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WHOSE  
COMPLEMENTARITY?  
SOCIAL LINES OF  
CONFLICT BETWEEN  
MOBILE PASTORALISM  
AND AGRICULTURE IN  
THE CONTEXT OF  
SOCIAL DIFFERENTIA-  
TION IN THE  
MOROCCAN SUS

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## **Whose Complementarity? Social lines of conflict between mobile pastoralism and agriculture in the context of social differentiation in the Moroccan Sus<sup>1</sup>**

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*Dedicated to László Vajda*

### **Abstract**

Transformations in the relationship between mobile pastoralism and agriculture in southwest Morocco are commonly addressed as a shift from traditional relations of complementarity and cooperation in resource exploitation to relations of confrontation due to accelerated competition over access to increasingly scarce and therefore contested resources. In the paper, instead, these transformations are analysed as processes of elite formation based on the formation of strategic groups. It is argued that the integration both of agriculture and of mobile pastoralism in the neoliberal market economy has resulted in a reconfiguration of social relations of all groups of actors involved and has led to an asymmetrical constellation favouring cooperation between different strata of elite. Included in the analysis is the transnational dimension of the described social processes that has not only contributed to the strategic course of action in elite cooperation but has also opened up new agency and room for manoeuvring for those who form resistance against.

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## Introduction

The ambition of this paper is to elaborate in a more detailed way on a complex issue than it would be possible in a journal article but for which the format of a working paper seems appropriate. The aim is to combine a bundle of approaches to a composite line of argumentation. In so-doing, the intention is to show how these different threads combine and assemble into a coherent, albeit multifaceted, picture. The analysis addresses the connectedness of processes of social stratification with the narrative of mobile pastoralism in a multilayered framing, ranging from post-colonial conflict scenario and neoliberal economy to transnational legal integration via legal blueprints such as those of environmental protection and anti-terrorism legislation.

The worldwide transformation of nomadic ways of life in the context of economic globalisation has raised increasing interest (e.g. Fratkin 1997; Ginat and Khazanov 1998; Leder and Streck 2005; Chatty 2006). Within this wider frame, a debate is taking place on the transformation of nomadism in Morocco (e.g. Bencherifa and Swearingen 1996; Steinmann 1998; Rachik 2000; Shoup 2006; Casciarri 2006; Gertel and Breuer 2007). The paper makes a contribution to this debate by referring to a particular constellation in southwest Morocco. The aim of the paper is to analyse under what conditions nomadism – as an intellectual concept and mindset – integrates mobile pastoralism into the world economy evoking what consequences.

The Sus in southwest Morocco has historically been an area of interaction between the local resident rural population and mobile pastoralists, a situation which continues to date. The Argan forests, which form a worldwide unique ecosystem, provide an essential part of the livelihood of both nomads (*rahhalin*) from various regions practicing different types of mobile breeding on the one hand, and local farmers and peasants (*fellahin*) on the other hand, whose activities vary from conventional forms of rain-fed cultivation and irrigated agriculture to hypermodern agrarian production.

However, the established social relationships between both groups of actors have experienced tremendous changes in post-independence Morocco from 1956 to the present. The subsequent increase of violent conflicts between both groups has been ascribed to specific transformations. These may be analysed from a comparative perspective as a shift from traditional relations of complementarity and cooperation in resource exploitation to relations of confrontation due to accelerated competition over access to increasingly scarce, and therefore contested, resources.<sup>3</sup> The changes in many pastoralist-agriculturalist relationships have often been described both in the social science literature and in explanatory concepts local actors themselves have brought forward in terms of conflict generation – thus the substitution of complementarity through competition and confrontation.<sup>4</sup> I argue here, that this model does not fully apply to the situation in the Sus, not to mention the fact that mono-causal explanations always prove to be insufficient. Rather, so I argue, changing interests, shaped by transnational and external impulses of a global and neo-liberal economy, advance a transformation of established relationships from traditional complementarity of the ideal type – including the connotation of a sustainable and ecological balance between various nomadic and local groups – towards a complementarity between strategic groups. A

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<sup>3</sup> For the aspect of complementarity in nomad-agriculturalist relationship see e.g. the classic studies of Bates 1971; Barth 1973; Mohammed 1973; more recently Bonte and Galaty 1991: 11, 15, 25; Hussein 1998: 16–21; Casciarri 2003: 184f.; Streck 2004; Ikeya 2005: 10.

<sup>4</sup> For a review of the relevant literature on the Sahel and East Africa until 1998, see Hussein 1998; cf. also Diallo and Schlee (eds.) 2000, esp. van Dijk. For the Sus see Aziki and Bodemeyer 2003: 18.

strategic group is defined in terms of shared interests in the extension of economic success, but does not necessarily include concrete contexts of concerted action or the development of a cohesive collective identity.<sup>5</sup>

The process of strategic grouping is taking place between different factions within the post-protectorate elite.<sup>6</sup> This elite developed during the transformative process itself. According to Leveau (1976), after independence in 1956, the king in his unique position both as a religious and political leader was searching for balance between political stakeholders in the kingdom. Therefore, he fostered the emergence of a new rural elite as a conservative and supportive social stratum backing up the monarch's position against competing political actors within the *Makhzen*, the state apparatus cum elite appendices the state of Morocco was formed by. Although the Arab urban elite still prevails in the *Makhzen*'s basic structure (Benhaddou 1997; Sedjari 2002; Heydemann 2004), the former king Hassan II to a certain extent successfully contained the powerful position of urban Arab intellectuals and business people (Waterbury 1970).<sup>7</sup> One outcome of this politics was a new process of reconfiguration of alliance building and networking within the then diversified elite.

This conforms with the view of rural residents who failed in their attempt at social mobility, that the new rural elite consolidated its position and integrated in internal competition within the opaque arena of the *Makhzen* by grabbing the chance to cooperate with political parties as the outcome of an, at the beginning, unforeseeable process (Parejo 2002). This local explanatory model, although quite often associated with conspiracy, reminds of anthropological analyses of elite – society relationships in industrialised and postcolonial settings (cf. e.g. Pina-Cabral and Pedroso de Lima 2000; Shore and Nugent 2002; Lem 2007). Elite dominance seems to be increasingly mediated by interposed institutions and actors distancing elites personally from those below but simultaneously connecting both groups economically (Heydemann 2004).<sup>8</sup>

The paper shows that 50 years later it becomes apparent that through strategic partnerships rural elites do not fall behind other elite groups during enforced neoliberal globalisation. On the contrary, they seem to be able to consolidate their position and entanglement with the central authority. Insofar, the paper carries on the analysis of the emergence of a post-independence rural elite, convincingly described by Waterbury and Leveau as a process intentionally steered by the central political authority.

Thus the paper seeks to focus on these developments by referring to the concept of strategic grouping in the process of post-independence class formation with respect to the rural zone as it has been described by Evers and Schiel (1988). What makes reference to the concept attractive for the analysis undertaken in this paper is that it addresses, despite some obvious inconsistencies, the topic of complementarity (Berner 1995: 8).<sup>9</sup>

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<sup>5</sup> For further details see Evers and Schiel 1988; Berner 1995. On networking within the Moroccan elite and its adjustment to conditions of globalisation, see e.g. contributions in Heydemann 2004; Storm 2007.

<sup>6</sup> See e.g. Gusterson 2001 on anthropology of elite formation in post-colonial settings and Benhaddou 1997 on elites and power relations in Morocco.

<sup>7</sup> So, the concept of strategic groups does not necessarily refer to alliance building within one and the same social stratum, and strategic groups do not form socially coherent units at all. This new emerging multi-layered social stratum replaced the unstable and quasi-feudal stratum of pre-independence political leaders of those social units called tribes or tribal confederations. The tribal leaders deduced their legitimacy from genealogical ties and recognition of the sultan but sympathised to a great number with the French occupiers after the defeat of resistance in the Sus in the 1930s. Cf. Montagne 1989 [1930]; Justinard 1951; Maxwell 2000 [1966]. On the French impact on urban elite formation, see Hoisington 2001.

<sup>8</sup> Cf. also Boldley 2003 on power and scale.

<sup>9</sup> This look at strategic groups in order to analyse the relationship of dependence between elite formation and economic change in this article is informed by Nader's (1999 [1972]) call for studying-up *vertical slices* of social life and to see how elite formation correlates with the exploitation of those whose economic profile made them vulnerable.

To sum it up, it is the combination of the previously discussed three strands that constructs the thread, the explanatory narrative of the shift from complementarity to confrontation in peasants-mobile pastoralists relationships and its role in processes of elite formation through strategic grouping in an increasingly transnational environment.

Now, the concept of strategic groups also suggests that, in the course of transformation, actors form new networks in order to secure privileged access to previously underexploited resources. Horizontal networks of cooperation are combined with vertical cushioning of established power structures. The paper thus argues that the analysis of the wider social context reveals that there is no transformation from complementarity to conflict at all, but a change of constellations of cooperating and/or conflicting actors. Horizontal alliances on a high level of social rank developed and delegated the conflict potential resulting from intensified competition to social actors who had no 'exit option'. As a consequence, the 'voice option', which includes reverting to violence, came to the fore.<sup>10</sup> In the concrete case of the Sus, long distance camel herding pastoralists are interacting with real estate holders.

