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## Imagining Ceuta and Melilla

Hailey Cassidy Bard College

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## Imagining Ceuta and Melilla:

## How 'Nation-ness' Prevails in Extraterritorial Communities

Senior Project Submitted to

The Division of Social Studies

of Bard College

Ву

Hailey Cassidy

Annandale-on-Hudson, New York

May 2019

## Acknowledgements

To my roommates, Savannah Williams and Maddy Weisman. Thank you for making me laugh, spending many nights in our home knowing nothing, being my Vine professors, and for loving me almost as much as I love you guys.

To the fourth floor library club. To Caroline Gluck, for entertaining me during the long nights on our boat, and to Katie Hopper and Casey Witte, thank you for supporting me so hard. And thank you to the library, especially Jeremy Hall, for helping me cross the finish line.

To Chico and Zelda. Thank you for making me the happiest dog aunt.

To Avik Alam, for never saying no to Thai food. Thank you for being there.

To my parents. Thank you to my dad for the academic support. Thank you to my mom for never forgetting a care package.

Thank you Jim Ketterer for helping me find something important to say. Thank you Peter Klein and Jeff Jurgens for the valuable feedback you will provide on this paper.

Thank you Mohammed Boudoudou for enlightening me to this important topic and for sending me content along the way.

To my Rhode Island friends, thank you for being permanent.

Thank you to Bard for nurturing me for four years, and for giving me beautiful friends. Thank you Amideast, for getting me away from Bard, and for giving me Mallory Mrozinski.

To Morocco. Thank you for being a home for four months. They should be yours.

## Table of Contents

Introduction	1
Chapter One – As Limited1	5
Chapter Two – As Sovereign3	1
Chapter Three – As a Community4	3
Conclusion59	5
Photographs57	7
Bibliography60	)

#### Introduction

This thesis submits that extraterritorial communities become magnified versions of their nation through the ways in which they imagine their genuineness. Benedict Anderson argues for an anthropological understanding of nations as *imagined communities*. Noncontiguous national possessions are highly visible demonstrations of this concept for the nation and its populations here imagine the communities to be as genuine as the communities in the nation's ordinary territorial bounds. Anderson claims that imagined communities are established, not by authenticity, but by the ways they seek it. He writes that the nation seeks authenticity through imagining itself as *limited*, as sovereign, and as a community. These elements are amplified in extraterritorial places where the state and the residing nationals face greater challenges of legitimizing both a claim on land-which is often contested by proximate nations and others—and a belonging to a geographically distant mother country. The paper explores the cases of Ceuta and Melilla, two cities located within northern Morocco which were established in 1580 and 1497 as Spanish colonies, in 1912 as protectorates, and exist today as *autonomous cities* or *enclaves*.<sup>2</sup> In these places, one walks amongst Spanish architecture and pays in Euros, only reminded by the surrounding walls that one is not in mainland Spain.<sup>3</sup> Communities at these sites of Europe's southernmost borders express *nation-ness*, as "the most

<sup>&</sup>lt;sup>1</sup> Anderson, Benedict. *Imagined Communities: Reflections on the Origin and Spread of Nationalism*. Verso, 2016. (6-7)

<sup>&</sup>lt;sup>2</sup> Alexander, Isabella. "Waiting to Burn: Spanish-Maghribi Relations and the Making of a New Migrant Class." *The Journal of North African Studies*, vol. 24, no. 1, 17 Apr. 2018, pp. 152–174., doi:10.1080/13629387.2018.1459268.

<sup>&</sup>lt;sup>3</sup> Harris, Johnny, director. *Europe's Most Fortified Border Is in Africa*. YouTube, Vox, 5 Dec. 2017, www.youtube.com/watch?v=LY\_Yiu2U2Ts.

universally legitimate value in the political life of our time," in extraordinarily visible ways, making the cities ideal settings for studying national imagination.

Spain, the city councils, and the Spaniards who live in the cities endeavor to preserve the nation-ness of these cities, or what can be called their *Spanishness*. All depend on imagining these communities to be no less Spanish than those in the mainland, serving a dual purpose of countering Morocco's claim on the land and dispelling fears that a European presence in Africa incites in the European Union and its populations. As E.U. territories, the enclaves are economically enticing, attracting Muslims from nearby poverty-stricken Morocco as well as black migrants from other poor or else conflict-ridden countries in Africa. Infiltration of these two foremost categories of *others* in the cities, which their geography has disposed them to, has resulted in an amplified national discourse against immigration and multiculturalism. So, in pursuit of the imaginative qualities that authenticate a nation, the cities go to considerable lengths to prohibit these 'others' from living peacefully within or from entering at all. Authorities devise obstacles ranging from marginalization to abuse as a means to exclude and deter, many of which are concentrated around the cities' borders. Highly visible limitations, manifestations of sovereignty, and conceptualizations of community are mobilized here to fix the cities as genuine pieces of Spain. 6

On land, approximately 8.5 and 10 kilometers enclose Ceuta and Melilla, respectively. These boundaries are unmistakable, demarcated by exceptionally striking borders. Weaponized and heavily surveilled, the walls appear to serve a military purpose, but in fact their intent is to keep out civilians.

<sup>&</sup>lt;sup>4</sup> Anderson 3.

<sup>&</sup>lt;sup>5</sup> Human Rights Watch. Salmi, Katya, et al. *Abused and Expelled: Ill-Treatment of Sub-Saharan African Migrants in Morocco*. Human Rights Watch, 2014,

www.hrw.org/report/2014/02/10/abused-and-expelled/ill-treatment-sub-saharan-african-migrants-morocco#page. 
<sup>6</sup> Anderson 4.

More pronounced in Ceuta and Melilla is the exclusion which, in the age of nationhood and globalization, has become ingrained in border regimes and "state-defined identity categories," such as the refugees and asylum seekers attempting to enter Europe here.<sup>7</sup> Community limits are violently amplified through categorically terminable, increasingly militarized boundaries and the resulting spectacle.

In navigating their many-sided geographic disposition, Spain recognized sovereignty *in* Ceuta and Melilla by distinguishing them from their counterparts in the mainland. 1995 saw the cities, declaring to be no different from those in peninsular Spain, succeed in acquiring a degree of local self-governance. Even so, they still fall under the jurisdiction of the central government in Madrid more than other cities do. On the other hand, Spain wields sovereignty *over* Ceuta and Melilla through the illusive third-party political agreements in which it seeks to empower the territories. Consequently, "political sovereignty, like the nation itself, comes to have an ever greater imagined dimension" in these places. Hence, Spain perceives the clandestine migrants who succeed in crossing the borders as making a mockery of the state's 'innate' powers, ridiculing its border controls. Moreover, their 'invasion,' which is feared to bring with it disease, 'strange' culture, and "backpacks full of poverty" threatens the legitimacy of Spain's regional authority, demanding that great lengths be devised to halt it.' Analyzing these particular devices informs an understanding on the common fragility and sensitivity of the extant sovereign place.

Notwithstanding the inequality and exploitation prevailing in the nation, the community here is still "always conceived as a deep, horizontal comradeship." Spanish fraternity is reinforced through

<sup>&</sup>lt;sup>7</sup> Jones, Reece. Violent Borders: Refugees and the Right to Move. Verso, 2017. (22)

<sup>&</sup>lt;sup>8</sup> Brown, Wendy. *Walled States, Waning Sovereignty*. Zone Books, 2017. (47)

<sup>&</sup>lt;sup>9</sup> Andersson, Ruben. *Illegality, Inc.: Clandestine Migration and the Business of Bordering Europe*. University of California Press, 2014. (5)

<sup>&</sup>lt;sup>10</sup> Anderson 7.

the ways in which 'others' are marginalized. Targeted policies single out Muslims who have moved out of Morocco into the enclaves, violating the liberties which they should be equally entitled to as officially Spanish citizens. Migrants who manage to cross into the cities face an abundance of additional obstacles upon arrival. Limits and sovereignty together feed the overall imagining of the community. While some modes of *resistance* employed by 'others' are explored in the first two chapters, they comprise more of the discussion in the culminating final chapter on community.

Moreover, this paper explains how the persisting *push factors* which drive the global poor or otherwise disadvantaged to seek opportunity in wealthier nations cannot be dissuaded by a nation's best efforts to 'defend' itself. It emphasizes that Ceuta and Melilla and their geography will always be *pull factors* for migrants and Moroccan nationals, all seeking the better wages and opportunities that a privileged European land can offer them and that their own lands cannot.

### From Monarchy to Nation

Understanding the modern imagining of these communities calls for a grasp on the historical foundations which gave way to the formation of the present Spanish state. Anderson explains that "after 1789 the principle of Legitimacy had to be loudly and self-consciously defended, and, in the process, 'monarchy' became a semi-standardized model." Before the era of nations, the *Reconquista* – the expansion of Christian kingdoms and expulsion of Muslim rulers from the Iberian Peninsula in 1492 – principally defined the legitimacy of Spanish rule. As it is often professed to be "one of the most important symbols of historic identity for Spaniards, especially those in Southern Spain," the conquest over the Moors provides insight for contemporary marginalization of Muslims living in

<sup>&</sup>lt;sup>11</sup> Ibid 21.

Ceuta and Melilla. <sup>12</sup> Subsequently, the *Conquista* of the Americas fits into Anderson's chronicle of the "conception of 'Empire" through a colonial racism, which ventured to merge dynastic legitimacy and national community. Today this "principle of innate, inherited superiority" prevails in the discrimination against black migrants forming the present 'crisis' at the borders of the cities.

Appropriation and monopolization of the Spanish nationalist conversation by Francoists and anti-democratic conservatives had "a significant impact on the entire spectrum of Spanish nationalism, particularly when it was forced to present a democratically legitimized face in the last years of Francoism and during the democratic transition." Today, there is not one succinct Spanish nationalism, but rather varying nationalist discourses. 15 Endorsing the Françoist version on the right end of the spectrum is the Partido Popular (PP). As a Christian conservative political party, the members insist that the past historical feats cemented the "intrinsically Catholic nature of the Spanish nation." Furthermore, they hold that peripheral nations are "mostly a product of foreign conspiracies to weaken Spain's power and to erase its glorious contribution to the history of mankind." José-María Aznar, the Spanish prime minister/president from 1996-2004, upheld this belief:

"According to Aznar, Spain is a historical reality forged in the fifteenth century and united by the agency of the Monarchy and the existence of a common project, whose best expression would be the benign and generous Spanish conquest of America. This historical tradition sustains the legitimacy of the Spanish nation, which exists prior to the liberal Spanish constitutions."17

<sup>&</sup>lt;sup>12</sup> Colón, Gabriel Alejandro Torres. "Of Muslim Persuasion: The Politics of Convivencia in Ceuta, Spain." University of New Mexico, UNM Digital Repository, 2008. (63)

<sup>&</sup>lt;sup>13</sup> Anderson 150.

<sup>&</sup>lt;sup>14</sup> Núñez, Xosé-Manoel. "What Is Spanish Nationalism Today? From Legitimacy Crisis to Unfulfilled Renovation (1975–2000)." Ethnic and Racial Studies, vol. 24, no. 5, 2001, pp. 719–752., doi:10.1080/01419870120063954. (721) <sup>15</sup> Ibid 742.

<sup>&</sup>lt;sup>16</sup> Ibid 729.

<sup>&</sup>lt;sup>17</sup> Ibid 729.

Spaniards like Aznar are the kind to support the occupation of Ceuta and Melilla, inventing a nation where it does not exist. <sup>18</sup> To them, imperialism and Catholicism are inextricable from Spanish identity. If being Christian is the metric for belonging within Spain – and considering the historical context of the conquest over the Arabs – Ceuta and Melilla appear to be less Spanish, necessitating reinforcements of polarity between Christians and non-Christians, especially those from the Maghreb.

