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Conflict Stalemate in Morocco and Western Sahara: Natural Resources, Legitimacy and Political Recognition

NATASHA WHITE*

ABSTRACT *This article addresses the role of natural resources in the protracted conflict between Morocco and Western Sahara. Drawing from literatures of political ecology and political science, the article argues that natural resources have been deeply implicated in the conflict over time, with resource-related developments lending legitimacy to each party in different ways. The complex political economy of resource exploitation and the associated geopolitical enjeux have led to the de facto recognition of Morocco's occupation, and the symbolic aspects of natural resources have lent the Sahrawi cause legitimacy and an important node around which allies can be mobilised. That sovereignty is contested has facilitated a discourse in a different, more powerful way than when it is not in question, particularly in the Sahrawi's capacity to invoke international law to support their case. Drawing on the cases of South Sudan and Indonesia, the article ends with a brief discussion of the potential of the region's high-value resources for peace-making activities.*

1. Introduction

In 1975, Morocco took control of a major portion of the Western Sahara, a 266,000 km² desert territory lying to its south. Of the following 39 years, 16 have been characterised by armed conflict and 23 by the contestation of Morocco's claims to *de jure* sovereignty over the territory, officially recognised by no other state. Nearly half of the native Sahrawi¹ population have lived in refugee camps in the region of Tindouf, south-west Algeria since 1976; those remaining in the 'occupied territories' face a ratio of three Moroccans to every one Sahrawi,² ongoing human rights abuses from Moroccan authorities and heavy censorship.³ The conflict has also come at great cost to Morocco: the occupation is a huge

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¹ For the purpose of this article, the terms Sahrawi and Western Saharan will be used interchangeably.

² J.J.P. Smith, 'The Plundering of the Sahara: Corporate Criminal and Civil Liability for the Taking of Natural Resources from Western Sahara', Independent Opinion, University of Ottawa, 2011, <http://arso.org/PlunderingoftheaharaSmith.pdf>.

³ This information was retrieved from various Human Rights Watch reports published on their website. Accessed May 2014, here: <http://www.hrw.org/middle-eastn-africa/morocco/western-sahara>.

economic drain on its national development and many Moroccans have faced kidnapping and torture by the Polisario Front, a pro-independence movement created by indigenous Sahrawis and backed by Algeria.⁴ As far as the United Nations (UN) goes, its inability to resolve the conflict, despite the presence of its monitoring-turned-peacekeeping mission MINURSO since 1991, has seriously undermined its credibility.⁵ Meanwhile, Morocco and a number of transnational corporations (TNCs) continue to exploit the territory's rich natural resource base, in violation of international law.

Western Sahara was placed on the UN's list of non-self-governing territories in 1963 and has often been touted as 'the world's last colony'.⁶ Negotiations have since pivoted around the indigenous population's right to the Principle of Self-Determination and its corollary, the Principle of Permanent Sovereignty over Natural Resources. Yet the underlying dynamics are highly complex and difficult to disentangle, often assembled into emotive and polarised arguments from both sides and their respective international allies.

This article aims to understand the role natural resources have played in the protracted conflict. Starting from the basis that contested sovereignty lies at its heart, it will combine a historical approach to explore this multifaceted concept in a North African context. It will then apply this to evaluate the complex political economy and symbolic aspects of, and the social fabric woven around, the territory's natural resources. The relationship between natural resources and conflict has been addressed widely elsewhere, largely triggered by the work of Paul Collier in the 1990s. However, in this context the subject remains understudied. Policy reports, the media and various academic papers acknowledge the role natural resources⁷ may have played, but purely through their economic value. Such assessments are oversimplified and largely neglect the historical context and political games of a multitude of actors.

The article will argue that natural resources have been deeply implicated throughout the conflict for both parties and with respect to their relative positioning to external actors. On the one hand, natural resource developments and the associated geopolitical *enjeux* have led to the *de facto* recognition⁸ of Morocco's occupation over time by its allies in the international community, as well as a number of multinational companies and multilateral governing bodies;⁹ on the other hand, both the symbolic aspects of natural resources—particularly their social significance among the marginalised populations of the camps in Tindouf—and their codification under international law have lent the Sahrawi cause internal and international legitimacy. Opposing claims, levied by both sides and acted upon, implicitly or explicitly, by their respective (state and non-state) allies, underline the key tensions of the contemporary context, as they relate to international law and *realpolitik*.

⁴ International Crisis Group 'Western Sahara: The Cost of the Conflict', Middle East/North Africa Report 65, 11 June 2007.

⁵ International Crisis Group, 'Western Sahara: Out of the Impasse', Middle East/North Africa Report 66, 11 June 2007.

⁶ T. Shelley, *Endgame in Western Sahara: What Future for Africa's Last Colony?* (London: Zed Books, 2004).

⁷ Please note that, for the purpose of this article, we focus on the role of high-value natural resources, notably oil, fisheries, phosphate and uranium. We do not refer to lower-value renewables, such as water, wind and sand.

⁸ T. Shelley, 'Natural Resources and the Western Sahara', in C. Olsson (ed.), *The Western Sahara Conflict: The Role of Natural Resources and Decolonization* (Uppsala: Nordiska Afrikainstitutet, 2006), 18.

⁹ For example, France, United States and Saudi Arabia; the Arab League and the Organisation of Islamic Cooperation; and TNCs such as Agrium Inc. (Canada) and Kosmos Energy Ltd. (US).

The article is a desk-based study, drawing primarily from secondary sources (from both policy and academic communities) and open access industry information. It is also informed by a series of semi-structured interviews undertaken in Morocco in 2013. Section 2 locates the article within the broader literature on the relationship between natural resources and armed conflict. Section 3 then provides a brief historical overview, including the consequences of mineral resource discoveries in the 1950s. Section 4 turns to the question of competing understandings of sovereignty and their implications for the relative legitimacy of each party's claims. Section 5 proceeds to apply this to an analysis of the role of natural resources, focusing on two key aspects: the complex political economy that has emerged around resource exploitation and its implications regarding the legitimacy of the occupation; and the symbolic aspects of natural resources in relation to Sahrawi grievances, nation-building strategies and internal legitimacy. Section 6 takes a step back to discuss the potential of 'resources for peace'¹⁰ in this context, with reference to South Sudan and Aceh, Indonesia. Finally, Section 7 provides a series of concluding remarks.

2. Natural Resources and Armed Conflict

A large body of research has emerged over the past two decades in an attempt to understand the complex relationship between natural resources and armed conflict. Initially divided in the 'greed versus grievance' debate¹¹—eventually taken to be two sides of the same coin—research has since focused on closer analysis of each respective aspect.

Broad consensus has settled on a three-factor model of conflict onset, largely inspired by Ted Gurr¹²—motivation, opportunity and identity.¹³ Parties to the conflict need a motive (e.g., economically motivated greed or politically motivated grievances), the possibility to achieve their goal, and a common identity for group formation.¹⁴ In terms of duration, Achim Wennmann argues that natural resources foster recurring cycles of armed conflict because they provide a revenue base for belligerents (motivation), increase claims for secession (motivation, identity) and perpetuate state fragility through incentives for corruption and mismanagement.¹⁵ These cycles comprise what Collier *et al.* term the 'conflict trap',¹⁶ referring to the vicious cycle of conflict in resource-abundant contexts.

¹⁰ A. Wennmann, 'Breaking the Conflict Trap? Addressing the Resource Curse in Peace Processes', *Global Governance*, 17 (2011), pp. 265–279.

¹¹ P. Collier and A. Hoeffler, 'On the Economic Causes of Civil War', *Oxford Economic Papers*, 50 (1998), pp. 563–573; P. Collier and A. Hoeffler, 'Greed and Grievance in Civil War', *Oxford Economic Papers*, 56(4) (2004), pp. 563–595; M. Berdal and D. Malone, *Greed and Grievance: Economic Agendas in Civil Wars* (Boulder, CO: Lynne Rienner, 2000).

¹² T. Gurr, *Why Men Rebel* (Princeton: Princeton University Press, 1970).