It is further argued that this new constellation of actors and networkers provoked resistance of those who had been deprived from cooperation and that they not only identified the strategic alliances as their actual opponent but also modified their actions according to the changing circumstances. It will be shown that this resistance cannot be explained by the assumption of a shift from cooperation to conflict in the regulation of access to scarce natural resources between mobile pastoralists and peasants. So, the argument continues, the transnational contextualisation that made the new network possible was also considered by those who forged strategies against.

This line of argumentation leads to the insight that strategic resistance against elite cooperation refers to the transnational scale as a sphere of hyper elitism. Recently, emerging interdependencies between layers of transnational and national elite may be instrumentalised for the containment of the elites' impact on rural affairs. So, there was no general disapproval voiced against integration into the world economy but against exclusion from participation (cf. Scott 2005; Edelman 2005) According to local actors, this counterbalancing of effects of elite formation on local conditions is seen as being integrated in a continuous local policy of investment in an unstructured social movement, although very little room for social mobility has been achieved in the meantime.

Central to the analysis is the conceptualisation of that relationship within a frame of informal local order. Local legal practice is influenced by various legal repertoires. The legal arena has experienced tremendous transformation in recent times due to the increasing impact of diverse transnational actors, powerful donor organisations such as the World Bank, the International Monetary Fund (IMF), the European Union (EU), the UNESCO and an armada of development agencies, among them the Gesellschaft für Technische Zusammenarbeit (GTZ – German Association for Technical Cooperation), the US Agency for International Development (USAID), Oxfam Canada, and the Agence Française de Développement (AFD). It is specifically addressed in the paper how these different impacts have affected the room for manoeuvring in the legal arena for the actors involved in either strategic alliances or resistance against. One recent development is the revitalisation of former local legal regulations, which had survived in their codified versions, as

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<sup>10</sup> According to the model of organisational decline Hirschman developed in 1970, members of any kind of social formation may operate with two essential options, i.e. 'exit' and 'voice'. In the concrete constellation, those actors pushed to conflict could not withdraw (exit) since they depended economically on allied actors of high rank. Instead, they had to use their voice option against the direct opponent violently. For a pastoralist-agriculturalist context see Dafinger and Pelican 2006 referring to Hirschmann 1970.

integrated parts of state legislation by transnationally active development organisations. This repertoire is sometimes called *code pastoral* with respect to the existence of customary regulations that were accepted by both sides in the past, but which the new arrangements rule out. Another strategy of resistance was the reference to transnational legal templates that had been integrated in Moroccan state legislation at various levels.

### **Contingency and Historical Development**

Three historical developments, so I argue, seem to be crucial in order to evaluate cooperative versus confrontative relations between mobile pastoralists and local farmers.

First, after independence in 1956, agrarian and irrigation development initiated under the French protectorate continued. This development resulted in a concentration of landed property in the hands of the local rural elite (Popp 1983; Hoisington 1985; Swearingen 1987). Since then, the Sus has been integrated into the world economy as a cash crop exporting area and agricultural boom region.

Second, there are the effects of the reintegration of the Moroccan Sahara into the kingdom after the *Marche Verte* in 1975. *Al massira*, the Green March, was a state organised peaceful mass mobilisation in November 1975 for a march to the Rio de Oro region in the Western Sahara in order to force Spain to surrender it to Morocco (Rollinde 2003). It was the political will to encourage Sahrawi camel herders to consider the whole of Morocco as their legitimate pasture ground (*agdal*). This policy and its expression in the form of royal decrees that are considered legally binding for judicial practice had enormous consequences and contradicted many local regulations of shared resource utilisation between *fellahin* and *rahhalin* and led to the reduction and even destruction of existing social ties with other formations of mobile herders, who were used to staying in the Sus seasonally.

Moroccan politics towards territorial integration, however, was met with resistance by parts of the Sahrawi population and developed into a controversial issue between the countries surrounding the region, namely Algeria, Mauritania and Morocco. The movement fighting for independence against the Spanish coloniser, the Polisario, opposed the Moroccan and Mauritanian claims. While Mauritania soon resigned from its claim, a long-lasting state of war emerged between the Moroccan state and the Polisario movement, the latter being backed by Algeria. Eventually, the United Nations arranged a ceasefire in 1991. They initiated a still ongoing process of negotiation and the preparation of a still pending referendum on whether the Sahrawi prefer an independent state or affiliation with Morocco. This process remains under the supervision of the UN peace mission MINURSO (Mission des Nations Unies pour l'organisation d'un référendum au Sahara occidental). While the territory is still on the United Nations' list of 'Non-Self-Governing Territories', almost all Moroccans would agree with their political representatives, that the Western Sahara is fully integrated in the Moroccan kingdom as the Southern Provinces.<sup>11</sup>

Without going into details, for the argumentation in this paper one has to point out that the Sahrawi population is split into a resistance movement, the Polisario, claiming an independent state, and those who accept Moroccan state sovereignty over the Western Sahara. In Morocco, however, it remains a highly sensitive issue to publicly address possible entanglements and interactions between Sahrawi who acknowledge their Moroccan citizenship, those who object to

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<sup>11</sup> For details on the Western Sahara conflict see e.g. Shelley 2004; San Martin 2005.

various degrees from within the Southern Provinces, and those who stay in exile in Algeria and form the resistance movement. The ambivalent attitude of Moroccan state agents towards Sahrawi herders on the one hand and the integration of camel herding as a state secured economy in elite business on the other hand may be seen against this background and will be outlined in this paper.

Third, transnational intervention in the form of the world market economy, development cooperations, human rights and other initiatives – which are reflected in concepts such as sustainability, environmental protection, and the politics of decentralisation – affects the setup of civil societal structures but also free market trade (Turner 2006). The intervention of transnational Islamic movements constitutes another strand in this context. These movements propagate ‘Islam as the solution’ (*al-Islam huwa al-hall*) and combine the observance of a strict Islamic legal code with charity work and social commitment. State politics of containment in reaction to the increasing impact of Islamic activism, in turn, were also influenced by transnational legal development.

Articulations and historical conjunctions between these processes of very different qualities led to a breakdown of the established and ecologically more or less sustainable interaction between agriculture and nomadism.<sup>12</sup> These developments contribute to a reconfiguration of local legal repertoires and the social working of the law.

After a brief sketch of the local setting, the development of the relationship between local resident Swasa and Sahrawi nomads is described with respect to the tremendous transformations evoked by the integration of the region into the world market economy. In a next step, the interdependence of economic and legal configurations is addressed as being part of the transformative process. Then, the wider frame of nomadic self-reflection is outlined and contrasted with some obvious contradictions between nomadic ideology and its strategic reading by other non-nomadic actors. In the centre of the analysis are the conflictive relations and their embeddedness in a wider normative and economic frame. This analysis allows us to identify the social lines of conflict and the constellations of actors behind them. In conclusion, the stereotype of a shift from a complementary to a competitive nomad-peasant relationship is rejected as an explanatory tool for the analysed constellation, and the emergence of new strategic groups in a transformed legal environment is identified.

### **The Local Setting**

The Sus is a plain surrounded by the Atlas and Anti-Atlas mountains in southwest Morocco. Most of the Swasa are *fellahin*, farmers and peasants. Local forms of agriculture, combined with small livestock husbandry, are diverse. There are zones of conventional but also of hyper-modern agrarian production, irrigated zones as well as zones of rain-fed cultivation. Large citrus and vegetable plantations as well as greenhouses dominate the landscape in the central plain. Agrarian activities and irrigation remain important points of transnational connection today. Animal husbandry is an indispensable element of the local rural economy. The stocks are normally composed of sheep and goats. A few cattle may also be raised in rural households. Livestock plays an important role as a capitalisable reserve and as supplier of meat and manure, the latter being a prerequisite for irrigated agriculture.

<sup>12</sup> Many concomitant aspects, which contribute to the dynamics addressed in the paper – such as a tremendous demographic growth, economic factors of migration, tourism and particularly religious factors as the intervention competencies of local religious experts in conflict matters – will not explicitly be discussed here.

The Sus is also home to the Argan forest, a unique ecosystem and object of transnational development intervention. The Argan tree (*Argania Spinosa (L) Skeels*) is an endemic relict of the Tertiary period and the only tree building forests in this semi-arid area able to curb progressive desertification. The Argan forest provides the essential means of livelihood for large parts of the local population. However, the multiple forms of exploitation of the forest, in the first place as pasture, have been considered responsible for the continuous degradation of the Argan tree population. The herds of the resident population are by more than two thirds composed of goats. The adapted species climbs the trees and grazes in the crown. The Argan forest is also incorporated into the zone of agricultural activity. Cereals are grown in rain-fed cultivation and irrigated vegetable production started to expand into the Argan forest. The range of products the forest provides includes barley and oil from Argan fruits as staple foods, as well as vegetables produced as cash crops and many additional products such as wood, mould, medicinal plants and what can be obtained from herding. In 1998, the whole area of the 'Arganeraie' was classified as a UNESCO Biosphere Reserve. Although the realisation of the project remains for the most part theoretical, the resulting consequences for legislation, legal practice, and the management of natural resources in general contribute to the central problems addressed in this paper.

So, different actors utilising different means of production, ranging from small traditional peasants to real estate holders engaged in agroindustrial production, camel herding mobile pastoralists, traditional transhumants, and producers of Argan oil, compete in the exploitation of increasingly scarce natural resources.