On the other side of the debate is the Spanish Workers' Socialist Party (PSOE), <sup>19</sup> whose followers propose the legitimacy of Friedrich Meinecke's distinction 'cultural' and 'political' nations. They believe that "the history of a plurality of identities within a common Spanish project would legitimize the survival of Spain as a nation, though permitting cultural pluralism and political sharing of power with regional administrations" but that Spain should, nevertheless, retain full sovereignty. <sup>20</sup> They advocate for *constitutional* nationalism, though they often avoid this label, opting instead for 'patriotism.' The left fears that, should the state be deprived of its "emotional, cultural or historical appeals to a common citizen identity," it would be unable to survive as a legitimate national entity. <sup>21</sup>

"The defenders of Spanish constitutional nationalism, be it based upon the idea of a 'nation of nations' or on the concept of 'historical and cultural plurality,' insist on its purportedly purely civic nature. Conversely, minority stateless nationalisms are accused of being culturalist, essentialist, ethnocentrist and potentially anti-democratic as far as their basic ideological foundations are concerned."<sup>22</sup>

Most defenders today of this constitutional nationalism, or patriotism, "accept the 1978

Constitutional agreement as the legitimate basis for maintaining the political unity of Spain, and for advocating Spain's national existence." The Spanish Constitution of 1978 declares the following:

<sup>&</sup>lt;sup>18</sup> Anderson 3.

<sup>&</sup>lt;sup>19</sup> Núñez 721.

<sup>&</sup>lt;sup>20</sup> Ibid 736.

<sup>&</sup>lt;sup>21</sup> Ibid 738.

<sup>&</sup>lt;sup>22</sup> Núñez 744.

<sup>&</sup>lt;sup>23</sup> Ibid 742.

"The Constitution is based on the indivisible unity of the Spanish Nation, common and indivisible Fatherland of all Spaniards. The right to autonomy for the nationalities and regions which form it and of solidarity among them is acknowledged and guaranteed (Article 2 of the Introductory Section of the Constitution)."<sup>24</sup>

During the debates in parliament, 'nationality' was reduced to mean 'cultural and linguistic community.' In curating a Spanish democracy post-dictatorship, the Constitution's primary concern was decentralization, which was eventually executed by breaking up peninsular Spain into seventeen *autonomous communities*. Whether religious conquests or its democratic formation into a 'nation of nations' define Spain persists as the ultimate national question. It is a major point of contestation among political parties, which are in constant debate over what makes Spain *Spain*, or, more importantly, what makes someone *Spanish*.

Minority nationalist populations in the mainland include the community of Catalonia, which was looking for self-governance in 1978, particularly concerning an official right to use, conduct affairs, and educate in the Catalan dialect. Minority communities in the Basque Country, however, pushed for full separation from the nation. Limited sovereign representation granted by the Constitution gratified Catalan groups but did not quite satisfy Basques nationalist demands. <sup>26</sup> But these mainlands minorities all exist within the recognized, greater Spanish territory, whereas Ceuta and Melilla, in being encompassed by the Mediterranean and Morocco, have no physical linkage to Spain. Furthermore, the land and sea which they do border bring with them unavoidable interaction with decidedly non-Spanish nationalist demographics. While Moroccans and sub-Saharan migrants see the proximity to the European Union as opportunity, Spanish Ceutans and Melillans are averse to sharing their space, fearing that these subjects dilute the Spanishness of the cities. It is no wonder, then, that

<sup>&</sup>lt;sup>24</sup> Spain, "Constitution of 1978." 2011, Constitute, www.constituteproject.org, 2011.

<sup>&</sup>lt;sup>25</sup> Ibid 723.

<sup>&</sup>lt;sup>26</sup> Núñez 724.

for several years following 1978 the Spanish government was challenged by the question of how Ceuta and Melilla "were to fit into the territorial structure of the new Spain," amidst the process of devolving power to regional autonomous communities, some with minority populations.<sup>27</sup>

As late as 1975, Spain was rejecting accusations of colonialism regarding its enclaves on the basis that there was no ethnic difference between Ceutans and Melillans and the rest of Spain.<sup>28</sup> However, since 1960 "the number of Moroccans has doubled from 11,000 in Ceuta and quadrupled from under 5,000 in Melilla (Ballesteros, 1990: 140-45; Annuario El Pais 1992: 114)," making it increasingly difficult for the authorities to present Ceuta and Melilla as "typical Spanish cities." 29 Concern over a potential growth of Muslim populations to a position of power, accompanied by the escalating migrant 'crisis,' evolved into fear in the mainland and other European populations. Nationalism in extraterritorial Spain has persisted, not as the meaningful doctrine it once was, but rather as a response to "the challenge of stateless nationalisms." Spaniards here have adopted a 'Spanishness' which has taken on its own form as an "ethno culturally positive stereotype," 31 encouraged by the sovereign Spanish nation. State efforts to marginalize and discriminate, underpinned by racial, religious, and colonial legacies, feed public perceptions and sow an inhospitable environment for non-Christian minorities.<sup>32</sup> Notably, the right-wing has a robust presence here, though elections typically swing between the PP and the PSOE. The communities here, like "many 'old nations,' once thought fully consolidated, find themselves challenged by 'sub'-nationalisms within

<sup>&</sup>lt;sup>27</sup> Gillespie, Richard. *Spain and the Mediterranean: Developing a European Policy towards the South.* Macmillan Press Ltd, 2000. (69)

<sup>&</sup>lt;sup>28</sup> Ibid 67.

<sup>&</sup>lt;sup>29</sup> Ibid 67.

<sup>&</sup>lt;sup>30</sup> Núñez 719.

<sup>&</sup>lt;sup>31</sup> Ibid 745.

<sup>&</sup>lt;sup>32</sup> Andersson 6.

their borders... The reality is quite plain: the 'end of the era of nationalism,' so long prophesied, is not remotely in sight."<sup>33</sup>

#### Literature Review

The thesis combines Benedict Anderson's theories in *Imagined Communities: Reflections on the Origin and Spread of Nationalism* as well as theories surrounding illegality, borders, sovereignty, the 'other' with relevant ethnographic studies of the Ceuta and Melilla example. Anderson's seminal study about nations advises the argument for the 'hyper-nation' of non-contiguous places. Integral, too, is his assertion that the authorities and people of a country *image* nation-ness in an effort to legitimize power over communities. The understanding of legitimacy and why the nation defends it, such as religion, conquest, and identity, are incorporated throughout. However, his examples, such as soldiers' graves and printmaking, are not relevant here. Rather, this work seeks examples of his central ideas (limits, sovereignty, and community) in the Spanish national possessions, primarily the *othering* which constitutes their imaginary.

Illegality, Inc.: Clandestine Migration and the Business of Bordering Europe by Ruben

Andersson provides theory on illegality and clandestinity, as well as much of the border descriptions, different critical moments of 'the spectacle,' and many of the ethnographic interviews from border-crossers and border patrol. The business of bordering Europe discussed by Andersson pairs well with Walled States, Waning Sovereignty by Wendy Brown, wherein she proposes that sovereignty is fiction, as proven by the increasingly loud and futile ways in which it is declared.

Furthermore, Judith Butler's Frames of War: When is Life Grievable are used to analyze how weak

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<sup>&</sup>lt;sup>33</sup> Anderson 3.

sovereignty produces the othering and the migrant 'crisis' happening at the doors of fenced-off places.

All of these works weave into the Andersonian conversation on national imagination.

Reece Jones' *Violent Borders* supplies much of the critical analysis about violence. He also has a chapter dedicated to Melilla's border and provides the history of its militarization. Jones explains how the blurring of the distinction between military and police has formed the modern border regime. A reports from Human Rights Watch on the ill-treatment of sub-Saharan migrants by Spanish and Moroccan authorities is also useful in assessing the link between borders and violence here. Actions of the state and reactions of excluded subjects are referred to as strategies and tactics, ideas written about by the social scientist Michel de Certeau in his book *The Placement of Everyday Life*. Strategies "produce, tabulate, and impose" spaces, countered by tactics which "use, manipulate, and divert" these produced spaces. *Strategies* which Spain implements as 'defense' compels its targets to assume the offensive. Methods, or *tactics*, excluded subjects deploy in the cities include militarizing border-crossing efforts, protesting, and taking advantage of a unique informal economy which is fostered by the inclusion of the territories in the EU. For resistance, as an instrumental tool of survival of minorities in a usual national territory, is heightened in non-contiguous ones as a means of rising to the extra challenges presented by hyper-national communities.

Spain and the Mediterranean: Developing a European Policy towards the South by Richard Gillespie is crucial in equipping the paper with a fundamental history of the protectorates. Gillespie's chapter on Morocco lays out the issue of the enclaves' autonomy, detailing its contestation amongst the different political parties in mainland Spain as well as Morocco's claim on the cities. Isabella Alexander provides more personal accounts through her ethnographic works as do the interviews

<sup>&</sup>lt;sup>34</sup> Certeau, Michel de. *The Practice of Everyday Life*. University of Minnesota Press, 1998. (36)

conducted by Human Rights Watch. A work from Xosé-Manoel Núñez supports most of the discussion on *Spanish* nationalism specifically. In his piece "What Is Spanish Nationalism Today? From Legitimacy Crisis to Unfulfilled Renovation (1975–2000)," he explores the legacies of Francoist nationalism and responses from different political parties to nationalist minorities throughout the late twentieth century. Though a couple of decades matured, its analysis is aptly applied to the protectorate problem today. Núñez himself makes this clear, as he points in his conclusion to the growing migrant 'crisis' and the ever-growing trials of coexistence accompanying the Europeanization of Melilla and Ceuta.

A central flaw to this paper is the absence of Moroccan literature. While drawing from a few Moroccan news sources, it is lacking in works of Moroccan academia. Research proved to procure some of these texts, of which most were not valuable to the thesis. Perhaps they are written in Arabic or French on different databases or perhaps there are not as many works because of the nature of the monarchy to, at times, silence Moroccan journalists and authors writing on unsavory topics.

This paper navigates language very purposefully. Andersson's qualification of non-refugee migrants as *clandestine* is the one used here because it accurately captures their configuration within the national narrative as 'less than' or 'sub' and alludes to the resulting secrecy and tactics they must rely on. The label of 'sub-Saharan African,' though used by many who identify as such, is very general, and this paper tries to always specify where migrants come from in the monolith that is 'Africa' and the collective 'sub-Saharan Africa.' As for Moroccan nationals living within the enclaves, they will be referred to as such, or as 'Moroccans' and sometimes 'Muslims.' 'Arab' is the lesser used term in the literature. 'Muslim' is used less frequently, primarily in direct contrast with 'Christian,' and while the

focus on Central and West African migrants in this paper is race, many of them are also Muslim. The flaw of 'Moroccan' is that it implies that they are not also Spanish. But even Moroccans whose families have lived in the cities for generations often retain their ethnic, cultural, and religious ties, and they are a community in themselves within the enclaves as their fight for multiculturalism demonstrates, so this will be the preferred title. Lastly, it would be remiss not to note that while the official or frequented terms for Ceuta and Melilla are *enclaves* or *protectorates*, these are a strategy on Spain's part to establish its dominance in the region. Should this paper make sole use of these terms, it would be a collaborator with the body whose dangerous legitimacy strategies it is attempting to thwart. While they are used intermittently as a reminder of the Spanish prerogative, the preferred terms for this paper are the aforementioned ones, such as extraterritorial communities, non-contiguous territories, hyper-national sites, and so forth, which also serve to more aptly encapsulate the imagined Spanishness of the cities. Moreover, branding the cities in various ways is a tactic of the thesis to undermine the Spanish narrative and impart ambiguity onto the land.

### Methodology

Elements which characterize many nations are more visible in extraterritorial places. These are not unique to the territories in North Africa. Some other examples might be Oecusse, a 'municipality' and a 'Special Administrative Region'<sup>35</sup> and an enclave of Portugal in the country of East Timor. <sup>36</sup> Here, a sustained alliance with the Portuguese has fostered a strong regional identity. <sup>37</sup> Or there is the 'British Overseas Territory' of Gibraltar, where the citizens are more pridefully British than ones living

<sup>&</sup>lt;sup>35</sup> Yoder, Laura. "The Formation and Remarkable Persistence of the Oecusse-Ambeno Enclave, Timor." *Journal of Southeast Asian Studies*, 2016.

