

# *Spain's Part in the 1906 Algeciras Conference: Internationalisation of the Moroccan Question and the Interests of Spain*

**Carlos Jiménez Piernas**

Professor of Public International Law  
and International Relations  
*University of Alcalá*

**Millán Requena Casanova**

Associate Lecturer of Public  
International Law and International  
Relations  
*University of Alicante*

- I. The Historical Context and the Lead-up to the Conference
  - 1. *Background*
  - 2. *Preliminaries. Spain's Role in the Preparatory Stages of the Conference*
- II. The Algeciras International Conference, 1906
  - 1. *Spanish Participation*
    - A) Composition of the Spanish Delegation
    - B) Instructions
    - C) The course of the Conference and Spain's part in the settlement of the main issues
    - D) Results: the *General Act* of the Algeciras Conference
  - 2. *The attitude of the political parties and public opinion to the Conference*
- III. Conclusions

## **I. THE HISTORICAL CONTEXT AND THE LEAD-UP TO THE CONFERENCE**

The centenary of the Algeciras International Conference of 1906 is an excellent occasion on which to analyse the results and repercussions of the meeting of representatives of various European powers in that town to resolve the so-called "Moroccan question", meaning the sharing-out of its territory which European imperialism had identified as its immediate objective at the beginning of the 20th century. We shall look particularly at the part played by Spain at this Conference in order to gauge the extent of its participation in the settlement of the colonial conflict that had arisen in connection with Morocco and the international crisis that

this sparked.<sup>1</sup> But first of all we need to recall the context of the time in order better to understand the changes whose seeds were beginning to grow during the period when the Conference took place.

The 1906 Algeciras Conference falls within a period embracing the last third of the 19th century and the first third of the 20th, marked by the Berlin Conference of 1885 and a renewed drive to colonise Africa. At the very height of imperialism (both the old and the new) and the colonial dispute among the old European powers over the partition of Africa following the Berlin Conference, the early years of the 20th century saw the emergence of the so-called “Moroccan question” and its internationalisation.<sup>2</sup> For Spain, by this time a minor power within the European system inherited from the Congress of Vienna (1814–1815), the Algeciras Conference must be seen historically in the context of the colonial Disaster of 1898; this provoked a turnaround in the early 20th century foreign policy of Spain, which came to be concerned above all else for the security and integrity of its own national territory.<sup>3</sup> At the very peak of European colonialism in Africa, and with a profoundly oligocratic international order from which Spain had been ostracized long before (as certified by the Paris Peace Treaty of 1898 which brought an end to the Spanish-American war), Spain’s attitude towards Morocco wavered between the respect for the maintenance of the stability and unity of the Sherifian Empire, and the desire to get a part in its forthcoming colonisation and partition, in order to compensate – at least symbolically – for the loss of its last overseas territories following the colonial Disaster of 1898.

From a Spanish point of view, the partition of Morocco was not so much a colonial issue as a guarantee for the ever more real needs of a policy for the security and integrity of the national territory,<sup>4</sup> which came into conflict with those of

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<sup>1</sup> The essential documentation for this study can be found in the Archive of Spanish Ministry of Foreign Affairs (Sp. acronym AMAE), *Tratados y Negociaciones* (s. XX), no. 68, TR 334–TR 338 (hereafter these packet are cited simply as AMAE); we shall also refer to documentation in the General Archive of the Administration at Alcalá de Henares, Foreign Affairs (referred to hereafter as AGA).

<sup>2</sup> On the international dimension of the Moroccan question, its phases and its consequences, see the study by J. Ramiro de la Mata, *Origen y dinámica del colonialismo español en Marruecos*, Ceuta 2001, pp. 89–143.

<sup>3</sup> The loss of its last overseas colonies wrought a transformation in the territorial structure of the Spanish State and brought an end to the foreign policy crisis of Restoration Spain. Without a navy able to guarantee the defence of Spain’s long coastline and its North African possessions, the principal objective of Spanish foreign policy was to secure an international guarantee for the security of its historic possessions in the region of the Straits of Gibraltar and the Alboran Sea. For a general account of Spain’s international position and its foreign policy objectives after the Disaster of 1898, see A. Niño, “Política de alianzas y compromisos coloniales para la ‘regeneración’ internacional de España, 1898–1914”, in J. Tusell, J. Avilés & R. Pardo, (Eds.), *La política exterior de España en el siglo XX*, Madrid 2000, 31–94, pp. 42–70.

<sup>4</sup> It should be remembered that the action of the Spanish delegation at the 1899 and 1907 Hague Conferences was prompted by the same concern for the security and integrity of the national territory (to secure guarantees of territorial security for the future, concern

first-rate colonial powers like France and Britain, with primordial economic and strategic interests on the southern shore of the Alboran Sea opposite the coast of Andalusia. In our view, it was the conjunction of these two factors that motivated Spain's aspirations to have a part, however modest, in the new colonial division of Morocco.

## 1. Background

The question of the partition of Morocco was first raised on the international scene at the Madrid Conference of 1880, which was formally called to bring order to the interests that the small group of great powers of the time sought to impose on Morocco.<sup>5</sup> The Final Act of the Madrid Conference sanctioned the *status quo* in Morocco, whose keynote was "internationalisation" of the economic order,<sup>6</sup> but at the same time it deferred a decision as to the fate of a territory which – like the rest of the African continent – was considered open to partition. But come 1900, this *status quo* was breached by the attitude of France, which sought to secure its influence over the Sultan by offering him such technical, financial and military assistance as he required to organise the administration of his empire. This French political initiative, seen at the time as an example of "peaceful penetration",<sup>7</sup> met

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over disarmament, and other issues). For an understanding of Spain's position at the Hague Peace Conferences in particular, see C. Jiménez Piernas & E. Crespo Navarro, "La organización de la paz y la limitación del uso de la fuerza en pleno apogeo del imperialismo: las Conferencias de Paz de La Haya", in G. Peces Barba, E. Fernández García & R. de Asís Roig, (Dirs.), *Historia de los Derechos Fundamentales*, vol. III, Madrid 2005 (in press); and specifically on Spain's action at the 1899 Conference, see C. Jiménez Piernas, "El papel de España en la Conferencia de La Haya de 1899", *REDI*, vol. LI (1999), n. 2, pp. 775–782.