The majority of the local Swasa are *Tachelhait*-speaking Berbers, whose self-designation is *Ishilhayen*. However, there is a high proportion of Arabic-speaking people in the plain, concentrated particularly in the urban centres and in some enclaves in the countryside. Clan affiliation, the patri-lineage system and segmentation, as well as the elaborated alliance systems of the Swasa have given rise to extensive debates in anthropology (Montagne 1989 [1930]; Hoffman 1967; Berque 1978; Hatt 1996; Hart 1996; Turner 2008). However, descent criteria do not dominate social relations today. Furthermore, increasing mobility and long-distance marriage arrangements have modified the allocation of descent ties in space in recent decades. In times of crisis however, they may be reactivated and reconfirmed as reference units for collective action as it will be shown later when a case of homicide is discussed. Further social criteria of inclusion and exclusion, such as neighbourhood solidarity, contribute to the local conception of social cohesion. This type of socio-political organisation, called *taqbilt* (berb.) or *qabila* (arab.), represents the basic reference frame for local identity. It is a named territorial group that understands itself as a social unit, in which solidarity obligations transcend the descent group. These units are sometimes referred to as tribes, sometimes as tribal factions, and sometimes as completely different types of social units (Hart 2000, 2002; Brown 2003; Tozy and Lakhassi 2004; Shoup 2006). They persist as the basis for the rural districts and have thus been integrated into the Moroccan state administration. Whereas in other parts of the country, the introduction of rural communes has resulted in a detribalisation of large parts of the Moroccan population, it has not brought the social significance of the tribal system to an end and particularly not in the Sus. A rural district in the Sus consists of a number of villages and hamlets. No dominant pattern of internal social organisation exists in these villages. Some are composed of or dominated by members of one lineage. Others consist of members of a number of quite equal lineages. Political organisation in these rural districts oscillates in practice between tendencies of centralisation and dissemination of power.



This concerns both official and informal institutions. Whether based on informal organisation or integrated into state administration, in some villages, prominent figures or elitist oligarchies of wealthy landholders dominate the political sphere. In other villages, informal collective organisations take responsibility for leading and organising the community. The depicted socio-spatial and genealogical configurations of solidarity and collective acting will be further addressed when the construction of concrete lines of conflict are analysed which came to the fore in a case of homicide.

Sahrawi nomads from the Western Sahara regularly invade the region with their large camel and goat herds. During the dry season, nomad encampments are numerous in the Argan forest, even in the vicinity of villages. In the past, sporadic Sahrawi settlements have been installed with which the mobile groups maintain close relationships.

These factors are sketching the patterns and initial positions for a more profound evaluation of the social dimensions of conflict. A diachronic perspective, however, also contributes to the understanding of recent social processes. The Sus is steeped in history, and state influence has always been significant (cf. Montagne 1989 [1930]; Al-Sūsī 1960–63; Jacques-Meunié 1982; Pascon 1984). For centuries, the area was connected with the outside world through trade and migration. It is also a centre of peaceful, scholarly Sufism, represented by venerated and erudite specialists. However, the history of the region has been violent. The local Islamic Sufi movements were involved in military activities, and the region was a centre for both religious and political movements, which were decisive in the political history of the whole of Morocco. Given this history, recent conflicts between powerful interest groups or alliances as well as external influences from development organisations and religious movements are not something completely unfamiliar to the Swasa. A local peasant explained to me his attitude in a critical situation in reference to a sort of cumulative historical repertoire:<sup>13</sup> *“We [!] have chased away the Portuguese [in the 15th century] and we will do the same with our enemies today.”*<sup>14</sup> Empirical data presented here refers to a rural community located in the centre of this region, where a particular combination of factors is given, which singles out this site from the high variability of natural and social conditions.<sup>15</sup>

### **Agriculture and Mobile Pastoralism in the Sus**

The empirical data confirms the basic assumption connected with research on nomadism in general, that mobile pastoralism cannot be disconnected from a given local agricultural environment (Vajda 1968; Bonte and Galaty 1991; Leder and Streck 2005). As has been said, the Sus has been an area of interaction between mobile pastoralists and local resident farmers and peasants for centuries. This implies local arrangements of access to pasture and water. Allied groups practicing transhumance with small livestock came regularly during the dry season when pasture was accessible after harvest, most of them from the region east of the Sus, located between Zagora and

<sup>13</sup> On perceptions of time in Morocco see Turner 2000a.

<sup>14</sup> All literal quotations in this paper [*in italics*] are translated from recorded interviews and discussions with local informants – villagers, peasants, farmers, nomads, development brokers, Islamic activists and state officials – held during fieldwork in the years 1996–2005.

<sup>15</sup> The data on which this paper is based has been anonymised. Fieldwork on transnational impacts on local social dynamics between resident rural population and mobile pastoralists was carried out for several weeks annually between 1996 and 2005. Data from different settings and concrete constellations in the Sus plain is included in the analysis. Since 2001, the fieldwork has been part of a project of the Legal Pluralism Project Group at the Max Planck Institute for Social Anthropology in Halle, Germany, on “Sustainable Development and Exploitation of Natural Resources, Legal Pluralism and Transnational Law in the ‘Arganeraie’ Biosphere Reserve”.

the slopes of the eastern Atlas.<sup>16</sup> The draw wells (*naora*) for irrigated agriculture did not produce a surplus of water at that time. Only the shared use of cisterns (*metfiyyas*) was possible and this regulated the size of the herds in a particular area. The water stocks of the *metfiyyas* were sufficient for both the herds of the locals and the nomads over the summer period. Accordingly, the exploitation of the forest as pasture was constrained by the limited access to water. This system fed the ecological dream of a complementary relation based on a sustainable balance and adapted to local natural conditions. The physical access to the forest was further restricted by its impenetrable thicket (Peltier 1982). Thus, only the areas used by the resident population were also accessible for the nomads.

The mostly *Tachelhait*-speaking transhumant partners of the local peasants, who were integrated in these arrangements of resource sharing, however, could not maintain their position. They have been extruded and were partly forced to abandon transhumance altogether or to move to less favourable areas. For political reasons, one particular group became dominant: the Sahrawi. Already in the past some units of camel-raising Rgueibat, Ait Oussa and other nomads of the south maintained contractual relations with partners in the Sus. They provided animals for caravan transports and camel meat for religious festivals. Some of these traditional contractual arrangements still continue. The upheavals in the 1950s in the Spanish colonised Rio de Oro province motivated some Saharan groups to stay in the Sus, particularly in the buffer zones that traditionally separated areas claimed by local villagers for their respective exclusive use (Aziki and Bodemeyer 2003: 11–14). Still today, these settlements stand out from their environment in appearance and social lifestyle. Another wave of settlement formation took place in the 1970s when the Southern Provinces were reintegrated.<sup>17</sup> At that time, a new area of nomadism began. Members of the *Makhzen* elite and some powerful Sahrawi actors started investing in camel breeding in order to profit from the new open access regulation for Sahrawi nomads decreed by the Moroccan government or the king after the *Marche Verte*. According to the statement of resident Sahrawi in the Sus, this was the time when herds of Sahrawi, who had fled the south and had to face precarious living conditions, changed hands.<sup>18</sup>

The first wave of pseudo-sedentarisation of Sahrawi formations coincided with the acceleration of agricultural development. These circumstances brought about better access to the forest for the camel herds. The ultimate shift came with the integration of the region, including the forest, into the world market system. The introduction of new cash crops played the decisive role here.

The integration was enforced during the French protectorate (1912–1956). The modernisation of local agriculture started in the mid-1940s with the foundation of *colons* farms producing citrus fruits for the European market,<sup>19</sup> while local landowners were forced to sell land as a result of precarious living conditions.<sup>20</sup> Simultaneously, a significant clearing of the forest areas began. The

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<sup>16</sup> For examples see Werner 2006.

<sup>17</sup> Today, Sahrawi settled in the Sus celebrate their own cultural festivals dedicated to their Hassani cultural heritage, see Le Matin 2006.

<sup>18</sup> For a brief contextual sketch of the effects the Western Sahara Conflict in combination with climatic conditions had on mobile pastoralism in the greater region, see Bonte and Galaty 1991: 272–277. On the distribution of camels within Morocco, see Benhalima 1994.

<sup>19</sup> For details see Popp 1983; Swearingen 1987.