¹³ T. Ellingsen, 'Colorful Community or Ethnic Witches' Brew? Multi-ethnicity and Domestic Conflict during and after the Cold War', *Journal of Conflict Resolution*, 44(2) (2000), pp. 228–249; P. Lujala, N. Gleditsch and E. Gilmore, 'A Diamond Curse? Civil War and a Lootable Resource', *Journal of Conflict Resolution*, 49 (2005), pp. 538–562; C. Arnsperg and W. Zartman, *Rethinking the Economics of War: The Intersection of Need, Creed and Greed* (Washington: Woodrow Wilson Centre Press, 2006); P. Le Billon, *Wars of Plunder: Conflicts, Profits and the Politics of Resources* (London: Hurst & Co, 2012).

¹⁴ Lujala *et al.*, 'A Diamond Curse?'

¹⁵ Wennmann, 'Breaking the Conflict Trap?'

¹⁶ P. Collier, V.L. Elliot, H. Hegre, A. Hoeffler, M. Reynal-Querol and N. Sambanis, *Breaking the Conflict Trap: Civil War and Development Policy* (Washington: World Bank Publications, 2003).

More recently, research has re-engaged with the post-Cold War geographical dimensions of conflict, paying greater attention to specific resource characteristics, including their occurrence in nature (concentrated or diffuse), geographic location (proximate or distant from the capital), whether they are lootable or non-lootable and the intensity of exploitation inputs (capital or labour intensive), rather than focusing solely on political boundaries as the defining feature.¹⁷ However, as Michael Watts argues,¹⁸ the sorts of conflicts and politics that emerge from what he calls the ‘resource complex’ are ‘spatially heterogeneous and not readily encompassed by the idea of predation, looting or rebellion’.

There is a general lack of consensus on the role of natural resources in the case of Western Sahara, both on the onset of the conflict and its duration. Assessments range from ‘they may be linked’¹⁹ to them having been the main reason for Morocco’s occupation.²⁰ This article argues that it is undeniable that natural resources were one factor in the onset of the conflict, both in terms of economic incentives and the role that the burgeoning resource towns played in the emergence of a Sahrawi nationalist movement. Yet they make up but one piece of a much more complex puzzle. This is characterised by nationalism (and its territorial expression) from each party in power; the struggle for sub-regional dominance between Rabat and Algiers; diverse grievances among the marginalised Sahrawi population; and the internationalisation of a conflict that is today being fought as much in diplomatic quarters in New York, Rabat and Algiers as it is on the ground. The article argues that resources are a factor not insofar as being a primary motivation²¹ (although Hassan II did have visions of an ‘OPEC of phosphate producers’ in which Morocco would play the role of Saudi Arabia), but in the role they have played over time in a shifting terrain of struggle.

3. Natural Resources and Conflict Onset in Western Sahara in a Historical Perspective

Prior to 1884 and well into the twentieth century, the Western Sahara territory was inhabited by traditionally nomadic populations. These tribal confederations, such as the Tekna and the Reguibat, never submitted entirely to a central state authority. Most of those who used the territory were never geographically, historically or economically confined within its borders as they exist today.²² In this sense, the nomadic and pastoral groups traversing the desert landscape

¹⁷ M. Klare, *Resource Wars: The New Landscape of Global Conflict* (New York: Metropolitan Books, 2001); P. Le Billon, ‘The Political Ecology of War: Natural Resources and Armed Conflicts’, *Political Geography*, 20 (5) (2001), pp. 561–584; P. Le Billon, ‘Diamond Wars? Conflict Diamonds and the Geographies of Resource Wars’, *Annals of the Association of American Geographers*, 98(2) (2008), pp. 345–372; B. Korf, ‘Resources, Violence and the Telluric Geographies of Small Wars’, *Progress in Human Geography*, 35 (2011), p. 733.

¹⁸ M. Watts, ‘Resource Curse? Governmentality, Oil and Power in the Niger Delta, Nigeria’, *Geopolitics*, 9(1) (2004), 75.

¹⁹ M. Ross, ‘What Do We Know about Natural Resources and Armed Conflicts?’, *Journal of Peace Research*, 41 (3) (2004), pp. 337–356.

²⁰ Olsson, *The Western Sahara Conflict*; A. Maghraoui, ‘Ambiguities of Sovereignty: The Hague and the Western Sahara Dispute’, *Mediterranean Politics*, 8(1) (2010), pp. 113–126.

²¹ For a detailed discussion of the conflict’s root causes, see T. Hodges, *Western Sahara: The Roots of a Desert War* (Westport, CO: Lawrence Hill, 1983); S. Zunes and J. Mundy, *Western Sahara: War, Nationalism and Conflict Irresolution* (New York: Syracuse University Press, 2010).

²² J. Roussellier, ‘Elusive Sovereignty—People, Land and Frontiers of the Desert: The Case of Western Sahara and the International Court of Justice’, *The Journal of North African Studies*, 12(1) (2007), pp. 55–78.

were only nominally under colonial rule.²³ The pastoralism and trading activities of these people created a pattern of outward and inward movements that transcended borders, and access to natural resources was based on a *rapport de force* rather than territorial control *per se*.²⁴

In 1884, Western Sahara was placed under Spanish colonial administration as a protectorate. Europe's nineteenth-century scramble for Africa (re-)ignited Spanish interest in the region, pushing it to secure its hold over the Canaries, as well as offering an opportunity to dispel wounded pride over the traumatic loss of its Latin American colonies.²⁵ Prior to World War II, the region's fisheries and the opportunity to tap trans-Saharan caravans dominated Spain's resource-based interests in the territory. While the economic value of the fisheries was well recognised, in the early twentieth century the interior was imagined in more diverse terms and gave rise to a variety of military campaigns, development plans and exploratory travel.²⁶ Fish processing factories were set up at Villa Cisneros and La Guera in the early days of the Spanish colony,²⁷ but the industry remained primitive and the majority of the catch was landed abroad. Terrestrial Spanish Sahara remained of little economic value to the metropolis until well into the mid-twentieth century.

In the 1950s, the stakes changed and mineral interests in the region were awakened. The first oil discoveries were made, Spain began to relax its protectionist policies and foreign companies finally received the 'green light' to acquire concessions and begin exploration work. Nonetheless, low oil prices and poor quality reserves minimised their commercial viability. Instead, it was phosphate²⁸ that really placed Western Sahara on the world mineral map.²⁹ In 1945, Manuel Alia Medina, a young Spanish explorer and geologist from the University of Madrid, discovered the territory's abundant, high quality reserves, shifting the locus of Spanish colonial rule away from the coast towards the interior. The construction of the Boucraa mine, in particular, marked a period in which the coast was replaced as the zone of conflict by the inland boundary.³⁰ Tensions between foreign settlers and Sahrawis developed as the latter abandoned nomadism to look for jobs and education in the mining towns. The core role of these towns in the emergence of a Sahrawi working class and how, 'from this inchoate social formation, a nationalist movement developed', has been explored in detail by Tony Hodges.³¹ Philippe Le Billon also makes the case for the emerging phosphate industry in the birth of the Sahrawi nationalist movement: 'as Sahrawis recognised in this economic bonanza the prospect of an economically viable or even prosperous country, the assumption that Morocco was after their new-found mineral wealth served to mobilise resistance ...'.³² Indeed, by 1970, the Spanish government and state-owned companies were

²³ R. Rézette, *The Western Sahara and the Frontiers of Morocco* (Paris: Nouvelles éditions latines, 1975).

²⁴ Roussellier, 'Elusive Sovereignty'.

²⁵ T. Hodges, 'The Western Sahara File', *Third World Quarterly*, 6(1) (1984), pp. 74–116.

²⁶ M. Drury, 'Global Futures and Government Towns: Phosphates and the Production of Western Sahara as a Space of Contention', *Le Géographe du monde arabe*, 16 (1) (2013), pp. 101–124.

²⁷ Hodges, *Western Sahara*.

²⁸ Phosphate is a rock mineral that is used as a component, alongside potash and nitrogen, in the majority of agricultural fertilisers used in modern food production systems.

²⁹ Hodges, *Western Sahara*.

³⁰ J. Mercer, *Spanish Sahara* (London: Allen & Unwin, 1976).

³¹ Hodges, *Western Sahara*, p. 130.