<sup>5</sup> As Truyló notes, in terms of the governance of international society, great powers are those which are affected by any issue that may arise in any sector and any aspect of inter-State relations, regardless of whether they are directly involved. In other words, great powers are powers whose interests are general, as opposed to minor powers whose interests are limited or particular: Truyló Y. Serra, A., *La Sociedad internacional*, Madrid 1993, p. 123.

<sup>6</sup> It was the Conference held in Madrid in 1880 that first launched the "Moroccan question" on to the international scene. On the Spanish side, Cánovas del Castillo, who presided at the Conference, insisted in the *Cortes* on the principles of territorial integrity of the imperial State of Morocco and its absolute sovereignty; nonetheless, this declaration of principles (the *status quo*) did not conflict with the concern expressed by the representatives of the European powers accredited at Tangiers and other Moroccan cities, aroused by the need for protection claimed by their subjects resident there: see *Diario de Sesiones del Senado*, leg. 1879–80, pp. 1769–1776.

<sup>7</sup> Between 1900 and 1902 the French Minister of State, T. Delcassé, coined the political catchword "peaceful penetration", denoting a strategy for intervening in the Sherifian empire without upsetting the *status quo* or eroding the Sultan's sovereignty. This way of viewing matters was swiftly taken up in Spain, inspiring a school of thought known as "Spanish Africanism" for a full decade (1900–1910): see V. Morales Lezcano,

with opposition from the United Kingdom, which was not prepared to renounce its commercial interests in the Sherifian empire and sought first and foremost to defend the naval bases which constituted the backbone of its overseas empire (Gibraltar was one of those). It also threatened the interests of Spain, which had held sovereign sway over its historical possessions in North Africa (the former penitentiaries – Ceuta and Melilla – the Rock of Vélez de la Gomera, the Rock of Alhucemas and the Chafarinas Islands) since the end of the 15th century. And it irritated Germany, which had no wish to see France add Morocco to its already vast colonial empire in North Africa and at the same time intended to have a share in the exploitation of the territory's natural resources.<sup>8</sup>

However, Spain's opportunity to have some part in the legal ordering of the great powers' interests in Morocco was due above all to two factors, one political (British and French rivalry in North Africa) and the other geographic (its geostrategic position on the Straits of Gibraltar and the Alboran Sea). The colonial rivalry between France and Britain was settled by the *Declaration between the United Kingdom and France Respecting Egypt and Morocco* of 8 April 1904,<sup>9</sup> which marked the definitive abandonment of the policy of *status quo* in Morocco. This understanding between the two great colonial powers recognised the French pre-eminence in Morocco in return for a solid British hold on Egypt, as well as the British sponsorship of the Spanish presence in western Morocco to keep France away from its main imperial sea route. Art. VIII of the Franco-British Declaration left little doubt as to Spain's involvement in the partition of Morocco and the role to play in its "sphere of influence", providing that:

The two governments, inspired by their feeling of sincere friendship for Spain, take into special consideration the interests which that country derives from her geographical position and from her territorial possessions on the Moorish coast of the Mediterranean. In regard to these interests the French Government will come to an understanding with the Spanish Government.

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*El colonialismo hispano-francés en Marruecos (1898–1927)*, Granada 2002, 2nd ed., pp. 35–90. The hazards and obstacles entailed in the alleged peaceful penetration by Europeans were highlighted from a Spanish point of view by the conservative Maura Gamazo, who repeatedly stressed the difficulties of what would be anything but an easy task: see G. Maura Gamazo, *La Cuestión de Marruecos*, Madrid 1905, pp. 129–246.

<sup>8</sup> For an account of the interests of the great European powers of the time in Morocco at the beginning of the 20th century, see P. Renouvin, (Dir.), *Historia de las relaciones internacionales (Siglos XIX y XX)*, t. II, trans. by J. Fernández Buján, I. Gil de Ramales, M. Suárez and F. Caballero Robredo, Madrid 1998, pp. 492–493. For a more detailed account of the importance of Morocco for European foreign policy in the Mediterranean area in the early 20th century, see the classic work by R. Gay de Montellá, *Diez años de política internacional en el Mediterráneo, 1904–1914*, Barcelona, s.a., pp. 5–58.

<sup>9</sup> The text of the Declaration can be found in AGA. Africa. Morocco section. Box 44. File 4: "Negotiations on the demarcation of spheres of influence in Morocco".

Spain was thus at the mercy of the colonial decisions made by France and Britain. Taken into account solely because of its geographic position at the entrance to the Mediterranean, it was invited to come to an agreement with France on their respective areas of influence in Morocco. One immediate result of this pact was the *Franco-Spanish Declaration of 3 October 1904* and the *Franco-Spanish Convention* of the same date, albeit the latter was not made public until 1912.<sup>10</sup> Thus, while the public Declaration announced Spain's accession to the Franco-British Declaration of 8 April – marking a change of direction in Spanish foreign policy, which was now moulded to suit the interests of the Franco-British *Entente* – the secret Convention of 1904 demarcated the Spanish sphere of influence in the north of Morocco, known as the Rif, whereby Spain secured its control over a territory viewed as extremely important for its national security. The signing of the 1904 Convention marked the commencement of a period of concerted diplomatic action by France and Britain whereby Spain became a party to the colonial partition of Morocco. This process culminated in 1912, when the “Spanish sphere of influence” in Morocco became the “Spanish Protectorate”, ceded by France under a Franco-Spanish Convention of 27 November 1912.<sup>11</sup>

The break of the internationalisation of Morocco through the Franco-British pacts elicited a reaction from Germany, in the form of a warning that the *status quo* in Morocco could not be altered other than by collective decision of the signatories of the Madrid Act.<sup>12</sup> The call for an international conference to discuss these reforms was prompted by Kaiser Wilhelm II of Germany's visit to Tangiers in 1905. The Kaiser, the supreme representative of a dissatisfied power which had arrived late at the colonial banquet, appointed himself defender of the Sultan's sovereignty and of the need for peaceful penetration of Morocco – largely economic in nature – by all the European nations. The German reaction was the signal that mobilized

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<sup>10</sup> *Ibid.* The declaration, whose signatories undertook to maintain the integrity of the Sherifian empire under the sovereignty of the Sultan, was published in the *Gaceta de Madrid* of 14 November of the same year; on the other hand the Convention, which set forth the terms of the partition, remained secret until it was made public in an appendix to the *Diario de Sesiones del Congreso*, no 67, of 18 January 1912.

