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Sovereignty on Borrowed Territory: Sahrawi Identity in Algeria

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Sahrawi Identity in Algeria

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Situated in blistering heat, exposed to blinding sandstorms, and surrounded by miles of desert, four refugee camps have stubbornly emerged as the embryo of a modern nation-state. Located in the southwest corner of Algeria, the camps highlight the resilience of the Sahrawi people as well as the intractability of the protracted Western Sahara conflict. This article will begin with a brief overview of the pivotal moments in this conflict. It will subsequently argue that, since the Moroccan invasion in 1975, three fundamental factors have enabled the Sahrawis to sustain their struggle for national independence against great odds. First, Algeria's sponsorship of the Polisario, the Sahrawi national liberation front, has facilitated the movement's strategy of transforming the Sahrawi refugee camps on its territory into models of a future nation-state. Second, the favorable environment created by the Algerian position granted the Sahrawis a free hand to establish Sahrawi state and civil institutions in the camps, albeit on "borrowed" Algerian territory. This entailed everyday practices and interactions within and among these institutions, transforming "refugees" into virtual citizens of a Sahrawi state-in-exile and entrenching a sense of belonging to a unified Sahrawi nation. Last, the ongoing Sahrawi

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Intifada, or uprising, in the Moroccan-occupied Western Sahara has proved crucial in reawakening national consciousness both within and outside the territory.

Nonetheless, the mere survival of indigenous struggles amounts neither to a victory nor a durable solution. This article argues that the aforementioned factors were insufficient to resuscitate the decolonization process in the Western Sahara, which began with the withdrawal of Spanish troops in 1976 but did not lead to self-determination. In fact, the United Nations (UN) General Assembly had “urgently” requested Spain to “take immediately all necessary measures for the liberation of the Territory of Ifni and Spanish Sahara from colonial domination” as early as 1965.¹ However, all international efforts aimed at achieving decolonization and a peaceful resolution to the conflict thus far have failed. These include the 1991 UN Settlement Plan and the 1997 Houston Accords, brokered by UN Special Envoy James Baker, which were signed by both parties. These agreements established a timetable for the referendum, whereby Sahrawis would choose either to integrate with Morocco or to establish full independence. To that end, a ceasefire was declared in 1991, and a UN Mission for the Referendum in Western Sahara (MINURSO) was stationed in the region to monitor the agreement and to supervise the referendum scheduled for the following year.

Moroccan forces, however, obstructed the voting procedures. A detailed report published in 1995 by Human Rights Watch confirms that Morocco, “which is the stronger of the two parties

both militarily and diplomatically, has regularly engaged in conduct that has obstructed and compromised the fairness of the referendum process.” Both parties had agreed that the Spanish census of 1974 would serve as the basis for eligible voters, but Morocco insisted on less restrictive criteria, which it manipulated to register ineligible voters it claimed were Sahrawis. As the Report explained:

Just prior to the October 25, 1994 deadline for submission of applications by the parties, Morocco submitted 120,000 additional applications Testimony from members of the MINURSO identification commission indicates that many of the applicants proposed by Morocco and identified so far have no documents proving links to the Western Sahara, do not speak the Hassaniya dialect of the region, are not familiar with the tribal structure of the region, and have clearly memorized answers to the factual and biographical questions posed by the identification commission. Because each and every applicant is individually interviewed, frivolous applications slow down the identification process.²

Since then, Morocco has consistently rejected all proposals to hold a referendum that includes the option of independence. Yet, such a free vote is at the core of Sahrawi demands and a non-negotiable tenet of their liberation movement; thus, the conflict remains deadlocked.

Historical Overview. Located near the northwest corner of Africa, just south of Morocco, Western Sahara was a Spanish colony for almost a century (1884-1975). Analogous to Indonesia's actions in East Timor, when Spain was about to withdraw from Western Sahara in 1975, Morocco and Mauritania both made claims of historic pre-colonial sovereignty over the territory. A UN Inquiry Mission concluded on 15 October 1975, however, that the majority of the territory's inhabitants aspired for independence and viewed the Polisario as their political representation. Moreover, the following day, the International Court of Justice (ICJ) released a legal opinion regarding the issue of sovereignty in Western Sahara.