³² P. Le Billon, 'The Geopolitical Economy of "Resource Wars"', *Geopolitics*, 9(1) (2004), p. 18.

investing heavily in mineral exploration and infrastructure in the territory.³³ In 1974, it was deemed the ‘richest of the Maghreb’ in terms of natural resource abundance.³⁴

Le Billon’s assessment in this case is rather deterministic: resources were by no means the only factor in a conflict that is highly complex. Nonetheless, in the early post-war period, they became key in a shifting terrain of struggle,³⁵ playing a role both in terms of economic incentives and in weaving the socio-political fabric of colonial settlers and an increasingly sedentarised indigenous population.

As a wave of decolonisation spread across Africa, Morocco and Mauritania gained independence from France (1956 and 1960, respectively), while Spain managed to hold onto its grip until 1976. In preparation for its withdrawal and a referendum to decide the territory’s future, Spain conducted a population census in 1974. The Moroccan government referred this to the International Court of Justice (ICJ), asking for an advisory opinion on the legal status of the territory at the time of colonisation. The court ruled that, although legal ties of allegiance between Moroccan sultans and local tribes did exist, they were insufficient to grant Morocco sovereignty over the territory.³⁶ Shortly afterwards (on 6 November 1975), and in response, Morocco marched 350,000 Moroccan civilians and 80,000 military troops, unopposed, into Western Sahara (the ‘Green March’).³⁷

One week later, Spain agreed to transfer administration of the territory (although not sovereignty) to a temporary tripartite administration of Morocco, Mauritania and Spain (the ‘Madrid Accords’).³⁸ The Accords saw Western Sahara divided between Morocco and Mauritania, with the former receiving the majority of land and resources. In exchange, Spain retained some economic interests and the rights to fish the territory’s waters.³⁹ By 1976, Madrid had informed the UN Secretary General that it had terminated its presence and relinquished its responsibilities, though again maintained that it had not transferred sovereignty to Morocco.⁴⁰ In 1979, Mauritania withdrew from the territory and Morocco moved quickly to seize the domain.⁴¹

Several months after the Madrid Accords, the Polisario Front declared independence from Morocco and established the Sahrawi Arab Democratic Republic (SADR).⁴² Armed conflict between Moroccan forces and Polisario—

³³ Hodges, *Western Sahara*.

³⁴ World Bank (1974), cited in P. Pinto Leite, ‘International Legality *versus* Realpolitik: The Cases of Western Sahara and East Timor’, in Olsson, *The Western Sahara Conflict*, p. 16.

³⁵ Drury, ‘Global Futures and Government Towns’.

³⁶ Maghraoui, ‘Ambiguities of Sovereignty’, p. 115.

³⁷ Maghraoui, ‘Ambiguities of Sovereignty’, p. 115.

³⁸ Roussellier, ‘Elusive Sovereignty’, p. 56.

³⁹ T. Stevenson, ‘Occupied and Exploited: Taking Western Sahara’s Natural Resources’, Think Africa Press, 25 October 2013, <http://thinkafricapress.com/morocco/international-policy-needed-trade-western-sahara-resources-occupied>.

⁴⁰ Roussellier, ‘Elusive Sovereignty’.

⁴¹ Zunes and Mundy, *War, Nationalism and Conflict Irresolution*.

⁴² The SADR was proclaimed by Polisario as a government-in-exile on 27 February 1976 in Bir Lehlu, Western Sahara. It acts as a government administration in the Sahrawi camps in Tindouf and is headquartered in Camp Rabouni. Since its inception, various constitutional revisions have transformed it from an *ad hoc* managerial structure into something that more closely resembles a governing apparatus. As of 2013, it has been recognised by 85 states; of these, 38 have since frozen or withdrawn recognition, a total of 40 currently maintain diplomatic relations and Sahrawi embassies exist in 18 states. Although the UN does not recognise the SADR, it has held full membership of the African Union since 1984.

known as the ‘Hot War’⁴³—ensued until the UN brokered a ceasefire in 1991. During this period, well over 30,000 Sahrawis fled to Tindouf in Algeria,⁴⁴ many carrying an already-strong nationalist sentiment. This nationalism, which had emerged largely as an idea among the working classes of the mining towns and struggle against Spanish colonisation, morphed into a lived practice over the years of armed struggle. War became a source of meaning and memoirs that fuelled the drive for independence, while the territory’s recently discovered mineral wealth compounded feelings of dispossession both within the refugee population and among those under occupation.

Towards the end of 1991, the first UN settlement plan was proposed, but it stalled due to disagreements between both sides, largely regarding who was eligible to vote. In 2001, the UN came up with a new plan (‘Baker Plan I’), an autonomy proposal known as the ‘Third Way’.⁴⁵ The plan, outlined by James Baker (former US Secretary of State and UN negotiator for Western Sahara, 1997–2004),⁴⁶ proposed to Sahrawis extensive administrative autonomy while recognising Morocco’s sovereignty over the territory for a period of up to five years, to be followed by a final status referendum with no explicit offer of independence.⁴⁷ Morocco accepted the plan pending clarifications; Algeria and the Polisario Front rejected it.⁴⁸ Negotiations have since continued on various revised versions of the peace plans, including ‘Baker II’, offering different degrees of autonomous self-governance for Western Sahara, followed by a referendum after a certain time period. Baker II, presented in early 2003, placed the territory’s natural resources under the control of an autonomous Western Sahara Authority (WSA). However, as Zunes and Mundy⁴⁹ point out, given the networks connecting Moroccan political and military elites to the resource industries, handing them over to the WSA would pose a major threat to important interest groups within the Moroccan regime. Baker II was rejected by Morocco and both parties continue to stand strong in their respective positions of sovereignty and self-determination. Meanwhile, resource-related activities on behalf of Morocco and a handful of TNCs continue.

International law is fairly clear on the matter and stipulates the necessity for immediate steps to be taken on a referendum to determine the will of the people of Western Sahara—that much has been established since the original UN declaration on Granting of Independence to Colonial Countries and Peoples, adopted by Resolution 1514 (XV).⁵⁰ More than 50 years later, and after multiple resolutions formally stating the need for a solution, the legitimacy of these conventions is highly questionable and the fact that they have been subject to the

⁴³ International Crisis Group, *Out of the Impasse*.

⁴⁴ Zunes and Mundy, *War, Nationalism and Conflict Irresolution*.

⁴⁵ H. Darbouche and Y. Zoubir, ‘Conflicting International Policies and the Western Sahara Stalemate’, *The International Spectator*, 43(1) (2008), pp. 91–105.

⁴⁶ Zunes and Mundy (*War, Nationalism and Conflict Irresolution*, p. 208) argue that it is unclear why Baker, a member of one of the most influential conservative elites in the US, agreed to get involved with ‘a backburner African dispute’ such as the one over Western Sahara. He later resigned in 2004, frustrated with the stalled peace processes, claiming that he had done all he could. Nonetheless, his appointment is indicative of important US interests and their assertion of influence in the region (Shelley, *Endgame in Western Sahara*, p. 17).

⁴⁷ Zunes and Mundy, *War, Nationalism and Conflict Irresolution*.

⁴⁸ Maghraoui, ‘Ambiguities of Sovereignty’.

⁴⁹ Zunes and Mundy, *War, Nationalism and Conflict Irresolution*.

⁵⁰ A. McManus, ‘The Fragility of the Modern Imaginary: A Case Study of Western Sahara’, *Global Societies*, 1 (1) (2013), pp. 81–89.

(geo)political will⁵¹ of Morocco's friends on the UN Security Council (UNSC), notably the US and France, is clear.⁵²

4. Sovereignty and the Territorial Connection: The Legitimacy Question

The question of sovereignty has found itself at the heart of contemporary political and anthropological thought, notably the varying modalities of the exercise of power and understandings of legitimacy.⁵³ Immanuel Wallerstein underlines the latter and its relationality in international relations:

Sovereignty is more than anything else a matter of legitimacy [... that] requires reciprocal recognition. Sovereignty is a hypothetical trade, in which two potentially conflicting sides, respecting *de facto* realities of power, exchange such recognitions as their least costly strategy.⁵⁴

Such recognition has come to be codified under international law under the principles of territorial integrity and self-determination. However, the definition, exercise and legitimacy of sovereignty are contested. As Abdeslam Maghraoui highlights, 'sovereignty often means different things to different nations at different times and has less to do with power *per se* than with the ambiguities that inevitably surround any evolving international principle'.⁵⁵

Contemporary understandings are largely dichotomised under 'external sovereignty' and 'internal sovereignty', in line with the respective elements under international law. The former relates to the state as the territorial expression of sovereign power—control over an enclosed territory, as well as its 'posture' relative to other players (states) in the international community.⁵⁶ The legitimacy of external sovereignty is expressed in relation to other states, largely deriving from an external, rather than internal, source.