<sup>11</sup> Its international status derived from the Franco-Moroccan Treaty, signed at Fes on 30 March of that year, which established a French Protectorate over all of Morocco. At the beginning of the 20th century, international law differentiated between colonies, mandates and protectorates as legal formulae recognised among the powers for the administration of occupied regions; however, none was defined with any precision in international rules, and therefore the characteristics of a Protectorate were determined by the particular conditions applying to each one. That being the case, for the nature and characteristics of the Spanish Protectorate in Morocco, see the recent work by J.L. Villanova, *El Protectorado de España en Marruecos, Organización política y territorial*, Barcelona 2004, in particular pp. 53–63.

<sup>12</sup> Such was the message broadcasted by way of the *Circular from the Imperial Chancellor to all imperial embassies*. *German White Book*, cited by R. Gay de Montellá, *Diez años de política internacional...*, *op. cit.*, p. 59, n. 1.

European chancelleries to find a solution to the crisis, but it was the *Makhzen*<sup>13</sup> which took the initiative of calling on the signatories of the Madrid Act of 1880 to an international conference to discuss the reforms affecting the independence and territorial integrity of the Sherifian empire.<sup>14</sup>

## 2. Preliminaries. Spain's role in the preparatory stages of the Conference

The invitation from the Makhzen to attend a Conference was accepted by all the powers that had participated in the Madrid Conference, with the exception of Denmark and Norway, which excused themselves on the ground that they had no particular interests in Morocco.<sup>15</sup> As for Spain, the importance of a Conference on Morocco for its interests was reflected in the degree to which it was active in the preliminary consultations leading up to the Conference, as witness the endless stream of telegrams and letters exchanged with the principal European chancelleries, particularly those of France, Germany and the United Kingdom.<sup>16</sup>

However, Spain's role would very soon be relegated to that of a second-rate power, confined to matters of organisation such as proposing a list of cities in

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<sup>13</sup> Note that in pre-colonial Morocco there was no notion of a territorially-based State as we know it today; the administration of the Sherifian empire was organised around institutions like the *Makhzen*, which was made up in turn by a collection of institutions structured in accordance with the principle of absolute centralisation. The keystone of the system was the Sultan, the head of the community, who was invested with the power to administer his subjects' interests. Immediately below the Sultan were the Grand Vizier and various religious, civil and military authorities: see Ben Mlih, A., *Structures politiques du Maroc colonial*, Paris 1990, p. 104.

<sup>14</sup> In a Verbal Note dated 7 June 1905, the German Ambassador at Madrid advised the Spanish Minister of State of his intention of calling a conference to deliberate on the reforms which needed to be undertaken in Morocco: AMAE, *Documentos presentados a las Cortes en la Legislatura 1905–1906 por el Ministro de Estado (Pío Gullón). Conferencia internacional de Algeciras sobre asuntos de Marruecos. Libro Rojo Español*, Madrid, Imprenta del Ministerio de Estado, 1906, documento no. 3, pp. 2–3. Before submitting the General Act of the Conference to the *Cortes* for debate and approval, the Government presented the latter with a “Red Paper” citing all the documents and background to the Conference. The publication of this “Red Paper” was criticised at the time by parliamentarians of all stripes on the grounds that the Government had deliberately omitted certain documents so as to conceal the secret terms agreed with France and the United Kingdom from public opinion. For an assessment of France's part in the Conference, see the classic – if grossly chauvinistic – account by A. Tardieu, *La conférence d'Algeciras*, Paris 1909, *passim*.

<sup>15</sup> *Ibid.*, documents no. 77 (for Denmark's declination) and no. 88 (for Norway's), pp. 49 and 52.

<sup>16</sup> *Ibid.*, pp. 3–28, which recount how the Spanish Ambassador at Tangiers notified the Ministry of State of the telegrams exchanged and conversations conducted, chiefly with the representatives of France, the United Kingdom and Germany, on the need to hold an international Conference to discuss business relating to Morocco. For a brief analysis of the preparatory stage up until the opening of the Conference from the standpoint of the Spanish post-war literature, see the classic work by T. García Figueras, *La acción africana de España en torno al 98 (1860–1912)*, t. II, Madrid 1966, pp. 125–133.

eastern and southern Spain as venues for the Conference, one of which was Algeciras.<sup>17</sup> On the other hand, it was the great European powers of the period, using the normal diplomatic channel of *joint consultations*,<sup>18</sup> which drew up both the schedule of business to be discussed at the future Conference and the order of discussion. The outcome of these negotiations was the *Franco-German Agreement of 28 September 1905*, the document on the basis of which the issues to be addressed at the Conference would be debated. By virtue of this Agreement, of which Spain was notified on 3 October that year, the two nations asked the latter to designate Algeciras as the venue for the Conference, chiefly because of its strategic situation close to Tangiers, to this Spain acceded.<sup>19</sup>

In such circumstances, Spanish diplomacy was left with precious little room for manoeuvre at this preparatory stage, confining itself to attempting to secure the rights and interests recognised in the Franco-Spanish Convention of 1904, especially all those bearing on Spain's presence on the Mediterranean coast of Moroccan territory. In addition, on the eve of the Conference the agitated internal situation of the country practically drove Spain to agree on a number of common positions with France, in order at least to have some certainty that the Spanish interests acknowledged in the 1904 Convention would be respected. This agreement was set forth in a Franco-Spanish *Exchange of Notes* dated 1 September 1905, whereby the two nations undertook "to proceed in full accord in the course of the deliberations at the proposed Conference".<sup>20</sup> In short, the record of Spanish diplomatic activity

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<sup>17</sup> Via a Verbal Note dated 7 August 1905, the Prime Minister notified the German and French Ambassadors at Madrid and the British Chargé d'Affaires, of Spain's offer to host the Conference in one of a number of cities in Southern Spain, among which Cádiz, Málaga and Algeciras were expressly cited: AMAE, *Documentos presentados...*, *op. cit.*, doc. no. 43, pp. 27–28.

<sup>18</sup> The need for an international order in the society of civilised States prompted the emergence in the Concert of Europe of a *system of regular consultations* among the great powers of the time, a diplomatic device whereby these powers agreed on collective action to deal with political problems that could not be solved by bilateral diplomacy. Although imperfect, based as it was on sporadic Conferences and serving as it did to entrench the joint hegemony of the great powers, at least the system succeeded in limiting armed conflicts and assuring a degree of order up until the First World War: Carrillo Salcedo, J.A., *El Derecho Internacional en perspectiva histórica*, Madrid 1991, p. 29.