According to writer and journalist Tony Hodges, as soon as the ICJ published its conclusions, Morocco's King Hassan II addressed the nation, declaring that the court actually had buttressed the kingdom's sovereignty claim. Therefore, in November 1975 he rallied volunteers for a "Green March," alluding to the revered color of Islam, to converge on the territory. While the thousands of unarmed marchers gathered in Tarfaya, a southwest Moroccan border town, units of the Moroccan Royal Armed Forces quietly moved into the Western Sahara from the northeast to occupy posts evacuated by the Spanish. Pressure from Morocco, France, and the United States forced a turnaround of the remaining Spanish

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The court unequivocally rejected both Morocco's and Mauritania's claims of sovereignty and stated that it had "not found legal ties of such a nature as might affect the application of General Assembly Resolution 1514 (XV) in the decolonization of Western Sahara and, in particular, of the principle of self-determination through the free and genuine expression of the will of the peoples of the Territory."³ This resolution, passed on 14 December 1960, declared: "All peoples have the right to self-determination; by virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development."⁴

troops, who did little to resist the invasion. Although Spain had confirmed its intentions to hand over administrative power of the territory to a Polisario-led government just weeks prior, it had surreptitiously negotiated the Madrid Accords, which partitioned administrative control of the area between Morocco and Mauritania.⁵ The accords, however, were not recognized by the United Nations, and no country has yet to recognize Morocco's territorial claims.⁶

The Polisario, which formed on 10 May 1973 to lead the anti-colonial struggle against Spanish rule and had rallied the people of Western Sahara around its objectives of liberation and independence, was now dragged into a

protracted conflict with both Morocco and Mauritania. The latter, unable to withstand Sahrawi guerrilla tactics, forged a peace agreement with the Polisario in 1979 and withdrew from its occupied territory. With military support from Western countries, particularly the United States and France, Morocco hastened to fill the vacuum and secured the western two-thirds of the territory. The Polisario maintained control over the remaining third.

The National Project on Borrowed Territory.

The subsequent war (1975-1991) involving Morocco, Mauritania, and the Polisario propelled a mass exodus of Sahrawis eastward into the Algerian desert, where they established refugee camps. Algeria granted the Polisario the freedom to run the camps without interference, allowing the Sahrawis to establish a modern institutional framework for governing. On 27 February 1976 the Polisario declared the Sahrawi Arab Democratic Republic (SADR) as a state-in-exile. SADR became a voting member of the African Union and received recognition from over seventy states. The Polisario defined SADR as "a free, independent, sovereign State . . . and its sphere of legitimate action is currently limited to these refugee camps situated in this area, Algerian territory which has been ceded to the SADR, and the liberated areas of Western Sahara."⁷

SADR, however, lacks perhaps the most vital feature of sovereignty: national territory. According to North African specialist George Joffe, territorial sovereignty has proven critical in defining the state.⁸ If territorial markers of modern nation-states

are meant to distinguish citizens from "foreigners"—that is, citizens of other nation-states—and to foster "national belonging" within their territories, the experience of living in Sahrawi camps has left an indelible mark on Sahrawi political identity that replicates that of a sovereign nation-state. One may trace the genesis of contemporary Sahrawi national consciousness to the latter half of the twentieth century, when Western Sahara was still under Spanish rule. Rather than abating, the processes that foster national belonging were entrenched during and after the war. Undoubtedly, Algeria's unique relationship with the Sahrawis assisted the Polisario in its aims to consolidate its national project: Algeria opened its borders and championed the Sahrawi cause in line with its historical role of supporting anti-colonial movements. Its stance, however, was also motivated by fears that Morocco was reviving its historical territorial ambitions to create "Greater Morocco," which include parts of Algeria.⁹