<sup>&</sup>lt;sup>36</sup> Up until 1975, East Timor was a Portuguese colony called 'Portuguese Timor.' (Yoder)

<sup>&</sup>lt;sup>37</sup> Durand, Frédéric. Timor: 1250-2005, 750 ans de cartographie et de voyage. Toulouse, Arkuiris, 2006.

in mainland England.<sup>38</sup> While the function of a nationalist identity in other territories parallels that of Ceuta and Melilla, the choice to focus on these cases is fed by their idiosyncrasies: the distinctive ways in which they have come to fruition, their prevalence as the *only* European territories in mainland Africa, and the strategies which Spain has implemented in order to curb the emotions generated by its close proximity to both an Islamic nation and to the growing migrant crisis. In the same vein, Spain's other Mediterranean possessions are purposefully omitted from this paper's focus. From the Canary Islands to the minor *plazas de soberanía* (places of sovereignty), including the Islas Alhucemas, the Islas Chafarinas, and Peñón de Vélez de la Gomera, none are disposed to the same identity struggles, due in large part to their lack of the same physical attachment to non-European lands.<sup>39</sup>

In Ceuta and Melilla, the international contestation and geopolitical fragility surrounding them are crucial components which implore the citizens, local government, and Spain as its sovereign overlord to enhance the ways in which the cities' nationness is imagined. Moreover, the number of migrants reaching Spain has doubled for the second year in a row as a result of the increasing intolerance in Italy and Greece in the Central Mediterranean route. While securing Europe's southern external borders generally produces a spectacle, the unique position of the enclaves as the only European territories within the continent of Africa has generated an even greater amplified style of bordering and an even greater spectacle of migrants:

"Much has been written in recent years on refugee populations stuck in similar 'in between' spaces – Afghans in Karachi or Syrians in Amman – the majority of them moving towards destinations in Western Europe or the U.S. (Malkki 1995; Fassin 2005; Ticktin 2006). What is unique about the case of those trapped in Morocco is their proximity to the imagined home.

<sup>&</sup>lt;sup>38</sup> In Gibraltar, Britain is to Spain what Spain is to Morocco in Ceuta and Melilla. (Gillespie)

<sup>&</sup>lt;sup>39</sup> Robinson, G.W.S. "Ceuta and Melilla: Spain's Plazas de Soberanía." *Geographical Association*, vol. 43, no. 4, Nov. 1958, pp. 266–269.

pp. 266–269.

40 "Frontex Risk Analysis for 2019." Frontex European Border and Coast Guard Agency, 20 Feb. 2019, www.frontex.europa.eu/media-centre/news-release/frontex-publishes-risk-analysis-for-2019-Dh6Wkf.

For sub-Saharan migrants in Morocco – unlike Somalis in Nairobi or Burmese in Bangkok – their journeys have not been stalled en route to Western Europe or the U.S., but rather at the border to the country they are so desperately seeking to enter."<sup>41</sup>

Andersson continues to explain that the Spanish 'front' is about more than one state's efforts to control human movement. Rather, "it is a key site for investigating the European, or indeed Western, 'fight against illegal immigration' in all its contradictions."

#### Overview

The three chapters of the paper address the imaginative styles of a nation through their magnification in the case communities. Chapter One focuses on the limitedness of Ceuta and Melilla by assessing the real city limits: borders. It analyzes the defensive strategies and exceptional violence which the Spanish state cultivates to stop, detain, and deter clandestine migrants. Chapter Two outlines the dual manifestations of the cities as sovereign: the fight for constitutional representation and the Spanish manipulation over Morocco by outsourcing 'national security' through third-party political agreements. Finally, Chapter Three explores the anxious politics of identity and belonging amongst Christian Ceutans and Melillans which feed prejudice and discrimination against non-Christians. Furthermore, it elaborates on the different methods of resistance to these circumstances. Altogether, these components aim to break down the Spanish imagination.

<sup>&</sup>lt;sup>41</sup> Alexander 18.

<sup>&</sup>lt;sup>42</sup> Andersson 22.

## Chapter One – As Limited

"Globally, more than half the deaths at borders in the past decade occurred at the edges of the EU, making it by far the most dangerous border crossing in the world."43 - Reece Jones

The people attempting to cross Europe's external borders are mostly coming from its neighbors to the south, explaining why the Mediterranean bears the most popular points of entry. In 2018, a total of 150,114 migrants 'illegally' crossed the external borders of Europe, 92 percent going by way of the Mediterranean. Out of them, 40 percent used the Western route through Spain. 57,034 migrants entered in 2018, but only 1,400 did so through Ceuta and Melilla. 44 Despite the proximity of the cities, the majority of 'illegal' migration into Spain occurs at the coastal boundaries of the mainland. One can actually stand in Africa a stone's throw away from Europe, yet the migratory paths through the enclaves remain the ones less taken. Why is it that so few cross here? The first reason, the one addressed in this chapter, is that the business of bordering of Europe thrives beyond the confines of the continent. 45 It is exceedingly more difficult to cross the borders of Ceuta and Melilla than the ones of contiguous Spain. Nonetheless, there are still some who pursue these routes. This chapter elaborates on how Ceuta and Melilla imagine themselves as *limited* and the spectacle that these limitations produce.

### Why Europe?

<sup>&</sup>lt;sup>43</sup> Jones 16. <sup>44</sup> Frontex.

<sup>&</sup>lt;sup>45</sup> Andersson 3.

Thousands of migrants reside in makeshift camps scattered through the forests surrounding Ceuta and Melilla. They live in destitution just outside of their gateway to Europe. Their lodgings are tents made of blue plastic bags and tree limbs, secured using old t-shirts like rope. Life consists primarily of planning border-crossings and hiding from Moroccan officials, both the *Gendarmerie Royale Marocaine* and the *Auxiliary Forces* (or the 'Alis' as migrants call them). Senegal, Côte d'Ivoire, Ghana, and many more nations are represented among the travellers. A variety of reasons compelled them to leave their homes, from "poverty, family and social problems, political upheaval and civil conflict, and fear of persecution." Their growing numbers in these forests can be attributed to several factors, such as the word *refugee* and its consequences.

The United Nations High Commissioner for Refugees (UNHCR) is "responsible for protecting displaced persons around the world, assisting primarily in resettlement, integration, and voluntary repatriation." Only "people who have fled war, violence, conflict or persecution and have crossed an international border to find safety in another country" fit the UNHCR given definition of a *refugee*. As a result, the Central and West African migrants coming through Morocco, most of whom attribute poverty as their push factor, are left with no other options than 'illegal' ones, which have only become defined as such as a consequence of what the state considers 'legal.' According to Jones, "focusing on only the limited, state-defined term refugee renders other categories of migrants,

<sup>&</sup>lt;sup>46</sup> Human Rights Watch.

<sup>&</sup>lt;sup>47</sup> Ibid.

<sup>48</sup> Ibid.

<sup>&</sup>lt;sup>49</sup> Alexander 9.

<sup>&</sup>lt;sup>50</sup> United Nations. "What Is a Refugee?" *UNHCR*, www.unhcr.org/en-us/what-is-a-refugee.html..

who are moving for economic or environmental reasons, as undeserving of help or sympathy."<sup>51</sup> He explains:

"Syrian migrants' asylum requests are very likely to succeed due to the political and religious violence they are fleeing. In the third quarter of 2015, 98 percent of Syrian applicants were granted asylum in the European Union. West African economic migrants are much less likely to be given asylum. For example, in the same quarter in 2015, 76 percent of requests from Ghana were rejected." 52

Even the ambiguity surrounding the explanation of what makes someone a refugee has become a problem for those who *could* be one. Leaving room for interpretation enables nations to decide whether a migrant deserves the categorization.

Those who warrant protection based on persecution are defined as "unable or unwilling to return to their country of origin owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group, or political opinion." Take the example of a young migrant from Cameroon named Olivier on his way to Spain. When interviewed by Human Rights Watch, he explained that he could not return home for fear that he would be killed by Cameroonian authorities for fleeing an army that would have required him to participate in what he views as the "unjustified killing of civilians." Yet, when he tried to apply for asylum in Morocco, Olivier was told that "Cameroon is not a country where there is turbulence." Supposedly reviewers of Olivier's case did not deem his fear 'well-founded.' But Morocco was not intended to be Olivier's

<sup>&</sup>lt;sup>51</sup> Jones 23.

<sup>&</sup>lt;sup>52</sup> Ibid 21.

<sup>&</sup>lt;sup>53</sup> United Nations.

<sup>&</sup>lt;sup>54</sup> Human Rights Watch.

<sup>55</sup> Ibid.

final destination, nor is it for most. Regardless of the factors which push them to move, sub-Saharan African migrants "uniformly describe their goal as reaching Europe to create a better life." <sup>56</sup>

Abraham, a 22 year-old migrant from Sierra Leone, had been in Morocco for two years when he was interviewed about his situation. Everywhere he goes, he carries papers which prove that he has been granted 'official refugee' status by Morocco. These documents should have afforded Abraham the basic protections guaranteed to all refugees, yet Morocco, having no official refugee camps, is not equipped to provide these protections. Aware of these challenges, many will get the paperwork for applying for asylum at UNHCR's Moroccan headquarters in Rabat and then postpone their claim. They choose to wait and have their applications reviewed "until they have reached a country they believe will provide them with basic protections." In the migratory route, Morocco is merely a primary entry point into the internally borderless E.U.

"[Migrants] use Morocco as a launching pad in one of three ways – most commonly, by scaling the fences into Morocco's Spanish enclaves or piling into small wooden fishing boats that are captained across the eight-mile Strait of Gibraltar to the southern coast of mainland Spain. Secondly, by stowing away in the trunks, engines, or specially constructed 'cages' hidden under cars and trucks crossing into Spanish territory. Or least commonly, as it is the most expensive option, by carrying false paperwork across European borders." 57

However, Abraham actually made numerous attempts to cross into Melilla, "but he quickly learned that even on European soil, race plays a role in one's ability to assert their vulnerability, and papers do not always guarantee one's legal rights," for his official refugee status did not prevent the Spanish authorities from detaining him and returning him back to the Algerian desert.<sup>58</sup>

Nevertheless, Europe persists as the dream land: a place where prosperity and opportunity flourish. Trapped in a purgatory between their homes and their final destinations, migrants in

<sup>&</sup>lt;sup>56</sup> Human Rights Watch.

<sup>&</sup>lt;sup>57</sup> Alexander 8.

<sup>&</sup>lt;sup>58</sup> Ibid 9.

Morocco are constantly encountering Spain in the form of a saviour. The few services available to them in Morocco are predominantly European, run by Spanish and French organisations and volunteers. Alexander writes, "imagine that as a migrant, it is the European volunteers who offer you food at the church on Sunday mornings, the Italian doctor who sees your sick child, the French woman who teaches you how to read, or the Spanish lawyer who informs you of your rights." It is no surprise, then, that Europe prevails in the migrant imaginary as a land of greatness. She continues:

"Even along the same migration routes the E.U. is so desperately trying to block, they appear at every turn to lend a helping hand. I discovered that for migrants, the faces of oppression – the extorting smugglers and aggressing police officers – are more likely to be the faces of their own people. It is the sub-Saharan 'camels' and the Moroccan police officers who violate and abuse, supporting the migrants' negative images of the places they are so desperately seeking to escape." <sup>59</sup>

Migrants think their paperwork means little if not on European soil, which is true to an extent. But the soil in Ceuta and Melilla is slightly different. In its fierce limitedness, the vulnerable, non-contiguous soil allows even less space for migrants, especially ones from sub-Saharan Africa. Besides, Chapter Two illuminates how Morocco, specifically, has become increasingly unappealing to black migrants.

#### The Borders

States that close and secure national borders are "fueled by populations anxious about everything from their physical security and economic well-being to their psychic sense of 'I' and 'we." <sup>60</sup> Ceuta and Melilla, fraught with these emotions which arise from being the only land borders which Europe shares with Africa, have become sites enclosed by hyper-violent frontiers. Border patrol in the cities work in tandem with the physical walls to produce the very spectacle they are each trying to prevent. The sentinels scan the horizon for oncoming wall-scalers while the patrol boats scan for rafts

<sup>&</sup>lt;sup>59</sup> Ibid 15.

<sup>&</sup>lt;sup>60</sup> Brown 69.

looking to enter the cities by sea. Above all, their success depends on reaching out to those to support their work financially and socially: politicians and journalists. For the patrol authorities, "the border becomes a resource in which the avowed business is to make sure no one enters. They must not lose it." The guards and the walls they patrol produce what has been deemed the border *spectacle* or the border *game*. Andersson gives a background to this theory:

"To the political scientist Peter Andreas, border policing is an audience-directed 'ritualistic performance' aimed at 'recrafting the image of the border,' making it more solid and real. To Nicholas De Genova, building on Marxist theorist Guy Debord's notion of the 'society of the spectacle,' it is a show of enforcement in which migrant illegality is made spectacularly visible. Through the interplay between enforcement and an excess of discourses and images, he says, the border spectacle 'yields up the thing-like fetish of migrant 'illegality' as a self-evident and sui generis 'fact', generated by its own supposed act of violation." <sup>62</sup>

In this performance, Border Patrol culture 'paramilitary' agents have come to consider themselves as an extension of the military. Border enforcement, in attempting to manage the migrant 'crisis,' has blurred the distinction between "security and policing, on the one hand, and militarization and war-making, on the other."

