi-layered and relatively unexplored subject as it provide clear guidelines to study empirical data. For each decision-making stage, Hermann provides a ‘check-list’ of prepositions under which the change is more likely to be initiated. The propositions selected for this research are part of here developed synthesized analytical framework which is discussed in the following section.

3.4. A Synthesized Analytical Approach

Against the background outlined above, I propose the following synthesized approach for the analysis of this research subject. The approach presented here is developed based on a two-step

⁶⁰ Frederik Doeser “Leader-driven foreign-policy change: Denmark and the Persian Gulf War”, *International Political Science Review*, 34 (2013), 582-597.

procedure. The first step consists in tracing the changes in state’s irredentist behavior. This is done through the identification of objectives and intentions of the claimant state in relation to the justification of its claims. Drawing on Kornprobst’s considerations, I argue that irredentist stances are manifested in two ways: through (1) constant affirmations of legitimacy (i.e. explicit statements on the right to reclaim the territory) and (2) visionary plans of integration of the disputed area into the territory of the claimant state. Consequently, if state leaders cease to include the aforementioned elements in their stances over the territorial issue and instead opt for alternative solutions, I assume that a retreat in the irredentist behavior occurred.

The second step involves examining the factors that provoke changes in the irredentist stances (here perceived as foreign policy behavior). In accordance with Hermann’s assumptions, I assess how each of the afore discussed decision-making stages were dealt with within the Spanish government machinery. As the analysis involves shifts in political leadership, I examine how particular circumstances and challenges surrounding the issue of sovereignty claims were perceived through the lens of an individual foreign policy executive. To facilitate this procedure, the propositions outlined in *Table 1* are used as guidelines.

Stages of decision-making	Propositions on the conditions leading to change
1. <u>Initial expectations</u>	A failure implementing initial policy expectations may lead a policymaker to: <ul style="list-style-type: none"> i. change them attributing the lack of success to external environment; ii. neglect the failure emphasizing other outcomes.
2. <u>External actor responses</u>	Reaction of external actors can become a stimulus to change the existing foreign policy track. Such stimuli are more likely when: <ul style="list-style-type: none"> i. the existing policy is perceived as threatening the interests of other actors ii. implementation of policy requires “action in concert by several other actors”

<p>3. <u>Recognition of discrepant information</u></p>	<p>For a change to occur, a policymaker has to respond to the external signals by recognizing that a change in track is needed. Such recognition is more likely to occur when:</p> <ul style="list-style-type: none"> i. the responsible policymaker has little or no personal investment in the policy question; ii. the existing foreign policy agenda is not very connected to other policies or contradicts the ideological system; iii. the problem threatens higher priority goals in state's foreign policy.
<p>4. <u>Development of alternatives</u></p>	<p>A change is more expected when policymakers can anticipate an alternative practical solution while preserving the original goals. This is more likely when:</p> <ul style="list-style-type: none"> i. policymakers are “more sensitive to contextual information” ii. all actors responsible for foreign policy formation accept same set of norms governing the foreign policy process and are ideologically similar

Table 1. Propositions on the changes in foreign policy behavior. Compiled by author based on Hermann (1990).

4. Methodology

4.1. Data Collection and Methods of Analysis

This thesis mostly relies on primary sources collected from the Spanish Foreign Ministry's and Spanish Government's websites as well as from Spanish media outlets. The material analyzed

includes interviews, statements, and speeches by prime ministers and foreign ministers who held their offices within the time span of 2016-2019. It has to be noted at this point that there have been two governments and three foreign ministers over the time period in question. While the statements made by former foreign ministers are archived and publicly accessible in the governmental websites, this is not the case with the statements made by former prime ministers. Although I requested access to the hidden archival material, no reply was received. The statements of the former Prime Minister Mariano Rajoy found in media outlets were also too narrow to generate any valuable insights. Therefore, only interviews, statements and transcripts of speeches made by the incumbent Prime Minister Pedro Sanchez and foreign ministers were analyzed. Additionally, official policy documents, such as proposals, agreements and protocols were also used. This combination of sources helped to identify both the actions taken by the state as well as its longer-term intentions and thus allowed for a fuller picture of the Spanish approach to the issue.

The changing dynamics of the Spanish position towards Gibraltar cannot however be properly assessed without taking into consideration the positions of other actors involved. Therefore, the responses of the UK, Gibraltar and the EU were also analyzed. As it would be extremely time consuming to examine both British and Gibraltar media outlets as well as the role of all British and Gibraltar actors involved, the data collection in this regard was limited to the official governmental websites of the respective authorities, namely the British Foreign and Commonwealth Office and the Government of Gibraltar. What regards the EU's position, after a thorough read-through of the official EU websites, two policy documents were chosen – the Guidelines following the UK's withdrawal released by the European Council and the Political Declaration setting out the framework for the future relationship between the EU and the UK. These documents were selected as most relevant for the purposes of this study as they both clearly reflect the EU's stance towards the future status of Gibraltar in the light of Brexit.

Collected empirical data was analyzed combining two methods – discourse analysis and process tracing. This choice of methods was determined by the research objectives which consist in both: assessing the Spanish position towards Gibraltar against the theoretical understanding of irredentism as well as explaining the decision to leave aside the question of sovereignty in the Brexit negotiations.

A discourse analysis was employed on statements and interviews of state leaders with the aim to explore (compare and contrast) policy preferences, beliefs and understandings of different

actors regarding the Gibraltar question. Discourse here is understood “the space where intersubjective meaning is created, sustained, transformed and, accordingly, becomes constitutive of social reality”. As this study seeks to assess foreign policy behavior, the purpose of discourse analysis here is not to merely examine the use of language, but rather “the social and political effects that result from using a particular vocabulary.”⁶¹

Austrian linguists Martin Reisigl and Ruth Wodak proposed three discursive strategies that can be identified in texts of political and historical content – nomination, predication and argumentation.⁶² Following the theoretical framework established in this thesis, my analysis is exclusively focused on the latter, i.e. on the argumentation schemes based on which the author justifies his/her position regarding Gibraltar’s future status. Since the amount of texts studied was relatively small and covered a short time span, a micro-interaction discourse approach was preferred over the macro-structure one. Hence, the emphasis here is laid on the individual level as opposed to the holistic level of analysis. In other words, I seek to reveal how “subjects create meaning”, not how “meaning creates subjects”,⁶³ as such approach would require a significantly broader social contextualization.

However, discourse analysis alone is insufficient to uncover the causes behind the changes in a foreign policy behavior. Therefore, it is complimented by process-tracing (PT), a method which allows to link possible causes with a given outcome. There are three known PT methodological variations: theory-testing, theory-building and explaining outcome. While the first variant is used to test an “explicit causal hypothesis” and is theory-focused, the latter two revolve around empirical cases and are useful when the existing theoretical base is insufficient to hypothesize on the causal relation between two or more variables.⁶⁴ This research favors the third PT variant over the other two for the following reasons.

First, a theory-testing approach requires a theory “formulated in a deterministic manner”⁶⁵, which is rarely the case for foreign policy studies. As discussed, Hermann’s theoretical

⁶¹ Anna Holzscheiter, “Between Communicative Interaction and Structures of Signification: Discourse Theory and Analysis in International Relations”, *International Studies Perspectives*, 15 (2014), 144.

⁶² Martin Reisigl and Ruth Wodak, “The Discourse-Historical Approach”, in *Methods of Critical Discourse Analysis*, ed. by Ruth Wodak (London: Sage Publications, 2009), 95.

⁶³ Holzscheiter, 146.

⁶⁴ Derek Beach and Rasmus Brun Pedersen, *Process-Tracing Methods: Foundations and Guidelines* (The University of Michigan Press, 2013), 10.

⁶⁵ *Ibid.*, 170.

assumptions are rather probabilistic, i.e., they identify possible conditions under which changes are *more likely* to occur. While such formulations provide guidelines, they do not imply that a causal link between X and Y actually exists. Therefore, testing a theory in this case would not make much sense. The theory-building PT is used with the aim to develop a theoretical explanation for empirical cases once the causal connections are traced. However, developing a generalizable theory based on a single case study can be challenging. As argued by Evans, for the theoretical assumptions to be useful, they must be applicable “in ways that were potentially separable from the settings in which they were originally derived”.⁶⁶

Contrary to afore discussed variants, explaining outcome PT is not intended to test, nor to “build or test more general theories”, but rather to seek “the causes of a specific outcome in a single case”.⁶⁷ This is precisely the purpose of this study. While this approach has no intention to test a theory, theoretical guidelines are important, and tracing causal mechanisms also matters. Similarly to theory-testing, explaining outcome PT can be applied following a deductive path, i.e., testing the existing mechanisms in relation to the given outcome. Above presented propositions on the conditions under which a change in foreign policy behavior is more likely to occur will be used as guidelines to seek for empirical processes that led to a particular decision.