On the other hand, core to the Principle of Self-Determination is internal sovereignty—the relationship between the sovereign power, the people and their

⁵¹ The ICG (Out of the Impasse, p. 5) suggests that the Security Council's initial decision to invoke Chapter 6 rather than Chapter 7 of the UN Charter and its subsequent 'indulgence of Rabat' was rooted in the refusal of the US and French governments to jeopardise their own strategic relationships with Morocco. As James Baker stated in an interview with the Public Broadcasting Service (PBS) on 19 August 2004 (see: <http://www.pbs.org/wnet/wideangle/episodes/sahara-marathon/interview-james-a-baker-iii/873/>), the failure of the UN to uphold the Principle of Self-Determination in practice has been a failure of political will at the highest level. The UN has failed to put its doctrine into practice and broker a compromise between the parties; moreover, its continued intervention inhibits other parties from doing so (ICG, Out of the Impasse, p. i).

⁵² The relationship between Morocco and the US is explored in detail by Zunes and Mundy (War, Nationalism and Conflict Irresolution, pp. 59–88) and Y. Zoubir and K. Benabdallah-Gambier, 'The United States and the North African Imbrolio: Balancing Interests in Algeria, Morocco and Western Sahara', *Mediterranean Politics*, 10(2) (2005), pp. 181–202. Moroccan stability has been important to the US both for geostrategic 'face value' (i.e. its shared control over a key global chokepoint, the Strait of Gibraltar) and for instrumental value (Zunes and Mundy, 2010, p. 72). Although the US closed its four air bases in Morocco in 1963, it has maintained emergency transit, staging and refuelling rights; moreover, two telecommunications centres serve military and intelligence purposes. During the Cold War, Morocco—a member of the 'Safari Club' (an alliance of intelligence services formed in 1976 to fight the Cold War in Africa)—was instrumental in upholding Western interests in Africa. Since 9/11, it has become embroiled in US security manoeuvres in the Sahara-Sahel region in its 'War on Terror'. An independent Western Sahara has been seen both as a threat to US interests in Morocco, and in and of itself as a potential safe haven for terrorist organisations and a source of recruits (Zunes and Mundy, 2010, pp. 73–74).

⁵³ R. Jennings, 'Sovereignty and Political Modernity: A Genealogy of Agamden's Critique of Sovereignty', *Anthropological Theory*, 11 (23) (2011), pp. 23–61.

⁵⁴ I. Wallerstein, *World Systems Analysis: An Introduction* (Durham, NC: Duke University Press, 2004), p. 44.

⁵⁵ Maghraoui, 'Ambiguities of Sovereignty', p. 114.

⁵⁶ Roussellier, 'Elusive Sovereignty'.

freedom to determine who governs them.⁵⁷ As such, the legitimacy of internal sovereignty derives from the people and nation—viewed as a single living unity of common language, culture and religion—and is evident in proof of an effective (and accepted) display of state authority.⁵⁸ Despite these distinct elements to sovereignty, under the instrumentalisation of contemporary international law the two meanings tend to be conflated and expressed territorially.⁵⁹

Both Moroccans and Western Saharans make competing historical claims to the territory. Western Saharan nationalists claim territorial sovereignty, expressing this as a clear-cut case of decolonisation and thus self-determination—a claim that has been attributed legitimacy under international law. Morocco, on the other hand, is struggling to align itself to the contemporary *de jure* paradigm. Morocco's argument to the ICJ, as detailed in Section 3, has been based upon the supposed existence of historical and cultural ties between Moroccan sultans and the local population.⁶⁰ Its claims over Western Sahara detail a common religious bond of Islam (*Dar al-Islam*) and allegiance of various Saharan tribes through their *caids* or *sheikhs* to the Moroccan sultan, rather than being founded upon a notion of territory.⁶¹ In what turned out to be an unambiguous rebuttal of Morocco's claims, the ICJ argued that political ties of allegiance must be accompanied by acts of acceptance of political authority as an indication of a ruler's effective sovereignty,⁶² showing strong emphasis on the internal sovereignty element.

Core to these differing understandings of what comprises legitimate authority are the difficulties in aligning varying spatialities of the exercise of sovereign power. The tribes of the Western Sahara were nomadic, many with territorial reach across large swathes of the Atlantic seaboard and Sahara region. Some were free and independent; others swore allegiance via the *bay'a* and/or to the Moroccan sultan.⁶³ The former two groups comprised the *Bled Siba*, a form of *de facto* decentralised authority securing local autonomy and interests.⁶⁴ This pre-colonial state structure relied on a notion of space, or *polis*, with no defined borders, the coexistence of a central government with other centres of power and no monopoly over the use of force.⁶⁵ Its spatiality can be described as a series of concentric circles or a pyramid-like structure, whereby 'the recognition of territorial sovereignty weakens with distance from the central government'.⁶⁶ However, with the emergence of the Moroccan state in the pre-colonial period through a top-down Makhzen evolution, other forms of political organisation in the periphery were discarded or unified under *Dar al-Islam*.⁶⁷ In the post-colonial period, political authority in the Sahara

⁵⁷ A. Cassese, *Self-Determination of Peoples: A Legal Reappraisal* (Cambridge: Cambridge University Press, 1995).

⁵⁸ Roussellier, 'Elusive Sovereignty'.

⁵⁹ A. Mbembe, 'At the Edge of the World: Boundaries, Territoriality and Sovereignty in Africa', *Public Culture*, 12(1) (2000), pp. 259–284.

⁶⁰ Maghraoui, 'Ambiguities of Sovereignty'.

⁶¹ Roussellier, 'Elusive Sovereignty'.

⁶² ICJ, 'Western Sahara Advisory Opinion', 16 October 1975.

⁶³ Roussellier, 'Elusive Sovereignty'; Maghraoui, 'Ambiguities of Sovereignty'; McManus, 'The Fragility of the Modern Imaginary'.

⁶⁴ Please note that the spatial range of Bled Siba, i.e. whether or not it stretched below the Dra'a and included the present day Western Sahara, is a point of scholarly contestation. See P. San Martín, *Western Sahara: The Refugee Nation* (Cardiff: University of Wales Press, 2010); Roussellier, 'Elusive Sovereignty'; ICJ, 'Western Sahara Advisory Opinion', 16 October 1975, para. 96.

⁶⁵ Roussellier, 'Elusive Sovereignty'; P.-R. Baudel, 'Etats, territoires et terroirs au Maghreb', *Annuaire de l'Afrique du Nord*, 22 (1983), p. 12.

⁶⁶ Roussellier, 'Elusive Sovereignty', p. 76.

⁶⁷ Roussellier, 'Elusive Sovereignty', p. 76.

region ‘shifted decisively from a relation between people to control over territory understood in terms of abstract and increasingly valuable space’.⁶⁸ The resulting institutionalised border ambiguity is, according to George Joffé,⁶⁹ important for understanding why territorial sovereignty remains highly contested as a basis of political authority in Western Sahara and across the region. Natural resources, as both a material and symbolic component of territory, span this border ambiguity and are exploited according to its differing interpretations.

