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The last Colony: Beyond Dominant Narratives on the Western Sahara Roundtable

[This is one of seven pieces in Jadaliyya`s electronic roundtable on the Western Sahara. Moderated by Samia Errazzouki and Allison L. McManus, it features contributions from John P. Entelis, Stephen Zunes, Aboubakr Jamaï, Ali Anouzla, Allison L. McManus, Samia Errazzouki, and Andrew McConnell.]

Western Sahara is a sparsely-populated territory about the size of Italy, located on the Atlantic coast in northwestern Africa, just south of Morocco. Traditionally inhabited by nomadic Arab tribes, collectively known as *Sahrawis* and famous for their long history of resistance to outside domination, the territory was occupied by Spain from the late 1800s through the mid-1970s. With Spain holding onto the territory well over a decade after most African countries had achieved their freedom from European colonialism, the nationalist Polisario Front launched an armed independence struggle against Spain in 1973. This—along with pressure from the United Nations—eventually forced Madrid to promise the people of what was then still known as the Spanish Sahara a referendum on the fate of the territory by the end of 1975. The International Court of Justice (ICJ) heard irredentist claims by Morocco and Mauritania and ruled in October of 1975 that—despite pledges of fealty to the Moroccan sultan back in the nineteenth century by some tribal leaders bordering the territory, and close ethnic ties between some Sahrawi and Mauritanian tribes—the right of self-determination was paramount. A special visiting mission from the United Nations engaged in an investigation of the situation in the territory that same year and reported that the vast majority of Sahrawis supported independence under the leadership of the Polisario, not integration with Morocco or Mauritania.

During this same period, Morocco was threatening war with Spain over the territory and assembled over three hundred thousand Moroccans to march into Western Sahara to claim it as theirs regardless of the wishes of the indigenous population whose dialect, dress, and culture was very different than that of the Moroccan Arabs to their north. Though the Spaniards had a much stronger military during that time, they were occupied with the terminal illness of their longtime dictator, General Francisco Franco. At the same time, Spain was facing increasing pressure from the United States, which wanted to back its Moroccan ally, King Hassan II, and did not want to see the leftist Polisario come to power. As a result, Spain reneged on its promise of self-determination and instead agreed in November 1975 to allow for Moroccan administration of the northern two thirds of the Western Sahara and for Mauritanian administration of the southern third.

As Moroccan forces moved into Western Sahara, nearly half of the population fled into neighboring Algeria, where they and their descendants remain in refugee camps to this day. Morocco and Mauritania rejected a series of unanimous United Nations Security Council resolutions calling for the withdrawal of foreign forces and recognition of the Sahrawis` right of self-determination. The United States and France, meanwhile, despite voting in favor of these resolutions, blocked the United Nations from enforcing them. At the same time, the Polisario—which had been driven from the more heavily populated northern and western parts of the country—declared independence as the Sahrawi Arab Democratic Republic (SADR).

Thanks in part to the Algerians providing significant amounts of military equipment and economic support, Polisario guerrillas fought well against both occupying armies and defeated Mauritania by 1979, making them agree to turn their third of Western Sahara over to the Polisario. However, the Moroccans then annexed the remaining southern part of the country as well.

The Polisario then focused their armed struggle against Morocco and by 1982 had liberated nearly eighty-five percent of their country. Over the next four years, however, the tide of the war turned in Morocco`s favor thanks

to the United States and France dramatically increasing their support for the Moroccan war effort, with US forces providing important training for the Moroccan army in counter-insurgency tactics. In addition, the Americans and French helped Morocco construct a 1200-kilometer “wall,” primarily consisting of two heavily fortified parallel sand berms, which eventually shut off more than three quarters of Western Sahara—including virtually all of the territory`s major towns and natural resources—from the Polisario.

Meanwhile, the Moroccan government, through generous housing subsidies and other benefits, successfully encouraged thousands of Moroccan settlers—some of whom were from southern Morocco and of ethnic Sahrawi background—to immigrate to Western Sahara. By the early 1990s, these Moroccan settlers outnumbered the remaining indigenous Sahrawis by a ratio of more than two to one.

While rarely able to penetrate into Moroccan-controlled territory, the Polisario continued regular assaults against Moroccan occupation forces stationed along the wall until 1991, when the United Nations ordered a cease-fire to be monitored by a United Nations peacekeeping force known as MINURSO (United Nations Mission for the Referendum in Western Sahara). The agreement included provisions for the return of Sahrawi refugees to Western Sahara followed by a United Nations-supervised referendum on the fate of the territory, which would allow Sahrawis native to Western Sahara to vote either for independence or for integration with Morocco. Neither the repatriation nor the referendum took place, however, due to the Moroccan insistence on stacking the voter rolls with Moroccan settlers and other Moroccan citizens whom it claimed had tribal links to the Western Sahara. Secretary General Kofi Annan enlisted former US Secretary of State James Baker as his special representative to help resolve the impasse. Morocco, however, continued to ignore repeated demands from the United Nations that it cooperate with the referendum process, and French and American threats of a veto prevented the Security Council from enforcing its mandate.