<sup>19</sup> In a communiqué dated 3 October 1905, the German Chargé d'Affaires at Madrid informed Spain of the intention to hold a Conference on Morocco, advised it of the agenda and requested that it be held in Algeciras in view of its proximity to Tangiers; the following day, the Spanish Minister of State replied to the communiqué, placing Algeciras at the disposal of the powers: AMAE, *Documentos presentados en la legislatura...*, *op. cit.*, doc. no. 64, p. 40.

<sup>20</sup> Article IV of the *Agreement of 1 September 1905*. The text of the agreement can be found in AGA. Africa. Morocco section. Box 42. File 1: "Negotiations on the demarcation of spheres of influence in Morocco". In fact the *Agreement of 1 September 1905*, whose purpose was to determine the extent of Spanish and French rights and to guarantee their mutual interests in Morocco, consisted of four articles, the first of which assigned to the two countries the organisation of the police who would be responsible for maintaining order in ports; Spanish officers and NCOs would be in charge of training the troops

shows that during this preliminary stage, Spain acted as France's proxy, serving as the latter's lieutenant for the sake of preserving the *status quo* established by convention in 1904.

## II. THE ALGECIRAS INTERNATIONAL CONFERENCE, 1906

The Conference met at Algeciras between 16 January and 7 April 1906<sup>21</sup> and was attended by delegates from thirteen States, most of them European.<sup>22</sup> Formally, the Conference was called in order to introduce reforms based on three principles: the Sultan's sovereignty, Morocco's territorial integrity and economic equality among the participating powers. In reality, however, the Act as finally drafted created a *de facto* Franco-Spanish protectorate under vague international control, which put an end to the Sultan's sovereignty and in the medium term paved the way for occupation of Morocco by France and Spain and the sharing-out of its resources among the European powers. In fact, while the "Preamble" to the Act proclaimed the independence of the Sherifian empire (which seemed to preserve the *status quo* in Morocco), its terms awarded France a leading role in the introduction of financial and economic reforms in Morocco and in the organisation and recruitment of police in those ports open to trade, a task which it would share with Spain.

The proclamation of the Sultan's sovereignty and the integrity of his empire did not prevent France and Spain from implementing the 1904 Agreements and securing their rights and interests in their respective spheres of influence. In view of these realities, it is quite understandable that the Moroccan delegation initially declined to sign the Act, an attitude indicative of the scant chances of success for the implementation of an agreement that took no account of their interests. As a

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in Tetouan and Larache, and their French counterparts in Rabat and Casablanca, while Tangiers would be assigned to a joint Franco-Spanish force under French command (art. I); it also regulated the surveillance and suppression of arms smuggling (art. II); this agreement further sought to define the arrangements in the 1904 Convention in more detail as regards Franco-Spanish participation in economic enterprises, including the creation of a State Bank of which both powers would be stakeholders, while accepting the continuance of Spanish silver coin as legal tender in the Sherifian empire (art. III).

<sup>21</sup> Spain's acceptance of Algeciras as the venue for the Conference can be found in a Verbal Note of 22 November 1905 addressed by the Spanish Ambassador at Tangiers to the Minister of State, transcribing the request from the Makhzen to the Spanish Government that the Conference met in the seaport of Algeciras. This Verbal Note coincided with another sent by the Spanish Ambassador at Tangiers to the Makhzen on 18 November agreeing that the Conference was held in Algeciras and setting 15 December 1905 as the date of commencement: AMAE, *Documentos presentados...*, *op. cit.*, doc. no. 75, p. 46 (dispatch no. 336, 18 November 1905).

<sup>22</sup> The following States sent representatives: France, Germany, Great Britain, Italy, the Netherlands, Portugal, Russia, Sweden, Austria-Hungary, Belgium, Spain and the United States, the latter the only non-European country represented at Algeciras other than Morocco itself.



result of this initial refusal to sign the Act, a protocol was added whereby the signatory powers undertook to persuade the Makhzen to ratify it, which endeavour finally succeeded on 18 June 1906.<sup>23</sup>

## 1. Spanish participation

### A) *Composition of the Spanish Delegation*

The importance that Spain attached to the Conference can be seen from the composition of the Spanish delegation at Algeciras, in terms of the number of persons that it included, but above all in terms of the rank of its members and their known expertise in international matters. In particular, the Spanish delegation was headed by the Minister of State (Duke of Almodóvar del Río)<sup>24</sup> – at that time Conference Chairman – and comprised by a professional diplomat, the Spanish Ambassador at Brussels (Juan Pérez Caballero), accompanied by the head of the Diplomatic Office of the Minister of State (Ramón Pino) as secretary, and sixteen more persons.<sup>25</sup> The delegation was well balanced by the presence of one politician and two professional diplomats, while the absence of a military member was largely due to the Government's interest in maintaining the agreements it had concluded with France and Great Britain; these had been fiercely criticised by a group of Spanish military officers known as “africanistas” who sustained the need for immediate

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<sup>23</sup> At the time of presenting its ratifying instrument to Spain as depository of the General Act, the Makhzen decided to present with it a Verbal Note expressing doubts as to the meaning of a long list of the articles of the Act. On 5 August 1906, the Italian Ambassador at Tangiers forwarded to the Minister of State a summary of a Note delivered by the Makhzen's Minister of Foreign Affairs, with an annex containing a list of provisions of the Act regarding which the Makhzen requested clarification from the western powers: AMAE, *Documentos presentados...*, *op. cit.*, doc. no. 124, p. 75. Although the issues involved were of minor importance, this was Morocco's way of “Marruecos estaba introduciendo verdaderas reservas a un texto que acababa de aceptar y su intención era evidente: (...) poner en tela de juicio lo ya firmado, suspendiendo así su aplicación por todo el tiempo que la lenta y elusiva diplomacia marroquí pudiese seguir planteando consultas, dudas o interpretaciones unilaterales”: J.M. Allendesalazar, *La diplomacia española y Marruecos, 1907–1909*, Madrid 1990, p. 42.

<sup>24</sup> The Minister of State, the Duke of Almodóvar, himself announced his appointment as Plenipotentiary of Spain and that of Juan Pérez Caballero as Deputy Plenipotentiary to the participating powers, by telegram dated 12 January 1906: AMAE, *Documentos...*, doc. no. 106, p. 63.