Both parties are attempting to unify what was a nomadic population with multiple allegiances within a fixed territory defined by colonial borders—a struggle that, today, is riddled with contradictions. According to Maghraoui,⁷⁰ the ICJ’s interpretation of ‘historical ties’ represents a ‘faulty application of modern standards of legitimate authority to a pre-modern state formation’ and the ICJ’s final ruling is evidence of its adoption of a Western view of sovereignty insofar as it could be represented by economic (such as the levying of taxes), rather than religious (proclamation of the *bay’a*), ties.⁷¹ However, while Morocco is attempting to configure past historical ties to fit the contemporary paradigm of self-determination, Western Saharans have been able to align themselves—perhaps through their more recent process of state building—with the dominant paradigm of political organisation. Evident in the formation for the first time of a military apparatus, the Polisario Front, in 1973 and central government, the SADR, in 1976, their reorganisation of polity reveals both the underlying tensions that Morocco has surfaced, as well as a willingness and capacity to configure their political system with the current hegemonic macro-structure—a Western, modern and unitary understanding of state, and statehood as a hierarchical power structure opposing centre (source of power) and periphery (diffuse power).⁷² In doing so, they have been able to successfully invoke international legal norms to support their case, in particular their right to permanent sovereignty over natural resources.

Irrespective of the ruling under international law, Morocco exercises *de facto* authority over the majority of the territory of Western Sahara. That it continues to do so is evident of the instrumentalisation of the connection between state and territory for various ends. This is both greatly facilitated by, and a primary reason for, the deadlock at the UN, attributable both to the lack of political will among key member states (the US and France) and the inadequacy of the international legal framework for dealing with non-European contexts. However, rather than a struggle simply pitting ‘Western Saharan nationalism against Moroccan irredentism’,⁷³ the territorial dimension is highly connected to attempts to control

⁶⁸ Drury, ‘Global Futures and Government Towns’, p. 109.

⁶⁹ G. Joffé, ‘Sovereignty and the Western Sahara’, *Journal of North African Studies*, 15(3) (2010), pp. 375–384.

⁷⁰ Maghraoui, ‘Ambiguities of Sovereignty’, p. 121.

⁷¹ The case of Western Sahara provides a rich array of harmonies and dissonances between European and non-European approaches to authority over territory (M. Burgis, *Boundaries of Discourse in the International Court of Justice: Mapping arguments in Arab territorial disputes* (Leiden: Brill Press, 2009), p. 193). This argument is supported by Morocco and Mauritania’s direct challenge to the ICJ decision in 1975, questioning: ‘Is this to say that it is only *European* state theories - past, present and future - that are the valuable ones?’ (author’s translation, emphasis added). Morocco countered the European state model with the Sharifian system of rule, which exhibited a much closer relationship between secular and religious affairs (Burgis, *Boundaries of Discourse*, p. 216, sourced from Isoart, Morocco, Oral Pleadings, International Court of Justice, Pleadings, Oral Arguments, Documents: Western Sahara, 4, p. 261).

⁷² Roussellier, ‘Elusive Sovereignty’.

⁷³ Zunes and Mundy, *War, Nationalism and Conflict Irresolution*, p. xxiv.

natural resources considered vital. This struggle has geopolitical dimensions (pertaining to the question of external sovereignty), and hence compounded by the vested interests of each party's international allies, as well as symbolic dimensions, providing an organisational centre for national and international activism. The next section will attempt to unpack each dimension.

5. Natural Resources and the 'Stalemate'

In the contemporary context, natural resources are important as a factor in the stalemate not only due to the increase in their relative material value over the past five to ten years,⁷⁴ but also based on a deeper understanding of the conflict's root causes. In this case, political boundaries remain important,⁷⁵ both due to the nature of the conflict and the specific resource characteristics. Two of the most economically valuable (phosphate and oil) can be classified as 'point', 'distant' and requiring advanced infrastructure and technical capacity to exploit; they are relatively non-lootable⁷⁶ and therefore depend on the recognition of a sovereign (at least tacitly) to reach the international market.

Both parties share the general idea that natural resources belong to those who hold sovereignty and that only the representatives of such sovereignty have a right to negotiate.⁷⁷ Contested sovereignty, as explored in Section 4, lies at the heart of the conflict, while natural resource development, or at least discussions based around it, is lending legitimacy to each party in different ways. As Alicia Campos underlines, 'the conflict around natural resources is expressed, therefore, in the language of statism and territorial integrity'.⁷⁸ The following section focuses on two key aspects: the complex political economy that has emerged around resource exploitation and its implications regarding the legitimacy of the occupation, and grievances relating to the symbolic aspects of natural resources and the question of internal legitimacy.

5.1. Political economy, external legitimacy and de facto recognition

A complex political economy has emerged around resource exploitation in Western Sahara, not detached from the Makhzen regime, but also under the influence of a number of external interests. As explored above, Immanuel Wallerstein⁷⁹ emphasises the external legitimacy element to sovereignty regarding the state's

⁷⁴ For example, in 2008 the price of phosphate shot up by 700 per cent (Drury, 'Global Futures and Government Towns'), not insignificant given that Morocco controls 80 per cent of the world's reserves of this crucial resource, which certain scientists estimate will soon reach its peak (D. Cordell and S. White, 'Phosphorous Security: Global non-governance of a critical resource for food security', Institute for Sustainable Futures, University of Technology, Sydney, Australia, 2013). Over the past decade, oil exploration has intensified and expectations are high and, in 2014, research is also being undertaken into the potential to co-mine uranium with phosphate. Overall, during the past decade, Morocco's natural resource rents have shown exponential growth as a percentage of GDP, from 0.6 per cent in 2004, 2.0 per cent in 2009, 3.0 per cent in 2010 to 5.0 per cent in 2011. This has been closely tied to the rise in phosphate prices (World Bank, Total Natural Resource Rents (% of GDP) data and Morocco country page, 2013. See: <http://data.worldbank.org/indicator/NY.GDP.TOTL.RT.ZS> (accessed May 2014)).

⁷⁵ Klare, *Resource Wars*; Le Billion, 'The Political Ecology of War'; Le Billion, 'Diamond Wars?'

⁷⁶ Ross, 'What Do We Know about Natural Resources'.

⁷⁷ A. Campos, 'Oil, Sovereignty and Self-Determination: Equatorial Guinea and Western Sahara', *Review of African Political Economy*, 35 (117) (2008), pp. 435–447.

⁷⁸ Campos, 'Oil, Sovereignty and Self-Determination', p. 438.

⁷⁹ Wallerstein, *World Systems Analysis*.

‘posture’ in the international community and the *de facto* realities of power. Morocco’s latest autonomy proposal⁸⁰ for Western Sahara and its reception in the international community can be seen as an epitome of such dynamics. While some have viewed it as incremental progress—a ‘third way’ and viable ‘alternative’—others believe that it simply represents an attempt to circumvent the outstanding referendum on self-determination. According to Darbouche and Zoubir, it is ‘no more than an attempt to capitalise on a reconfiguration of the geopolitical considerations of Morocco and its main sponsors around the *nouvelles donnees* of international terrorism, democratisation and conflict fatigue’.⁸¹ Natural resources are void from this analysis; however, Morocco’s relationships with Europe (EU) and the US regarding foreign commercial interests are closely intertwined with regional and global security,⁸² part and parcel of *realpolitik* discourses.

Core to these foreign commercial interests is the resource trade. Although no state recognises Morocco’s *de jure* sovereignty over Western Sahara (the US, for example, exempts imports from Western Sahara from its free trade agreement with Morocco), trading in resources from the territory—whether directly or indirectly via TNCs—arguably provides ‘backdoor recognition of the *status quo*’.⁸³ Over time, countries have taken varying positions of (tacit) acceptance of Morocco’s authority that are clearly reflected in their trade policy.⁸⁴ This acceptance is not static, however.⁸⁵ India, for example, having recognised the SADR in 1985—the first major power to do so—withdraw recognition in 2000, the same year that an India–Morocco joint venture in Morocco’s phosphate industry (IMACID) was established.⁸⁶ The balance of trade lies largely in Morocco’s favour, with India

⁸⁰ In 2007, despite the legal contradictions inherent in the 2003 autonomy proposal and its rejection by the UNSC, Morocco, under pressure from the US, proposed what is essentially a cloned version of the 2003 plan to eventually accommodate a ‘Sahara Autonomous Region’ (Darbouche and Zoubir, ‘Conflicting International Policies’, p. 95). Similar to the 2003 plan, it begins from the assumption—and affirms—that Western Sahara is part of Morocco’s territorial integrity and is under the Kingdom’s sovereignty. Darbouche and Zoubir (‘Conflicting International Policies’, p. 97) argue that the Moroccan proposal ‘seems to be engineered in such a way as to guarantee international recognition of the Kingdom’s illegal occupation of Western Sahara’, in its ambiguous and vague language, lack of real feasibility (Morocco’s centralised autocratic power structures would have to be fundamentally altered to make an autonomous government in Western Sahara viable) and legal questionability.