The Stalled Peace Process

In 2000, the United States, under President Bill Clinton, successfully convinced Baker and Annan to give up on efforts to proceed with the referendum as originally agreed by the United Nations ten years earlier and instead, accept Moroccan demands that settlers be allowed to vote on the fate of the territory along with the indigenous Sahrawis. Eventually, Baker came up with a proposal whereby both the Sahrawis and the Moroccan settlers would be able to vote in the referendum, but the plebiscite would take place only after Western Sahara experienced significant autonomy under Sahrawi-elected leaders for a five-year period prior to the vote. Independence would be an option on the ballot for the referendum and the United Nations would oversee the vote and guarantee that advocates of integration and independence would both have the freedom to campaign openly. The United Nations Security Council approved the Baker plan in the summer of 2003.

Under considerable pressure, Algeria and, eventually, the Polisario, reluctantly accepted the new plan, but the Moroccans —unwilling to allow the territory to enjoy even a brief period of autonomy and risk the possibility that they would lose the plebiscite—rejected it. Once again, the United States and France blocked the United Nations from pressuring Morocco to comply with its international legal obligations and Baker resigned.

In what was widely interpreted as rewarding Morocco for its intransigence, the Bush administration subsequently designated Morocco as a “major non-NATO ally,” a coveted status then granted to only fifteen key nations, such as Japan, Israel, and Australia. The following month, the Senate ratified a free trade agreement with Morocco, making the kingdom one of only a half dozen countries outside of the Western hemisphere to enjoy such a close economic relationship with the United States, though—in a potentially significant precedent—Congress insisted that it not include products from the Western Sahara.

US aid to Morocco increased five-fold under the Bush administration, ostensibly as a reward for the kingdom undertaking a series of neoliberal “economic reforms” and to assist the Moroccan government in “combating terrorism.” While there has been some political liberalization within Morocco in recent years under the young King Mohammed VI, who succeeded to the throne following the death of his father in 1999, gross and systematic human rights violations in the

occupied Western Sahara continue unabated, with public expressions of nationalist aspirations and organized protests against the occupation and human rights abuses routinely met with severe repression.

The Significance of the Struggle for Self-Determination

The Sahrawis have fought for their national rights primarily by legal and diplomatic means, not through violence. Even during their armed struggle against the occupation, a conflict that ended over twenty years ago, Polisario forces restricted their attacks exclusively to the Moroccan armed forces, never targeting civilians.

The lack of resolution to the Western Sahara conflict has important regional implications. It has encouraged an arms race between Morocco and Algeria and, on several occasions over the past three decades, has brought the two countries close to war. Perhaps even more significantly, it has been the single biggest obstacle to a fuller implementation of the goals of the Arab Maghreb Union—consisting of Morocco, Algeria, Libya, Tunisia, and Mauritania—to pursue economic integration and other initiatives that would increase the standard of living and political stability in the region. The lack of unity and greater coordination between these nations and their struggling economies has contributed to a dramatic upsurge in illegal immigration to Europe and the rise of radical Islamist movements.

Nearly half of the Sahrawi population lives in exile in the desert of western Algeria in refugee camps under Polisario administration. The one hundred fifty thousand Sahrawis living in these desert camps are largely self-governing. Demonstrations and strikes in the late 1980s forced the Polisario to democratize the governance of the camps, where they maintain a functional, if barely subsistent, economy. Though devoutly Muslim, Sahrawi women are unveiled and enjoy equal rights with men regarding divorce, inheritance, and other legal matters. Sahrawi women also hold major leadership positions in the Polisario and the Sahrawi Arab Democratic Republic (SADR), including posts as cabinet ministers. Some observers note the irony that while France and the United States claim to seek the establishment of such democratic governance throughout the Arab and Islamic world, they have contributed greatly to the failure of the Sahrawis to establish such a democratic system outside these refugee camps by supporting the occupation of their country by an autocratic monarchy.