4.2. Limitations

As outlined in the theoretical framework, foreign policy decision-making is a complex matter shaped by numerous domestic and external factors. Thus, due to its multifaceted nature, the subject requires an in-depth, multi-level analysis. However, restricted access to archived material often raises challenges to the researcher. This was also the case for this study. While media outlets were helpful in providing insights on the Spanish political environment as well as in tracing debates among key decision-makers, media alone is insufficient to uncover all the processes affecting foreign policy behavior. Policy documents, statements, speeches and other communicative acts of the governmental authorities may not be sufficient either as they mostly revolve around already made decisions and rarely touch upon the differing perceptions of actors involved in the process.

⁶⁶ Peter Evans, “The Role of Theory in Comparative Politics”, *World Politics*, 48 (1995), 6.

⁶⁷ Beach and Pedersen, 3, 18.

In accordance with the theoretical assumptions, this thesis contends that the dynamics in the irredentist behavior cannot be explained without accounting for political leadership in a given context. As in many other states, foreign policy in Spain is carried out by the executive branch. Therefore, the Prime Minister and the Foreign Minister constitute key decision-making bodies. Because of their central role in foreign policy making, this research is majorly focused on the individual level – i.e., on the approaches adopted by Primer Ministers and Foreign Ministers as well as on the interactions between these two actors. Such approach is nevertheless incomplete. Even if the main explanatory power is attributed to the national leadership, other determinants, namely, the influence of political parties, the role of bureaucracy as well as non-governmental factors (such as lobbying and public opinion) should not be overlooked aiming to better understand the changing patterns in any foreign policy behavior, including irredentism. The far-right Spanish party *Vox* has repeatedly expressed its concerns with Gibraltar’s return to Spain and urged the Spanish authorities to strengthen diplomatic efforts over the issue. Following the elections held in November 2019, *Vox* became the third largest political force in Spain. However, the party remained in opposition and received no posts in the government. As it is particularly difficult to trace how the opposition parties influence foreign policy making and support it empirically, the role of *Vox* was not examined in this study. The local actors were not addressed either, albeit some of them can be regarded as important in Gibraltar dispute. Since Spain constitutes a *de facto* federal state with self-governing autonomies, voices of some subnational actors, in particular, those of the Autonomous Community of Andalusia and the province of Cadiz which sits on the border with Gibraltar, can be useful for a deeper understanding of the interests behind the sovereignty claims. These were the elements this research did not account for due to both time limitations and restricted access to certain material.

5. Analysis of Spain’s Approach to Gibraltar from 2016 to 2019

This chapter aims to examine the dynamics in the Spanish Government’s approach to Gibraltar within the time period from 2016 to 2019. The analysis consists of two sections. The first section focuses on how both dimensions of justification for irredentist claims – Spain’s legitimacy in Gibraltar and visionary plan of Gibraltar’s re-integration into the Spanish territory – were

articulated by prime ministers and foreign ministers of two consecutive governments. After having outlined key differences, the second section sets out to explain the causes behind such inconsistencies in the Spanish Governments' approach.

Since the Brexit referendum in June 2016, the Spanish political landscape has undergone several significant changes that must be taken into consideration in order to understand the shifting attitudes toward the Gibraltar question. The Spanish general elections held on 26 June 2016, just a few days after the Brexit referendum, were again won by the right-wing Popular Party (PP) led by Mariano Rajoy. This enabled Rajoy to be reelected as Prime Minister for a second term. There were two foreign ministers during Rajoy's term in office: José Manuel García-Margallo, a member of PP who served from 2011 to 2016, and Alfonso María Dastis Quecedo, an independent politician and former Spain's permanent representative to the European Union, who succeeded him in the post until 2018.

However, Rajoy was ousted from office in June 2018 through a vote of no confidence after numerous members of his party were found guilty of a long-running corruption case. As a result, the office was taken by Pedro Sánchez, leader of the center-left Socialist Workers' Party (PSOE), who managed to remain in power after another early election in 2019. Following Sanchez's arrival to power, Dastis Quecedo was substituted by Josep Borrell, a member of PSOE and former European Parliament's president. After Borrell's appointment as EU's High Representative for Foreign Affairs and Security Policy, his post was taken by Arancha González Laya, an independent politician, who is the current Spanish Minister of Foreign Affairs. However, as González Laya was appointed in the beginning of 2020, when the agreement on Brexit had been already reached, her statements are not included in the analysis.

5.1. Tracing Changes in the Irredentist Behavior

5.1.1. Defending Legitimacy

I suggest that the arguments employed by the leaders of both governments in defense of Spain's legitimacy over Gibraltar can be broadly grouped into three main types: legal arguments that emphasize the UN's support for Spain's territorial integrity, pragmatic arguments that portray Spain as a state responsible for the future wellbeing of its own citizens within the context of the UK's withdrawal and arguments that emphasize Gibraltarian people's will to remain in the EU.

While all three aspects were to different extent present in the statements analyzed, it is worth to note that not all the leaders *used* them as justification for the restitution of the Spanish rule in Gibraltar. For instance, after recognizing the negative implications of Brexit for the Spanish citizens working in Gibraltar, a state leader can either use this to push for closer political ties between Spain and Gibraltar or suggest alternative measures to settle the issue. This difference is important to consider as it will help to assess the dynamics in the positions adopted by different leaders.

The first type of arguments mostly relates to Gibraltar's colonial status, which has been officially acknowledged under the UN legal framework, and the implications this status may have for Gibraltar after the UK exits the EU. As was stated by the Foreign Minister García-Margallo,

The United Nations has declared that Gibraltar is a colony, and therefore it must be decolonized through negotiations between the United Kingdom and Spain, and the decolonization must end with the restitution of Spanish sovereignty.⁶⁸

Although the argument of Gibraltar being a “British colony” does not in its own right imply Gibraltar's Spanishness, against the context of Brexit, it raises issues about the continuing application of the EU treaties to Gibraltar, which could be only settled, according to García-Margallo, through establishing closer links with Spain once the UK has left:

[...] the EU Treaty states that [European territories like Gibraltar] can only remain in the EU if a member state is responsible for its foreign affairs – now it is the UK that holds this function, but once they leave, Spain will be the only country which could do so.⁶⁹

⁶⁸ ‘Margallo: “Si Gibraltar quiere tener acceso al mercado interior de la UE, tiene que aceptar la cosoberanía”’, *Onda Cero*, April 5, 2017, https://www.ondacero.es/noticias/espana/margallo_2017040558e4a9e90cf2abec9e0b1d35.html [accessed 12 August 2020]

⁶⁹ ‘García-Margallo pide al Gobierno de España que aproveche el Brexit para negociar la situación de Gibraltar’, *20 minutos*, January 17, 2020, <https://www.20minutos.es/noticia/4120377/0/garcia-margallo-pide-al-gobierno-de-espana-que-aproveche-el-brexit-para-negociar-la-situacion-de-gibraltar/> [accessed 12 August 2020]

In other words, if Gibraltar wished to stay within the EU's legal framework, this could be achieved through its incorporation into the legal system of another Member State, in this case, Spain – the only country with a proven legacy over Gibraltar.

García-Margallo's successor Dastis Quecedo as well put emphasis on Gibraltar's colonial status declaring that he would refuse to accept the "existence of a colony in the twenty-first century".⁷⁰ The argument was also strengthened by outlining the British occupation of Gibraltar's airport – the area which was not, according to the official Spanish interpretation, ceased by Spain to the UK under the Treaty of Utrecht. In the light of Brexit, this historical circumstance was revived aiming for the EU's support to the Spanish side in the dispute. According to Dastis Quecedo, the Spanish interests regarding Gibraltar were likely to be reflected in the framework of Brexit negotiations since "all the partners of the EU accept that it is a unique case, because there is no other country that has a part of its territory occupied by another".⁷¹ A similar line in this regard was followed by Sanchez and his appointed Foreign Minister Borrell. In a speech made following the European Council summit in 2018, Sanchez argued that Gibraltar's future status was a "key question for Spain as well as for the Spanish territorial integrity", which was "part of the identity" of the country.⁷²

However, there are some key differences in how particular arguments were used by different leaders. While Garcia-Margallo outlined Gibraltar's colonial status aiming to push for Spanish sovereignty over the territory after the UK's withdrawal, for his successors, decolonization was rather a long-term goal which was not meant to be used as a leverage in Brexit negotiations.