⁸¹ Darbouche and Zoubir, ‘Conflicting International Policies’, p. 92.

⁸² Y. Zoubir, ‘Western Sahara: Political Economy of a Conflict’, in A. Layachi (ed.), *Economic Crisis and Political Change in North Africa* (Westport, CT: Praeger, 1998), pp. 149–161.

⁸³ Shelley, ‘Natural Resources and the Western Sahara’, p. 21.

⁸⁴ A number of Scandinavian countries, for example, have recently undertaken a series of divestments from companies exploiting Western Sahara’s natural resources, as they deem them to be ‘unethical’ and in breach of international law (e.g. Norwegian Pension Fund divesting from the oil company, Kerr McGee). Others, for example the Canadian company Agrium Inc., have recently signed contracts to export phosphate despite the increasing reputational risks they face in such a context. Finally, the European Community is in the process of renegotiating the EC–Morocco Fisheries Partnership Agreement to enable European vessels to fish in waters off the coast of Morocco. Western Saharan waters have not been excluded from this. In 2006, Kofi Annan, UN Secretary General, warned Polisario that the EU fisheries accord was a sign that the international community was beginning to accept the Moroccan occupation (Zunes and Mundy, *War, Nationalism and Conflict Irresolution*, p. 228).

⁸⁵ For example, while 84 countries have officially recognised the SADR to date, this number is in flux. In May 2014, 45 states recognise the SADR, while 38 have suspended, frozen or withdrawn recognition. The reasons for doing so are diverse, political and difficult to accurately ascertain (e.g., Zambia withdrew recognition in 2011 and re-established in 2012 amidst allegations of corruption), but many have done so as bilateral relations (diplomatic and economic) have been established or expanded (e.g. Kenya, frozen 2007, resumed 2014; Panama, suspended 2013; India, withdrawn 2000; Antigua, withdrawn 2010; Burundi, recognition frozen 2006, resumed 2008, withdrawn 2010).

⁸⁶ For more information on IMACID and relations between Morocco and India, please see the website of the Indian Embassy in Rabat: http://www.indianembassy rabat.com/morocco_relations.html (accessed May 2014). Partners in the IMACID joint venture are OCP (the Moroccan phosphate company), Zuari Industries Ltd. and Tata Chemicals Ltd., two major Indian TNCs.

importing 22 per cent of its total rock phosphate imports from Morocco and around 50 per cent of its phosphoric acid.⁸⁷ Meanwhile, 90 per cent of Morocco's total phosphate rock exports are to the US,⁸⁸ positioning it as a strategic ally not only in terms of security objectives, but also in terms of ensuring US food security.

While an accurate estimate of what percentage of Morocco's phosphate exports come from the Boucraa mine in Western Sahara is impossible to ascertain, estimates range from 3 to 20 per cent.⁸⁹ Notwithstanding the absence of reliable figures (in any case likely to be under- rather than over-estimated), that Morocco continues to trade in Western Sahara's natural resources is illustrative of how it has been able to exercise *de facto* authority and, as such, of the external interests involved and their relative weight in the international community. These dynamics further highlight how, with time, trading incentives have come to trump ideological positions: while initially many African states backed the SADR in response to Morocco's violation of self-determination and disrespect for colonial-inherited boundaries (*uti possidetis*), some (e.g. Burundi, Madagascar [former French colonies], India and Mauritius) have recently repositioned themselves along economic lines, particularly with regard to the natural resource bounty.⁹⁰

Edward Azar's theory of 'protracted social conflict' could be applied to understand this 'backdoor' trading of natural resources via the *de facto* recognition of Morocco's sovereignty. Although typically applied to traditional intra-state conflicts, his theory helps to evaluate 'international linkages', particularly 'political-economic relations of economic dependency with the international economic system, as well as the network of political-military linkages constituting regional and global patterns of clientage and cross-border interest'.⁹¹ Morocco's trade relations, ideological orientation towards the West and the military support it has received from the US and France exhibit such politico-economic and interest-driven relations. However, in Azar's view, it is weak states that are especially vulnerable to the international forces that operate in the wider global community and their patterns of linkage.⁹² Such an analysis denies recognition of the agency of the state in question; as such, Jean-François Bayart's theory of 'extraversion',⁹³ is instead arguably more suited to understanding this case.

Although Bayart argues that his work is 'diametrically opposed'⁹⁴ to the structuralist approaches of Wallerstein and others, in this context they complement

⁸⁷ 'Morocco to increase supply of rock phosphate and phosphoric acid', Press Release, Press Information Bureau, Government of India, 27 March 2008. See: <http://pib.nic.in/newsite/erelease.aspx?relid=36923> (accessed May 2014).

⁸⁸ OCP, 'OCP Group 2013', presentation given to author by OCP in Casablanca, Morocco in August 2013.

⁸⁹ Figures ascertained from interviews conducted by the author in Casablanca and Rabat in August 2013 with OCP and independent (anonymous) journalists, respectively.

⁹⁰ The case of India is outlined above; regarding former French colonies, Zunes and Mundy (*War, Nationalism and Conflict Irresolution*, p. 86) highlight, for example, the influence of Rabat's support from France and the considerable economic leverage of the latter over many of its ex-colonies; finally, new developments in bilateral economic relations with Rabat also incentivise countries to cut their ties with the SADR. As Burundi announced its withdrawal from relations with the SADR, for example, a simultaneous announcement was made regarding how this would 'provide new impetus to their bilateral relations [with Morocco], particularly regarding the economy and technical capacity building' (author's translation). (<http://www.diplomatie.ma/articledetails.aspx?id=5664>).

⁹¹ O. Ramsbotham (ed.), *Contemporary Conflict Resolution: The Prevention, Management and Transformation of Deadly Conflicts* (Cambridge: Polity Press, 2005), p. 87.

⁹² E. Azar, *The Management of Protracted Social Conflict* (Aldershot: Dartmouth Press, 1990).

⁹³ J.-F. Bayart, 'Africa in the World: A History of Extraversion', *African Affairs*, 99 (2000), p. 218.

⁹⁴ Bayart, 'Africa in the World', p. 219.

each other, enabling a certain comprehension of states' relational positionings (*structure*), as well as the *agency* they *all* deploy in negotiating these relationships. Underlining the agency element, Bayart describes the 'ambivalence, differentiation and dynamism of African states with rest of world'.⁹⁵ Morocco, while still dependent on France for trade and the majority of its foreign direct investments,⁹⁶ has been able to exert significant agency through its position as the West's ally in North Africa and the Sahel regarding issues of trade, migration, trafficking control and regional stability in the fight against al-Qaeda in the Islamic Maghreb (AQIM). Moreover, in possession of up to 80 per cent of global phosphate reserves, according to some sources,⁹⁷ it holds significant influence over modern agricultural systems and future food security. Recent announcements of the potential to co-mine uranium with phosphate have also upped the geopolitical stakes.⁹⁸ Such characteristics have reinforced Morocco's 'posture' in the international community and encouraged *de facto* oversight of its resource-related activities in Western Sahara.

Complementary to Bayart's work in its recognition of the agency of states, as well as that of non-governmental organisations, is that of James Rosenau. Applying complexity science to international relations, Rosenau's concepts of 'linkage politics'⁹⁹ and 'cascading interdependence'¹⁰⁰ can be applied to analyse how Morocco's domestic and foreign politics collide, in particular the dynamics of change and turbulence in the global system that subsume the narrower actions of foreign policy.¹⁰¹ Morocco's dynamic positioning through myriad international linkages is evident in the manner in which it has strategically navigated the major paradigms of the Cold War and the War on Terror, affording it significant bargaining power. Although the impact of its foreign policy and bilateral relations with other states has had consequences for their recognition of the SADR, for example, it is unlikely that this is purely a question of (inter-state) politics. As shown in the case of India's investments in the phosphate industry, Morocco, via its extractive and processing

⁹⁵ Bayart, 'Africa in the World', p. 219.