<sup>20</sup> Today, resident Swasa mention the devastating effects of the famine and epidemics that followed the drought in 1944/1945 as the background of land sales that local peasant were forced to accept. See Swearingen 1992; Rivet 1999: 212–214. The fact that many Swasa survived due to US American intervention while the Protectorate's Government did not show extreme commitment feeds conspiracy theories still today. The main line of argumentation in this paper passes over the wider effects of these developments on e.g. demography, migration or environmental degradation. See e.g. Montagne 1952.

new farmers dug deep wells and installed motor pumps. With the first expropriations after 1973, the situation changed completely. Moroccan investors had been able to take over large parts of the land as individual private property. In the aftermath, extensive agricultural production resulted in an overexploitation of groundwater reserves. The constant deepening of the wells and the thus increasing costs of fuel for the pumps made water expensive, which resulted in rationalisation. The former peasants, who had sold their land and worked on the farms as wage labourers, lost their income because the newly introduced irrigation technologies required less man power. At the same time, the introduction of new cash crops, particularly the tomato, allowed them to reactivate traditional sharecropping practices and to participate in modern agricultural production (Turner 2003). “*The tomato became the poor man’s citrus fruit. Also we small peasants could from then on profit at least a bit from the ‘grand souk’ [world market].*”<sup>21</sup>

Since tomato production demanded uncultivated land, the zone of agricultural activity was expanded into the Argan forest. As a consequence, the rhythm of seasonal production in the forest was redefined. The brushwood was cleared in large parts of the forest and replaced by irrigated fields.<sup>22</sup> From then on, these parts of the forest offered open access for camel herds. The nomads came in greater numbers, and not only those with whom the peasants had established contracts. Competition over access to the increasingly exploited forest areas was inevitable. Over time, and most notably since lasting droughts have continued for several years, the number of encampments and the size of the herds, especially the camel herds, have been increasing even more.<sup>23</sup> In the forest surrounding the *commune rurale* considered here, there were four camps in the summer of 1996 and about 23 in the summer of 2001. In the whole plain of the Argan forest, there were about 280 camps with 30,000 camels altogether, in 2001.<sup>24</sup>

There are, on the other hand, the large estates, which were never directly affected by the increase of mobile pastoralists since the herds have no access to these farms, as they are protected by impenetrable cypress fences or thorny jujube hedges and often also by walls. These two groups of actors have very different backgrounds and invest in different identity pools. They had little contact until they realised their complementary interests and their potential for cooperation. Since the large farms dispose of their own wells and since the introduction of water saving technology, they are able to preserve water, or at least they were until very recently, when water shortages exacerbated pressure on all parties involved. Thus, it was a question of financing, not of availability, whether the farmers agreed to support the nomads with water or not. The nomads could also make an interesting offer. Manure is indispensable for irrigated agriculture and the farms have a demand for manure that could not be satisfied by local production. Hence, the Sahrawi nomads started to supply the large farms with manure for good prices. Other commodities subsidised in the Southern Provinces and smuggled back to the Sus, which were of particular interest for the wealthy farmers, among them fuel (*mazout*), were also exchanged for water and implicit support. But the most important point to emphasise here is that not only common goods are subsidised in the South, but

<sup>21</sup> From conversations with sharecroppers, 2000.

<sup>22</sup> This is only one of many reasons for the degradation of the forest and particularly true for the concrete case considered here.

<sup>23</sup> It would be worthwhile in this context to analyse the political dimensions of ‘drought’ as a concept as well as its defining character and its argumentative power in the interaction between sedentary peasants, nomads and state representatives in connection with the discourse on high risk economy linked with the world market and high rates of profit. See Bois 1949; Swearingen 1992, and Werner 2006 for some functional approaches to drought in connection with nomadism.

<sup>24</sup> The official numbers of camels raised in the Western Sahara obviously include those staying over summer or even permanently in the Sus; see Benhalima 1994; Essemlali 2008.

also camel raising. Food supply for the nomads is part of state subventions in agriculture (Werner 2006) which means that elite herd owners are recipients of subsidies they themselves or their allies in state positions are granting. Here, again the narrative of drought plays a role as the very reason, although pretended, behind this policy.<sup>25</sup>

Thus, a new complex system of exchange was introduced to the detriment of the local peasants. Included in the contract is that the nomads never cause problems for the large property holders. This may be regarded, so I argue, as the hour of the construction of a new strategic group composed of members of the farmer elite on the one hand, and the new owners of large camel herds, respectively their local representatives, mostly Sahrawi clan chiefs, on the other hand.

By comparison, very limited benefits from nomadic production remain today for the local peasants. The nomads no longer contribute to stable prices on the meat market. On the contrary, based on their possibility of moving the flock, they have much better chances to profit from price fluctuations than others. Moreover, most of their herds disappear in the south which means in concrete terms that the meat marketing options are associated with contraband trade networks of neighbouring countries. Officially, the Moroccan state is very supportive of projects aimed at commercialising camel meat (Essemlali 2008; El-Katab 2008). But unexplainably, this implicit state intervention to stop smuggling without mentioning it and to integrate Sahrawi camel meat production in the global market, somehow fails due to parties within the *Makhzen* apparatus blocking it as is deplored in newspaper articles.

One has to add here that the hyper sensitivity of the Moroccan meat market has to do with its compartmentalisation from the world meat market. In late 1993, tariffs of up to 300 percent were imposed on dairy and meat products in conjunction with the elimination of licensing requirements on those items.<sup>26</sup> The prizes in the country's local markets immediately react to changing conditions such as rainfall or drought as well as to supply and demand. So, meat production is a highly profitable occupation, particularly if the producer is able to speculate with the given conditions.

In short, the profits of radical overexploitation strategies in the Sus are siphoned off somewhere else. According to the master rumour always mentioned in this context, huge camel herds that have been fed in the Sus just 'disappear' in the south. This means that the herds are illegally transferred over the frontier to Mali and Mauritania and end in the slaughterhouses there (cf. Tobij 2006). However, some vestiges of ancient complementary relations persist. Local religious festivals (*moussems*) are the occasions for which the Sahrawi still today provide the necessary camel meat. But in general, benefits are now reaped by others.

Over time, the nomads also began to take up local occupations, which are actually associated with the peasants' way of life, and increased competition. For instance, they started to produce Argan oil, which is nowadays marketed worldwide as a bio product. But most particularly, they started to produce manure and to compete with local resident suppliers. Additionally, the long distance mobility of the herds is no longer indispensable. In fact, mobility in general became a strategic factor in a complex economy. The favourable ecological and social conditions motivated many nomads to take up longstanding residence as mobile pastoralists in the Sus plain, at least for most of the herds and members of the group. They only occasionally visit their former homesteads

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<sup>25</sup> A side effect of the subsidy policy in pastoralism is that all ecological considerations that development actors tried to implement in the *code pastoral* are literally levered out. Food subsidies do not contribute to the protection of natural resources but to an increase of the camel herds in size.

<sup>26</sup> Cf. [http://www.wto.org/english/tratop\\_e/tpr\\_e/tp23\\_e.htm](http://www.wto.org/english/tratop_e/tpr_e/tp23_e.htm).

in the south.<sup>27</sup> They are installed even in areas, which in the past were not suitable for longer stopovers because of the lack of water. Today, however, it is not the herd which comes to the water; it is the water that comes to the herds by way of cistern trucks, allowing the overexploitation of even the remotest parts of the forest. But the animals are also carried with trucks for longer distances. So I argue that the economy of cyclic mobility backed up by arrangements with local residents has been replaced by a modus of ad hoc decisions about mobility, which includes the exploration of eventual pasture grounds with new information technologies. Since the mentioned contributing factors – water saving technologies, cash crop production in the forest etc. – have radically changed the situation in the late 1980s, fixed arrangements with particular local sedentary partners are no longer essential. The network with farmers is much more flexible than traditional arrangements ever could have been. Furthermore, the new strategic occupation allowed the maintenance of herds of sizes that were hardly possible before.

Summarising the economic factors, the competition refers to the access to natural resources, namely pasture in the forests and water.<sup>28</sup> A further economic criterion is the supply with subsidised commodities such as fuel (*mazout*), food, and other tradable goods. Wage labour, manure production, the meat market, state supply of livestock breeding, and the usurpation of local occupations, such as Argan oil production, are contributing factors.

## Legal Arena

The legal practice in the juridical field discussed here is based on a folk legal model that is referring to a variety of legal reference frames and manifold constitutive elements from very different contributors. There is, firstly, the legal system of the nation state which provides, from an official point of view, a normative umbrella and point of departure for all further legal considerations. Secondly, there is the official Islamic legal regime of *Maliki* orientation along with unofficial and local versions of Islamic legal reasoning. Thirdly, there is a variety of local legal practices generally described as ‘traditional’ or ‘folk law’, locally known as ‘*urf*’. These various legal repertoires and sources of legitimation may intersect, merge, mutually exclude or contradict each other when looking at concrete regulations. This will be illustrated more specifically for the issues addressed in this paper.

The complex legal structure of property relations and access rights is contributing to the addressed problem. It is a coalescence of notions and models of property informed by Islamic law and European legal regimes that had been integrated into Moroccan national law during and after the period as protectorate as well as customary regulations. The legally weak position of agricultural concerns in Islamic law still has an effect on legal practice (see Bouderbala 1999).<sup>29</sup>

In fact, there is a wide range of property regimes ranging from individual private property to collectively or communally and publicly owned property. So, the constellation considered here

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<sup>27</sup> Further literature on pastoralism in the Sus in Werner 2006.

<sup>28</sup> For a discussion of the controversial literature on the integration of mobile pastoralism in sensitive systems of agroforestry or agrosylvopastoral models of resource exploitation, see Miller 1999.

<sup>29</sup> Islamic law in general is considered to address agricultural legal concerns to a rather limited extent and through the lenses of an urban-market oriented judicature. To mention just a few aspects, the Islamic conception of rural property is expressed in terms of taxes and levies. Different modes of collective agricultural production have the reputation of being at odds with the Islamic contradiction of a risk oriented economy and usurious interests (Turner 2003). Another contentious point of jurisdiction presents the Islamic law of inheritance leading to a fragmentation of agricultural land property and means of production that contravenes the persistence of rural property. Cf. Sait and Lim (2006) on property in Islam in general and in the context of ongoing debates on poverty reduction, human rights etc.

resembles the classic conflict in exploitation of resources that are subject to different property regulations. Livestock is individual private property. The owners of the camel herds, however, employ herders for the exploitation of their property. Additionally, they form coalitions with the real estate holders in order to access another needed and privatised resource, namely water. Furthermore, both profit from the exploitation of the openly accessible forest, which is state domain. Other parties such as small peasants, however, hold individual usufruct rights with the exception of pasture.