As explained by Khatri Addu, the *wali* (governor) of the Smara province, the relationship between the Polisario and Algeria is perhaps unparalleled in history.¹⁰ SADR has jurisdictional powers and political sovereignty within the camps until the repatriation of the Sahrawis to Western Sahara. The camps operate under a separate Sahrawi legal system, rather than under Algerian laws; if a crime is committed within camp boundaries, the Sahrawi police investigate and report it to the Sahrawi courts, and the perpetrator goes to a Sahrawi prison if found guilty. Addu noted that "the land is where sovereignty is embodied, where

Sahrawis live by *their* laws.”¹¹ Even food rations from international humanitarian organizations are distributed by local committees according to specific Sahrawi rules. Checkpoints at the borders, manned by Sahrawi and Algerian soldiers, are visible signs that separate areas of jurisdiction and sovereignty exist. Moreover, physical landmarks, such as SADR’s ministries and departments, are marked with the Sahrawi flag, a symbol of a sovereign state. Sahrawi passports, although not recognized abroad, were issued to underscore and to symbolize Sahrawi citizenship. Mr. Addu expressed what other refugees and visitors feel when in the camps when he noted that within camp borders, he absolutely does not feel as if he is in Algerian territory.

tribal identification became taboo.¹³

Sahrawis often point to their successful establishment of administrative and political institutions as proof that they could run their own state upon repatriation. The framework for SADR, which characterizes itself as a democratic state-in-exile, is embodied in their constitution, which holds all citizens as equal before the law. The Sahrawi congress is made up of elected representatives of “popular councils,” a National Congress, and a judicial body for each district. Camps are run at the levels of *wilayas* (provinces), *dairas* (municipalities), and *ahya’* (districts). Travel within and between camps reflects the procedural norms and territorial divisions that exist within a sovereign nation-state.

The Intifada reawakened nationalist sentiments in the refugee camps, provided another focus of struggle, and re-established the links between the refugees and the Sahrawis in the Territory.

During its second Congress in 1974, the Polisario adopted a “program of national action,” which delineated the organization’s chief short- and long-term goals: national liberation and independence with effective participation of the masses.¹² The program, implemented from the bottom-up through local committees, emerged as the blueprint for the new society. Efforts were made to educate, organize, and prepare the refugees as citizens for the future polity in Western Sahara. To ensure that old tribal hierarchies or schisms did not threaten the collective national effort, public expressions of

Over time, Sahrawi efforts to establish a de facto nation-state through their own political institutions have transformed the right to self-determination from an abstract political slogan into an entrenched daily practice. It is reinforced by social relationships and the everyday encounters with SADR’s refugee bureaucrats and officials, entwining SADR with the refugees and rendering the boundaries between them porous. These everyday interactions and symbols of the state constitute and are constituted by what the Sahrawis dub “new traditions of citizenship.”

The Sahrawi Intifada. Since May 2005, Sahrawi protests within Western Sahara escalated dramatically, and so did Morocco's heavy-handed response. The Moroccan state regards Sahrawis who support the Polisario or call for independence as "traitors" and "separatists," because it does not recognize them as non-Moroccan citizens. Significantly, the May demonstration in al-Ayoun, the would-be-capital of an independent Western Sahara, was subsequently known as the "independence demonstration." The slogans which the Sahrawis have adopted ever since embody their political objectives, such as *la badeel la badeel*, 'an taqreer al maseer, translating to "No alternative to self-determination," and *al Maghreb barra barra, u Sahra hurra hurra*, meaning, "Out with Morocco, Sahara is free."

In late 2005, Human Rights Watch issued a report on Moroccan violations committed against Sahrawi human rights activists. Stories of torture began to leak out, including sexual abuse and imprisonment in the infamous *Carcel Negra* ("Black Prison") in al-Ayoun. So did the stories of Moroccan soldiers breaking into the homes of activists and threatening their families. For example, the RFK Center for Justice and Human Rights reported that, on 8 October 2009, seven prominent Sahrawi human rights activists were detained at Casablanca airport and "disappeared" after a visit to the refugee camps in Algeria.¹⁴

These harsh measures, meant to stifle the uprising, had the reverse effect of catapulting civil society into collective action. The protests turned into a widespread popular movement, adopting non-violence as its strategy and calling for independence and respect for

human rights. The protests, in which women and students played a vital role, spread across the occupied territories, reaching cities such as Dakhla, Smara, Boujdour, and even southern Morocco. Although the Moroccan government had imposed a media blockade on the territory, the news travelled far and beyond the Moroccan-fortified sand wall that cuts Western Sahara from the north all the way to the Mauritanian border.