Borders in the extraterritorial communities are a militarized zone which assume approaching migrants to be enemies in a war. During a bigger *asalto* (attack,) pepper water is sprayed on migrants along with disorientating sharp flashes of light. <sup>64</sup> Notably, this description of the border-crossings as 'attacks' helps Spain to justify the lethality of its non-contiguous borders. In 2012, reporters discovered that the Guardia Civil were using rubber bullets on migrants scaling the walls of Melilla and that many

<sup>&</sup>lt;sup>61</sup> Andersson 138.

<sup>62</sup> Ibid.

<sup>&</sup>lt;sup>63</sup> Jones 38.

<sup>&</sup>lt;sup>64</sup> Andersson 168.

Moroccan guards on the other side are actually equipped with guns.<sup>65</sup> Proliferation of "military strategies, culture, technologies, hardware, and the combat veterans who are now policing the border' (Kraska 503)" stress that force and the threat of violence are the most appropriate ways to solve these problems, most likely exacerbated in the cities by their historical and current military and government presence.<sup>66</sup>

"In recent decades, military personnel have constituted 15-20 per cent of the Spanish population of the cities and some 8-13 per cent of the Spanish Army has been based there (Ballesteros, 1990: 140-42). These are Spain's 'last foreign bases', yet they do not contribute to the defence of Spain: rather they are a security problem because they are in Spanish hands (*Africa Confidential*, 27/14 (1986); Bequer, 1988: 148)."<sup>67</sup>

No one seems to consider that any of these expensive resources would be unnecessary should the cities not be European territory. But in order to maintain Spanishness, the collective Spanish authorities have taken on a prodigious role as soldiers. Such a performance requires that they protect their communities from foreign invasion. Of course, only on the appropriate stage can this be accomplished: the material fortress.

In the twentieth century, most countries did not invest heavily in border security infrastructure at all. It was expensive and ineffective against military invasion, which was their primary purpose at the time. <sup>68</sup> Up until the early 1990s, Ceuta and Melilla had only "patches of tangled and weed-strewn coils of barbed wire" to mark their international boundaries. With the arrival of more migrants, the Spanish state, with the help of E.U. funds, slowly built up the frontiers. <sup>69</sup> But it wasn't

<sup>65</sup> Human Rights Watch.

<sup>&</sup>lt;sup>66</sup> Jones 39.

<sup>&</sup>lt;sup>67</sup> Gillespie 67.

<sup>&</sup>lt;sup>68</sup> Jones 31.

<sup>&</sup>lt;sup>69</sup> Andersson 155.

until the 2000s that serious fortification began. At this time, Spain erected a new ring of fences around the cities. <sup>70</sup> Today Melilla's land border is approximately 11 kilometers long. Beginning at the inner perimeter, there stands a six-meter tall metal fence, followed by a second fence with an oscillating top. Webs of dense metal cables adjoin this fence to a third. <sup>71</sup> Sensors and bright spotlights are installed throughout the perimeters. Infrared cameras, 104 of them to be exact, and microphones now surveil every centimeter of the barrier. A ditch, three meters deep, demarcates where Spain ends and Morocco begins. Here, there is a mesh trap called the *sirga tridimensional* which tenses upon contact and aims to immobilize. <sup>72</sup> On the Moroccan side two more fences stand, each adorned with barbed razor wire. <sup>73</sup> Thermal cameras and sound-and-motion sensors track movement in Moroccan territory. <sup>74</sup> Above, one can often see helicopters circling in the sky. The scene in Ceuta is similar though to a lesser extent. Despite Melilla's purpose no longer being to serve as a bulwark against military invasion, most all of the defenses are new additions from the last two decades. As one of the most fortified borders in the world, its primary motive today is to keep out civilian migrants. <sup>75</sup>

A Spanish security company called Proytecsa is credited for many of the recent technological advances of Melilla's improved *valla* (fence). With these additions, "as in Eurosur and the Spanish radar and satellite systems, technology was waved as a magic wand, promising migration controls shorn of violence and politics." Originally planned for both enclaves, Spain's side of Melilla, with no barbed wire, is professed to be humane. Authorities even sell the mesh as being not harmful, though its

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<sup>&</sup>lt;sup>70</sup> Alexander 14.

<sup>&</sup>lt;sup>71</sup> Harris.

<sup>&</sup>lt;sup>72</sup> Andersson 162.

<sup>&</sup>lt;sup>73</sup> Harris.

<sup>&</sup>lt;sup>74</sup> Andersson 155.

<sup>&</sup>lt;sup>75</sup> Harris.

<sup>&</sup>lt;sup>76</sup> Andersson 161-162.

location in the space between the two countries conveniently allows for diffusion of responsibility anyways. Regardless, E.U. funds constructed the indisputably violent Moroccan fences in an act which allows Spain to continue to uphold its reputation as the most benevolently bordered European country.<sup>77</sup>

Another less subtle discretion is that Ceuta is also newly fortified, but the aggressive razor wire remains. Coastal borders of the enclaves have been updated with similar reinforcement measures, as Spain recently installed an underwater detection system in the Strait of Gibraltar. The practice of hiding in cars which are driving 'legally' into the cities (as well as those getting onto ferries headed towards the mainland) have been made more difficult, for Spanish officials now have sonic devices that they attach to the hoods of passing vehicles to check for the number of heartbeats inside. So despite the many risks that the fortification of the border walls present to those scaling it, this path continues to be the most viable for migrants and consequently the primary setting for the spectacle. Above all, the bordering of Ceuta and Melilla work to produce "unequal power and consequently unequal life chances," as exemplified by the following description of border-crossings.

### The Spectacle

Only men and boys scale Ceuta and Melilla's walls as their means of reaching Europe. In the midst of dealing with frequent raids, abuse, sexual assault on women, and illegal repatriations at the hands of the Moroccan authorities, the migrants organize and plan. First they assess the threat, checking to see how many guards are on duty. Knowing that both the Spanish and Moroccan forces

<sup>77</sup> Human Rights Watch.

<sup>78</sup> Alexander 14.

<sup>&</sup>lt;sup>79</sup> Ibid 8.

<sup>80</sup> Jones 8.

out over and over again: With bare feet and great determination, the migrants charge the first Moroccan fence. They carry ladders which are topped with hooks that can latch onto the tops of the walls. More experienced men and boys go first, followed by the rest. <sup>81</sup> Each triumphant scaling of a wall brings the risk of falling straight into the arms of the Guardia Civil, that is if they are not ensnared first by the *sirga tridimensionel*. With a crowd, they usually manage to overpower the guards, allowing just a few each time to get all the way over and to the immigration center, the Centro de Estancia Temporal de Inmigrantes (CETI). If even one makes it, the mission is considered a success. In 2005 the Melillan frontier saw one of the greatest crossing attempts of this kind, wherein hundreds stormed the fences, resulting in fourteen migrants killed by gunfire and many more expelled back to the desert.

Organization like this is key, for it is a team effort. Migrants have "created intricate communities in the hills outside the enclaves, with structures of *chairmen*, or rotating leaders, for each national community, UN-styled 'blue helmets' to keep the peace, and democratic structures for decision making." Other tactics include wearing old clothes because news ones will snag on the barbed wire, or wearing cotton instead of nylon for the same reason. They wear gloves so that they can grab onto the wire directly without harm. A migrant explained to Andersson, "Blades might cut into your arms or legs, but you had to avoid getting caught in the stomach or crotch." As the border

<sup>81</sup> Alexander.

<sup>82</sup> Andersson 156.

<sup>&</sup>lt;sup>83</sup> Ibid 159.

<sup>&</sup>lt;sup>84</sup> Ibid 169.

patrol and the border have militarized, so have the efforts and some communities of border-crossers, especially after the 2005 *asalto*.

"As controls extended away from the vallas with greater efficacy after 2005, other militarization effects also appeared on migrant circuits. Sites of departure were called striking points; migrant bunkers became known as ghettos... Militarization also reached into the social circuits of the adventure. Nigerian smuggling rings—known as the 'task force' or the Taliban, replete with fearsome 'commandos'—had set up their own bunkers, including a 'prison' in Rabat, where migrants were taken hostage until relatives paid up. The 'mafias' that officials kept referring to were coming into existence thanks to the very controls supposed to fight them."

Border-crossers' tactics are a reflection of the nation's own violent – and often illegal – strategies. From the ladders to the clothes, methods that they use to traverse the boundaries are merely reactionary, developed in response to the limits that the nation imposes against them. In reality, "the existence of the border itself produces the violence that surrounds it," and yet the cyclical nature of the borders in Ceuta and Melilla only normalizes Spain's brutality and excuses the depiction of migrants as dangerous and fearsome. This cycle also serves to obscure the debate on why these walls need to be Spanish in the first place, reinforced by both the language of Spanish politicians and journalists as well as the ways in which Morocco helps Spain to border its enclaves.

#### Morocco's Contribution

Since 2004, the Gendarmerie Royale and the Guardia Civil have joined forces in the Mediterranean Sea and the Strait of Gibraltar, patrolling and preventing undocumented migrants from reaching European shores. 88 Unbound by the E.U. regulations which prohibit the internal border practices from total militarization, the Moroccan bordering of Ceuta and Melilla contributes

<sup>85</sup> Ibid 160.

<sup>&</sup>lt;sup>86</sup> De Certeau 36.

<sup>&</sup>lt;sup>87</sup> Jones 5.

<sup>88</sup> Human Rights Watch.

greatly to the violence at these frontiers. For example, consider the aforementioned disparity in guns: Spanish guards use rubber bullets, while some of the Moroccan patrols use real ones. At the age of seventeen, a Cameroonian migrant going under the pseudonym 'Frank' told Human Rights Watch about a crossing attempt where he fell off the first fence back into Morocco. Moroccan Auxiliary Forces grabbed Frank and, after disentangling him from some barbed wire, hit him with a 'baseball-bat-like [stick]' on his knees, shins, and elbows, badly fracturing the bones. For six minutes he was beaten up by more than ten men. Another boy from Cameroon, a 12 year-old named Jean-Luc, was trying to climb the same fence when the Moroccan military threw rocks at his head, making him lose his grip and fall. Eight of them together hit him with an identical bat, cutting his head open so badly he was blinded by his own blood. Human Rights Watch also reported:

"Moroccan Auxiliary Forces who encountered [migrants] as they tried to cross into Melilla used excessive force, not only to prevent them from crossing, but also, seemingly, to punish them. In addition to reporting that members of the Moroccan Auxiliary Forces beat them when they were caught trying to scale the fence into Melilla, many migrants, including children, also said that Moroccan security officials beat them after the Spanish Guardia Civil returned them from Melilla."

Olivier from Cameroon was in a group of sixteen migrants given directly to Moroccan authorities after being captured on the Melillan side of the wall. On return, authorities brought them to the forest on Gurugu. There, they instructed the migrants to lay in a row on the ground on their stomachs with their hands above their heads so that the Moroccan gendarmes could hit them.

Moroccan police also frequently invade these forests, destroying the migrant shelters and personal property, stealing their valuables, and arresting male migrants without charge. <sup>89</sup> This is elaborated upon in a passage from Alexander's piece:

"'If the police find you,' explained Khadija, a 36 year-old woman from Mali, 'and they want to do more than just take the money out of your pockets, if they want a bigger bribe from you,

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<sup>89</sup> Ibid.

then they threaten to take you to the desert...' she explained how the impossibility of accumulating any money in Morocco is what makes migrants like her feel trapped. 'I need money to go home. I need money to go north. I need money to go anywhere.' Yet, the routine exploitation and extortion of those living in Morocco has made any movement outside of the country's borders all but impossible." <sup>90</sup>

Morocco, in undertaking further bordering efforts for Spain, has become an the accomplice in imagining the authenticity of the cities. By outsourcing some security measures, Spain surreptitiously deflects responsibility for some of the violence and abuse transpiring at the southern borders.