⁹⁶ France accounts for around 70 per cent of all foreign direct investments (FDI) in Morocco. According to the French Ministry of Foreign Affairs, in 2012 this amounted to US\$1.2 billion. France also accounts for just over half of the outstanding stock of FDI in Morocco (Economist Intelligence Unit, 'Morocco Economy: Morocco Leads North Africa in Terms of FDI Flows', 2013, published online. Please see: http://www.clustercollaboration.eu/morocco/-/asset_publisher/h3g4hj6iwMGe/blog/morocco-economy-morocco-leads-north-africa-in-terms-of-fdi-inflows?sessionId=23A9953A6574DE99852DBB7B8E2E394A). Moreover, thousands of French firms operate there and 25 per cent of tourists who visit Morocco annually are French (Darbouche and Zoubir, 'Conflicting International Policies', p. 99).

⁹⁷ F. Pearce, 'Phosphate: A Critical Resource and Now Running Low', *Yale Environment*, 360 (2011), http://e360.yale.edu/feature/phosphate_a_critical_resource_misused_and_now_running_out/2423/; M. De Ridder, S. de Jong, J. Polchar and S. Lingemann, 'Risks and Opportunities in the Global Phosphate Rock Market: Robust Strategies in Times of Uncertainty', *The Hague Centre for Strategic Studies*, 17 (2012), p. 12, http://www.phosphorusplatform.eu/images/download/HCSS_17_12_12_Phosphate.pdf.

⁹⁸ Current research is being undertaken into the potential to co-mine uranium that naturally occurs in phosphate rock. According to a presentation on the International Atomic Energy Agency (IAEA) website, Morocco has the potential to become the world leader in uranium from phosphate production, with an estimated annual production capacity of 2840 tonnes. Please see: http://www.iaea.org/OurWork/ST/NE/NEFW/documents/RawMaterials/TM_Vienna2009/presentations/6_Bennani_Morocco.pdf (accessed May 2014).

⁹⁹ J. Rosenau, *Linkage Politics: Essays on the Convergence of National and International Systems* (New York: Free Press, 1969).

¹⁰⁰ J. Rosenau, 'A Pre-theory Revisited: World Politics in an Era of Cascading Interdependence', *International Studies Quarterly*, 28(3) (1984), pp. 245–305.

¹⁰¹ J. Rosenau, 'Comparative Foreign Policy: Fad, Fantasy, or Field?', *International Studies Quarterly*, 12(3) (1968), pp. 296–329.

companies (not detached from the Makhzen itself)¹⁰² and resource trade balance, both maintains and is subsumed by diverse political and economic linkages.

Morocco has shown various forms of political and economic ‘extraversion’ to, and interlinkages with, the Western world, evident in its widespread adoption of neoliberal policies and free trade agreements with the US and EU, as well as with resource-hungry emerging economies, such as India. Yet this relationship is certainly mediated by those at the core of the Makhzen and Palais. There is no better example of this than in Western Sahara, where Morocco’s dogged position and trade in natural resources has led to the backdoor acceptance of its occupation over time. In Bayart’s words, ‘sovereignty in Africa is exercised through the creation *and management of dependence*’¹⁰³—it is a two-way dynamic.

These geopolitical and economic priorities and interests, and the desire to protect them enshrined in the Principle of Territorial Integrity, tend to collide with one aspect of self-determination in non-self-governing territories: sovereignty over natural resources.¹⁰⁴ The latter is core to the Sahrawi’s legal case, as well as the SADR and Polisario’s nation-building efforts.

5.2. Symbolism, internal legitimacy and political mobilisation

Zunes and Mundy argue that the ‘conflict is imaginary . . . not that it is a fiction, but in the sense that it is largely based on ideas’.¹⁰⁵ Although the physical evidence of Tindouf, Laayoune and those families kept apart by the wall immediately dismisses this argument in terms of the conflict’s nature, it has some pertinence in terms of underlying motivations and grievances. This is particularly the case among the generations who have been brought up in Tindouf’s desert camps, for whom life in the sea breeze of the resource-abundant ‘occupied territories’ coastline is a very distant reality.¹⁰⁶

Contrary to the geopolitical *enjeux* surrounding Morocco’s resource exploitation in the territory, among the Sahrawi population—particularly those based in the refugee camps in the region of Tindouf—natural resources have come to comprise an ‘environmental imaginary’. Diana Davis describes the ‘environmental imaginary’ as ‘the constellation of ideas that groups of humans develop about a given landscape, usually local or regional . . . often developed about ‘faraway’ places . . . [and] informed by environmental representations constructed by others’.¹⁰⁷ As such, ‘underlying each is a congeries of power

¹⁰² C. Graciet and E. Laurent, *Le Roi prédateur: Main basse sur le Maroc* (Paris: Seuil, 2010).

¹⁰³ Bayart, ‘Africa in the World’, p. 228, emphasis added.

¹⁰⁴ R. Clark, ‘Western Sahara and the United Nations Norms on Self-Determination and Aggression’, in K. Arts and P. Pinto Leite (eds), *International Law and the Question of Western Sahara* (Leiden, Netherlands: IPJET, 2007), pp. 45–58.

¹⁰⁵ Zunes and Mundy are not arguing that the conflict is imaginary in the sense that it does not physically exist, but rather that, while ‘in the material world, both sides agree that the dispute is over a piece of land . . . abstractly, at the level of “metaconflict”, the dispute stems from mutually exclusive differences in the *self-perceptions* that ground Moroccan and Western Saharan nationalism . . .’ (War, Nationalism and Conflict Irresolution, p. xxiii, emphasis added).

¹⁰⁶ Interview with a Sahrawi camp resident from Tindouf (Anon.) in the documentary *Sons of the Clouds: The Last Colony* by Alvaro Longoria (2012). See <http://www.imdb.com/title/tt1661263/>.

¹⁰⁷ D. Davis, ‘Imperialism, Orientalism and the Environment in the Middle East: History, Policy, Power and Practice’, in E. Burke and D. Davis (eds), *Environmental Imaginaries of the Middle East and North Africa* (Athens, Ohio: Ohio University Press, 2011), p. 3.

relations that may shift and change to varying degrees depending on the time and place'.¹⁰⁸

The social significance of natural resources (based upon their material properties, inherent symbolic value and the social relations woven around them) has changed over time. Notable changes occurred after World War II, when the territory came to be envisioned as a 'store of wealth'.¹⁰⁹ In this case, they represent both a tangible reminder of Morocco's occupation and the implication of external actors (via TNCs), and a more intangible embodiment of the telluric value formerly nomadic Sahrawis attach to the land.¹¹⁰ Discourse and media hype on oil reserves, phosphate wealth and fisheries depletion in the occupied territories compounds the sense of territorial dispossession and associated grievances of the populations in Tindouf,¹¹¹ as well as contributing to hopes (or 'imaginaries') for a better future. As Hinjosa et al. underline, territorial demands are 'influenced by peoples' imaginaries about their preferred livelihood strategies ... [and] local actors' political projects ... The formation of territorial identities results from the combination of tangible and intangible assets accumulated within a territory'.¹¹² In this sense, the presence of, and hope attached to, the natural resource wealth of the 'occupied territories' (in comparison to that of the comparatively resource-poor 'liberated territories') comprises a key role in unifying the Sahrawi nation around a common cause. A concrete example of this, extending to the diaspora as well as populations in both 'liberated' and 'occupied' territories, is the research and advocacy network, Western Sahara Resource Watch (WSRW).¹¹³

Secondly, although not entirely independent of the above dynamic, natural resources have become an important node around which those in support of the Sahrawi cause have been able to mobilise (e.g. WSRW, Polisario and other transnational civil society groups). As highlighted in Section 3, the spatial distribution of power among nineteenth- and early twentieth-century Saharan tribes and peoples of the Atlantic seaboard did not neatly align them with a clearly delineated, enclosed territory and would not facilitate them in making the demands required today to extract and trade such resources on the international market.¹¹⁴ However, that they have been able to organise themselves politically in alignment with the Western unitary understanding of statehood (i.e. through the formation and recognition of SADR) has enabled them to mobilise under international law

¹⁰⁸ Davis, *Imperialism, Orientalism and the Environment*, p. 3.