There is a lack of state regulation, particularly concerning the integration of the Sahrawi economy into the local environment. On the one hand, open access and freedom of movement were granted to the Sahrawi by the Moroccan state after the *Marche Verte*. The reasons behind this policy may be seen in the state's attempts to integrate the population of the Western Sahara into Moroccan society and to distance them from the independence movement of the Polisario.

Access to pasture for the nomads, on the other hand, has never been clarified in a state legal order. There is no legal backing for the whole spectrum of practices of resource exploitation in the forest since the forests have been completely put under state control during the French protectorate. Sharecropping, for instance, is performed as a moral economy based on a local folk model. The state run agricultural agencies regard these locally reactivated forms of legal and social organisation of agricultural production as hindering development and being hostile to progress and agricultural modernisation, which results in the concentration of landed property in the hands of the rural elite. So, it is to this day a problem for peasants to achieve official legal recognition. As mentioned, official Islamic law also does not provide legal security for a mode of production that is considered to be close to risk economy. Since the legal standing of such types of cooperation is everything but transparent, the peasants engaged in sharecropping had no other option than to create a new 'moral folk economy' with a corresponding 'folk legal repertoire'. Popular Islam supplies a moral code legitimising a local normative order with reference to a plurality of legal blueprints. The integration of sharecropping practices in a local socio-legal context as a moral economy opened the access to a globalised export-oriented market (Turner 2003).

In this context, the attempts of development actors to achieve a revitalised version of the code pastoral may be described as an effort to encourage the codification of a translocal customary law that is actually based on an incessant state of negotiation about the allocation of rights and obligations within a constantly changing constellation of allied groups. In the past, contractual relations between local residents and mobile pastoralists were concluded on the basis of exchange and complementarity. Some of the established rules persist. When asked about the acceptance of local rules for coexistence, one herder's answer was mostly affirmative: "*Yes, of course, even today we are still obedient to our verbal agreements. Have you ever seen, for instance, one of our camels straying in the villages?*"

As it has been said, a vital question was how to regulate the access to water. Aquifers were reserved for irrigation and nomads had no legal access to wells. Wells remain individual private property even today. Thus, access to water was dependent on agreements and the new arrangements of payment for water affected both groups of actors at the same time. The connection of the region with the world market transformed water into a calculable investment factor which no longer seemed to be dependent on God's will (Geertz 1971; Pascon 1978; Sewarigen 1987). Thus, the sophisticated traditional legal orders regulating access to water for individuals and collectives gave way to increasing privatisation of access to natural resources.

Other regulations prescribe the moment for opening the pasture season after the closure of the cultivation period. This was traditionally after the harvest of cereals and the collection of the Argan fruits. But with the extension of irrigated agriculture into the forest, there was no longer a concrete period that could be defined as ‘after harvest season’.

Since the times of the French protectorate, the state adopted elements of the customary law (*‘urf*) in state legislation and in this way made it less flexible, because the state version of custom is based on generalisations generated out of local variety and showed much more callosity towards local particularities. Over time, a parallel and adaptive local variety of these state adopted customary elements developed and has been incorporated into local normative repertoires and legal practice.

It was officially confirmed that the population of the neighbouring villages had rights to use individual plots in the forest.<sup>30</sup> The plots are inheritable and, accordingly, split upon inheritance. Official inheritance rules, whether state or Islamic prescriptions, only have a limited value. Within communities of heirs, access to an inheritance was quite often monopolised by a prominent and respected elder male community member. Different types of landed property, including collective or communal land, may be forested, while the forest as such is declared statal property (*forêt domaniale*) and individuals or communities are only entitled to usufruct rights. But officially, except in the closed season, pastures are openly accessible. The communal use of the forest has been held responsible for overexploitation.<sup>31</sup> But communal use is not always practiced. Furthermore, in practice, the combination of exclusive usufruct rights with communal access to pasture has led to a control of the generic use of individually ascribed plots.

To sum it up, confusion reigns. State intervention and state control contribute to legal insecurity for local users: *“There is no law to protect us. That’s why we decided to reactivate our ‘urf’.”*<sup>32</sup> Competing and contradictory legal regulations clash in practice. Within this setting, the exertion of low level violence in order to show the ability to claim and maintain access rights is an accepted option in the local context. When interpreting these traditional rules strictly, there is only very limited space for the escalation of violence. In a particular case of conflict between a resident peasant and a group of nomads, who set up their encampment against the peasant's will on the plot where he was exercising his usage rights, his neighbours told me: *“Well, he has God’s blessings and will not concede. He is father of five adult and strong sons and one of them is even a butcher”*.

Intervention in the legal sphere by transnational actors contributes to the complexity of the situation today. On the one hand, there are development agencies and other external actors such as UNESCO. Transnational juridical standards of resource management according to criteria of sustainable development and ideas of universal environmental protection on the basis of

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<sup>30</sup> For an overview of the particular forest legislation see RBA 1997/2001.

<sup>31</sup> See e.g. Aziki and Bodemeyer 2003: 7; Werner 2006. One-dimensional and simplistic explanations are, however, contested. See Davis 2006 for literature. There is no place here to go into details on the ‘tragedy of the commons’ issue under neoliberal and transnational conditions. The plots in the forest are neither common property nor openly accessible. The described case reveals one of the typical constellations where individual and exclusive usufruct rights to plots combine with communal claims to specified access. Processes of incremental appropriation (*melkisation*) in favour of local holders of usufruct rights collide with interests of Sahrawi nomads and large-scale landed property holders as well.

<sup>32</sup> For concrete descriptions see Turner 2000b.

international conventions should, in theory, be adopted into national law.<sup>33</sup> The fact that this process did not produce the desired results motivated actors in development cooperations and powerful donor organisations to promote the implementation of these standards immediately in the local field. The way, in which transnational actors organised their efforts, focused on the mobilisation of the local population through investment in the setup of civil society structures and local NGOs, and on the employment of trained local brokers in development cooperations as multipliers (Turner 2006).

This was undertaken partly with reference to local legal ideas. Revitalisation of tradition was seen as a transmitter of an ideology of sustainability and a western perception of the environment. New rules have been propagated as the revitalisation of ‘good’ tradition, such as *agdal*. This has been understood as a remedy against the nomads: “*They do not let us do our job undisturbedly. That’s why we decided to return to the agdal. It’s a good idea and the barrani (foreigners) promised to support us.*”, as an activist of a local environmental NGO, supported by a development agency, declared.<sup>34</sup>

But development agencies do not promote a homogenous approach. Transforming the forest into a resource in the fight against rural poverty and, at the same time, preserving it as a unique ecosystem hardly seem to be compatible goals in practice. With allusions to local rules, transnational actors promoted new inventions. Fencing in the forest with rows of cacti as a measure against desertification (PAN) is just one example. This is incompatible, so the local peasants argue, with the basic principle of open access to the forest. The strategy of fencing is also a good example for the state of legal insecurity local users are facing. Some forest areas have been selected for reforestation projects and were therefore fenced-in. Residents who had usage rights there lost them without any compensation. Simultaneously, the pressure on the accessible parts of the forest is increasing.

There is on the other hand the legal impact of Islamic movements, especially the Salafiyya. The activities of the Salafiyya are a recent development in the context of intensified Islamic activism in the rural zone. Its supporters promote a return to the roots of legal Islam and demand the reorganisation of social life according to Islamic core principles.

While the Salafi, who are propagating a strict and dogmatic interpretation of Islamic law, only indirectly interfered with the ongoing remodelling of access to natural resources in the Sus between competing actors, the legal measures of containment of Islamic activism proved to be quite useful. This legislation had reached Morocco in the context of transnational anti-terror measures after 9/11 and opened up new opportunities for those who had previously bet on the support of development agencies in vain.

An important factor to be mentioned here is the one-sided competitive relationship between representatives of the two different transnational influences, the promoters of neoliberal

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<sup>33</sup> The principal legal set of relevant regulations is laid down in the UNESCO program ‘Man and the Biosphere’ and the UN program to combat desertification (PAN/LCD). The wider framework has been set up in international conventions such as the ‘Rio Convention’ of 1992 (CNUED-Rio 1992) and the ‘Convention to Combat Desertification’ (CCD-Paris 1994). Cf. RBA 1997/2001; MADR 2001; UNESCO: Réserves de Biosphère: La stratégie de Séville and le cadre statuaire du réseau mondial, 1995. <http://www.unesco.org.mab>  
See also <http://www.un.org/esa/agenda21/natlinfo/coutr/morocco/natur.htm>; <http://www.unccd.int/>. Since 2001 PAN/LCD has been realised as a *programme d’action nationale* in Morocco; MADR 2001. For the wider context see Davis 2006; Turner 2006.

<sup>34</sup> As a consequence of the revitalisation of *agdal*-restrictions, also the attempt was made to reintroduce the fines for breach of the rules (*lghorm*); see Elouizi 2006. Instead of being successful, this strategy that also revitalised the local understanding of the social dimension of fining and produced unintended results and misunderstanding.



commodities and development cooperations on the one hand, and those of political Islam on the other hand. While the Salafi openly criticised the impacts of development cooperations and the effects they interpreted as negative, such as western influence and the destructive forces of transnational legal treaties and development cooperations as pagan neoliberalism, the representatives of development organisations refused to even recognise the existence of an Islamic opposition to their agenda. This constellation caused mischief among the Swasa as both sides tried to attract supporters and contributed to an aggressive atmosphere that, in turn, affected the relationship between resident peasants and mobile pastoralists.