Nonetheless, Spain orchestrates the Moroccan business of bordering Europe. Morocco is only incentivized to help because it receives E.U. funds explicitly for this reason. Assisting Ceuta and Melilla in reinforcing their immediate *limits* is one way in which Morocco does Spain's bidding. The second chapter elaborates on how the border is externalized even further through the third-party political agreements which motivate Morocco to execute the Spanish prerogative.

## Elasticity

According to the 'Law on the Right to Asylum and Refugee Status,' a Spanish law adopted in 1984, Spain must afford certain provisions on behalf of asylum-seekers and migrants who come within national bounds, which include Ceuta and Melilla. Anderson mentions that elasticity *may* be a component in the imaginative boundaries of a nation. In the Spanish communities there are several glaring examples, the first being a flagrant ignorance of commitments to international law and human rights in the 500 yard-stretch of soil between the wall and the detention center in Melilla. Despite that it is Spanish territory, this final stretch for border-crossers is so crucial because the Guardia Civil acts as if it is not, as if here, in one of the most pridefully Spanish cities in the whole country, Spain's democratic code is absent. Human Rights Watch interviewed fifteen migrants who 'successfully'

<sup>90</sup> Alexander 12.

<sup>&</sup>lt;sup>91</sup> Ibid 10.

crossed into Melilla. Eleven of them, including five children, said that the Spanish authorities handed them over to Moroccan authorities directly, without doing what they are supposed to do on European territory: taking any steps to determine their legal status. The other four migrants said that they were also returned to Morocco, just not handed over to the authorities directly. Through these actions:

"...the Guardia Civil contravened Spain's obligations under the EU Charter of Fundamental Rights, which includes a right to seek asylum, and the EU returns directive. This directive, adopted in 2008 by the European Parliament sets out minimum standards for the treatment of undocumented migrants during returns, and requires EU member states to ensure that any returns to countries outside the EU respect the principle of nonrefoulement, and take account of the right to family life and the best interests of the child."92

Rapid removal of children is a violation of the migrants' human rights to receive information. By removing them from Melilla so rapidly, the Spanish authorities "violated the children's rights to see specialized service providers and interpreters and to receive information about applying for asylum."

Abuse is not limited to Moroccan authorities, nor to Spanish ones in their actions towards the migrants on top of the walls. The Guardia Civil also uses strategies of harm within this in-between space. All but one of the fifteen migrants Human Rights Watch interviewed who succeeded in crossing the Melilla border disclosed that the Guardia Civil, who got to them before they could get to the CETI, proceeded to use excessive force by kicking them with their boots and beating them with police batons. Jean-Luc, the boy who suffered at the hands of the Moroccan authorities, experienced more unnecessary cruelty upon crossing into Melilla. He explained that "the Guardia Civil hit [him;] they shocked [him] with a neutralizer [apparently a Taser]. Both times [he] was hit with boots and belts... They didn't ask [him] anything and gave [him] back to the Moroccans." Here, the guards, despite their legal obligations, do not question how many among those they expel are refugees, like in

<sup>&</sup>lt;sup>92</sup> Human Rights Watch.

<sup>93</sup> Ibid.

<sup>94</sup> Ibid.

the case of Abraham, nor "why humane treatment should be predicated on legal categories of identification in the first place." Merely touching the ground on the other side of the wall should at least guarantee that procedures take place to determine one's status yet this is not the case because of the hyper-imagination present in the extraterritorial communities. Through their actions in this space, Spanish authorities contradict their defense that the soil in Melilla is Spanish. One can and should compare the Guardia Civil with soldiers, but perhaps a parallel drawn with *criminals* is more suitable.

Nations, in their imaginative 'flexible' quality, maintain that their boundaries are authentic despite the convenient exploitation of land as demonstrated by the lawless buffer encircling Melilla. The frontier is malleable in another sense: it enables *formal* crossings through a passageway which has also become the setting of a thriving *informal* economy. Absurdity does not begin to express the contradictory border in Melilla. Of the goods and people moving through here which are branded 'illegal,' the former is restricted and abused, while the latter is the one whose mobility is allowed and even encouraged. This manifestation of elasticity is deconstructed in the third chapter in terms of community.

No one unravels the limits of Spain's possessions better than Andersson when he writes, "If the European Union has increasingly come to resemble a gated community, Ceuta and Melilla are its most concrete manifestation. As ethnographers have noted, the gating of wealthy enclaves is a contradictory enterprise: aimed at shutting dangers out, they may help foment the very fears they guard against." These communities have taken on the responsibility, as the locations of Europe's southernmost borders, as sites of extraordinarily harsh border and immigration control. Often, the authorities here try to frame this role as the enclaves' contribution to Spain, as they nobly protect the

<sup>95</sup> Alexander 11.

<sup>&</sup>lt;sup>96</sup> Andersson 164.

nation from the onslaught of undesirable peoples. Yet as Gillespie noted, these places do not contribute to the defense of Spain but are security threats in themselves. As was discussed at the beginning of this chapter, an entire 98 percent of those coming 'illegally' into Spain do so through points of entry other than over the walls of the extraterritorial cities.

In actuality, Spain's choice to occupy these places, situating European Union territory in mainland Africa, is in itself a pull factor which entices desperate migrants to subject themselves to excessively violent borders. All of the cities' limitations are enacted under the guise of 'security' when the true purpose is to preserve their nation-ness, in spite of a geography which unavoidably disposes them to foreign 'invasion.' And so, despite centuries of state practices designed to regulate mobility, so many moving people "continue to die at the edges of modern, civilized, and democratic states." They die, they are injured, and they are subjected to human rights violations, posing the prevailing national question of "whose lives are regarded as lives worth saving and defending, and whose are not." Protecting the modernity, civilization, and democracy of those who belong comes at the expense of those who do not, and bordering "restores an imago of the sovereign and his protective capacities." Anderson claims that "ultimately it is this fraternity that makes it possible, over the past two centuries, for many millions of people, not so much to kill, as willingly to die for such limited imaginings." In Ceuta and Melilla, innate fragility encourages many to be willing, not so much to die, as to kill and to harm for their imagined Spanishness.

<sup>97</sup> Iones 4

<sup>98</sup> Butler, Judith. Frames of War: When Is Life Grievable? Verso, 2016. (38)

<sup>&</sup>lt;sup>99</sup> Brown 131.

<sup>100</sup> Anderson 7.

### Chapter Two – As Sovereign

"In the older imagining, borders were porous and indistinct, and sovereignties faded imperceptibly into one another. Hence, paradoxically enough, the ease with which pre-modern empires and kingdoms were able to sustain their rule over immensely heterogenous, and often not even contiguous, populations for long periods of time." Benedict Anderson

As the previous chapter illuminated, the modern imagining of nations constructs borders that are quite the opposite of porous and indistinct. Rather, they are pronounced demarcations—fixed and conspicuous—for they determine where one nation's sovereignty ends and another's begins. Brown says that there are two types of sovereignty-border relationships. In the first, fences come about *before* sovereignty. This type of sovereignty, "without specified jurisdiction or enclosure and without even the promise of containment or protection," seeks an already demarcated realm to situate power within. The second is fencing *after* sovereignty. Here, a nation which lacks the "sovereign powers to delimit and secure its territories and populations," erects borders as a solution. Brown points to the latter as the modern manifestation, theorizing that "it is the weakening of state sovereignty, and more precisely, the detachment of sovereignty from the nation-state, that is generating much of the frenzy of nation-state wall building." <sup>103</sup>

Extraterritorial communities like Ceuta and Melilla are remarkable because they exhibit both. Distinctive constitutional provisions curate the local sovereignty *in* the bordered cities. This is displayed in their journey to autonomy, which entailed differentiating them just enough to address xenophobic concerns of the European Union but not enough to allow Morocco to point to them as

<sup>&</sup>lt;sup>101</sup> Anderson 19.

<sup>&</sup>lt;sup>102</sup> Brown 71.

<sup>&</sup>lt;sup>103</sup> Ibid 24.

not sovereignly Spanish. On the other hand, additional bordering help from Spain's southerly neighbor reinforces its central sovereignty *over* the cities. By way of third-party political agreements, Spain recruits Morocco to export the boundaries of the nation even farther south, ameliorating its dominion over the lands while deflecting responsibility for the means through which Moroccan authorities effectuate their side of the bargain. This dual manifestation compels Ceuta and Melilla as ideal backdrops for examining sovereignty—the second critical authenticity element of contemporary nationness.

## Navigating Autonomy

In the post-Francoism era, the nation found itself wrestling with the issue of decentralization. Many communities in Spain had histories precluding them from the familiar narrative of Spanishness, such as the minority nationalist groups of Basque Country and Catalonia. In addressing this issue, the Constitution of 1978 established seventeen autonomous communities. Each is entitled to relative representation within the main government of Madrid in matters such as budgeting, sanitation, and education. Decentralizing contiguous Spain led to the tricky question of autonomy for Ceuta and Melilla. Many feared that Morocco would cite any special arrangements made for the cities as evidence of their colonial status, <sup>104</sup> but that no distinction would also risk diluting the cities' Europeanness by empowering resident Moroccan nationals. To navigate this predicament, the Constitution included its fifth transitional provision: "The cities of Ceuta and Melilla may set themselves up as Self-governing Communities if their respective City Councils so decide in a resolution adopted by the overall majority of their members and if the Cortes Generales so authorize them by an organic act, under

<sup>104</sup> Gillespie 69.

section 144." Even so, in the following years Spain would struggle to develop a framework for the enclaves which was satisfactory to all.

City councils in the enclaves, having long entreated Spain for autonomy, were thoroughly disappointed when the first statutes of December 1985 granted them very little self-governance. The draft "excluded the word 'autonomy' for fear that international law might be cited to suggest that this conferred rights to self-determination (EPI, 18 February 1985)." Europeans scorned the statutes as "no more than municipal charters," while North Africans were disturbed at "the absence of any reference to Arabic or to the Berber language Tamazight." Thus, in the beginning of 1986, there were large demonstrations in the cities, on the part of both Spanish parties seeking political autonomy which resembled that of the other communities as well as Muslim organizations demanding cultural pluralism. In June the general election resulted in PSOE gains in Ceuta over the right-wing Coalición Popular. 106 Consequently, a second draft was developed which "insisted that the cities were integral parts of an indissoluble Spanish nation, but proposed to grant the authorities there a degree of autonomy, including similar financial arrangements to those governing the autonomous communities." It suggested an establishment of assemblies which could elect a president and issue regulations but would not possess any legislative powers. In spite of the modifications, there were the same cries of discontent as had followed the first propositions. 107

In 1995, the cities adopted a third statutory draft which labeled Ceuta and Melilla as autonomous cities, distinguishing them from the mainland's autonomous communities. According to one Spanish diplomat, the statutes were "the weakest that Madrid could get away with, in terms of

<sup>&</sup>lt;sup>105</sup> Ibid 74.

<sup>106</sup> Ibid 74.

<sup>&</sup>lt;sup>107</sup> Ibid 75.

responding to strong local and national opposition demands for autonomy." There is a greater loyalty to Spain by Europeans in Ceuta and many Muslims here identify as Spanish, perhaps as a result of the relatively smaller community. Here, the stipulations of their autonomy were widely rejected while in Melilla, where Spain's hold is not so firm, there was considerably less outrage.

Notwithstanding the shift in the population ratio which has made the Muslim community the majority, Melilla is more exposed to Moroccan pressure because of its proximity to Nador, a highly politicized city of 750,000. Gillespie elaborates, "with an economy based on trade and smuggling, Melilla is indeed vulnerable." Yet even though minority nationalisms here have a stronger hold, most maintain a sort of 'dual patriotism. Now, many Ceutans and Melillans argue that a greater dependence on the central government actually strengthens their connection to contiguous Spain, summoning to mind Anderson's sardonicism that "it is the magic of nationalism to turn chance into destiny." Internal mastery of autonomy comprises half of the destiny. The other half is the subordination of powers that would "rival, disperse, or fragment it," which Spain achieves by manipulating sovereignty into a device.

### The Moroccan Claim

Most Moroccans protest the Spanish occupation of Ceuta and Melilla.<sup>114</sup> They believe that Spain has unjustly stolen the cities from their nation and that they should be Moroccan territory, paralleling Spaniards' feelings about Gibraltar.<sup>115</sup> The officialdom in Morocco, would–and

<sup>&</sup>lt;sup>108</sup> Ibid 75.

<sup>&</sup>lt;sup>109</sup> Ibid 75.

<sup>&</sup>lt;sup>110</sup> Núñez 742.