The *Intifada* reawakened nationalist sentiments in the refugee camps, provided another focus of struggle, and re-established the links between the refugees and the Sahrawis in the Territory. However, it also animated the debate regarding the utility—some say futility—of political negotiations that have dragged on for years. The apparent ineffectiveness of these talks has caused some, especially the Sahrawi youth, to believe that the resumption of the armed struggle might be the only remaining option.

The Internet and social networking have played an essential role in disseminating news, especially among younger generations. The news of the *Intifada* is broadcasted almost instantaneously. Acting as rallying calls for their movement, Sahrawi torture victims, protesters carrying Sahrawi flags, and mass demonstrators are often captured on tape, which is disseminated to the Sahrawi cyber community and its supporters.

In contrast to the diplomatic lethargy, the economic life in camps reflects what many Sahrawis refer to as "globalization" or "Perestroika" (openness): expanding and vibrant mercantile activities, resulting in growing informal markets in the camps; transnational

social and economic networks; and easier communication and access to the wider world through mobile phones and television, run by solar batteries. These processes have led some to question if socioeconomic transformation might pose a challenge to the struggle for self-determination. Globalization and nation-building, however, are not necessarily antithetical processes; they interact and coexist. In fact, informal markets have generated income for some refugee households, while mobile phones and second-hand cars help break the isolation of camps and shrink distances between communities. The Polisario has also used several aspects of globalization to its advantage; for example, SADR celebrated its first television broadcasting service in the summer of 2009. Although the Polisario has thus far failed to achieve its goals for independence, it has skillfully used the diplomatic hiatus to widen the scope of the party's influence and institutions.¹⁵

Conclusion. In the above discussion, one can identify three main factors as crucial elements that have enabled the indigenous people of Western Sahara to sustain their struggle for independence. These include structural and subjective factors, such as Algerian sponsorship of the Polisario's national strategy, in which Sahrawi refugees *became* citizens of a "state-in-exile," and the establishment of self-determination as a marker of collective identity. The aforementioned factors, along with the *Intifada* and an informal economy, helped to thwart the alienation of the movement's leadership from the rank-and-file and have deterred refugees from accepting Moroccan sovereignty.

While these factors may have sustained the Sahrawi national struggle, thus far the Sahrawi national liberation movement has not achieved its objectives of self-determination. As in many conflicts, the political situation in Western Sahara is vulnerable to the influences and interests of powerful states. Following the most recent round of negotiations held on 10 February 2010 in Armonk, New York, Christopher Ross, Special Envoy of the UN Secretary General for Western Sahara, told reporters that no progress was made other than a commitment to continue negotiations. During the meetings, Morocco submitted an autonomy plan it considers generous, which considers granting the Sahrawis substantial control to manage their local affairs. This Moroccan proposal was presented as part of a larger Moroccan plan for large-scale structural reforms and a "regionalization process" in all of Morocco. But herein lies the crux of the problem: whether substantial or limited, the autonomy plan is premised on the Moroccan view that Western Sahara is its "southern province." However, as explained earlier, under international law Western Sahara is not under Moroccan sovereignty but rather is listed by the UN as a non-self-governing territory. Therefore, for the Polisario, the autonomy plan is unacceptable in principle. To date, the Sahrawi negotiators have adhered to international legality: the right to self-determination as expressed in a *free* Sahrawi referendum that includes the option of independence. Interestingly, as early as 2003, former U.S. Secretary of State James Baker had submitted a proposal based

on four years of autonomy followed by a referendum on self-determination. The Polisario accepted the proposal, but because Baker's plan included the option of independence, Morocco rejected it.