Similar differences can be traced in the use of arguments that relate to Spain's right to defend the interests of its own citizens. Under Garcia-Margallo's leadership, the Spanish right to demand shared sovereignty of Gibraltar was defended by emphasizing the effects the UK's

⁷⁰ Dastis: "Uno puede comprender a Gibraltar, mire lo que tenemos al otro lado de la verja", *El Diario*, September, 17, 2017, https://www.eldiario.es/politica/dastis-puede-comprender-gibraltar-verja_1_3162253.html [accessed 12 August 2020]

⁷¹ 'Dastis: "No tenemos intención de cerrar la Verja de Gibraltar tras el Brexit"', *ABC*, March 25, 2017, http://www.exteriores.gob.es/Portal/es/SalaDePrensa/Entrevistas/Paginas/ENTREVISTAS/20170325_EN_TREVISTA14.aspx [accessed 12 August 2020]

⁷² 'Sánchez: "España ha alcanzado un acuerdo sobre Gibraltar. Europa y Reino Unido han aceptado nuestras exigencias"', Government of Spain, November 24, 2018, <https://www.lamoncloa.gob.es/presidente/actividades/Paginas/2018/241118declaracion-brexit.aspx> [accessed 12 August 2020]

withdrawal would have for the Spanish district situated on the Spain's-Gibraltar border, which has the highest unemployment rates in Spain and whose economy mainly relies on the cross-border trading.

[UK's] exit from the EU <...> is going to generate a problem <...> in the Spanish district next to Gibraltar, which we know as the "Campo de Gibraltar". Their respective economies are closely interconnected, and there is a major presence of Spanish workers on the Rock.⁷³

The argument of "socioeconomic well-being of the region" was one of the key pillars the idea of shared sovereignty proposed by Garcia-Margallo was based on. Spanish citizens in Campo de Gibraltar were portrayed among the social groups most affected by the Gibraltar's withdrawal from the EU due to their daily commuting to Gibraltar. However, no alternatives of bilateral cooperation were sought by Garcia-Margallo to tackle this issue. Establishing a shared sovereignty regime after Brexit was regarded as the only possible and non-negotiable future scenario to protect the interests of the Spanish citizens.

While protecting the interests of Spanish people was also in the focus of Garcia-Margallo's successor Dastis Quecedo, these interests were no longer used as an argument for imposing Spanish rule in the territory following the UK's withdrawal. When asked about being criticized for not placing much importance on the Gibraltar issue, he responded:

I do attribute great importance to Gibraltar, because it is a Spanish demand for the completion of our territorial integrity as well as a place where thousands of Spaniards work and where there is an economic, social and human relation which I do want to preserve. What I do not want to, is to take initiatives that could put in danger the future of the people who work there.⁷⁴

⁷³ Intervención de España ante la ONU sobre Gibraltar, October 4, 2016, http://www.spainun.org/wp-content/uploads/2016/10/Intervenci%C3%B3n-Espa%C3%B1a-Item-58-71AG-versi%C3%B3n-compilada-ESP.ING_.pdf [accessed 12 August 2020]

⁷⁴ "No condiciono un acuerdo Londres-UE a recuperar a la vez Gibraltar", *ABC*, September 6, 2017, http://www.exteriores.gob.es/Portal/es/SalaDePrensa/Entrevistas/Paginas/ENTREVISTAS/20170906_EN_TREVISTA2.aspx [accessed 15 August 2020]

It can be thus observed that the Spanish right to territorial integrity remained unquestioned and Gibraltar was still seen as a state issue. However, unlike Garcia-Margallo, who pictured shared sovereignty as the only way to protect the socio-economic well-being of Spanish workers in Gibraltar, the new foreign minister was not in support of drastic measures after the UK's withdrawal even in case of rejection of the shared sovereignty proposal. As Dastis-Quecedo pointed out, closing the border was "not part of the plan" as he could not see "how this could benefit" Spain.⁷⁵

The economic aspects of the dispute were similarly echoed by Sanchez's Government. For Sanchez's, Brexit was rather seen as an opportunity to improve the poor economic conditions in the adjutant Spanish region through strengthening bilateral cooperation and leaving aside the sovereignty demand. A particular importance was attached by the new Government to the Gibraltarian taxation system which was considered unfair by the Spanish authorities. Foreign Minister Borrell defined the existing Gibraltarian taxation as "parasitic"⁷⁶ referring to the fact that Gibraltarians who live in the adjutant Spanish region are not subject to taxation in Spain due to declaring their residency in Gibraltar. The Spanish claim for a fair taxation was thus portrayed as a legitimate right to protect the interests of the country. Nevertheless, this right did not necessarily imply a claim over Gibraltar's control. As Borrell argued, "sovereignty issues were important to some former foreign minister"⁷⁷, suggesting that other scenarios might be sought to settle this question in Spain's favor.

The third group of arguments in defense of Spanish legitimacy over Gibraltar relates to the discrepancy between the UK's decision and the wishes expressed by Gibraltarian people in relation to the EU membership. It has to be noted, however, that this type of arguments was found exclusively in Garcia-Margallo's statements. Since Gibraltarians had overwhelmingly voted to remain in the EU, the UK's decision to withdraw was portrayed by García-Margallo as

⁷⁵ "España está más cerca del 'Brexit' blando", *El Pais*, April 3, 2017, http://www.exteriores.gob.es/Portal/es/SalaDePrensa/Entrevistas/Paginas/ENTREVISTAS/20170403_EN_TREVISTA.aspx [accessed 15 August 2020]

⁷⁶ "No percibo un cambio en el Gobierno de Cataluña", *El Pais*, July 15, 2018, http://www.exteriores.gob.es/Portal/es/SalaDePrensa/Entrevistas/Paginas/ENTREVISTAS/20180715_EN_TREVISTA_MAEUEC.aspx [accessed 15 August 2020]

⁷⁷ *Ibid.*

contradictory to the Gibraltarians' will⁷⁸ and therefore incompatible with continuing British sovereignty of Gibraltar. Although this confirms the EU's legacy in Gibraltar more than the Spanish one, the idea behind this argument is clear – if the UK respects the will of Gibraltarian people, it should as well respect their choice to remain in the EU, which can be done, according to García-Margallo only through establishing political ties with Spain. It is interesting to point out that such underlining of “Gibraltarians' will” contradicts the official Spanish refusal to acknowledge Gibraltarians' right to self-determination, which is based on the claim that Gibraltar is just a territory and not a nation. This might be a reason why this argument was not further employed by Garcia-Margallo's successors.

Table 2 summarizes how the Spanish legitimacy over Gibraltar was defended by individual policymakers of two consecutive governments in chronological order. As can be observed, Gibraltar's colonial status and the right to territorial integrity remained unquestioned arguments in defense of Spanish claims over the disputed territory. What does differ, however, is the way in which particular arguments were used against the context of Brexit negotiations. Under Garcia-Margallo's leadership, Gibraltar's colonial status and its uncertain future within the EU framework were used to push for the restitution of the Spanish rule in the territory shortly after the UK's withdrawal. Other arguments, such as the Spanish right to protect the interests of its own citizens as well as to support the Gibraltarians' will to remain in the EU, were also part of the defense of the Spanish right to impose its control over Gibraltar in the light of Brexit.

The line taken by Dastis Quecedo was a more moderate one. Although the Spanish right to decolonize Gibraltar in compliance with the principle of territorial integrity was considered non-negotiable, it was rather seen as a long-term goal which should be left behind the Brexit negotiations table. A similar approach was followed by Sanchez's Government. The Spanish legitimacy over the territory was discussed within a more pragmatic framework accounting not only for the country's historical ambitions, but also for the future economic prospects related to the UK's withdrawal from the EU. For both Sanchez and his appointed Foreign Minister Borrell, Gibraltar was “also an issue of the State besides being a question of national sovereignty and

⁷⁸ ‘García-Margallo: “Roza el absurdo querer que una colonia forme parte de la UE”’, ABC, October 7, 2016, https://www.abc.es/espana/abci-garcia-margallo-roza-absurdo-querer-colonia-forme-parte-201610070110_noticia.html [accessed 15 August 2020]

territorial integrity”⁷⁹. While the interests of the Spanish citizens, especially of those living in the adjutant area, were considered particularly important, they were no longer used as arguments in support of the Spanish sovereignty claim.

Government of Mariano Rajoy 2016-2018	
Mariano Rajoy	<i>Insufficient empirical data</i>
Jose Garcia-Margallo	<ul style="list-style-type: none"> • Gibraltar is a colony which must be decolonized following the principle of territorial integrity. Both the UN and the EU legal frameworks are used as arguments in defense of Spain’s right to assume Gibraltar’s external relations after Brexit. Gibraltar’s incorporation into the Spanish state is the only legitimate way for “the colony” to remain in the EU. • Legitimate Spanish right to protect the interests of its own citizens working in Gibraltar is used to justify the need for a shared British-Spanish sovereignty after Brexit • The UK’s decision to leave the EU is portrayed as incompatible with the Gibraltarians’ will to stay. The Spanish idea of shared sovereignty is thus based not only on the interests of the Spanish citizens, but also on those of the people of Gibraltar.