<sup>25</sup> As the host State, Spain sent a large official delegation to the Conference group – nineteen people in all – composed of: the Minister of State, a Deputy Plenipotentiary Delegate (Pérez Caballero), a resident Minister, a First-rank secretary (Cristóbal Fernández Vallín), a second-rank secretary (Manuel González Hontoria), three third-rank secretaries (the Count of Pradera, Méndez Vigo and Ojeda), two interpreters, four clerks, two doormen, one messenger and two orderlies.

military action in Morocco to achieve some kind of quittance for the humiliation suffered from the loss of Spain's last overseas colonies in 1898.<sup>26</sup>

### B) Instructions

The instructions received by the Spanish delegation at Algeciras were shaped by two considerations: first there was the priority aimed at resolving the Franco-German conflict, confiding in France's ability to maintain the *status quo* established in 1904; second was an awareness of the slightness of Spain's chances of securing its own national interests in the face of the other European powers. In fact it was only once the Conference had begun when the Prime Minister made public in a speech to the Senate the position to be held by the Spanish delegation. In that speech the Prime Minister explained that the object of Spain's diplomatic action at the Conference would be

to defend the Sultan's sovereignty, the integrity of his States and equality of treatment in matters of trade. *These are the fundamental bases;*<sup>27</sup>

He further stressed that

*all other issues (the currency, the State Bank, public works or police) would be dealt with in turn, and Spain would have a part in their settlement, moved by a spirit of conciliation and harmony...*<sup>28</sup>

As this speech suggests, Spain's position was caught between the need to defend the sovereignty and independence of the Sultan as the chief guarantee of the 1904 *status quo*, and the desire to have a part in whatever reforms might be proposed at the Conference, but allowing the first-rate colonial powers to take the lead in presenting proposals (and solutions) on each of the points at issue.

### C) The course of the Conference and Spain's part in the settlement of the main issues

As laid down in the agenda set by the Conference Chairman, the first questions discussed were the ones that raised no great difficulties, such as arms smuggling and customs duties; much more controversial subjects like the Moroccan State

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<sup>26</sup> A sector of the Army believed that Spain's reputation of military decadence in the international society of the time could only be dispelled by an act of force in Morocco, but never through participation in a diplomatic Conference which Spain would attend as an ally of France and Great Britain, both colonial powers with interests which collided with Spain's given that they all pursued the same goal – namely dominion over Morocco; see the newspaper article “La Conferencia de Algeciras” in the daily *La Correspondencia Militar*, of 15 January 1906, cited by M<sup>a</sup>.L. Molina Pérez, *El Norte de Marruecos: de la Conferencia de Algeciras al Protectorado (1906–1912). Su repercusión en las Cortes españolas*, Thesis, Universidad Autónoma de Madrid, 1987, p. 126.

<sup>27</sup> *Diario de Sesiones del Senado*, leg., 1905–1906, 18 January 1906, p. 989 (speech by Segismundo Moret, Prime Minister). Our italics.

<sup>28</sup> *Ibid.*, p. 990. Italics added.

Bank, tax reform and above all organisation of the Moroccan port police, the outcome of which would serve to judge the role played by Spain at the Conference, were left until last.

In order to guarantee minimum conditions of security in Morocco, the first issue slated for reform was arms smuggling, as up until then arms were bought and sold in Morocco without restrictions of any kind.<sup>29</sup> According to the terms agreed in 1905, France and Spain shared a common interest in controlling arms smuggling in their respective spheres of influence. That interest was formalised via the approval of a draft regulation on the suppression of arms smuggling, whereby France and Morocco would undertake to suppress arms smuggling over the Algerian border, while Spain and Morocco would do likewise in the Rif and in the regions bordering on Spain's historical possessions.<sup>30</sup> Furthermore, seaborne surveillance of arms smuggling would also be under French and Spanish authority in their respective spheres of influence; Germany objected to this proposal, but it was carried with the support of the British delegate, on condition that visiting rights would not be exercised on British vessels suspected of smuggling, inspection of which would be the province of the British authorities at Tangiers or Gibraltar.<sup>31</sup>

The negotiations leading up to the Act sanctioning a State Bank in Morocco were harder. In fact two proposals, one German and one French, were presented for the organisation of the State Bank, and also a Spanish questionnaire that had been drawn up previously in conjunction with the French delegation.<sup>32</sup> The German proposal entailed the creation of a State Bank in Morocco with a fifty-year concession, headquarters at Tangiers and capital subscribed in "pesetas", to be contributed in equal shares by the powers represented at the Conference. Germany's aim with this proposal was to extend Morocco's financial internationalisation, thus intimating that no power would be able to enjoy decisive influence in the Bank, as that would run counter to the free trade policy inspiring the Conference.<sup>33</sup> The

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<sup>29</sup> AMAE, *Conférence internationale sur le Maroc, Compte Rendu de la Première séance du Comité, 18 janvier 1906*.

<sup>30</sup> AMAE, *Projet de Règlement pour prohiber et réprimer l'introduction des armes et des munitions de guerre dans l'Empire chérifien, 20 janvier 1906*. The importance of this question for the security of the national territory was such that the second Spanish delegate exerted himself to the full to ensure that all delegations accepted that in view of its geographic position, Spain alone should be responsible for monitoring enforcement of the regulation on arms smuggling in the Rif, in the region of Santa Cruz de Mar Pequeña and on the Saharan border, in exactly the same conditions as held by France on the Algerian border: AGA. Africa. Morocco section. Box 41. File 3. *Crónica de la Conferencia internacional de Algeciras*, p. 9.

<sup>31</sup> *Ibid.*, Conversations between the Duke of Almodóvar, Pérez Caballero, Revoil and Nicolson. 17–18 January 1906, p. 9.

<sup>32</sup> AMAE, *Conférence internationale sur le Maroc, Références des Projets allemand et français au questionnaire sur la Banque*.

<sup>33</sup> AMAE, *Conférence internationale sur le Maroc, Projet présenté par la Délégation allemande sur la organisation de une Banque d'Etat du Maroc (art. III)*.