<sup>&</sup>lt;sup>111</sup> Colón 28.

<sup>&</sup>lt;sup>112</sup> Anderson 12.

<sup>&</sup>lt;sup>113</sup> Brown 56.

<sup>&</sup>lt;sup>114</sup> In Moroccan Arabic (Darija), the cities are called سبتة (Sebta) and مليلية (Mililia).

<sup>&</sup>lt;sup>115</sup> Bennis, Samir. "Gibraltar, Ceuta and Melilla: Spain's Unequal Sovereignty Disputes." *The New Arab*, 28 June 2016, www.alaraby.co.uk/english/comment/2016/6/28/gibraltar-ceuta-and-melilla-spains-unequal-sovereignty-disputes.

infrequently does—concede to feeling the same. Morocco's reaction to the 1995 decision "was the weakest that Rabat could get away with, in terms of satisfying nationalist sentiments at home," and it is generally unsupportive of Muslims fighting for representation in Ceuta and Melilla. This is because there is a "degree of compensation for Morocco in having a European presence in territory claimed as her own," as the pragmatic regime in Rabat is acutely aware. 117

"Fortunately for Spain, it has been in Morocco's interests to pursue her territorial claims by gentle diplomacy. The persistence of the Western Sahara dispute, Rabat's desire to draw closer to the EU and the economic advantages of the territorial status quo have encouraged King Hassan to restrain the forces of militant nationalism. A more aggressive policy would risk undermining the important level of bilateral relations developed since the 1980s and would exacerbate the economic problems of underdeveloped northern Morocco, where a loss of trade and jobs has threatened to kindle political dissent."

As Moroco is stationed just miles from the internally borderless European Union, it is a natural stopover for many migrants and asylum seekers on their journeys north. <sup>119</sup> It has long served as a site of interaction between Arabs and Europeans, often assuming a role as middleman between Africans and Europeans. <sup>120</sup> Morocco–in an attempt to capitalize on its geography–and Spain–in an attempt to alleviate the burden of migration on the already-endangered national identity of the territories–have formed a symbiotic relationship, one which effectively outsources bordering and therefore strengthens Spanish and E.U. sovereignty over Ceuta and Melilla. <sup>121</sup>

#### Third-Party Political Agreements

In light of rising anti-immigration sentiments throughout the E.U., the Union has institutionalized efforts to manage irregular migration into Europe through enabling countries just

<sup>116</sup> Gillespie 75.

<sup>&</sup>lt;sup>117</sup> Ibid 77.

<sup>&</sup>lt;sup>118</sup> Ibid 77.

<sup>&</sup>lt;sup>119</sup> Alexander 1.

<sup>&</sup>lt;sup>120</sup> Ibid 6.

<sup>&</sup>lt;sup>121</sup> Ibid 2.

outside its external borders—such as Libya, Ukraine, Turkey, and Morocco—to do its bidding. <sup>122</sup> By recruiting Morocco to border the walls and deter incoming migrants, Spain can reinforce its hold on the cities without having to personally respond to all the nuances of the 'crisis' unfolding right outside. One facet, as mentioned before, is immediate bordering assistance, such as the Spanish fence which is often described as 'humanitarian' because it does not have the harmful razor wire, while the Moroccan fence—built with E.U. funds—is certainly not. <sup>123</sup> This chapter addresses how Spain exports its southernmost borders even further out by pressuring Morocco to amend its own immigration policies and, more importantly, to sign repatriation agreements which lead to the illegal deportation of tens of thousands sub-Saharan Africans out of Morocco every year, allowing for "state control over migrant bodies before migrant bodies ever reach the confines of the state." <sup>124</sup> Compensation for Morocco comes in the form of "development aid, military equipment, and a small number of work permits for highly skilled Moroccan emigrants" on behalf of the E.U.'s bank. <sup>125</sup> The extraterritorial communities showcase Brown's notion of the "conceit of the political dominance or containment of other powers"

#### Raids

In 2013, the E.U. signed a joint immigration agreement with Morocco, providing capital in exchange for help in keeping migrants from reaching the enclaves' fences. <sup>127</sup> Evoking notions of the "Prevention Through Deterrence" strategies U.S. authorities performed around the Mexican border,

<sup>122</sup> Human Rights Watch.

<sup>&</sup>lt;sup>123</sup> Jones 15.

<sup>124</sup> Alexander 2.

<sup>&</sup>lt;sup>125</sup> Ibid 14.

<sup>&</sup>lt;sup>126</sup> Brown 56.

<sup>&</sup>lt;sup>127</sup> Jones 15.

Moroccan strategies are also ones of deterrence. Raiding camps in the borderlands is the initial approach. Human Rights Watch interviewed 67 migrants in sites around Nador and Oujda, 42 of whom described frequent raids. The stories demonstrated "a pattern of abuse by law enforcement officials during [Moroccan authorities'] raids," such as robbing migrants of money and phones, burning their shelters, passports, and other documents, and using excessive force against them. Each of the 42 accounts reported how the Moroccan authorities arrested male migrants without first identifying or conducting an assessment of the migrants' legal status.

Even migrants who showed officers a visa or other documentation which proved that they had permission to stay were arrested, including those from Senegal, Guinea, and Côte d'Ivoire. For these nations, Morocco does not require any entry visas and their nationals are granted a stay of up to 90 days without any visa at all. Burned, too, were the documents of these West Africans which proved their 'legality.' Women also experienced atrocious treatment. On a December morning in 2012, the gendarmerie and the police together attacked a migrant who was five months pregnant. They abused her and others in their sleep. She told them of her condition, but nonetheless they beat the woman and even kicked her in the stomach, all the while yelling that she was not welcome in their country. Forces proceeded to arrest about nine men. From raids, arrested migrants do not go on to fill Moroccan jails. Rather, in a strategy which has been termed 'pushing-back,' Moroccan authorities bring them to the Moroccan-Algerian border in a creative interpretation of fulfilling the repatriation agreements they have made with Spain.

## **Pushing Back**

<sup>&</sup>lt;sup>128</sup> Human Rights Watch.

<sup>&</sup>lt;sup>129</sup> Ibid.

<sup>130</sup> Ibid.

In the 225-kilometer stretch of road of Moroccan-Algerian border between Bouarfa and Oujda one is again reminded of the U.S.-Mexico border, for both are home to dangerous and constantly changing desert frontiers. <sup>131</sup> Of the 67 migrants interviewed by Human Rights Watch, 37 said that Moroccan authorities also forcibly expelled them to the Moroccan-Algerian border. <sup>132</sup> None of them were given a statement or a document charging them with anything or provided with any opportunity to challenge their expulsion, nor were they granted access to a lawyer nor an interpreter, nor brought before a judge. <sup>133</sup> Migrants said that when police did provide them with a statement it was in Arabic and, though they could not understand it, they were forced to sign it. <sup>134</sup> One migrant recounted what the police said to him: "You have no rights here." <sup>135</sup> In the same vein, the authorities did not conduct age determinations for unaccompanied children before expelling them. None of the interviewed unaccompanied migrant children were treated as such–by being given, for example, guardianship and legal help–even when they declared their age. <sup>136</sup>

Pierre is a migrant from Ghana who was included in the interviews. He described a raid and his consequent expulsion:

"There is no rest here. Every morning, the gendarmes come. Yesterday [December 2, 2012], I was trying to prepare food and they came. I asked them if they could wait until I ate a bit, knowing that I wouldn't have food, only a long walk after deportation [from the border back to Oujda], but they refused. It was 6:30 a.m. and I walked with them and obeyed because if you refuse, they will beat you up." 137

<sup>&</sup>lt;sup>131</sup> Alexander 1.

<sup>&</sup>lt;sup>132</sup> Human Rights Watch.

<sup>&</sup>lt;sup>133</sup> Ibid.

<sup>134</sup> Ibid.

<sup>&</sup>lt;sup>135</sup> Ibid.

<sup>&</sup>lt;sup>136</sup> Ibid.

<sup>&</sup>lt;sup>137</sup> Ibid.

Pierre evidently escaped abuse in this instance, unlike another migrant from Cameroon named Nicholas. Upon his arrival at the Algerian border, Moroccan military men kicked Nicholas so badly that he was peeing blood. After being brought to the Algerian border, options are minimal. Migrants can try to re-enter Morocco and make the trek back to the edges of Europe, living in the hills, evading the authorities, and regularly attempting the dangerous crossing and risking recapture. Alternatively, they can give up and begin the long journey back to their embattled, impoverished, or otherwise distressed home countries. The former prevails as the more popular recourse.

Morocco is party to both the 1951 Refugee Convention and the Convention Governing the Specific Aspects of Refugee Problems. On paper, Morocco "appears to uphold international standards for the protection of refugees and asylum seekers"<sup>139</sup> yet in practice it does not, as migrants can attest to. Spain's obligations under E.U. and international human rights law are compromised by the actions of the Moroccan security forces. The abuse is carried out as a means of *earning* the E.U. finances that Spain gives Morocco to help it achieve European jurisdiction over Ceuta and Melilla. While not explicitly demanding that Moroccan forces earn it in these ways, Spain does not argue against it, and, moreover, directly feeds it through illegally handing over border-crossers, knowing full well what the migrants' fate will be.

#### Culpability

The Guardia Civil also has a direct hand in illegally repatriation of migrants from Ceuta and Melilla to Algeria. Nicholas tells Human Rights Watch of his experience at the border following a successful scaling of the wall in Melilla.

"I was alone and I was running across to the third fence. The Guardia Civil intercepted me and told me that I would be taken to the campo [CETI] after the hospital [because he was injured]

<sup>138</sup> Ibid.

<sup>&</sup>lt;sup>139</sup> Ibid.

<sup>&</sup>lt;sup>140</sup> Ibid.

but instead they sent me back to Morocco. They told me, 'Get the hell out! You know that if you come here, you know you get a caning.... You know you are going to be hit [by the Moroccans].'"<sup>141</sup>

As the Spanish authorities delivering migrants to Moroccan authorities demonstrates, Melilla's 'buffer' proliferates more than direct Spanish violence. It is in this zone that Spain becomes involved with the pushing back business, though it had rejected any responsibility for the ways that Morocco executes its side of the bargain until a few years ago:

"In the spring of 2015, the president of Melilla, Juan Jose Imbroda Ortiz, announced to international media that the aim of returning Africans to Morocco, in place of properly repatriating them to their countries of origin, was to eliminate the 'prize' of letting them stay in Spain for a review of their asylum applications after having entered 'illegally' (Goodman 2005)." <sup>142</sup>

For the first time Spain publicly acknowledged the practice of pushing back. President Ortiz expressed his hopes that this strategy would "reduce the incentive for migrants to leave their homes," demonstrating a complete ignorance for the factors pushing migrants north. <sup>143</sup> It was this monumental moment in which Spain finally admitted to the pushing back of migrants across the enclave borders into Morocco, as well as deporting them from the mainland back to Morocco rather than to their proper countries of origin. A day after his speech, Spain's cabinet "quietly approved" an "aid package" of €3,000,000, intended for structural changes to the Moroccan borders, new weapons for the security forces, and additional Spanish border patrol teams. <sup>144</sup> Moreover, in relying on the subordination of its neighbor, Spain's walling and protecting of Ceuta and Melilla endeavors to project a power and efficaciousness which legitimizes its hold on the territories. The Spanish state, knowing that control here is weak and illegitimate, exercise these excessive measures in order to save

<sup>&</sup>lt;sup>141</sup> Ibid.

<sup>142</sup> Alexander 19.

<sup>&</sup>lt;sup>143</sup> Ibid 19.

<sup>&</sup>lt;sup>144</sup> Ibid 19.

face while performatively contradicting itself.<sup>145</sup> For, south of the contiguous Spanish borders, there seems to be an understanding that Spain is no longer bound to the same obligations to human rights that it professes to be, allowing it and its allies to carry out abuses which would ordinarily be punishable under European law.<sup>146</sup>

Europe's response to the 'illegal' migration of Africans has sparked the debate about "rich countries' relations with their southern neighbors." Morocco is not a *passive* receiver of E.U. aid. In trying to capitalize on its position in the Mediterranean crossroads, it is *actively* accepting a role of police dog in exchange for the benefits which money and a promise of development can bring to its quite poor country, according to Professor Boudoudou of Rabat's Université Mohammed V. He explains that Morocco "accepts this role with its own dream of being something great" knowing full well what Spain gains from it, too. 148 And as the third chapter will explore, in a sense, Morocco is doing for Spain what Spain is doing for the E.U. People in Western democracies like that of Spain declare themselves to be sovereign, yet Spain's extraterritorial cities prove that actually power is still designated to "autocratic state action," including actions which violate democratic principles and human rights allegiances.