⁷⁹ ‘Sánchez: "España ha alcanzado un acuerdo sobre Gibraltar. Europa y Reino Unido han aceptado nuestras exigencias"', Government of Spain, November 24, 2018, <https://www.lamoncloa.gob.es/presidente/actividades/Paginas/2018/241118declaracion-brexit.aspx> [accessed 12 August 2020]

Alfonso Dastis Quecedo	<ul style="list-style-type: none"> • Gibraltar’s colonial status and Spain’s right to its decolonization are unquestioned, yet they are not used as arguments for an immediate restitution of the Spanish sovereignty after the UK’s withdrawal. • Cross-border citizens’ rights are taken into focus. However, they are not used as arguments to justify Spanish claims over Gibraltar’s control.
Government of Pedro Sanchez 2018-2019	
Pedro Sanchez	<ul style="list-style-type: none"> • Gibraltar’s colonial status and Spain’s right to its decolonization are unquestioned, yet they are not used as arguments for the immediate restitution of the Spanish sovereignty after the UK’s withdrawal. • Gibraltar is seen as “an issue of the State besides being a question of national sovereignty and territorial integrity”. Problems related to taxation and underdevelopment of Campo de Gibraltar are considered priorities in the Brexit negotiations. However, they are not used to justify Spanish claim over Gibraltar.
Josep Borrell	<ul style="list-style-type: none"> • Gibraltar’s colonial status and Spain’s right to its decolonization are unquestioned, yet they are not used as arguments for the immediate restitution

	<p>of the Spanish sovereignty after the UK's withdrawal.</p> <ul style="list-style-type: none"> • Practical aspects (especially taxation issues) related to Campo de Gibraltar and its future relation with Gibraltar are considered particularly important. However, sovereignty is not seen as the only way to defend these interests.
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Table 2. *Arguments used in defense of Spanish legitimacy over Gibraltar 2016-2019*

5.1.2. Visionary Dimension

A gradual plan of how Gibraltar could become an integral part of Spain was suggested by Garcia-Margallo in the wake of Brexit referendum. Such intentions were elaborated in the form of written proposal, which Spain submitted to the Fourth Committee of the UN General Assembly on 4 October in 2016.⁸⁰ The proposal advocated for a shared British-Spanish sovereignty of Gibraltar, which would not only enable Gibraltar to remain within the EU's legal framework after the UK's withdrawal, but would also “put an end to a controversy that has lasted for more than 300 years between two countries that are good friends and allies”.⁸¹

The key points addressed by this proposal were as follows. First, it suggested establishing “a political tie” between Gibraltar and Spain – a member of the EU, as the only possibility to ensure Gibraltar's continuing access to the EU single market as well as its ability to benefit from other EU's freedoms. This political tie with Spain, as outlined in the proposal, would be established through the incorporation of Gibraltar into the Spanish system at the same time maintaining Gibraltar's self-governance, which is compatible with the Spanish “framework of a wide-ranging system of autonomy”. Second, it proposed a dual British-Spanish citizenship for the inhabitants of Gibraltar that would enable them to have “both nationalities”, if so desired, and to remain EU

⁸⁰ Intervención de España ante la ONU sobre Gibraltar, October 4, 2016, http://www.spainun.org/wp-content/uploads/2016/10/Intervenci%C3%B3n-Espa%C3%B1a-Item-58-71AG-versi%C3%B3n-compilada-ESP.ING_.pdf [accessed 12 August 2020]

⁸¹ Ibid.

citizens. Lastly, it emphasized that a shared sovereignty would allow Gibraltar to maintain its particular tax regime as long as “it is compatible with EU law”.

Although the proposal begins with a reference to Gibraltar’s colonial status as well as to the “illegal occupation” of the Isthmus and its surrounding waters, it is further stated that the idea of a shared sovereignty is based not only on the “country’s historic claims”, but also on the adverse consequences of Brexit on the Gibraltar’s socioeconomic well-being, mainly referring to the industries which depend on the cross-bording workforce. However, the proposal goes beyond a mere cooperation of two countries and suggests that the authority over such matters as foreign relations, defense and control of external borders should be also exercised jointly by Spain and the UK. These and aforementioned measures, in particular, the dual citizenship and the incorporation of the Gibraltarian self-governing institutions into the Spanish system, present concrete steps towards Gibraltar’s reintegration, even though partial, into the Spanish territory. Thus, in line with Kornprobst’s approach, they could be understood as a visionary dimension of state’s irredentist claims – i.e., a plan, which explains how the disputed territory can again become an integral part of the claimant state. The proposed co-sovereignty according to García-Margallo, was meant to apply only during the transitional period, meaning that Spain would not renounce Gibraltar’s total integration into the Spanish territory in the future.

However, the future prospects of the dispute were differently perceived by Dastis Quecedo. The shared sovereignty plan was put aside giving way to a more pragmatic objective – to demand an explicit EU’s support of the Spanish side in the dispute by giving Spain a right to veto any future agreement between the UK and the EU involving Gibraltar. Spain’s entitlement to such right was based, according to Dastis Quecedo, on the Brussels Agreement signed between the two countries before Spain’s accession to the EU as well as on the particularity of the Gibraltar status:

When we joined the EU, we had to agree on certain matters and a bilateral agreement with the United Kingdom had to be signed along with the accession acts. And if in the future London wants Gibraltar to be part of its relationship with the EU, there will have to be a bilateral component between Spain and the United Kingdom.⁸²

⁸² “Dastis: “No tenemos intención de cerrar la Verja de Gibraltar tras el Brexit””, *ABC*, March 25, 2017, http://www.exteriores.gob.es/Portal/es/SalaDePrensa/Entrevistas/Paginas/ENTREVISTAS/20170325_ENTREVISTA14.aspx [accessed 14 August 2020]

Unlike Garcia-Margallo, who pictured the restitution of the Spanish sovereignty in Gibraltar as something to be accomplished “in four years”⁸³ from the start of the Brexit talks, Dastis Quecedo saw it as a gradual and relatively remote process. Thus, his objectives in the Brexit context were focused not on the demand for sovereignty, but rather on ensuring the most favorable conditions for Spain to negotiate this question in future. Obtaining the right to veto any agreement between the EU and the UK regarding Gibraltar constituted one of such future guarantees. Other intentions that were in the new leader’s focus involved concrete steps which could bring Gibraltar closer to Spain – such as demanding a joint management of Gibraltar’s airport and pursuing amendments to Gibraltar’s tax model. This however did not imply that the claim was withdrawn. As the new foreign minister stated, the restitution of sovereignty was an objective that Spain was “not going to renounce”, although it was not in his plans “to raise the question in the framework of these negotiations”.⁸⁴

Gibraltar’s integration into the Spanish state was neither explicitly addressed by Sanchez’s Government. Sanchez made it clear that the sovereignty question would not be part of Spain’s negotiation strategy since this was where Spain was “light years away from reaching an understanding with the United Kingdom”. Therefore, the objectives remained similar to the ones expressed by Dastis Quecedo, i.e., obtaining the right of veto over any Gibraltar-related accords between the EU and the UK, and agreeing with the UK on future cooperation in practical issues relating to Gibraltar. However, the joint control of the airport was no longer demanded because of the UK’s reluctance to negotiate on the issue.⁸⁵

Both Sanchez and his appointed Foreign Minister Borrell put particular importance on cross-bording cooperation. In November 2018 the UK and Spain signed the four Memoranda of

⁸³ “Margallo calcula que en cuatro años Gibraltar podrá ser español”, *ABC*, April 26, 2017, https://www.abc.es/espana/abci-margallo-calcula-cuatro-anos-gibraltar-podra-espanol-201704261253_noticia.html [accessed 14 August 2020]

⁸⁴ “Dastis: España no aspira a tratar la soberanía de Gibraltar en la negociación del “brexit””, *El Diario*, March 19, 2018, https://www.eldiario.es/politica/dastis-espana-soberania-gibraltar-negociacion_1_2212980.html [accessed 14 August 2020]

⁸⁵ “España renuncia al control del aeropuerto de Gibraltar por un acuerdo en octubre”, *El Confidencial*, September 20, 2018, https://www.elconfidencial.com/mundo/2018-09-20/espana-renuncia-al-control-conjunto-del-aeropuerto-de-gibraltar-por-un-acuerdo-en-octubre_1618916/ [accessed 14 August 2020]