French proposal, on the other hand, sought to maximise France's preeminence in the Bank, with France contributing the largest share of its capital.<sup>34</sup>

The interests of the Spanish delegation, on the other hand, lay in preventing the internationalisation proposed by Germany and securing a share in the Bank comparable to France's and at least larger than that of any of the other powers involved. To this end, the Duke of Almodóvar presented a proposal whereby Spain's share in the Bank's capital would be increased, on the strength of the "political interests" that only France and Spain possessed in Morocco, and of the Spain's acknowledged rights under the 1905 Agreement.<sup>35</sup> Nevertheless, true to their understanding with France, the Spanish delegation eventually stood by the French position regarding the latter's preferential rights deriving from the loan granted to the Makhzen by a consortium of French banks in 1904. Also, the Minister of State, having received assurances from France's first delegate that the Spanish currency would remain legal tender in Morocco, finally supported the French proposal that the Bank's capital was paid up in French francs and that the Bank itself became a French institution.<sup>36</sup>

Loyally supported by Spain, and subsequently also by Great Britain and Russia, France succeeded in forming a solid bloc in defence of its own interests in the matter of the State Bank, while German diplomacy, completely isolated, was forced to give way on this point as well. The issue of the Moroccan State Bank was finally settled by means of a compromise among the first-rate colonial powers, in the form of an agreement whereby the Bank's capital was to be divided into fourteen shares, one for each signatory power plus two assigned to France as security for the preferential rights deriving from the French loan of 1904. Thus, France secured a position of advantage on the Bank's Board of Directors (three votes as opposed to one each for the other powers), to the detriment of Spain's aspiration to achieve a similar position of power in the Bank.

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<sup>34</sup> In the view of the French delegates, the Bank's functions should be confined to cash accounts and the issue of paper money; its capital should total 10 million francs, distributed as follows: France would subscribe 30% of the capital, Spain, Britain and Germany 20% each, and Italy 10%: AMAE, *Conférence internationale sur le Maroc, Projet de création de la Banque Impériale du Maroc, déposé par la Délégation française*. Note that the French proposal excluded any Moroccan share in the State Bank.

<sup>35</sup> The Spanish delegate proposed the following distribution of the Bank's share capital: France 27%, Spain 23%, Germany and Britain 20% each, and Italy 10%: AGA. Africa. Morocco section. Box 41. File 3. *Crónica de la Conferencia...*, *op. cit.*, p. 30. The Spanish delegates further sustained that the Bank's capital should be paid up in "pesetas", since that was the official currency in Morocco; to this the French delegates riposted that the only possible basis for the Bank was the gold standard and not Spanish silver currency. The next issue of debate was Spain's share of the capital, in which connection the French delegates argued that this should be in proportion to Spain's share in the Moroccan loan issued under the aegis of a consortium of French banks in 1904. Here again the Spanish delegates dissented, arguing that since Spain intended to maintain the Spanish currency in Morocco, it should have a far larger presence on the Board of Directors: *ibid.*, p. 84.

<sup>36</sup> *Ibid.*, p. 88.

As regards the fiscal organisation of the Makhzen, the reforms proposed focused on the general customs service. The Moroccan delegation pressed the view that certain activities carried on by foreigners ought to be taxed, to which end they proposed a rise in customs duties, which was generally admitted to be excessive as regards both the tariffs and the number of new duties it was proposed to create.<sup>37</sup> The Moroccan proposal was directly opposed by Spain, whose delegates argued that an exaction of this kind would fall foul of the "open door" policy pursued in Morocco.<sup>38</sup> The Moroccan proposal further succeeded in eliciting the unanimous rejection of the other foreign powers, a token of the Makhzen's real power to defend the economic reforms that Morocco needed. Instead, the Conference approved a regulation on taxes, the creation of more new taxes and the regulation of public services, whose provisions allowed only for a temporary 25% increase in customs duties on condition that this was constituted into a special Deposit under European control.<sup>39</sup>

However, of all the issues discussed at Algeciras, the most controversial was undoubtedly that of the joint organisation of the police responsible for maintaining order at Moroccan ports – so deep was the disagreement over this question that it threatened to scupper the Conference. The matter of the creation of a port police force split the Conference into two blocs maintaining two opposing positions regarding the way in which this question should be regulated: the Franco-British bloc (to which Spain adhered) sustained that a Franco-Spanish police organisation would help the Makhzen build up a force capable of maintaining internal order, whereas the bloc formed by Germany and Austria-Hungary argued that the purpose of this proposal was to consolidate a French and a Spanish sphere of influence which would ultimately become a fully-blown territorial occupation.

In particular the proposal presented by France, command of the police was assigned to France and Spain, on the justification of the Franco-Spanish agreement of 1905 and the Franco-German pact of 28 December the same year.<sup>40</sup> For France it was essential that the organisation of the police would be placed entirely in the hands of French and Spanish officers and NCOs for, as the principal French

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<sup>37</sup> AMAE, *Conference internationale sur le Maroc, paragraphe 8 du Projet de déclaration concernant les impôts*.

<sup>38</sup> On this point the Spanish delegates stoutly defended the interests of the Spanish colony in Morocco, basing their arguments chiefly on the exemptions enjoyed by some of their nationals (missionaries and clergy) under the Treaty of 1860 (signed at Tetouan on 26 April of that year) and the Trade Treaty signed at Madrid in 1861: AGA. Africa. Morocco section. Box 41. File 3. *Crónica de la Conferencia internacional de Algeciras*, p. 32. It is worth remembering that prior to 1912 Spanish business activity in the north of Morocco was confined to two mining operations conducted by the *Compañía del Norte Africano* and the *Sociedad Española de Minas del Rif*, with ramifications in other business sectors such as electricity and railways: cf. V. Morales Lezcano, *El colonialismo hispano-francés...*, *op. cit.*, pp. 75–76.

<sup>39</sup> AGA. Africa. Morocco section. Box 41. File 3. *Crónica de la Conferencia...*, *op. cit.*, p. 42.