Political scientist Stephen Zunes examined Morocco's autonomy plan and emphasized that it assumes that Western Sahara is an integral part of Morocco—a claim long rejected by the United Nations, the ICJ, the African Union, and broad international legal opinion. He observed that if accepted it would mean that, for the first time since the founding of the UN, the international community would sanction territorial expansion through military force, thereby establishing "a very dangerous and destabilizing precedent."¹⁶

This resonates with what a high-level Polisario official has stated in unambiguous terms: "[n]egotiations for a peace settlement could commence seriously only when Morocco recognizes that its autonomy plan is obsolete."¹⁷

The international community has affirmed time and again the Sahrawi right to self-determination, and a free and fair referendum that includes the option of independence remains the only durable solution guaranteeing stability in the region. The Sahrawis have respected the current ceasefire for fifteen years and expressed their desire to avoid armed conflict. If Morocco does not concede independence as a viable option, however, the Saharan sands may shift again with unpredictable consequences.

NOTES

1 U.N. General Assembly, 20th Session. "Resolution 2072 [Question of Ifni and Spanish Sahara]." 16 December 1965, Internet, <http://daccess-dds-ny.un.org/doc/RESOLUTION/GEN/NRO/218/35/IMG/NRO21835.pdf?OpenElement>.

2 Human Rights Watch, "Keeping it Secret, The United Nations Operations in Western Sahara," 7, no. 7 (October 1995), Internet, <http://www.hrw.org/legacy/reports/1995/Wsahara.htm>.

3 Tony Hodges, *Western Sahara: The Roots of a Desert War* (Westport: Lawrence Hill, 1983), 210.

4 U.N. General Assembly, 947th Plenary Meeting. "Resolution 1514 [Declaration on the Granting of Independence to Colonial Countries and Peoples]." 12 December 1960, Internet, <http://www.gibnet.com/texts/un1514.htm>.

5 Hodges, *Western Sahara*, 210–228.

6 Yahia H. Zoubir, "The Geopolitics of the Western Sahara Conflict," in *North Africa, in Transition: State, Society, and Economic Transformation in the 1990s* (Gainesville: University Press of Florida, 1999), 196.

7 SADR, "Proclamation of the Sahrawi Arab Democratic Republic," *Bir Lahlou*, 27 February 1976, Internet <http://www.arso.org/03-1.htm> (date accessed: 10 October 2009).

8 George Joffe, "International Court of Justice and the Western Sahara," *War and Refugees: The Western Sahara Conflict*, eds. Richard Lawless and Laila Monahan (London and New York: Pinter Publishers, 1987), 21.

9 Yahia H. Zoubir and Karima Benabdallah-Gambier, "Morocco, Western Sahara and the Future of the Maghreb," *The Journal of North African Studies*, 9, no. 1 (Spring 2004): 66.

10 Khatri Addu, Governor of Smara camp, interview with the author, SADR Smara camp, Algeria, May 2009.

11 Addu, interview with the author, 2009.

12 Hodges, *Western Sahara*, 163.

13 Based on extensive field research in camps by author. See also Barbara Harrell-Bond, "The Struggle for the Western Sahara: Part III," *American Universities Field Staff Reports*, 39 (1981): 8.

14 RFK Center for Justice and Human Rights, "RFK Urges Moroccan Authorities to Ensure Due Process of 7 Arrested Sahrawi Advocates," Internet, <http://www.rfkcenter.org/node/38510/9/2009> (date accessed: 13 October 2009).

15 Jacob Mundy, "Western Sahara between Autonomy and Intifada," *Middle East Report Online*, Internet, <http://www.merip.org/mero/mero031607.html> (date accessed: 10 October 2009).

16 Stephen Zunes, "The Future of Western Sahara," *Foreign Policy in Focus*, 20 July 2007.

17 Abdelmajid, "Sahrawis Need Bargaining Power," *Libre Opinion(e)s*, Internet, <http://saharaopinions.blogspot.com/2009/07/sahrawis-need-bargaining-power.html> (date accessed: 10 October 2009). This information was also obtained through personal communications with the author.

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