Understanding that set out bilateral commitment to cooperate in the fields of citizen's rights, environment protection, police and custom matters as well as issues related to tobacco trade. As agreed, the Memoranda would apply until the end of the transitional phase. Shortly after, the taxation agreement was signed. These practical steps were regarded by Borrell as a measure to establish a "balanced and closer relationship" between Gibraltar and Spain.⁸⁶ However, they had no implication on the constitutional status of Gibraltar. As stated in the Memoranda, these accords do not "change the respective legal positions of the Spanish Kingdom and the United Kingdom regarding the sovereignty and jurisdiction of Gibraltar."⁸⁷ It can be noted that such provision may imply two things. On one hand, these agreements did not oblige Spain to withdraw its historical claims in relation to the illegal occupation of the Isthmus. On the other hand, this also meant that Spain was not entitled to push for either sovereignty or co-sovereignty of Gibraltar until the end of the transition period, which is due to last until December 31 of 2020. Although the focus was laid on the cross-border cooperation, these practical arrangements were understood as necessary steps of bringing Gibraltar closer to Spain. As Borrell argued, if "the United Kingdom leaves the EU, Gibraltar will approach Spain because the Law of Gravity exists".⁸⁸

Table 3 illustrates how Gibraltar's integration into Spain was perceived by foreign policy executives of two consecutive governments. As can be observed, Garcia-Margallo pictured Gibraltar's recovery as a rapid process which would start immediately after the UK's withdrawal from the EU. During the initial phase Gibraltar would be partially integrated into Spain through a shared British-Spanish sovereignty which would imply jointly executing such functions as defense and foreign affairs. This phase was planned to last until the end of the transition period. After that, Gibraltar's sovereignty would pass to Spain (albeit not specified how). While Garcia-Margallo's successors did not renounce the recovery of Gibraltar, their plans were rather remote and implicit.

⁸⁶ "Agreements already reached with UK on Gibraltar satisfy Spain", *The Diplomat in Spain*, October 20, 2018, <https://thediplotainSpain.com/en/2018/10/agreements-already-reached-with-uk-on-gibraltar-satisfy-spain/> [accessed 14 August 2020]

⁸⁷ "Brexit negotiations: Gibraltar Memoranda of Understanding", Foreign & Commonwealth Office, <https://www.gov.uk/government/publications/eu-exit-negotiations-gibraltar-memoranda-of-understanding>

⁸⁸ 'Borrell: "Gibraltar will approach Spain by Law of Gravity after Brexit"', *The Diplomat in Spain*, 2018, October 18, <https://thediplotainSpain.com/en/2018/10/borrell-gibraltar-will-approach-spain-after-brexit-by-law-of-gravity/> [accessed 14 August 2020]

Sovereignty was not seen as an issue to be discussed in the Brexit negotiations. In sum, the focus was laid on two key objectives: 1) agreeing on practical steps which could bring Gibraltar closer to Spain, and 2) demanding the right to veto any future agreement between the EU and the UK involving Gibraltar.

Government of Mariano Rajoy 2016-2018	
Mariano Rajoy	<i>Insufficient empirical data</i>
Jose Garcia-Margallo	<ul style="list-style-type: none"> • Gibraltar’s incorporation into the Spanish state would be achieved through a shared sovereignty, i.e.: <ol style="list-style-type: none"> i. Gibraltar would be incorporated into the Spanish administrative system as one of autonomous communities, but could maintain self-governance; ii. Gibraltarians could have a double British-Spanish citizenship and this way remain EU citizens; iii. authority over foreign relations, defense and control of external borders should be also exercised jointly by Spain and the UK. • Shared sovereignty would last until the end of the transition period. Then, Gibraltar would be fully incorporated into the Spanish state (not specified how).
Alfonso Dastis Quecedo	<ul style="list-style-type: none"> • Recovery of Gibraltar is not renounced but is seen as a remote process. • Brexit negotiations are considered an opportunity to bring Gibraltar closer to

	<p>Spain through concrete practical steps – demanding a joint control of the airport and ending Gibraltar’s tax haven;</p> <ul style="list-style-type: none"> • Key objective of the negotiations – to obtain the right to veto any agreement between the EU and the UK regarding Gibraltar, which would allow to raise the question of shared sovereignty in the future.
Government of Pedro Sanchez 2018-2019	
Pedro Sanchez	<ul style="list-style-type: none"> • Ideas are similar to the ones of Dastis Quecedo, except that the airport question is taken off the negotiations table. • Questions of the joint control of the airport and even shared sovereignty are to be raised in the future if the EU grants Spain a veto right over any accord between the UK and EU involving Gibraltar.
Josep Borrell	<ul style="list-style-type: none"> • Ideas coincide with those pursued by Sanchez.

Table 3. *Visionary plans of Gibraltar’s reintegration into Spain 2016-2019*

5.1.3. Concluding Remarks

This chapter examined how both dimensions of justification for irredentist claims were reflected in the statements of Spanish foreign policy executives following the Brexit referendum. Notwithstanding some variation in the use of arguments, the underlying idea behind the defense of Spain’s legitimacy over Gibraltar remained the same – Gibraltar was portrayed as a colony whose existence was incompatible with the Spanish right to territorial integrity. Nevertheless, the visions of how Gibraltar should be returned to Spain differed significantly. As observed, the plan to

establish a shared British-Spanish sovereignty following the UK's withdrawal was replaced by a more constructive approach of gradually bringing Gibraltar closer to Spain through a closer cross-border cooperation. The following chapter thus aims to examine these shifts in detail.

5.2. Explaining Changes

This section evaluates how domestic and external political factors contributed to the Spanish Government's decision to adopt a more moderate stance toward the Gibraltar question in the Brexit negotiations. Following a four-stage model presented in part 3.4., I assess how each of the decision-making stages – initial expectations, external actor responses, recognition of discrepant information and development of alternatives – were dealt with within the Spanish government machinery. The propositions on foreign policy change suggested by Hermann are used as guidelines to identify possible causes. As the evaluation is done using process-tracing, based on the collected empirical observations I attempt to identify case-specific mechanisms which could have linked the cause to the given outcome. When evidence allows, the predicted mechanism is detailed in terms of subjects and activities the subjects engage in. Such “unpacking” allows for more logical scrutiny in causal links and therefore strengthens the validity of the analysis (Beach, 2017). Lastly, in the conclusions I discuss which of the factors have most explanatory power.

5.2.1. Initial Expectations

As observed in the first part of the analysis, the initial expectations of the Spanish Government concerning the future status of Gibraltar were not continually reflected throughout the Brexit negotiations. While the initial aspiration had been primarily focused on the establishment of a shared sovereignty shortly after the UK's withdrawal, this goal was eventually taken off the negotiations table giving way to more pragmatic objectives. Following Hermann's assumptions, such changes can be driven by the lack of success in implementing the initial foreign policy expectations. When this failure is acknowledged, policy makers “attribute its lack of success to

external events” and “consciously or unconsciously shift their expectations to emphasize other outcomes that cannot be characterized as failures”.⁸⁹

These causes behind the changing expectations can be traced in the case analyzed. The decision not to re-raise the question of shared sovereignty over Gibraltar was justified by Dastis Quecedo emphasizing the UK’s unwillingness to negotiate the proposal. Although the idea of shared sovereignty was regarded by Dastis Quecedo as “a beneficial choice for Gibraltarians”⁹⁰, it was no longer pushed forward given that the UK authorities had repeatedly rejected it. In this context, he emphasized the “need to be realistic” and the fact that Spain had no intentions to “impose anything by force”.⁹¹ In other words, the decision to adopt a more moderate line was attributed to the opposing response of an external actor involved in the dispute. However, this result was not regarded as failure by Sanchez’s Government. Instead, other expectations and positive outcomes of the negotiations were emphasized. Among key expectations outlined by Sanchez was to “agree on the four memoranda on bilateral relations between the Government of Spain and the United Kingdom”, which would “include elements of taxation, environmental protection, security and police actions”.⁹² A particular relevance was assigned to the taxation agreement, which was named by Borrell as “the first international treaty between Spain and the UK over Gibraltar since the Treaty of Utrecht”⁹³ and therefore one of the most significant achievements of Spain throughout the Brexit negotiations. In general, the outcomes of negotiations were considered successful despite the fact that the sovereignty question had not been addressed. While the question was left unresolved, according to Sanchez, Spain had managed to obtain “sufficient guarantees to end this