<sup>40</sup> AMAE, *Conference internationale sur le Maroc, Projet déposé par la Délégation française concernant l'organisation d'une Police au Maroc, 7 mars 1906*.

delegate explained, the Sultan had neither the authority nor the power to enlist the necessary troops and officers.<sup>41</sup> Germany, on the other hand, saw the French proposal as inimical to its interests inasmuch as Franco-Spanish command of the police would in practice mean total control by France, thus compromising the Sultan's sovereignty and free trade in Morocco.<sup>42</sup>

The French proposal for the police also breached previous agreements reached with Spain as regards the apportioning of Moroccan ports, in that it raised the number of ports to be distributed between the two States from five to eight, in clear contravention of the terms of the Franco-Spanish accord of 1905 (Art. I of which limited the number of ports for distribution to five). Therefore, in the session of 5 March the Spanish second delegate proposed that Spain was entrusted with organising the police in the Mediterranean ports and France in the Atlantic ports, and that Spain had exclusive charge of this function in Tangiers. The last part of this proposal was in obedience to considerations of public order (the Spanish authorities had to exercise special vigilance in that area because of the disorders in the vicinity of Melilla) and the fact that the most important Spanish colony in Morocco lived in Tangiers.<sup>43</sup> During that same session, the Spanish delegate argued that Franco-Spanish command of the port police would not hinder free trade by the powers, underlining the difference between the *technical organisation of the police*, which would be under joint French-Spanish supervision, and the *deployment of the police*, which indeed

might to some extent influence freedom of trade. It should not be forgotten, however, that there has never been any intent to replace the Sherifian authority and administration with any other authority or administration. What is being proposed is to organise an auxiliary instrument, an effective means of enforcing the decisions of the Makhzen.<sup>44</sup>

Despite the highly lucid speech by the Spanish delegate, who acted as “amiable compositeur” between the first-rate powers, it was only possible to reach agreement on policing when the latter took the lead. Indeed, the proposal presented by the Drafting Committee, which had been agreed on beforehand with France and Great

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<sup>41</sup> According to this delegate “l'internationalisation de la police n'ajouterait aucune garantie et aurait les plus grands inconvénients pratiques”: AMAE, *Conférence internationale sur le Maroc, Déclaration de S.E. Revoil, Délégué Plenipotentiaire de France, 5 mars 1906*.

<sup>42</sup> AMAE, *Conférence internationale sur le Maroc, Police marocain, Déclaration fut par Radowitz, premier Délégué d'Allemagne à la séance du Comité du 8 mars 1906*. According to the chief German delegate, the police in Morocco ought to be organised by the Sultan himself, albeit with authorisation to employ such foreign officers as he saw fit; moreover, in the view of this delegate a second-rate power ought to be assigned the task of “contrôle” or inspection regarding the way the service was to be organised.

<sup>43</sup> AMAE, *Conférence internationale sur le Maroc, Exposé des vues de la Délégation espagnole présenté par S.E.M. Pérez Caballero, 5 mars*.

<sup>44</sup> AGA. Africa. Morocco section. Box 41. File 3. *Crónica de la Conferencia...*, op. cit., pp. 160–161.

Britain and in which organisation of the police was to be entrusted to the Spanish and the French,<sup>45</sup> only secured the assent of Germany thanks to an amendment sponsored by the Austro-Hungarian delegation to the effect that inspection of all the Moroccan police should be entrusted to the Diplomatic Corps, with executive functions assigned to an Inspector-General from a minor power resident at Tangiers, more specifically an officer of the Swiss army.<sup>46</sup>

The final agreement on joint organisation of the police undoubtedly respected Spanish interests in that it acknowledged the special nature of its rights in an issue of prime importance for the security of its national territory if not its parity with respect to the rights of France. In fact Spain's responsibility regarding the sharing out of zones agreed on in 1904 would be altered and weakened in favour of France, for the terms of the Act limited instruction of police to Tetouan and Larache, while France was to take charge in Rabat and three other ports (Mazagan, Saffi and Mogador) not mentioned in the 1905 Agreement, while at Tangiers and Casablanca, both cities possessing international status, the corps of instructors would be mixed (Art. 12 of the Act).

#### *D) Results: the General Act of the Algeciras Conference*

The results of the Algeciras Conference were set out in the *General Act* of the Conference,<sup>47</sup> signed on 7 April 1906 by the delegates of twelve participating powers; the Moroccan delegation were unwilling to sign the Act on the ground that they lacked the Sultan's authorisation to do so. In view of this, an additional protocol was appended to the Act to the effect that all the signatory powers undertook to persuade the Makhzen to ratify its terms, which it finally agreed to do on 18 June 1906.

The Act's seven chapters mainly addressed the two issues hindering the European penetration of Morocco: the maintenance of security and internal order, and economic and financial reforms. As to the first of these, it regulated the organisation of a port police force manned by "Moroccan Muslims", whose training would be entrusted for five years to French and Spanish soldiers, on the alleged grounds that the French soldiers serving in Algeria and the Spanish soldiers serving in Spain's North African possessions were the most suited to the task. Hence, the Act acknowledged the special nature of France's and Spain's rights to jointly

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<sup>45</sup> AMAE, *Conférence internationale sur le Maroc, Police marocaine. Nouveau texte du Projet préparé par le Comité de Rédaction*.

<sup>46</sup> AMAE, *Conférence internationale sur le Maroc, Amendements proposés par la Délégation austro-hongroise au Projet préparé par le Comité de Rédaction* (art. VII).

<sup>47</sup> See AMAE, *Acta General de la Conferencia internacional de Algeciras*. The Spanish Ambassador at Paris was commissioned to convey certified copies of the Act to the Ministers of Foreign Affairs of the signatory powers: AMAE. Minute (dispatch no. 187, 16 May 1906). The Government's authorisation to ratify the Act of the Algeciras Conference can be found in the *Diario de Sesiones del Senado*, leg., 1905–1906, pp. 4577–4595 and 4613–4623. Spain's ratification of the Act was published in the *Gaceta de Madrid* of 2 January 1907.

organise the port police, an essential factor in assuring the safety of Europeans who proposed to do business from these eight beachheads. In addition, to ensure that the “technical” organisation of the police did not get in the way of free trade in Morocco by other powers, it was decided that the Diplomatic Corps at Tangiers should be put in charge of approving the police regulations, while the enforcement of these would be subject to inspection by a Swiss officer – that is, someone not belonging to either the French or the Spanish army but to a minor power with no colonial aspirations.

On the economic and financial front a number of measures were adopted to reorganise the Makhzen’s finances and increase its revenues. To that end, the Act of Algeciras opened the doors of the Sherifian empire to European financial capital. Firstly, the Act created a Moroccan State Bank with capital divided into fourteen portions, one for each of the signatory powers plus two to be taken up by France through the banking consortium which underwrote the French loan to the Sultan in 1904; thus France was assured special voting power on the Bank’s Board of Directors. Secondly, while the Act purported to augment the revenues of the Moroccan treasury by introducing a tobacco monopoly and a moderate increment of customs duties, these revenues would be collected through a “Special Fund” under European control, intended exclusively to finance public works for improvement of the ports. And finally, economic penetration was enshrined in a number of clauses with purposes ranging from guaranteeing the right of Europeans to acquire properties in the eight ports open to trade to guaranteeing European contractors the opportunity to tender for all public works, while further allowing maritime trade, both international and coastal, to be carried on by foreign vessels.