Over the past three decades, the SADR has been recognized as an independent country by more than eighty governments, though some have subsequently withdrawn their recognition, mostly under French pressure. The SADR has been a full member state of the African Union (formerly the Organization for African Unity) since 1984. By contrast, with only a few exceptions, the Arab states—despite their outspoken opposition to the Israeli occupation of Palestinian and Syrian land—have supported Morocco`s occupation of Western Sahara. The United Nations still formally recognizes Western Sahara as a non-self-governing territory, making it Africa`s last colony

With Morocco`s rejection of the Baker Plan and threats of a French veto of any Security Council resolution that would push Morocco to compromise, a diplomatic settlement of the conflict looks highly unlikely. With Morocco`s powerful armed forces protected behind the separation wall and Algeria unwilling to support a resumption of guerrilla war, the Polisario appears to lack a military option as well.

Morocco’s “Autonomy” Plan

As an alternative to a referendum, Morocco proposed an autonomy plan for Western Sahara in 2006, for which it has been vigorously working to gain international support. The Polisario and most of the international community have rejected the proposal on the grounds that it is based on the assumption that Western Sahara is part of Morocco rather than an occupied territory, and that Morocco is somehow granting part of its sovereign territory a special status. To accept Morocco`s autonomy plan would mean that, for the first time since the founding of the UN and the ratification of the UN Charter, the international community would be endorsing the expansion of a country`s territory by military force, thereby establishing a very dangerous and destabilizing precedent. Nevertheless, the Moroccan proposal was immediately endorsed by France, as well as the Bush administration, former US Secretary of State Hillary Clinton, and a bipartisan majority of the US Senate.

If the people of Western Sahara accepted an autonomy agreement over independence as a result of a free and fair referendum, it would constitute a legitimate act of self-determination. However, Morocco has explicitly stated that its

autonomy proposal “rules out, by definition, the possibility for the independence option to be submitted” to the people of Western Sahara, the vast majority of whom favor outright independence.

International law aside, there are a number of practical concerns regarding the Moroccan proposal. For instance, centralized autocratic states have rarely respected the autonomy of regional jurisdictions, which has often led eventually to violent conflict, such as in Eritrea and Kosovo. Moreover, the Moroccan proposal contains no enforcement mechanisms. Morocco has often broken its promises to the international community, such as in its refusal to allow the UN-mandated referendum for Western Sahara to go forward. Indeed, a close reading of the proposal raises questions about how much autonomy Morocco is even initially offering, such as whether the Western Saharans will control the territory`s natural resources or law enforcement beyond local matters. In addition, the proposal appears to indicate that all powers not specifically vested in the autonomous region would remain with the kingdom. Indeed, since the king of Morocco is ultimately vested with absolute authority under Article 42 of the Moroccan Constitution, the autonomy proposal`s insistence that the Moroccan state “will keep its powers in the royal domains, especially with respect to defense, external relations, and the constitutional and religious prerogatives of His Majesty the King” appears to give the monarch considerable latitude in interpretation.

Civil Resistance in the Occupied Territory

As happened during the 1980s in both South Africa and the Israeli-occupied Palestinian territories, the locus of the Western Sahara freedom struggle has shifted during the past decade from the military and diplomatic initiatives of an exiled armed movement to a largely unarmed popular resistance from within. Young activists in the occupied territory and even in Sahrawi-populated parts of southern Morocco have confronted Moroccan troops in street demonstrations and other forms of nonviolent action, despite the risk of shootings, mass arrests, and torture. Sahrawis from different sectors of society have engaged in protests, strikes, cultural celebrations, and other forms of civil resistance focused on such issues as educational policy, human rights, the release of political prisoners, and the right to self-determination. They also raised the cost of occupation for the Moroccan government and increased the visibility of the Sahrawi cause. Indeed, perhaps most significantly, civil resistance helped to build support for the Sahrawi movement among international NGOs, solidarity groups, and even sympathetic Moroccans.

Internet communication became a key element in the Saharawi movement, with public chat rooms evolving as vital centers for sending messages, as breaking news regarding the burgeoning resistance campaign reached those in the Sahrawi diaspora and international activists. Despite attempts by the Moroccans to disrupt these contacts, the diaspora has continued to provide financial and other support to the resistance. Though there have been complaints from inside the territory that support for their movement by the older generation of Polisario leaders was inadequate, the Polisario appears to have recognized that by having signed a cease-fire and then having had Morocco reject the diplomatic solution expected in return, it has essentially played all its cards. So there has been a growing recognition that the only real hope for independence has to come from within the occupied territory in combination with solidarity efforts from global civil society.