Just as Spain's limitations have made Ceuta and Melilla a sort of theater, so, too, have the country's ventures at establishing them as genuinely Spanish.<sup>149</sup> Situating them within the Constitution through the allowance of a form of local representation and alleging them to be under Spanish rule through the externalization of E.U. power are the two main acts in the charade that is

<sup>&</sup>lt;sup>145</sup> Brown 25.

<sup>&</sup>lt;sup>146</sup> Alexander 19.

<sup>&</sup>lt;sup>147</sup> Andersson 3.

<sup>&</sup>lt;sup>148</sup> Alexander 19.

<sup>&</sup>lt;sup>149</sup> Davies, Nick. "Melilla: Europe's Dirty Secret." The Guardian, Guardian News and Media, 16 Apr. 2010, www.theguardian.com/world/2010/apr/17/melilla-migrants-eu-spain-morocco.

Ceuta and Melilla's sovereignty. According to Brown, "we have known all along that popular sovereignty has been, if not a fiction, something of an abstraction with a tenuous bearing on political reality." Thus, by their manifestations of sovereignty, the cities persist as magnified sites of the *pretending* that is required to imagine a nation.

<sup>150</sup> Brown 49.

### Chapter Three – As a Community

"In contemporary conditions of war and heightened nationalism, we imagine that our existence is bound up with others with whom we can find national affinity, who are recognizable to us, and who conform to certain culturally specific notions about what the culturally recognizable human is." <sup>151</sup> - Judith Butler

In extraterritorial places, the state overcomes hyper-exposed walls and delicate sovereignty through extremified limits and exploitations of power. Thus, the focus of the first two chapters was the way in which a *state* imagines the nation-ness of its extraterritorial possessions. This, in turn, informs the *people* within and how they imagine their own authenticity. In the pursuit of such a quality, the Spaniards in Ceuta and Melilla seek, also, to earn a respected place within national and international discourse. Geography prones communities to confrontations with *others* in non-contiguous national sites. Moreover, as Spaniards in Morocco view these confrontations as challenges to the Spanish identity, they must declare their Spanishness even louder than the ordinary Spaniard. This third and final chapter explores community through the extraordinarily visible demonstrations of it within Ceuta and Melilla. Spaniards nourish their own community identity by framing other communities – Moroccans and clandestine migrants living in the cities – as inherently other and disruptive. Moreover, the following pages delve more emphatically into how the 'others' deploy tactics as a means of resisting the overwhelming marginalization and discrimination, which, though characteristic of a nation, are a critical aspect of these kinds of geopolitically fragile settings.

<sup>&</sup>lt;sup>151</sup> Butler 42.

## "Ceuta es Española!"

Spanish nationals maintain that Ceuta and Melilla are Spain, and therefore that the community is authenticated through a cultural, ethnic, and religious connection to the nation. Spanish Ceutans and Melillans are at times characterized as reluctant and at other times as viscerally opposed to diversity and cultural pluralism. Downplaying the presence of the Muslim community is a tool to profess a uniform nationness to themselves, their country, and greater Europe, for these groups feel that a Muslim presence compromises the Spanishness of the enclaves in distinguishing them from the demographics of the mainland communities. Moreover, this specific *other* in the demographic is one which invokes the national memory of the *Reconquista*. Colón describes a personal encounter of this memory:

"Cristianos reminded me of this bit of history in various informal settings: in bars, over dinner, in the Assembly, in cafés, and on walks with friends. Despite the separation of the Catholic Church from the state after Francisco Franco's dictatorship ended in 1975, the triumph of Catholicism over Islam is still indicated by many state-sponsored rituals, traditions, and everyday practices—especially in Ceuta and Melilla (Driessen 1992; Stallaert 1998)." 152

Deploying "representations of a nation rooted in historical accounts" is an instrumental imagining of community amongst Christians in the enclaves striving to "establish the Spanishness of their land." While these same historical accounts contribute to the idea that Ceuta and Melilla "fall outside the natural boundedness of the Spanish nation in the Iberian Peninsula," Christians nevertheless refute any disparities between their communities and those of the mainland. Moreover, they consistently create obstacles for those who are outside the Spanish historical, religious, and cultural narrative, such

<sup>&</sup>lt;sup>152</sup> Colón 63.

<sup>&</sup>lt;sup>153</sup> Colón 71-73.

as in 2000, when Christian parents in Ceuta protested the education of thirty Moroccan teenagers in the town center where their own children were going to school.<sup>154</sup>

In a press briefing following the massive and tragic 2005 border-crossing, a journalist posed a question regarding the possibility of future joint Hispanic-Maghrebi sovereignty over the cities to Spain's president at the time, José Luis Rodríguez Zapatero. His infamous refusal to answer enraged and frightened the already nervous Spaniards in the enclaves, inspiring more anti-Muslim and anti-Moroccan demonstrations, accompanied this time by chants of "Ceuta es Española!" Yet, Moroccans living permanently in the cities actually possess Spanish citizenship, and are, therefore, *Spanish*, contradicting the Hispanic-Christian position. Moroccan nationalist and Muslim community members maintain that they are just as much Ceutan or Melillan as the Spanish residents, longing to be included in the cities' narratives. Moreover, Spanish authorities, in their delayed attempts at integration or more accurately, assimilation, were themselves responsible for stirring up controversies regarding cultural pluralism.<sup>155</sup>

## "We are Melillans!"

After the death of Dictator Francisco Franco in 1975, Spain's democratic journey was one of rapid 'Europeanization.' Preparation for E.U. entry in 1986 encouraged both the fortification of borders (especially southern ones) as well as the nation's first Aliens Law, eternally stamping Spanish democracy by an innate bond between control and clandestinity. <sup>156</sup> In Ceuta and Melilla, the new law angered Muslims.

<sup>&</sup>lt;sup>154</sup> Enríquez, Carmen González. "Ceuta and Melilla: Clouds over the African Spanish Towns. Muslim Minorities, Spaniards' Fears and Morocco–Spain Mutual Dependence." The Journal of North African Studies, vol. 12, no. 2, June 2007, pp. 219–234. (224)

<sup>155</sup> Gillespie 74.

<sup>156</sup> Andersson 21.

"The Aliens Law provoked protests in Ceuta and Melilla because it was applied uniformly throughout Spain, regardless of the existing rights of Muslims in the two cities. Under the new law, foreigners living in Spain had to apply for a residency permit-cum-identity card. Those without papers by the end of January 1986 (a deadline subsequently extended to March 1) faced expulsion." <sup>157</sup>

Furthermore, under this new civil code, being born in Spain guaranteed no automatic right to citizenship "if both parents were foreigners." <sup>158</sup> Up until this point, the PSOE had had considerable success in the cities among European populations. But the *rebellious Muslim* animated the fearful Spaniard, precipitating "a strong undercurrent of racism," during 1985-1987, which has been described as Melilla's period of unrest. <sup>159</sup> Emerging as a leader during this time was a man named Aomar Mohamedi Dudú, who headed the new Terra Omnium movement, which demanded the political and cultural equality of Muslims, as well as the Partido de los Demócratas Melillenses, a group seeking institutional representation for Ceutan and Melillan Muslims.

"At first, Dudú's demands were for Melilla's Muslims to be granted the same rights as the Europeans, and to have their religion, languages and history recognized and respected... Inevitably, Dudú's banner was that of minority rights, yet at first he played down the communal divide by insisting not only on the Muslim, Arab and Maghrebi character of Melilla, but also on the common *melillense* identity. 'We are not foreigners, we are Melillans!' was the slogan of the biggest Muslim demonstration during this period." <sup>160</sup>

Though Muslims insisted on maintaining their own cultural identity, most enjoyed the advantages of a closer association with Spain, as they do still. In 2005, Spanish per capita income was "14 times that of Morocco, a difference much higher than that which separates the USA and Mexico (six times)." It is not surprising, then, that despite intercommunity tensions and the weak cultural pluralism of the cities, they remain preferable to the much less economically appealing cities in Morocco. However,

<sup>&</sup>lt;sup>157</sup> Gillespie 70.

<sup>&</sup>lt;sup>158</sup> Ibid 70.

<sup>&</sup>lt;sup>159</sup> Ibid 71.

<sup>&</sup>lt;sup>160</sup> Ibid 72.

<sup>&</sup>lt;sup>161</sup> Enriquez 228.

those who reside in the latter are not excluded from benefiting from a Spanish territory in their nation. Elastic in another sense, the Melillan frontier authorizes legal crossings through a passageway which simultaneously provides the setting for a thriving black market.

### The Informal Economy

For the Muslims residing around Ceuta and Melilla in the poor peripheral Moroccan towns, one of their most viable options for upward mobility is within the informal economy which the European boundaries provide. *Trabando*, deriving from the Spanish word *contrabando*, is the atypical commerce that moves between the territories. Melilla's fiscal regime has established that goods imported into the enclave are subject to special custom duties (Impuesto sobre la Producción, los Servicios y la Importación, known as IPSI) which are much lower than those paid in Spain and in Morocco, and therefore goods for sale in the enclave are exempt from the value-added tax that is levied in the Spanish mainland. It is therefore a lucrative trade, as goods are purchased in Melilla and sold in Morocco at a higher price. But purchasing the goods on either side is entirely legal, making it fairly risk-free because it is organized in plain view on either side. However, the transportation is the *illegal* aspect, for it is moved furtively to avoid custom duties. Smuggling here financially provides for around 45,000 people. It ensures livelihood to entire communities and sustains the economy of an enclave that has never had its own industry or any natural resources to exploit. 162 Bermant notes that the majority who participate in the informal economy are Moroccan, or of Moroccan descent, and that this is a legacy of the historical economic and political structures "which for centuries favored Spanish

<sup>&</sup>lt;sup>162</sup> Bermant, Laia Soto. "Consuming Europe: the Moral Significance of Mobility and Exchange at the Spanish–Moroccan Border of Melilla." The Journal of North African Studies, vol. 19, no. 1, 2014, pp. 110–129. (116)

residents." Finally, it is all made possible by the informal agreements made with Moroccan custom officers. Supplementing their meagre incomes with bribes guarantees the smooth passage of goods. 163

So, inflexible as the border is for clandestine migrants, its unique geographic position has facilitated a black market wherein European goods are smuggled into Africa. But in July 2010, the increasingly tense relations, most recently characterized by a surge of racist treatment against Moroccans passing through Melilla's border post of Beni Enzar, culminated in massive demonstrations at the fences:

"Civil society organizations, which many observers suspected of being agents of the Moroccan secret police, blocked the importation of cement, bricks and fresh produce. Activists plastered posters across the border area that mocked Spanish policewomen, whom they accused of insulting its citizens. Spain's conservative opposition leader and premier-to-be, Mariano Rajoy, visited Melilla... Meanwhile, in an unusual move, Morocco accused the Guardia Civil of abandoning sub-Saharan migrants on a raft outside Ceuta. Along with these tensions came an influx of clandestine migrants into Melilla at a rate not seen in years, prompting speculation in the Spanish Congress and media about Morocco letting them through, flung like projectiles into the enclave in their improbable, inflatable, 'toy' boats." 164

As representations of the Europeanization of the frontiers, Spanish policewomen became a convenient target. Meanwhile, sub-Saharan migrants "could serve as a weapon to enforce their aims." At these edges of Spain, 'uninvited actors' came to be hijackers of the border spectacle for their own benefit, though "on behalf of a larger geopolitical order." 165

"The mere presence of the border between Nador, Morocco, and the Spanish enclave of Melilla created lawlessness... you would not expect to find criminality so flagrantly tied to places such as borders, which are, after all, locales established for the express purpose of exhibiting state power. 166"

<sup>&</sup>lt;sup>163</sup> Cassidy, Hailey. "Cultural Capital at the Frontier: Prosperity and Violence at the Borders of Melilla and Ceuta." Bard College, 2018.

<sup>&</sup>lt;sup>164</sup> Andersson 167.