Under these circumstances, the local informal institutions of conflict settlement have been pushed into the background.<sup>35</sup> The owners of small herds still showed principle willingness to negotiate and to compromise with the locals by means of intermediary institutions. The larger herdsmen, however, just said that they had no permission from the absent owners to compromise. And as far as official judicature was concerned, they had indeed not much to fear as long as they did not touch on political issues. In fact, the complaint of the local residents that the Sahrawi rarely appear in court can hardly be denied, even when involved in criminal cases. And when they do, they can usually expect to be released very soon due to the political protection they enjoy. The Sahrawi contrive to maintain their privileges and proximity to the sphere of the state, while simultaneously using the threat of separation and of their capacity to organise uprisings through maintaining a state of latent tensions in their homelands. So, despite all the privileges, the Sahrawi are being kept under extreme state surveillance. This means control over all kinds of activities by means of intelligence investigation, infiltration and all kinds of controlling measures the state can provide.<sup>36</sup> The entanglement with international politics made local calculations almost jeopardous.

In the described process, the social working of law becomes apparent. Both parties in the resource conflict refer to legal tools in order to exert pressure. Social control and asymmetrical power relations have been maintained by elite actors through juridical means. But also the resisting local residents referred creatively to official legislation in order to achieve their agenda.

### **Mobile Pastoralism and the Ideology of Being a Nomad**

The risk, when looking at the transformation of nomadism in its relationship to resident groups or the development of mobile pastoralism in general, is that other dimensions of nomadism are neglected. Here, I will focus on additional aspects of nomadism, the ideology of mobility of nomadism and how it resonates in the legal sphere and shapes the way of taking recourse to the law. In the following, I will refer exclusively to the empirical data about the Sahrawi, which cannot be generalised for all mobile pastoralists, who were once active in the Sus.<sup>37</sup>

The economy of nomadic pastoralism includes more than herding, and therefore the ideology of nomadism as the foundation of the identity and self-perception of the mobile groups concerned provides an analytical basis for identifying markers of social cohesion and distinction. This allows for maintaining relationships to allies and determines the lines of confrontation beyond the criterion of mobile herding in a system of exchange. There are markers of distinction emphasising nomadic

<sup>35</sup> For comparative data, see e.g. Hussein 1998.

<sup>36</sup> See e.g. Country Reports on Human Rights Practices in Western Sahara 2005; Human Rights Watch World Report 2008: Morocco/Western Sahara: <http://hrw.org/englishwr2k8/docs/2008/01/31/morocc17617.htm>.

<sup>37</sup> There is no space to comment on the general discourse on the nomadic way of life and what constitutes a nomadic society; cf. e.g. Bonte and Galaty 1991; Salzman 2004; Chatty 2006.

identity: living in a tent, for instance, or being a bad Muslim. Such criteria appear somewhat floating as to whether being identity markers based on self-description or ascribed to nomads by their peasant other. When asked about such evaluation of their religious behaviour, Sahrawi camel herders answered to me in a very affirmative way, emphasising that they live the Islam of mobile people and that under conditions of mobility religious practice simply differs from that of sedentary people. Among other things, nomads do not respect religious food prescriptions, drink the blood of birds and camels, and eat animals such as rats, turtles, and lizards, and they do it proudly and some with reference to special regulations and rules of purity in Islam for a mobile way of life.

It will be shown, however, how this narrative of a nomadic (un-)religiosity has been tremendously transformed in the global context. Instead, local resident people consider the Sahrawi to have deep knowledge of magic practices as they supply local markets with essential *materia medica* and raw material for magic purposes from the Saharan region such as ostrich eggs, lizards, or amber. All of these markers of distinction contribute to the construction of mutual contempt for the economic activity of the respective other between agriculturalists and mobile pastoralists. Those Sahrawi, who settled down in the Sus in the course of time, never became really interested in agricultural production and only made some hesitant and loath attempts before abandoning it. The peasants regard the Sahrawi nomads, irrespective of all supposed former complementarity, with a certain distancing gaze and as a hazard. The Sahrawi, in turn, are a dab hand at maintaining their bad image. Insofar, external and self-perception of nomadic lifestyle are interactive.

Mobility is one of the cornerstones of the nomadic way of life and the ideology of nomadism is more than a reflection of economic activity.<sup>38</sup> Even when sedentarisation occurs, the ideal of mobility is still maintained as a metaphor for freedom and independence. On the social level, the ideology of independence through mobility is connected with a strong sense of social cohesion and the maintenance of kin solidarity over long distances. The mentioned capability to initiate uprisings in the Southern Provinces from any nomadic camp wherever it may be installed in the country on the basis of clan solidarity may evidence this ideal of combining mobility with social cohesion. This includes the fundamental commandment to rally to the support of the own kin whenever it seems necessary. Mobility such as labour migration, for example, may be associated with the herders' ideology and regarded from a nomadic perspective. The nomadic ideology also includes professional skills such as the exercise of violence. Protection of trading routes, if not armed raids, have been practices in the past that are still remembered vividly today. Mobility, particularly in the form of raids (*ghazu*) and quick attacks, is regarded as a sophisticated military skill that has to be combined with the ability to put up a fight. In a discussion after an exchange of violence between peasants and herders, the latter explained to me that a strategic withdrawal may be the ultimate military action while a concept of escape just does not exist in their military repertoire. The nomadic warrior ideal made nomads ideal candidates for military service and, according to the economic axiom of risk minimisation through diversification, members of Sahrawi clans of camel herders willingly joined the Moroccan army.<sup>39</sup>

Trading is also included in the spectrum of mobile nomadic activities. In the past, long distance caravan trading was practiced and the nomads provided the means of transportation and participated in exchange. The essential role of camel herders in trading was part of the narrative of complementarity between agriculturalists and nomads as the latter were also concerned with the

<sup>38</sup> On nomadism as a concept, habitus, ideology, mindset, repertoire of values, see esp. Vajda 1968; Bonte and Galaty 1991.

<sup>39</sup> See e.g. examples mentioned in Werner 2006.

transport of agrarian goods in exchange for essential commodities, besides the trade with luxury goods.

The combination of military skills and trade remains one of the most important aspects of the nomadic economy today. Subsidised commodities from the south find their way back to other parts of the country, particularly *mazout*, agricultural materials and food. Today, trading partners of high political and social rank such as holders of large-scale landed property are included in the commercial network. One particular feature of this trading will in the following highlight the impact of transnational legal interventions and their instrumentalisation in the analysed constellation of competing actors. The position of the Sahrawi in the Moroccan army did obviously not impede these activities, but rather allows for a synergetic combination of diverse scopes of opportunity.<sup>40</sup> Protection for the camel herds and contact with potential investors are included in the package.

In the concrete case of the Sahrawi camel nomads, their one highly specialised and esteemed activity, namely camel breeding, is pursued in combination with huge goat herds. Herding goats and sheep is by far not prominent in the rank of nomadic virtues, but the highest ideal does not necessarily yield the biggest profits. Moreover, camel herding is embedded in a bundle of other activities. This gave rise to the social construction of a quite modern type of nomad, who still refers to that ideology correlating a range of economic activities with social values as well as genealogical and social solidarity. In the context of a neoliberal economy, nomadic virtues still constitute a type of social capital and a resource that can be exploited profitably. From numerous interviews with mobile pastoralists I gained the impression that the Sahrawi camel herders were ready to integrate into changing economic living conditions profiting from their inclination to idealise mobility and its advantages for the various mentioned economic activities appreciated by the Sahrawi. This fact is obviously considered by the external and non-nomadic investors in camel herding. The elite actors, who invested in camel herds in order to profit from the Sahrawi's special status in the country, warmly welcomed this social capital and made use of it for their own purposes and integrated the camel herders as their dependants in the world economic system. This system seems to be based on the one hand on state restrictions, national economic barriers, and national frontiers, and on the other hand on neoliberal market criteria.

Trade and military address two further connections between nomadic virtues or appreciated fields of activities and elite's interests. It seems that these fields of nomadic activity made the Sahrawi even more attractive for elite circles to cooperate with, without integrating them into the elite networks. This last step seems to remain reserved for those few individuals who successfully mediated between the different groups of actors and in so-doing profited from their position as state representatives.

It is not self-evident, how these aspects of nomadism are connected with discourses on the national level in Morocco. Two parallel and disconnected lines of narratives dominate the public discourse on nomadism in Morocco these days. There is, on the one hand, the reemergence of romanticisation and exoticisation of nomadic lifestyle in the public debate as propagated in the media. The image of rude herders illegally invading the forests contrasts with a recently launched media campaign by the state emphasising the cultural heritage of camel nomadism. It would be simplistic to reduce this tendency to a strategy for attracting tourists. It obviously ties into the

<sup>40</sup> Cf. Tobji 2006. The subjective gaze of the author combined with lack of evidence for the argumentation in the book calls for a critical stance and analysis although the author may claim to just repeat statements that are 'circulating and generally known' in Morocco but were never written down.

reorientation towards local traditions and the revitalisation of tradition as an intellectual resource and intellectual property connected with the construction of a pan-Moroccan identity. There is more behind the reestablishment of '*nomadic moussems*' (festivals), for instance, than just creating more opportunities for entertainment.<sup>41</sup>

Part of this romanticisation is the representation of the camel not only as a provider of meat and a commodity but as the emblematic symbol of Sahrawi culture.<sup>42</sup> According to Moroccan print media, this cultural incarnation of the camel displays a variety of features. It represents the culture of the ancestors and cross-generational economy. According to the media, it is likely that a Sahrawi without camels will go crazy. Furthermore, some of the ineradicable stereotypes connected with camel herding are mentioned, e.g. that the camel is the main source of pride for a man, that it is indispensable as dowry and particularly as a 'ransom' in case of a blood feud (Essemlali 2008). Accordingly, camel herding is portrayed as an integral part of Moroccan economy, and under state relief the number of camels in the Southern Provinces rose from 3,000 in 1976 up to 85,000 today.