¹⁰⁹ Drury, 'Global Futures and Government Towns', p. 109.

¹¹⁰ B. Awah, 'Oral Literature and Transmission in the Sahara', *Quaderns de la Mediterrània*, 13 (2010), pp. 59–64.

¹¹¹ A. Boukhars, 'Simmering Discontent in Western Sahara', Carnegie Endowment for International Peace, Washington, DC, 2012.

¹¹² L. Hinjosa, J.-P. Chumacero, G. Cortez, A. Bebbington and D. Humphrey-Bebbington, 'Territorial Dynamics and Formation of Territories in Contexts of Extractive Industries Expansion: A Case Study on Hydrocarbons in Bolivia', Rural Territorial Dynamics Project, University of Manchester, 2010, <https://www.myctb.org/wst/rimisp/comunidadDTR/taller-coordinadores/taller-santiago-2010/Documentos%20compartidos/GRUPO%204/Bolivia%20-%20Tarija.pdf>.

¹¹³ See <http://www.wsrw.org/a114x515>.

¹¹⁴ Ross, 'What Do We Know about Natural Resources'; Le Billon, *Wars of Plunder*. Petroleum and phosphate are point resources and demand extensive infrastructure—often facilitated by foreign investment—to extract and trade. Exploration and extractive licences are typically issued at a national level within the state framework, although communities may have varying stakes in the negotiations depending on the country. As such, recognition of a sovereign entity is required for them to reach international markets (Le Billon, *Wars of Plunder*).

and make demands over natural resources that they would not otherwise have been able to make.¹¹⁵

International law—notably the Principle of Self-Determination and its corollary, the Principle of Permanent Sovereignty over Natural Resources—has lent the Sahrawi political entity and their quest for independence international legitimacy and recognition. Campos summarises this:

... that the conflict in Western Sahara developed around sovereignty and an uncompleted decolonisation helps a political interpretation of oil exploitation by social activists ... it facilitates the Polisario Front to find numerous and sustained sponsors abroad, and to condemn the Moroccan government in multiple international fora.¹¹⁶

As such, natural resources have provided a key organisational centre for activism, both internally and externally, an idiom around which claims for sovereignty can be constructed and mobilised. International norms of self-determination and those developed for the non-autonomous peoples of Western Sahara allow them to raise questions and make demands over natural resources in a very different way than in other contexts where sovereignty is not in question.¹¹⁷

6. Discussion: Resource for Peace?

At both the international and regional levels, the dogged focus on Morocco's sovereignty versus Sahrawi self-determination—two sides of the same coin—has led to today's '*différend*' situation.¹¹⁸ The series of ongoing negotiations reveals the disposition of both parties to the political process, although the tendency to 'talk past each other' continues to be a hindrance.

Nonetheless, lessons from other resource-rich and conflict-ridden regions indicate the potential of Western Sahara's resources for peace-making activities.¹¹⁹ While its fisheries—as a diffuse, lootable resource positioned far from the centre of power—are likely to play a minimal role in this respect, the territory's high value, investment-intensive and non-lootable resources—oil and uranium—hold potential in terms of motivating the parties to find a solution. As has been underlined throughout, the conflict is by no means reducible to a struggle for control over natural resources; however, the prolongation of the stalemate situation implies losses for all parties, or at least a hindrance in reaching the full potential of resource exploitation. If oil exploration proves fruitful, for example, Morocco may be incentivised to stabilise its relations with Algeria, which has much more advanced refining capacity.¹²⁰ This would likely have positive ramifications in terms of resolving the dispute over Western Sahara.

Taking a step back, in the case of the Sudans, oil was part of a larger incentives structure for ending the conflict: exploitation required high levels of foreign investment and a minimum level of collaboration between the conflicting parties.

¹¹⁵ Polisario's government-in-exile, for example, held its second petroleum licensing round in 2008. Fišera has termed these contract battles between the Moroccan and Western Saharan governments 'Texan diplomacy' (R. Fišera, 'A People versus Corporations? Self-determination, natural resources and transnational corporations in Western Sahara', University of Deusto, Bilbao, Spain, 2004, p. 59).

¹¹⁶ Campos, 'Oil, Sovereignty and Self-Determination', p. 443.

¹¹⁷ Campos, 'Oil, Sovereignty and Self-Determination', p. 443.

¹¹⁸ Maghraoui, 'Ambiguities of Sovereignty', p. 116.

¹¹⁹ Le Billon, *Wars of Plunder*; Wennmann, 'Breaking the Conflict Trap?'

¹²⁰ J.-P. Favennec, 'Opportunities in the Changing African Oil Space', presentation given at Global Energy 2013, 4 December 2013, in Geneva, Switzerland.

Oil became a strong economic incentive, as well as a push towards resolving underlying land ownership issues.¹²¹ In comparison, in Aceh, Indonesia, natural resources were mainly addressed by the government as part of its special autonomy legislation, similar to the Baker II plan. However, in this case, resource revenue sharing was perceived as a means to provide incumbent elites with additional opportunities for corruption.¹²² In the case of Western Sahara, where resource exploitation activities are closely intertwined with Moroccan political and military elites, this risk is very present. Moreover, as discussed in Section 5, rather than providing an incentive to resolve the situation, the reliance of external actors on Morocco's phosphate reserves has instead led to *de facto* recognition of its sovereignty. Nonetheless, while in the case of phosphate the supporting infrastructure is already in place, in order to exploit uranium and oil a significant amount of foreign investment and knowledge sharing will be required providing a stronger economic incentive, as occurred in the case of South Sudan.

7. Conclusion

This article has argued that natural resources have been deeply implicated in the conflict over time with extractive activities and resource development lending legitimacy to each party in different ways, both internally and in their relative positioning to external actors. On one hand, the complex political economy that has emerged around natural resource exploitation and the associated geopolitical *enjeux* has led to the *de facto* recognition of Morocco's occupation over time. The varying positions of (tacit) acceptance of Morocco's authority are evident in countries' trade policies and Morocco's extraversion towards, and diverse interlinkages with, the Western world, dynamics that have been made sense of in this article using the concepts developed by Azar¹²³ Bayart¹²⁴ and Rosenau.¹²⁵

On the other hand, the symbolic aspects of natural resources and the associated 'environmental imaginary'—particularly their social significance among the marginalised populations of the camps in Tindouf and codification under international law—have lent the Sahrawi cause legitimacy, both internally and internationally. The material and symbolic value of natural resources, and the social tapestry woven around them, embody territorial identities and hopes that are mobilised by Polisario/SADR to unify the nation around a common cause. Natural resources have proved to be an important node around which those in support of the Sahrawi cause can mobilise allies, both regionally and internationally. That sovereignty is contested has facilitated a discourse in a different and more powerful way than when it is not in question, particularly in the Sahrawi's capacity to invoke international law to support their case.

Looking forward, Maghraoui poses the question: democratisation or independence?¹²⁶ Although this is arguably a continuation of reductionist arguments, a reorientation towards securing human rights in the region, democratisation and distribution of resource wealth, rather than ownership of

¹²¹ A. Wennmann, 'Sharing Natural Resource Wealth during War-to-Peace Transitions', in P. Lujala and S. Rustad (eds), *High-Value Natural Resources and Peacebuilding* (Oxon: Routledge, 2012), pp. 225–250.

¹²² Wennmann, 'Breaking the Conflict Trap?'

¹²³ Azar, *Management of Protracted Social Conflict*.

¹²⁴ Bayart, *Africa in the World*.

¹²⁵ Rosenau, *Comparative Foreign Policy; Linkage Politics; A Pre-Theory Revisited*.

¹²⁶ Maghraoui, 'Ambiguities of Sovereignty'.

the resource *per se*, is perhaps the direction in which debates and research should orientate. The role of civil society actors is also likely to be a key factor in the future, both in advancing the above objectives of human rights and democratisation and in postponing resource exploitation until consensus is found between the two parties. Increasing regulation of TNCs, as well as increasing attention being paid to reputational risks, provide possibilities to hold companies accountable outside of the state-centric framework of international law. In light of this, (foreign) investment-intensive efforts to exploit oil and uranium may push all parties past the *différend* and towards a compromise.