<sup>165</sup> Ibid 167

<sup>&</sup>lt;sup>166</sup> McMurray, David A. *In and out of Morocco: Smuggling and Migration in a Frontier Boomtown*. University of Minnesota Press, 2001. (126)

Of the people and goods moving through this space which are branded 'illegal,' the latter is the one whose mobility is allowed, and even encouraged, while the former is restricted and abused. The contradiction is only worsened by the hypocrisy of these border guards who, despite taking their roles so seriously as aligning their role with that of the military, practice illegality through both their neglect of laws in regards to migrants as well as their roles in the game of smuggling.

## "Keep all Africans out at all costs."

Returning to the question posed in the first chapter, why is it that so few of the many sub-Saharan migrants crossing into Europe via the Western Mediterranean do so through Ceuta and Melilla? Just as Morocco is never intended to be the final destination for migrants from West and Central African, neither are its stolen cities. Despite their Europeanness, they are not as enticing lands as those in the internally borderless E.U. However, this do not explain why there is not the influx of migration here that one would expect from such supposedly geographically advantageous territories. Rather, the unpopularity of the cities as permanent places of residence are consequences of first, as discussed before, the near-impenetrable fortresses, and second, as discussed in this section, the internal barriers placed that Spain constructs within. On top of which, both of these are merely elements of one supreme reason: Spain's recognition that the cities are being used as mere gateways into the Peninsula or farther north and their voluntary obligation to secure the causa sui borders for the E.U. Thus, these are the ways in which Spain assumes its own role of passivity, similar to that of Morocco, except that for the European nation, the end goal is not the hope of prosperity and development, but rather the right to keep its North African toys. 167 Moreover, Ceuta and Melilla are toys for the E.U., for if Spain can safeguard the short lengths of Melilla, then controlling all of the vast terrestrial borders

<sup>&</sup>lt;sup>167</sup> Alexander 19.

of the E.U. is manageable. 168 The ultimate goal, then, is not to keep migrants out of these cities, but rather to prevent them from 'invading' the ones across the Strait.

Two migrants, aged 14 and 17, had been living at the reception center for minors in Melilla, La Purísima Concepción Fort, for one year and seven months, respectively, until one day when they were apprehended on the streets. They told Human Rights Watch about how two "plainclothes inspectors" approached them on the streets while they were visiting a friend at the CETI. Amin, the 17 year-old, told the story:

"We got in the car and [the Spanish inspectors] drove and asked us questions. "How did you get into Melilla?" They wanted to know the name of the person and the car that brought us. We talked until we got to the border. They took us to the border discreetly, under a bridge... There were two cars of the Guardia Civil with two people in each and two motorcycles...We told them we were minors, but they expelled us from the car. They opened the fence at the border where cars go through and three Moroccans came, one military and two in civilian clothes. The inspector talked in Arabic, gave us to the Moroccans, and closed the fence. The inspector stayed watching [from the Spanish side of the fence] while [the Moroccan security force] hit us. We were making noise and then the inspector asked the Moroccans to take us away. They kicked us; they took our jackets and clothes. We were in socks and underwear." 169

Meanwhile, Gregorio Escobar, the governor of Melilla, sits in his well-appointed office in a clean grey suit. "We have a responsibility to take care of this border, not only for our own citizens but for all of Europe. Also, Spain has a responsibility to take care of the people who happen to get inside," he tells a reporter from the Guardian.

#### "Ici c'est Guantánamo!"

One requisite of the 1984 law is that Spain provides state-sponsored accommodation in any of the four detention centers spread across the country for at least sixty days or until a migrant's case has been reviewed. Should a candidate's application be approved, they are guaranteed "the right to a work

<sup>&</sup>lt;sup>168</sup> Andersson 158.

<sup>&</sup>lt;sup>169</sup> Human Rights Watch.

<sup>170</sup> Davies.

permit and social welfare, including subsidised healthcare and education." Applications which are denied require the person to leave Spain within another sixty days or else be repatriated to their country of origin. But for years, Spain's centers have been severely overcrowded. Alexander writes:

"The average case now takes more than twelve months to review, and individuals are routinely being denied their basic rights and overflowing into privately funded-aid organisations or makeshift camps, where it is easy for them to 'escape' the system. According to Frontex, the number of asylum applications received by the E.U. rose by 44% over the past five years, and in Spain alone, it rose by 64% last year. Given the current state of crumbling refugee and asylum systems across the E.U., it is no wonder that those working for the Guardia Civil are instructed to, as one guard reported to me, 'Keep all Africans out at all costs.'" 171

Following the tragic summer of 2005, or, more accurately, from the spectacle plastered across the newspapers, a "politics of containment" was born. Spain's usual 'keep out' and 'keep away' style evolved into a 'keep' style during this summer, generating a spectacle *within* the enclaves, in hopes of changing Ceuta and Melilla from "springboards into traps" in the words of "police, activists, and lawyers alike." The consequences of this strategy reached a breaking point five years later.

In Ceuta, the CETI is separated from the rest of the town by forested hills and a few miles of coast. Housing a maximum of 512, there are eight 'prefab modules,' with eight rooms in each, and eight beds to a room. As Ceuta does not have the room, resources, or an eagerness to accommodate asylum seekers, Spain periodically chooses approved candidates from the CETI to send to the peninsula. But even migrants who are never chosen—or rejected in the first place—find ways of reaching the peninsular shores.<sup>173</sup> As parts of the Schengen Area, it is easier (though not as easy as continental Europe) to smuggle someone to the other side of the Strait from Ceuta or Melilla than from Moroccan

<sup>&</sup>lt;sup>171</sup> Alexander 10.

<sup>&</sup>lt;sup>172</sup> Andersson 177.

<sup>&</sup>lt;sup>173</sup> Bajas are residents who escaped to the peninsula. (Anderson 180)

territory.<sup>174</sup> Upon reaching the detention center, migrants are overjoyed. There are big smiles and celebrations as they eagerly anticipate their departure to the mainland:

"Many [migrants] had died in the desert, found themselves stranded in Morocco's 'ghettos' and 'bunkers' or been deported, penniless and paperless, to the dust bowl of northern Mali. The migrants in Ceuta were thus an exclusive crowd. Having finally breached the E.U. frontier, they thought fortune was smiling at them-but Ceuta, they soon found out, would only flash a grim grin of irony..." 175

The triumph of reaching the CETI does not guarantee much. Primarily run by aid organizations, particularly the Spanish Red Cross, the CETI is a 'sorting center' where migrants are "screened, recorded, and assigned identity categories in an elaborate process of 'flow management.'" But in 2010, by the end of a hotter-than-usual summer, fresh arrivals would push the CETI over capacity. <sup>176</sup> To understand why, one must know about the cards.

Until 2009, migrants whose asylum application had been accepted for processing were given a *tarjetas amarilla*, a yellow card, which could be used as a passport to the peninsula. As a result of a new asylum law this year, the cards, previously much desired, came to represent stagnation instead of mobility. Migrants, some of whom had been there for as much as three years already, reeled at discovering this development, feeling restless and cheated. Thus, from a circumstance where the same amount of migrants were crossing in illegally, but none were being let out, came the summer of 2010. Not allowed to leave, work, or do anything at all except reel at the injustice of it all, Ceuta's summer of discontent saw migrants protesting in the street, wearing their CETI administered knock-off 'Addidas'

<sup>&</sup>lt;sup>174</sup> Human Rights Watch.

<sup>&</sup>lt;sup>175</sup> Andersson 179.

<sup>&</sup>lt;sup>176</sup> Ibid 179.

<sup>&</sup>lt;sup>177</sup> Ibid 192.

shirts, holding up cardboard signs of protest, with slogans like "Ici c'est Guantánamo!" and "CETI is a prison." Thus, the migrants became "prime objects of scrutiny, intervention, and pity, they would become Europe's most abject Other, fully formed 'illegal immigrants.'" Playing the part of spectators, journalists, police, and camp workers fed into the fears and the frenzy. One El Faro newspaper headline read:

"ABOUT A HUNDRED SUB-SAHARANS, WELL COORDINATED, ORGANIZE A DEMONSTRATION ASKING FOR FREEDOM"

179

While another night, a primetime television network had this scrolling at the bottom of the screen:

"MIGRANTS WITH BANNERS IN CENTRAL CEUTA - THEY FIND THEMSELVES VIRTUALLY 'IMPRISONED'" 180

For Spaniards everywhere, from the peninsula to the enclaves, these words fed into the nationalist discourse of 'scary' and 'organized' migrants, with little emphasis placed on Spain's part. <sup>181</sup> In this rendering of genuine community, Anderson's notion of nationalism through print journalism is demonstrated. The newspaper reader or television viewer, "is continually reassured that the imagined world is visibly rooted in everyday life." Butler's idea of nationalism supports this claim, as she posits that it produces and sustains "a certain version of the subject," especially through powerful forms of

<sup>&</sup>lt;sup>178</sup> Ibid 179.

<sup>&</sup>lt;sup>179</sup> Ibid 194.

<sup>&</sup>lt;sup>180</sup> Ibid 196.

<sup>&</sup>lt;sup>181</sup> Ibid 6.

<sup>&</sup>lt;sup>182</sup> Ibid 35.

media. 183 Thus, through expressions of language, and 'us' or 'we' versus 'them,' a nation is imagined. In Ceuta and Melilla, the Spanish, Christian communities find solidarity *together* by being *against*.

<sup>&</sup>lt;sup>183</sup> Butler 47.

#### Conclusion

"You judge a society by the decency of living of the weakest." <sup>184</sup> - Zygmunt Bauman

What do Ceuta and Melilla tell you about nationness? Here, emotional quests for legitimacy which define historical and present Spanish nation are eagerly pursued and furiously protected by Spain and by the resident Spaniards. Bordering and sovereignty transform from tools into gifts, which prove the love that a nation has for its children. Extraterritorial communities, though in a way replicating their 'homeland,' are more so infatuated with it. The nation calls to them, promising identity, protection, and solidarity, and thus they deliver themselves: they belong to it. Romanticized is the state control which is challenged by citizens of many ordinary territorial bounds. Unless it is to demand to be more genuine, or affirm an infiltrated Spanishness, Ceutan and Melillan Spaniards cannot speak out against the state. They cry for their nation to see them, to recognize them, as the state demands the same from the international community. But in doing so, extraterritorial nationalist communities curate themselves to be so visible that they render invisible, and thus undeserving, the 'others.' Reverence of the distant prestigious power that is the 'nation,' an entity which bounds—and commands respect through doing so—an inclusive right to security or economy or culture or religion or race, circumscribes the same for those who do not fit into the national identity. Glorious as the

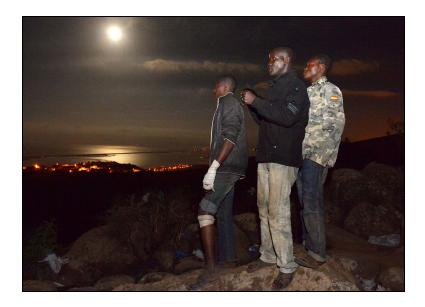
<sup>&</sup>lt;sup>184</sup> Kennard, Matt. "Zygmunt Bauman Interview." 4 Oct. 2013, mattkennard.tumblr.com/post/63075191723/zygmunt-bauman-transcript. Accessed 27 Apr. 2019.

nationness here may seem, it only serves to exacerbate that atrocious exclusivity which defines the modern sovereign nation.

# Photos



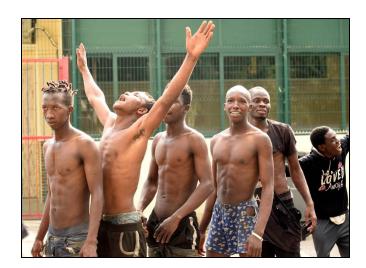
"In the forests surrounding Melilla, you'll find makeshift camps, constructed from scraps of tarp and trash." Vox Borders Series, Johnny Harris – Vox (2017)



"Migrant men on a hillside of the dusty, dishevelled outskirts of the Moroccan village of Shadia outside Melilla." Obinna Anyadike – IRIN News (2015)



"A golfer swings as African migrants sit atop a fence during an attempt to cross from Morocco into the Spanish enclave of Melilla." Time Magazine, José Palazón – Reuters (2014)



"African migrants celebrate as they enter the CETI immigrant center in Ceuta." El País, Fabian

Bimmer – Reuters (2018)



"Spanish authorities arrested two more sub-Saharan migrants on Wednesday for alleged violence while forcefully crossing the Spain-Morocco border at Ceuta." Morocco World News, F.G. Guerrero – EPA (2018)



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