⁸⁹ Hermann, 14

⁹⁰ ‘Dastis: “No tenemos intención de cerrar la Verja de Gibraltar tras el Brexit”’, *ABC*, March 17, 2017, http://www.exteriores.gob.es/Portal/es/SalaDePrensa/Entrevistas/Paginas/ENTREVISTAS/20170325_ENTREVISTA14.aspx [accessed August 12 2020]

⁹¹ Ibid., ‘If Gibraltar wants a relationship with the EU, it will have to go through us’’, *El Pais*, January 9, 2017, https://english.elpais.com/elpais/2017/01/09/inenglish/1483951736_716264.html; [accessed August 12 2020]

⁹² Conferencia de prensa del presidente del Gobierno después de asistir a la reunión del Consejo Europeo, Government of Spain, 2018 October 18, <https://www.lamoncloa.gob.es/lang/en/presidente/intervenciones/Paginas/2018/20181018pressconference.aspx> [accessed August 12 2020]

⁹³ “Gibraltar “satisfied” with tax treaty that could remove it from Spain’s blacklist”, *El Pais*, March 5, 2019, https://english.elpais.com/elpais/2019/03/05/inenglish/1551772739_992050.html [accessed August 12 2020]

300-year-old dispute”.⁹⁴ These empirical examples thus demonstrate how foreign policy executives (*subjects*) justified (*activity*) their decision not to reopen the sovereignty question in the Brexit negotiations by either attributing it to the UK’s reluctance to negotiate or by emphasizing other objectives and outcomes achieved.

5.2.2. External Actor Responses

Within the context of Gibraltar dispute, the interests of two other actors must be considered: the ones of Gibraltar itself and the ones of the UK, to which Gibraltar legally belongs. In the wake of the UK’s vote to withdraw from the EU, the UK Government has repeatedly confirmed its commitment to protect Gibraltar’s interests in the future framework of the UK-EU relations. According to a press release from the UK Government, the UK’s former Foreign Secretary Boris Johnson stated to “never enter into arrangements under which the people of Gibraltar would pass under the sovereignty of another State against their wishes”, nor to “enter into any process of sovereignty negotiations with which Gibraltar is not content.”⁹⁵

Later in the Brexit talks, Gibraltar’s Chief Minister Fabian Picardo reiterated earlier assurances that Gibraltar would never consent to the Spanish rule, shared sovereignty or to any other amendments considering the Gibraltar’s legal status:

Throughout our history we’ve stuck with Britain. After Brexit, we will stick with Britain in the future too. This is our most important relationship. And as the UK establishes new trading relationships around the world, we look forward to the opportunities that will come from the benefits of our common language, our common law and the ties that bind us with the Commonwealth of nations around the world.⁹⁶

⁹⁴ “Sánchez: “España ha alcanzado un acuerdo sobre Gibraltar. Europa y Reino Unido han aceptado nuestras exigencias””, Government of Spain, November 24, 2018

<https://www.lamoncloa.gob.es/presidente/actividades/Paginas/2018/241118declaracion-brexite.aspx>

⁹⁵ “Foreign Secretary reaffirms UK commitment to Gibraltar”, Government of the United Kingdom, July 16, 2016, <https://www.gov.uk/government/news/foreign-secretary-reaffirms-uk-commitment-to-gibraltar> [accessed 12 August 2020]

⁹⁶ ““We will stick with Britain“ says Gibraltar’s Chief Minister”, Government of the United Kingdom, November 24, 2018, <https://www.gov.uk/government/news/negotiations-on-the-future-relationship-territorial-scope> [accessed 12 August 2020]

According to Hermann, stimuli from the external environment to change foreign policy behavior are more likely when the existing behavior threatens the interests of other actors and is inconsistent with the norms governing those to whom it is addressed. As observed, this occurred with the Spanish Government's proposal of shared sovereignty, which was refused by both actors to whom the proposal was addressed – the UK and Gibraltar. However, in line with Hermann's theoretical assumptions, it is not the external stimuli *per se*, but rather the individual perception of them that produces a change in foreign policy behavior. Thus, the following part discusses the role of individual policy makers in recognizing the discrepancy between the existing foreign policy track and external environment.

5.2.3. Recognition of Discrepant Information

As discussed in section 3.4., a response to external signals is more likely to occur when a policymaker has little personal investment in the foreign policy question or has reservations about it. Recognition of the discrepancy is also more likely when the initial foreign policy behavior is perceived as “lower in a hierarchy of policy goals” and threatens “higher priority goals”. Also, if the existing foreign policy contradicts the rest of state's policies or ideological beliefs.

The role of political leadership is particularly important aiming to understand the shifting Spanish behavior towards Gibraltar. As could be observed from statements here analyzed, for Garcia-Margallo the question of Gibraltar was a priority in the Brexit negotiations. Although his successors were as well concerned with the future status of the “British colony”, their focus was rather laid on practical issues and bilateral cooperation. Sovereignty question was thus left behind. It should be noted at this point that Garcia-Margallo's commitment to the question had been expressed well before the UK notified the European Council of its intentions to withdraw from the EU. As noted in the UK Parliament's report, Fabian Picardo, the Chief Minister of Gibraltar, told that “Margallo's first words on becoming Spain's Foreign Minister [in 2011] were to claim that Gibraltar is Spanish”.⁹⁷ It is therefore not surprising that once the referendum results were

⁹⁷ “Gibraltar: Time to get off the fence”, Foreign Affairs Committee's Report, <https://publications.parliament.uk/pa/cm201415/cmselect/cmfaaff/461/46107.htm> [accessed 12 August 2020]

announced, García-Margallo expressed his hopes for Spain to expand its influence over the disputed territory. This idea, as noted in the first part of the analysis, was made official through the written proposal on joint sovereignty, which the Spanish authorities presented at the UN General Assembly. While the UK's unwillingness to negotiate the proposal was already clearly expressed during Garcia-Margallo's term in office, no other scenarios were sought until the appointment of a new foreign minister. Thus, although the external stimuli were apparent, they were not responded by the policymaker in power.

García-Margallo's commitment to the Gibraltar's question can also be demonstrated by his continuing preoccupation with the issue even after the end of his term in office in November 2016. In November 2018, García-Margallo wrote an article in a Spanish media outlet where he expressed his disappointment with Sánchez's Government's decision not to push for joint sovereignty over Gibraltar in the Brexit negotiations and for missing "a magnificent opportunity to re-establish the rule of international law and to restore the territorial integrity of Spain."⁹⁸ Among most criticized concerns outlined by the former foreign minister was the fact that the incumbent Government had not even asked for the "joint control of the airport of the isthmus illegally occupied by the United Kingdom".⁹⁹

However, a constructive response to external stimuli can be traced following Garcia-Margallo's replacement. His sucesor Dastis Quecedo shortly after taking the office stated that shared sovereignty is not something to be imposed as "it takes two to dance", and that sharing sovereignty was not necessarily the only formula for future relations between Spain and Gibraltar. In other words, the UK's rejection of the proposal became perceived as a stimulus to look for alternative solutions. Although the new foreign minister argued that in foreign policy he was going to follow the same main lines drawn by García-Margallo, he also added that he "might talk less about Catalonia or Gibraltar", this way indicating that the emphasis in Gibraltar dispute will change.

There were also developments concerning the hierarchical perception of foreign policy goals. Unlike Garcia-Margallo, Sanchez placed a particular emphasis on maintaining "the best relations with the United Kingdom" given that there were "many Spaniards living in the UK and

⁹⁸ Jose Manuel Garcia Margallo, "Gibraltar: la hora de la verdad", November 15, 2018, https://elpais.com/elpais/2018/11/14/opinion/1542215191_191437.html [accessed 12 August 2020]

⁹⁹ Ibid.

many British living in Spain”.¹⁰⁰ Apparently, any further attempt to use the sovereignty question as a leverage in the Brexit negotiations would have threatened to undermine the UK-Spanish relations, which can be defined, using Hermann’s terms, as a “higher priority goal”. Loyalty to the EU was as well among the goals higher in hierarchy. The decision not to jeopardize Brexit by demanding to change the status of Gibraltar was not only a matter of bilateral diplomacy, but also a choice of European solidarity over national ambitions. As Sanchez emphasized in one of his speeches, his Government was “progressive, environmentalist, and, above all, Europeanist”. In this respect, he criticized the recent “manipulative tendencies” forcing to choose between “being British or European”, “Spanish or Catalan”. Although the Gibraltar question was not mentioned in this context, it could be implied that it was neither in the new Government’s interests to impose a binary choice upon Gibraltar forcing to pick either the Spanish sovereignty or the EU.