On the other hand, nomads have a particularly bad reputation due to the fact that they are traditionally held responsible for environmental degradation in Morocco (Davis, 2005; 2006). Furthermore, the association with violence, repression, and cultural and social inferiority expressed in numerous jokes about the illiterate and incredibly putrid-smelling Sahrawi target the mentioned markers of distinction. Other narratives emphasising nomadic virtues as simply uncivilised behaviour target gender relations, rape, kidnapping and similar issues. Moreover, the political signals from the central government are perceived as inconsistent on whether the Sahrawi are privileged and even immune or integrated in Moroccan society on an equal footing.<sup>43</sup> Emphasising the negative aspects of the ambivalent discourse on nomadism with reference to global environmentalism, sustainability, and world security stigmatises the neo-nomads, themselves an outcome of globalisation processes, as a global threat.

### **Conflictual Relationships**

Conflicts over access to the forests have arisen constantly, but since 1996 they have become more and more volatile. The invasion of huge camel and goat herds from the south blocked the villagers' access to pasture to which they actually had collective usage rights. In fact, pasture is freely accessible, but this rule cannot be interpreted as an invitation to completely destroy the resource. Furthermore, the Sahrawi no longer feel bound to respect the basic agreements of coexistence. They not only invaded the stubble fields in *bour* (rain-fed) land, whose exploitation is the right of the locals, but also destroyed cereal fields before the harvest could be brought in. Further, in several cases they refused to negotiate their date of arrival, despite the fact that the harvest and the Argan fruits had not yet been collected. In one case, the herders, who arrived unexpectedly with a large camel herd, threatened: "*If you keep us away from pasture, thumping outdated restrictions, then we'll explain to you with the slingshot that our masters are the most powerful*". Then, the situation became explosive. In several cases, camel troops entered sharecropping fields, on which expensive cash crops were cultivated, and devastated them. These fields are fenced with

<sup>41</sup> One of many examples: Nouiga 2003. Even recently established or reinvented nomadic festivals are listed in the Moroccan press as integral part of authentic Moroccan tradition and have been therefore integrated into the new UNESCO cultural heritage program. See e.g. Faouzi 2007.

<sup>42</sup> Cf. the different contributions in Benhalima 1994.

<sup>43</sup> For the ambivalent social position the Sahraoui enjoy between promotion and restrictive state control see e.g. Le Journal Hebdo N°206, 2005.

windbreaks so that herdsmen can easily keep off animals. The losses for the individual sharecropping families were considerable. Their field neighbours, however, acknowledged their responsibility as mutual assurance group and contributed to a partial compensation for the victims.

A permanent state of tension between both parties developed, and a situation of permanent challenge and response between the groups emerged. The peasants, who complained about their losses before the Sahrawi chiefs, were severely beaten and threatened to face even more problems, if they continued to be annoying. Some sharecroppers have been attacked by herdsmen on their own land while working their fields. Women and girls refused to assist as seasonal harvest labourers, horrified by the Sahrawi's reputation as 'professional rapists'. Furthermore, the Sahrawi signalled that they were being backed by high-ranking state representatives, conferring them a sort of legal immunity. In reaction, the informal village council of the concerned community decided to authorise some of the youth to kill and continuously steal animals from the nomads, as compensation for the devastated fields and in order to terrorise them. In some cases they even poisoned the nomads' water reserves. In response, the Sahrawi started to cut down trees, partly for pasture and firewood, but also in order to provoke the actual executors of the exclusive usufruct rights.<sup>44</sup>

In 1998, youths from a neighbouring village attacked one of the encampments and demolished the tents. The nomads were forced to withdraw but not without announcing their return. In 2001, the situation escalated and several persons were severely wounded, and one was even killed. The *moqla* (slingshot) became known as the weapon of the nomads. This event went down in local history, however, for the purpose of this paper, I have dubbed it the 'battle in the Argan forest of Ait Tigemmi'. A Moroccan development broker described his impression of the event as follows:

*"I couldn't believe it. I felt like being on another planet. It was a medieval and at the same time hypermodern type of battle. Their [the Sahrawi's] women stood up on the hill crying youyou and 'dancing' [jumping on the spot with naked breasts]. Meanwhile, the men, armed with clubs, slingshots, knives but also jeeps that they used like tanks in order to disperse their enemies, were organising their action using mobile phones."*

The indecisive attitude of state representatives in monitoring and moderating the tensions did not contribute to pacification. The persistent complaints of the peasants remained without redress. It became even worse for them. While the persons responsible for the cutting of the trees have never been arrested, either by the forest rangers or the police, some of the local rustlers have been jailed. The villagers understood this as open partisanship on the part of the state actors. Later, the arrested villagers were released at the expense of the whole community. This was, by the way, the occasion for a big release party. All in all, most of the state functionaries, the *qa'id*, the *sheikh*, the *muqqaddim*, and involved notables, felt uncomfortable with the situation and insinuated that their hands were tied by a higher order. The state's credibility decreased accordingly. The lack of state support for local residents resulted in a mixture of resignation towards the state and hyper-nervous reaction towards the nomads. All along, the big farmers, who do not regard the survival of the sharecroppers and small peasants as a priority, continued to deliver water to the nomads and to do business with them.

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<sup>44</sup> The cutting of trees is prohibited and the perpetrators could even expect that the actual legal usufruct holders of such a plot would face problems with the forest rangers after the move on of the Sahrawi. For the legislation see RBA 1997/2001.

When travelling in the Sus today, one quite often encounters complaints about the increasing tensions and the rising propensity for violence. Violent exchanges even take place in the form of arranged battles under state observance, especially during the summer season. Conflicts and violent events are openly discussed and occupy a prominent position in local discourse. State representatives, local NGO's and other representatives of civil society comment on these events regularly.<sup>45</sup> The meta-dimension of the conflict potential and the social lines of conflict behind them, however, are not addressed publicly and are not even perceived as being part of Moroccan social reality. Everything is put in the context of a nomad-peasant dichotomy.

### **Social Dynamics, Transnationalisation of the Local Economy and the Legal Arena**

The outlined coincidence of agricultural and political developments together with the integration of the local economy in its transnational environment resulted in a social stratification and unequal distribution of wealth and access rights. The emergence of a post-protectorate political elite imposed new social relations and a new order. It delegated the resulting social drama to the disempowered former partners in resource exploitation, to the detriment of existing complementary relationships.

New farmer-pastoralist networks continued complementary resource exploitation and established a system of exchange, which went far beyond the so-called conventional *rahhalin-fellahin* cooperation, inventing new dimensions of mutual support. This model, which is influenced by transnational impacts, relies on the renegotiation of the allocation of political and economic power and – from a nomadic perspective – at the same time proved its compatibility with the nomadic ideology. The networks were successful in combining horizontal alliances on a high level of social stratification with vertical ties up to the highest class of political authorities. The established new cooperating network relations are socially expressed in mutual invitations on various occasions, such as *moussems* or local festivals. I accompanied farmers from the Sus to Guelmin on one of these occasions, which ended in a sort of political demonstration.

In reaction, new networks made up of small peasants, who were forced into the role of conflict partner to the pastoralists, while the latter became cooperative partners of the landholders, emerged recently. After 1996, external intervention incited the installation of local support groups. New actors appeared on the scene and contributed to the delineation of conflicting parties, both these newly involved groups proved to be highly effective in alliance building.

One example may illustrate this. In one of the mentioned violent confrontations between Sahraoui and Swasa, a *fellah* was killed in the summer of 2000. The situation had gotten out of control because both sides felt to be in a strong position. Since a local environmental NGO, initiated by an international development organisation, had signalled material advantages for those who would know to defend sustainable resource management in the forest and deter the nomads, in effect this was the agent truly responsible for the violent episode. However, after realising that their support was not efficient enough to counterweight the implicit state commitment to the Sahrawi, the Swasa invested in the local informal way of conflict settlement between the parties opposing each other.

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<sup>45</sup> Cf. e.g. the webpages [http://www.tanmia.ma/article.php3?id\\_article=1539&lang=fr](http://www.tanmia.ma/article.php3?id_article=1539&lang=fr) or <http://www.arabmab.net/biosplan.cfm?bid=15>; accessed 04/11/06.

