



SOVEREIGNTY WITHOUT TERRITORY ? A SYMBOLIC SOVEREIGNTY PROPOSAL FOR GIBRALTAR

International Society gives rise to paradoxes in the relationship between some of the essential components of states: territory, sovereignty and borders. The paradoxes ‘State without Territory’, ‘Territory without Sovereignty’, ‘Territory without Borders’, and ‘Symbolic Sovereignty’ are referred. The contradictions or anomalies that these paradoxes express are reframed with the help of international law, but they also reflect a certain readjustment of the concepts or meanings of sovereignty and their exercise in the present.

In the case of Gibraltar, these examples can help us explore imaginative formulas of a symbolic nature that would allow for the dissociation of sovereignty, territoriality and the exercise of state or sovereign functions. Indeed, Brexit could be an opportunity to discuss new, unorthodox solutions for the specific and unique case of Gibraltar. The 2016 Spanish joint sovereignty proposal is probably not the right start for a solution. This paper thus proposes exploring new symbolic sovereignty formulas, such as a Principality in the Strait.

Specifically, this paper proposes a ‘City of the Two Crowns’ formula, i.e. an internationalized territory incorporated into the Crowns of Spain and the UK. This could reintegrate the Gibraltar territory currently under British jurisdiction into the Kingdom of Spain. The key would be the exercise of state functions, entrusted in practice to the UK and Gibraltar under the supervision of the EU and in coordination with Spain. Such an internationalized city would highlight the permanent desire to move away from the legal confrontation, in order to give priority to cross-border cooperation and consolidate a new internationalized border reality at the southern tip of the Iberian Peninsula and in the Straits.