After the Moroccan authorities’ use of force to break up the large and prolonged demonstrations in 2005-2006, the resistance subsequently opted mainly for smaller protests, some of which were planned and some of which were spontaneous. A typical protest would begin on a street corner or a plaza where a Sahrawi flag would be unfurled, women would start ululating, and people would begin chanting pro-independence slogans. Within a few minutes, soldiers and police would arrive, and the crowd would quickly scatter. Other tactics have included leafleting, graffiti (including tagging the homes of collaborators), and cultural celebrations with political overtones. Such nonviolent actions, while broadly supported by the people, appear to have been less a part of coordinated resistance than a result of action by individuals. Still, the Moroccan government’s regular use of violent repression to subdue the Sahrawi-led nonviolent protests suggests that civil resistance is seen as a threat to Moroccan control. There have been some small victories, such as the successful campaign which led to Sahrawi nonviolent resistance leader Aminatou Haidar securing the 2008 Robert F. Kennedy Human Rights Award, as well as forcing Moroccan authorities to reverse their expulsion order in December 2009, which resulted in her near-fatal thirty-day hunger strike.

Furthermore, as inadequate as the Moroccan autonomy proposal may be, it nevertheless constitutes a reversal of Morocco's historical insistence that Western Sahara is as much a part of Morocco as other provinces, by acknowledging that it is indeed a distinct entity. Protests in Western Sahara in recent years have begun to raise some awareness within Morocco, especially among intellectuals, human rights activists, pro-democracy groups, and some moderate Islamists – long suspicious of the government line in a number of areas – that not all Sahrawis see themselves as Moroccans, that it is not simply an Algerian plot, and that there exists a genuine indigenous opposition to Moroccan rule.

In the occupied territory, Moroccan colonists and collaborators are given preference for housing and employment and the indigenous people receive virtually no benefits from their country's rich fisheries and phosphate deposits. In September 2010, in a precursor to the "Arab Spring," Sahrawi activists erected a tent city about fifteen kilometers outside of Laayoune, the former colonial capital and largest city in the occupied territory. Since any protests calling for self-determination, independence, or enforcement of UN Security Council resolutions are brutally suppressed, the demonstrators pointedly avoided such provocative calls, instead simply demanding economic justice. Even this was too much for the Moroccan monarchy, which was determined to crush this nonviolent act of mass defiance. The Moroccans tightened the siege in early October, attacking vehicles bringing food, water, and medical supplies to the camp, resulting in scores of injuries and the death of a fourteen-year old boy. Finally, on 8 November, the Moroccans attacked the camp, driving protesters out with tear gas and hoses, beating those who did not flee fast enough, and killing as many as two dozen people. In response, violent anti-occupation rioting erupted, resulting in the first Moroccan fatalities at the hands of Sahrawis since the 1991 ceasefire. This then triggered the burning and pillaging of Sahrawi homes and shops and the shooting and arresting of suspected activists, some of whom were charged with treason and hauled before military courts.

One of the obstacles to the internal resistance is that Moroccan settlers outnumber the indigenous population by a ratio of more than three to one and by more in the major cities, making certain tactics used effectively in similar struggles more problematic. For example, although a general strike could be effective, the large number of Moroccan settlers, combined with the minority of indigenous Sahrawis who oppose independence, could likely fill the void resulting from the absence of much of the Sahrawi workforce. Although that might be alleviated by growing pro-independence sentiments among ethnic Sahrawi settlers from the southern part of Morocco, it still presents challenges that have not been faced by largely nonviolent struggles in other occupied lands–among them East Timor, Kosovo, and the Palestinian territories.

Earlier this month, the United States, for the first time, included renewing the mandate of MINURSO, a provision giving the UN peacekeepers the authority to monitor the human rights situation in both the Moroccan-occupied Western Sahara and the Polisario-administered refugee camps, in its draft of the biannual UN Security Council resolution. Currently, MINURSO is the only UN peacekeeping operation in the world without a human rights mandate. Under pressure from Morocco, France, and some pro-Moroccan sectors of the Obama administration and Congress, the United States dropped the human rights provisions in the resolution renewing MINURSO.

In response, recent weeks have witnessed some of the largest demonstrations in the history of the occupation, despite ongoing repression by Moroccan occupation forces.

Morocco has been able to persist in flouting its international legal obligations toward Western Sahara largely because France and the United States have continued to arm Moroccan occupation forces and block the enforcement of resolutions in the UN Security Council demanding that Morocco allow for self-determination or even simply allow human rights monitoring in the occupied country. So now, at least as important as nonviolent resistance by Sahrawis, is the potential of nonviolent action by the citizens of France, the United States, and other countries that enable Morocco to maintain its occupation. Such campaigns played a major role in forcing Australia, Great Britain, and the United States to end their support for Indonesia's occupation of East Timor, finally enabling the former Portuguese colony to become free. The only realistic hope to end the occupation of Western Sahara, resolve the conflict, and save the vitally important post-World War II principles enshrined in the United Nations Charter, which forbid any country from expanding its territory through military force, may be a similar campaign by global civil society.