Hermann argues that foreign policy change is more likely when the existing foreign policy track is incompatible with other major beliefs of the state. Considering historical background of the dispute presented in Chapter 2, it could be suggested that the controversy regarding Spain’s possessions in Morocco could account for such discrepancy – while Spain claims Gibraltar on the basis of the right to territorial integrity, by controlling five territories on the northern African coastline, it denies such right to Morocco. However, according to Hermann, for a foreign policy change to occur, the discrepancy must be recognized by the responsible policy maker. No empirical prove was found to illustrate such recognition. On the contrary, Spanish authorities have emphasized the consistency in state’s values, beliefs, and political behavior. For instance, Sanchez argued that Spain’s demand for territorial integrity is also reflected in Spain’s unquestionable stance against the Catalonia’s claims for independence.¹⁰¹

Thus, according to what has been discussed above, the following two elements have proven relevant in explaining state’s response to the external stimuli: leader’s personal commitment (or

¹⁰⁰ ‘Sánchez: "España ha alcanzado un acuerdo sobre Gibraltar. Europa y Reino Unido han aceptado nuestras exigencias"', Government of Spain, November 24, 2018, <https://www.lamoncloa.gob.es/presidente/actividades/Paginas/2018/241118declaracion-brexit.aspx> [accessed 12 August 2020]

¹⁰¹El presidente del Gobierno comparece en el Congreso para informar sobre el Consejo del artículo 50, el Brexit y la situación en Cataluña, Government of Spain, December 12, 2018, <https://www.lamoncloa.gob.es/presidente/intervenciones/Paginas/2018/prdi12122018.aspx> [accessed August 12 2020]

the lack of it, as in case here analyzed) along with the perception of hierarchy of foreign policy goals.

5.2.4. Development of Alternatives

Following Hermann's assumptions, a change in foreign policy behavior is more likely to occur when policymakers can anticipate an alternative practical solution while preserving the original goals. I argue that the EU decision to grant Spain a veto right over any future EU-UK agreement involving Gibraltar could be regarded as such alternative.

From the beginning of the Brexit negotiations, the Spanish authorities had insisted that Spain should be given the right to bilaterally negotiate with the UK all the future accords involving Gibraltar. Based on Garcia-Margallo's statements, this bilateralism should have implied two things: (1) that Spain could have a right of veto over any future EU-UK trade agreement related to Gibraltar, and (2) that Gibraltar as a separate entity would be excluded from these negotiations (although Gibraltarians could form part of the British delegation).

For this purpose, in September 2016, García-Margallo sent a letter to the Governments of the EU member states, where he urged his counterparts to exclude the Gibraltar question from the Brexit negotiations framework, emphasizing that the matter "has to be solved through previous bilateral negotiations between Spain and the United Kingdom".¹⁰² In response to the wishes expressed by the Spanish authorities, the guidelines on negotiations for withdrawal issued by the European Council included an article that stated the following:

After the United Kingdom leaves the Union, no agreement between the EU and the United Kingdom may apply to the territory of Gibraltar without the agreement between the Kingdom of Spain and the United Kingdom.¹⁰³

¹⁰² "Margallo urges EU partners to exclude Gibraltar from negotiations on Brexit", *The Diplomat in Spain*, September 29, 2016, <https://thediplotainSpain.com/en/2016/09/margallo-urges-eu-partners-to-exclude-gibraltar-from-negotiations-on-brexit/>, [accessed 12 August 2020]

¹⁰³ Draft guidelines following the United Kingdom's notification under Article 50 TEU, Council of the European Union, April 25, 2017, <https://data.consilium.europa.eu/doc/document/XT-21004-2017-INIT/en/pdf>

Both British and Gibraltarian authorities were strongly opposing to this EU's decision, as it clearly reflected Spain's interests in the dispute and made explicit that the EU would support Spain's position throughout the further process of the Brexit negotiations. Nevertheless, Spain continued to push for an unequivocal declaration of this principle in the final Withdrawal Agreement threatening to vote against it if the Spanish concerns about the future status of Gibraltar were not clearly reflected.

It should be noted at this point that this legal guarantee for Spain to have a veto right over aforementioned agreements was officially confirmed by the EU authorities in November 2018, in the form of the declaration on the territorial scope of the future agreements issued by the European Commission, which stated the following:

After the United Kingdom leaves the Union, **Gibraltar will not be included in the territorial scope of the agreements to be concluded between the Union and the United Kingdom.** However, this does not preclude the possibility to have separate agreements between the Union and the United Kingdom in respect of Gibraltar. Without prejudice to the competences of the Union and in full respect of the territorial integrity of its Member States as guaranteed by Article 4(2) of the Treaty on European Union, **those separate agreements will require a prior agreement of the Kingdom of Spain.**¹⁰⁴

Although this declaration had no implications on the sovereignty issue, according to Sanchez, it was “a triple protection” over the future status of the disputed territory. First, it was made clear by the European Commission and the European Council that negotiations with Gibraltar would not be part of the Withdrawal Agreement, as had been previously requested by Spain. Second, this position was as well officially acknowledged by the British Government. Third, by noting that any separate agreements between the EU and the UK in respect of Gibraltar would

¹⁰⁴ Declaration regarding the Withdrawal Agreement and the Political Declaration
<https://www.consilium.europa.eu/media/37102/xt20017-en18.pdf>

require a prior consent of Spain, the EU demonstrated explicit support to the Spanish position over the question.¹⁰⁵

As observed in the first part of the analysis, the Spanish right to bilaterally negotiate Gibraltar's future relation with the EU was persistently defended by both governments. However, there is one major difference in this respect. For García-Margallo, obtaining a veto right was one step among others in pursuit of the ultimate goal – the restitution of Spanish sovereignty. From what had been stated by the former Foreign Minister, the objectives of the Spanish Government were supposed to involve the following: demanding that the future of Gibraltar be discussed in bilateral talks between Spain and the UK and agreeing on the shared-sovereignty for the transition period. Both steps were expected to lead to the restitution of the Spanish sovereignty in Gibraltar, according to García-Margallo, “in four years” from the start of the Brexit talks. In other words, a veto right was by no means considered a solution to the British-Spanish dispute, nor an alternative to the earlier proposed shared sovereignty regime, but rather an instrument to push for more far reaching gains.

García-Margallo's successors, on the other hand, saw this bilateralism as the optimal outcome of the Spanish Government in the Brexit negotiations. However, it was not renounced that other issues not yet discussed within the framework of the Brexit negotiations, including shared sovereignty, might be raised in the future bilateral talks between London and Madrid. As outlined by Sanchez, the debate on the EU level “by no means affected the position on Gibraltar's sovereignty that Spain has always upheld”.¹⁰⁶ Thus, following Hermann's assumptions, the EU's decision to grant Spain a prior say on the matters involving Gibraltar was regarded by the Spanish authorities as an alternative practical solution which at the same time had no implications on the original foreign policy goals.

The decision-making power in foreign policy is shared among several actors. In line with Hermann's propositions, agreeing on alternatives is more likely when all actors responsible for

¹⁰⁵ Sánchez: "España ha alcanzado un acuerdo sobre Gibraltar. Europa y Reino Unido han aceptado nuestras exigencias", Government of Spain, November 24, 2018, <https://www.lamoncloa.gob.es/presidente/actividades/Paginas/2018/241118declaracion-brexit.aspx> [accessed 12 August 2020]

¹⁰⁶ El presidente del Gobierno comparece en el Congreso para informar sobre el Consejo del artículo 50, el Brexit y la situación en Cataluña, Government of Spain, December 12, 2018, <https://www.lamoncloa.gob.es/presidente/intervenciones/Paginas/2018/prdi12122018.aspx> [accessed August 12 2020]

foreign policy formation accept same set of norms governing the foreign policy process and are ideologically similar. The key foreign policy actors in the case of Spain are the Prime Minister, who “issues the guidelines for foreign and European policies and has the ultimate responsibility for the execution of these policies”, and the Foreign Minister, who “is entrusted with the concrete realization of foreign and European policies”.¹⁰⁷ As both actors are to a similar extent involved in the foreign policy, the mutual understanding between them is important for a smooth decision-making process. In this regard, the decision of the Prime Minister Rajoy to replace García-Margallo with Dastis Quecedo, an independent politician with more moderate attitudes toward the Gibraltar issue, might indicate a lack of consensus between the two key actors. After the end of his term in office, García-Margallo criticized Rajoy for having no ideological leaning and called his party “an ideological wasteland”, which had lost “the reformist spirit”.¹⁰⁸ From what the media suggests, Rajoy’s decision to replace the foreign minister was influenced by an argument between García-Margallo and the Deputy Prime Minister. Nevertheless, the collected data does not reveal whether the two decision-makers had different views on the future strategy with regard to the Gibraltar question. However, as demonstrated in section 5.3., the positions adopted by Prime Minister Sanchez and Foreign Minister Borrell were very similar in this respect. Hence, it can be implied that more consensus among the key policymakers facilitated agreement on alternative options.