And lastly, the actual wording of the Act was designed to strengthen the role of this instrument as a multilateral agreement regulating the colonial interests of the European powers in Morocco, vis-à-vis any bilateral agreements between them. For instance, the Act of Algeciras ratified the validity of all previous agreements reached by the signatory powers *with Morocco* (thus voiding any treaties concluded by the signatory powers *among themselves*) while establishing an order of precedence between the Act and any other agreements signed by the European powers, since such agreements would only remain valid insofar as they did not contravene the terms of the Act, according to Article 123 of the latter. However, the French-Spanish Treaty of 1912 on the Protectorate would later set that provision aside, and with it the primacy of the Act. Indeed, under Article 28 of that Treaty, *all* prior agreements conflicting with it were repealed, with no distinction this time between agreements concluded *with Morocco* and those concluded among the other European powers, including the Act of Algeciras.<sup>48</sup>

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<sup>48</sup> The terms of Art. 28 of the French-Spanish Treaty of 1912 on the Protectorate can be found in J. López Oliván, *Legislación vigente en la Zona de Protectorado español en Marruecos*, (Legislación internacional), 4 vols., Madrid 1931, tomo I, p. 138.



## 2. The attitude of the political parties and public opinion to the Conference

The Algeciras Conference found no great echo in the press of the day, although admittedly no details of what was agreed were known and the Government made no effort to direct public opinion. The general mood expressed in the media regarding the Conference, then, was extraordinarily reserved, with little sign of concern at what commitments Spain might be acquiring at Algeciras. In any case partisan attitudes to Spanish colonial policy in Morocco were reflected in the opposing positions maintained by the political parties, which ranged from moderate interventionism to absolute isolationism.

Partisan opinion as aired in the press was aligned in two broad blocs, one around the monarchist and liberal parties and the other around the radical republican and socialist parties. The first bloc supported Spanish participation and expressed moderate optimism at the possible outcome of a Conference that should serve to guarantee peaceful penetration of Morocco, preventing this way a prejudicial internationalisation while serving Spanish interests in issues of crucial importance for the security of the national territory, such as recognition of the frontier in the Rif.<sup>49</sup> Military periodicals for their part were largely convinced of the need for the use of force in Morocco, as the only way to defend Spain's legitimate interests in North Africa, and considered the terms agreed at Algeciras otiose. The progressive press, on the other hand, came out against Spanish participation and downplayed the outcome of the Conference, only in this case focusing their critique on its bourgeois, oligarchic and imperialist nature.

These disparate attitudes to the Algeciras Conference reflected – implicitly or explicitly – at least two different views of the direction that Spanish foreign policy ought to take in the wake of the Disaster of 1898, one favouring only minor adjustments and one favouring a radical break. The continuist school still favoured securing and if possible augmenting Spain's presence in North Africa, whereas the second school (radical) argued for the definitive abandonment of any colonial adventure in Africa in general, and in Morocco in particular, and that all energies be concentrated on solving problems at home. As subsequent events would prove, it was the continuist view that prevailed.

## III. CONCLUSIONS

Examined with the detachment of a century's hindsight, the outcome of the Algeciras Conference was hardly satisfactory attending to the purpose of its calling. While it

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<sup>49</sup> The conservative daily *ABC* took the view that the Conference stood for the upholding of the *status quo* in Morocco and acknowledged Spain's rightful role as guarantor of the order established at Algeciras (see the article "De la Conferencia. Mirando al pasado", published on 9 April 1906), cited by M<sup>a</sup>.L. Molina Pérez, *El Norte de Marruecos: de la Conferencia de Algeciras...*, *op. cit.*, pp. 126–131, which describes an investigation of newspaper library, to which we remit.

was a means of avoiding a European war which seemed imminent in 1905, it failed to solve the problem of Morocco or to avert the outbreak of a second Moroccan crisis in 1911.<sup>50</sup> As noted above, its chief achievement was to ameliorate the crisis sparked among the major colonial powers of the day by German intervention in Morocco, thus repressing the latent conflict among the European powers which would finally break out in 1914. On the other hand, far from assuring the Sultan's sovereignty and the territorial integrity of his empire (the principal formal objective), the Algeciras Conference sanctioned the peaceful penetration of Morocco – largely economic – by the European powers at the expense of the independence of the Sherifian empire.<sup>51</sup>

As for Spain, aside from the prominence conferred by its status as Conference host, its actual role at Algeciras was that of a second-rate power, acting vicariously on behalf of the powers that were real players in the colonial partition of Morocco, particularly France. In fact Spain's diplomatic efforts were burdened by the political circumstances, both internal and external, under which Spain attended the Conference in the wake of the Disaster of 1898. But above all it was sidelined by the Franco-British colonial compromise, which defined the framework for a division of Morocco whereby Spain was forced to negotiate spheres of influence in Moroccan territory with France; these would later become a joint Protectorate, of which Spain did not secure the best part. Such a secondary role was consistent with the characteristics of the International Society of the time and of the legal system regulating it, which was essentially liberal and oligocratic, primarily conceived as a means of assuring stability as far as possible in the relations among the first-rate powers, and utterly indifferent to issues of equality among sovereign States.

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<sup>50</sup> The arrangement approved at Algeciras was overturned by events some years later; when the Sultan proved incapable of preventing internal rebellions, France landed an army at Fes and Spain did likewise at Larache and Alcazarquivir. Besides, the adoption of the 1912 Treaty on a Protectorate legally put an end to the primacy of the Act of Algeciras.

<sup>51</sup> As noted by J.M. Allendesalazar, who stressed that “la independencia de Marruecos había sido pues condenada a muerte por los países europeos y el Acta sólo intentaba regular un procedimiento, lo más ordenado y lento posible, para ejecutar la sentencia”: *La diplomacia española y Marruecos*, *op. cit.*, p. 32. For a less dramatic if equally pessimistic view of the outcome of the Conference see V. Morales Lezcano, who described the Act of Algeciras as a compromise formula, “auténtica  *fictio iuris*, consentida por el derecho internacional público de la época para velar la realidad de la irresistible penetración europea en su ámbito territorial”: *León y Castillo, Embajador (1887–1918), Un estudio sobre la política exterior de España*, 2ª ed., Gran Canaria 1998, p. 117.