5.2.5. Concluding Remarks

While Hermann identified four sources of foreign policy change (leader, bureaucratic advocacy, domestic restructuring and external stimuli), he did not provide a theory privileging certain factors over others. However, it was assumed that a theoretical explanation might develop by analyzing empirical data. This analysis enabled us to address three out of four factors relevant in explaining the changing Spain’s approach towards Gibraltar – leadership, domestic restructuring (here perceived as change of government), and external actor responses. Having applied a four-stage model, we have observed how these factors interact in a decision-making process and

¹⁰⁷ Ben Soetendorp, *Foreign Policy in the European Union– History, theory & practice* (New York: Routledge, 1999), 61.

¹⁰⁸ “García-Margallo: “El PP es un yermo ideológico, no reconocerlo sería una locura””, *El Español*, July 18, 2018, https://www.elespanol.com/espana/politica/20180702/garcia-margallo-pp-yermo-ideologico-no-reconocerlo-locura/319469042_0.html [accessed 14 August 2020]

facilitate (or obstruct) the change. Although all factors were studied in synthesis rather than in isolation from each other, I suggest that the observations drawn from this study let us place more importance on the political leadership over the other two.

If domestic restructuring was considered a sufficient explanan, we could conclude that the changes in the Spanish strategy toward Gibraltar were related to the changes of government (from a right-wing to a left-wing). This would imply that *A change in the Spanish stance on Gibraltar was driven by the formation of the new government in June 2018*. However, in Spain's case changes in foreign policy were brought by a change *in* government, rather than by a change *of* government. As demonstrated, the position towards Gibraltar had taken a different track under the right-wing government before the socialists entered into power. While the foreign minister García-Margallo explicitly demanded to use the “historic opportunity” of Brexit to regain Gibraltar's sovereignty, his predecessor Dastis Quecedo, as well appointed by the Prime Minister Rajoy, appeared to be more measured over the matter.

The UK's reluctance to negotiate the shared sovereignty proposal can neither fully account for explanation. Nor can the “alternative solution” to grant Spain a veto right over any future agreements between the EU and the UK involving Gibraltar. As demonstrated, this provision was already stated in the Draft Negotiation Guidelines meaning that the EU had expressed its support to Spain even before the negotiations started. Nevertheless, for Garcia-Margallo, this rather meant a “step towards shared sovereignty” than an alternative to the proposal. It was the change of leadership that led to changes in the earlier approach. New Prime Minister Sanchez as well Garcia-Margallo's successors proved to be, using Hermann's terms, “more sensitive to contextual information” and any further attempt to push for shared sovereignty became perceived as a threat to higher foreign policy goals. Through several empirical examples this analysis demonstrated that decision-making is highly subjected to an individual perception of the situation. However, in order to understand how individual perceptions are shaped a further research is needed. I elaborate more upon this in the following chapter.

6. Discussion

The objectives of this thesis were two-fold. First, drawing on theoretical understandings of irredentism, it aimed to reexamine the current Spain's position towards Gibraltar. Second, it set out to explain the underlying motives behind the Spanish Government's decision not to reopen the issue of Gibraltar's sovereignty in the Brexit negotiations.

In line with the research questions, the analytical framework used in this thesis was based on a two-step procedure. First, I analyzed how Spain's claims over Gibraltar were articulated by different foreign policy executives who held their offices from 2016 to 2019. Based on Kornprobst's assumptions, the analysis focused on two major dimensions of justification for irredentist claims – the defense of legitimacy and the visionary plan of recovery of the “seized land”. While the legitimacy dimension was defined by Kornprobst as a historical justification of the right to retrieve the lost land, I demonstrated that territorial claims can be defended in other terms besides history – for instance, by portraying the claimant state as responsible for the socio-economic wellbeing of its own citizens who are closely linked to the enclave, or by emphasizing the will of the enclave which is respected by the claimant state, but neglected by the legal “owner”.

This was observed in the case of Spain. Alongside with the historical arguments related to the “colonial status” and the “illegal occupation” of Gibraltar, Spanish claims were also recontextualized in relation to Brexit. This was done by outlining the effects that the UK's withdrawal would have for the Spanish citizens whose lives depend on the cross-border mobility as well as by emphasizing Gibraltarians' will to remain in the EU. Despite some variation in emphasis across the statements analyzed, the underlying argument remained unchanged – Gibraltar was considered a colony which should be decolonized respecting Spain's right to territorial integrity.

What did differ, however, was how the future prospects of Gibraltar's decolonization were perceived. While Garcia-Margallo imagined Gibraltar's recovery as a rapid process which should begin with a shared sovereignty following the UK's withdrawal from the EU, his successors adopted a more moderate line in this regard. The new objectives were focused not on the demand for a shared British-Spanish control of Gibraltar, but rather on ensuring the most favorable conditions for Spain to negotiate this question in future. Although Gibraltar's complete recovery was no longer used as a leverage in the Brexit negotiations, it still remained a long-term goal. These findings let us conclude that the Spanish claims over Gibraltar could still be defined in terms of irredentism. However, the dynamics in the approaches taken by different foreign policy makers

demonstrate that irredentism is a dynamic process which is subject to developments depending on the political landscape of the claimant state.

The second part of this analysis aimed to address these inconsistencies in foreign policy behavior. In other words, I asked under what circumstances the decision to push for a shared sovereignty over Gibraltar following the UK's withdrawal from the EU was replaced by a more constructive approach leaving the sovereignty claims behind the Brexit negotiations table. Following Hermann's propositions on foreign policy change, I examined how four stages of decision-making – initial expectations, external actor responses, recognition of discrepant information and development of alternatives – were dealt with within the Spanish Government. Three “external stimuli” were considered particularly relevant in understanding the shifts in Spain's approach to Gibraltar during the Brexit negotiations: the UK's reluctance to negotiate the shared sovereignty proposal, Gibraltar's self-identification as British rather than Spanish, and the EU's decision to grant Spain a veto right over any future agreement between the EU and the UK involving Gibraltar. However, it was observed that different policymakers perceived same situations through different lens and therefore opted for different approaches. As Garcia-Margallo had a long-standing commitment to the Gibraltar question, he saw Brexit as a window of opportunity to push for shared sovereignty – an idea which Spain had unsuccessfully raised several times in the past. Other foreign policy executives, however, renounced to negotiate the shared sovereignty proposal during the Brexit negotiations as it would have possibly disrupted higher foreign policy goals, namely, good relations with the UK and European solidarity in the light of Brexit. In this respect, demanding shared sovereignty was rather seen as a threat than an opportunity.

It can be argued that such findings prove Hermann's theoretical assumptions somewhat overlapping. While Hermann distinguishes four possible drivers of foreign policy change with no intention to prioritize ones over others, his analytical model is particularly focused on the perception of a policy maker, i.e. – on the leadership. This means that using Hermann's approach the other three drivers of change – bureaucracy, domestic restructuring and external stimuli – are never studied as explanans *per se*, but rather as mere circumstances which are mediated by certain individuals. Therefore, Hermann's analytical steps could be viewed as an epistemological approach to foreign policy making, which aims to gain an understanding of how individual perceptions shape foreign policy choices instead of focusing on the objective constructs of reality in the global sphere.

As observed, the controversy over Spain's possessions in Morocco alone could not count as an underlying motive behind the Spanish Government's decision to adopt a softer line on Gibraltar since there was no evidence that this discrepancy could be recognized by the foreign policy officials. On the contrary, it could be argued that "the other side" of the history was purposively omitted or ignored by the state leaders on the grounds that this discrepancy might disrupt the validity of the Spanish arguments used in the Gibraltar dispute. However, empirically supporting the non-use of history is challenging and in order to draw any valid conclusions in this regard the ideological construction of the Spanish historical narrative should be further explored.

Having defined irredentism as part of state's foreign policy agenda, the findings of this study suggest that a subjective interpretation of external environment was a key determinant aiming to explain the shifts in Spanish irredentist behavior concerning Gibraltar. However, such conclusion raises more questions than answers. Having stated that irredentist behavior was subjected to an individual, it still remains unanswered why particular individuals make particular choices. It was argued that personal commitment to a foreign policy question and perceptions of foreign policy goals in terms of hierarchy were significant in understanding shifts in foreign policy behavior. But how were these personal commitments or perceptions shaped? What factors influence individual attitudes toward foreign policy? What is the role of personal traits, ideological inclination, and professional expertise? Future research might usefully explore these inquiries. I suggest that learning theories combined with cognitivist approaches could provide further insights in this regard.

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