According to the established arithmetic after the *code pastoral* and the former contracts between herders and residents, the killing would not have led to a conflict between “tribes” (*qbail*) because of pre-established relations between the groups also in the realm of violence. The level of conflict was rated down to *ad hoc*-solidarity groups. While in many other contexts the differences between Swasa and the state-privileged Sahrawi had been continually articulated, suddenly criteria were set which determined a social frame for the impending dispute. The mentioned local solidarity ties based on descent and territoriality came to the fore as they provided the social link to the wider web of alliances and contract partners. So, a discursive shift in a double sense has taken place. On the local level, social proximity between the conflicting parties based on contractual relationships has been emphasised veneering their different standing and political backup. At trans-scale the discourse shifted from the transnational framing of the conflict in terms of environmental protection, the taking up of civic responsibility for a sustainable exploitation of natural resources, and all those buzzwords prompted by transnational actors such as the mentioned development organisation, to the local framing defining the dispute as a typical divergence that may occur between neighbours.

Nevertheless, due to their vertical reassurance in the political framework of power, the Sahrawi felt to be the stronger group. Furthermore, they were provided with hired supporters. Thus, the conflict was also a kind of proxy war with political dimensions, in which the delicate Western Sahara question indirectly played a role. This constellation alone made state intervention virtually impossible. However, the state was represented by the military, the gendarmerie, the *makhzenni* (auxiliary police), and local administration down to the *caïd* (chief district administrator) in the conflict between the two parties. Each of these representatives had their own interests and carefully stayed out of an open-ended proxy war between members of the political elite.

Nevertheless, numerous strategies from the institutional repertoire of local conflict management were activated. In the negotiations arranged between parties, threats of violent retaliation and compensatory claims were adorned with new arguments taken from the rhetoric of human rights and civil society discourses. Simultaneously, the entire debate was conducted on the assumption of traditionally established relations between the two groups of resource exploiters, who had formerly had complementary economies, and who were also interlinked through exchange relationships. At the same time, both sides tried to eliminate their opponent’s alliance partners. Some people in the wider social environment of the conflict positioned representatives on both sides. They delegated their confidants to the environmental NGO-group and to the group of local Sahrawi supporters that emerged both as leading adversary spokespeople. Since, as it was perceived by the locals, the Sahrawi would not accept any compromise and the leading figures in the background also wanted a solution to the conflict, violent action continued, albeit in a modified form due to tactical considerations. The Sahrawi finally wanted to involve the police, but then hesitated to do so because of the homicide they had committed. More negotiations finally took place in which not only the actual case of homicide, but also the controversial questions leading up to the violent conflict, were discussed. However, the complex relations again did not permit a final arrangement.

The long-term effect of the affair might be described, as far as known to me, in the following way: The pending state of the affair allowed state actors to get back to it under various circumstances in order to exercise pressure on the development brokers heading the environmental NGO, especially when the latter pressed for compliance of state actors with environmental

standards.<sup>46</sup> The concrete threat was to prosecute them because of incitement of an uprising resulting in homicide. The brokers affirmed to me that they took these threats seriously and that they would suspend all further action and would avoid provoking governmental reaction against them. So, for the local environmental NOG this meant self-dissolution.

The incident also had intended negative consequences for the development agency behind the local NGO and its program for environmental protection. The agency's implicit involvement in the affair seemed to have been quite welcome by those Moroccan state representatives and powerful political actors who appeared to be rather less enamoured with cooperation in environmental protection as this would curtail their scope for unrestricted exploitation of natural resources. Cooperation between the development agency and government authorities drifted into a comatose state, officially called "a phase of stagnation". Only after the appointment of a new project leader, the relationship improved. However, the development actors always regarded the project of the UNESCO Biosphere Reserve, which aims at environmental protection, as completely incompatible with the existing model of resource exploitation in the forest, particularly with the camel pasturing of the nomads. In fact, the project never actually took effect, while Moroccan officials call it implemented and successful.

For the Sahrawi, the homicide had no further consequences and the two individuals identified as the perpetrators could return unmolested the next season as they were engaged by a powerful individual who maintained best relations with political circles in the capital. Attempts of the victim's family to get the police involved failed, even after promising a nice reward (*rashua*). *Our hands are tied*, the policemen said, an unmistakable formulation for everybody.

So, in the context of the wider political environment the resident Swasa learned to frame their interests against a powerful coalition of actors in a different way without even referring to the competition over access to scarce resources and therefore without even mentioning the sensitive issue of *rahhaliyya*. This was possible due to the impact of Salafiyya Islamic activism on the one hand and the implementation of the transnationally propagated US-American legal blueprint of anti-terrorism legislation in Morocco after the bombings in Casablanca in May 2003 on the other hand. Since 1999, the Sus had become a target zone of Islamic activism, particularly of the Salafiyya movement, and the local population experienced the ambivalent and changing attitude of state actors towards Islamic activism before and after the bombing.<sup>47</sup> In their resistance against inequality, the Swasa learned from the rhetoric of radical equality expressed in the Salafis' vision of Islamic law and partially adopted it to the consternation of local civil servants such as the forest rangers who were the target of Swasa complaints about the Sahrawi herders.

At the same time, however, becoming familiar with the effects of the integration of Morocco in the war on terror, the local Swasa also learned to interpret the different references state representatives made to the new legislation. The transnationalised U.S. American legal template became localised not only through the bottleneck of state implementation and interpretation, but also by way of local adaptation. Its application on a national and local scale by state agents is not independent of its transnational dimension. The rural Swasa rather interpreted references to anti-terror legislation by Moroccan state agents for a transnational context as master models for a possible use of the legal tool for their own local circumstances. Local actors picked up hints and referred to anti-terror legislation in contexts that seem to show analogies or even connections to the

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<sup>46</sup> On local intellectuals acting as development brokers see Turner 2006 and Mosse and Lewis 2006.

<sup>47</sup> For details see Turner 2007b.



transnational contexts in which state actors had mentioned anti-terror measures. The state, then, on the transnational scale, interprets this local instrumentalisation of anti-terror legislation as a justified field of application, like the empirical cases evidence.

So after the experiences with anti-terror legislation at village level, the scope was broadened for further alternative fields of application. Like terrorism, these fields of conflict do not only have a transnational dimension, but also national and local ones. This example outlines how the anti-terror law could be useful in a wider context for both the state and ordinary local people and could serve the production of realities and certainties. The problem was how to cope with the relative freedom of action as well as the implicit immunity, the material support and the further privileges granted to the nomads by state institutions. The point was that all this is no official state policy, but just a widespread and voiced opinion among the Moroccan population.

In sum, these privileges supported a certain specialisation in the mentioned nomadic activities such as smuggling, more specifically a specialisation in human trafficking, which can perfectly be pursued under the cover of state privileges for Sahrawi nomadic economy.<sup>48</sup> Now, despite the described reputation of the Sahrawi as bad Muslims, some Sahrawi were attracted by the Salafiyya. Furthermore, one has to point out that the specific Sahrawi spirituality and religiosity, which are actually not compatible with Salafiyya ideals, do not inhibit tactical alliances.

State officials somehow seemed helpless, and they did not dare arrest the leaders of the Sahrawi branch of Salafi followers. As a consequence, a strategy was forged within the *Makhzen* (state) apparatus to accuse the Polisario, the Western Sahara independence movement, its political and military archenemy in the competition over the Southern Provinces, of fostering Islamist tendencies in an attempt to destabilise Morocco. It is not impossible that communication between violent Islamists and the Polisario indeed took place. But apart from an Islamic background, even Sahrawi representatives of civil society associations, such as human rights activists suspected of secretly advocating endeavours of an independent Western Sahara, were arrested under anti-terror law. They were accused of disturbing the public order in Morocco and of threatening the territorial integrity of the country.<sup>49</sup>

The anti-terror legislation could also be instrumentalised against internal enemies. This news attracted considerable attention at the local level and was immediately downscaled. The local discourse now focused on the question of whether one might accuse the Sahrawi nomads of being terrorists in order to drive them away. It was uncertain, however, how severely the state would restrict the Sahrawi in their activities by applying anti-terror law. But how could the anti-terror legislation be used against the Sahrawi without provoking an uprising? Locally, this was considered a problem of dosage. Exaggerations and actions against Sahrawi as a collective were to be avoided. So, first anonymous denunciations of Sahrawi nomads did not refer to their illegal pasture activities. Instead, the first good opportunity was to be seized to force the police to take action against them. When the locals realised that some Sub-Saharan refugees were hidden in

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<sup>48</sup> See San Martin 2005. Human trafficking by the Sahrawi recently became a delicate issue in the context of the accelerated migration of Sub-Saharanans through Morocco to Europe via the Spanish enclaves Ceuta and Mellia. Moroccan state officials hastened to accuse the Polisario of trafficking Sub-Saharanans via Algeria to Morocco and to combine this accusation with allusions to the separatists' closeness to the terror scene. This strategy fits perfectly into the U.S.-American perception of the Sahel zone as an area of concentration and retreat for transnational terrorism. Simultaneously, the human traffic the 'Moroccan Sahrawi' had organised, or better to say, their part of the business, has been reduced. Since then the migration flow increasingly shifted to the route from the West African coast to the Canary Islands. Latest voice in the press: Cherkaoui 2006.

<sup>49</sup> Amnesty International Annual Report 2003; U.S. Department of State (ed.) 2006. Country Reports on Human Rights Practices Western Sahara 2005: <http://www.state.gov/g/drl/rls/hrrpt/2005/61702.htm>.

lorries designated as camel transports, they immediately called the police, claiming that the Sahrawi were helping terrorists to infiltrate the countryside.<sup>50</sup> The police made an inquiry and found the refugees. On account of the anti-terror legislation the policemen refused the usual bribe and started an official investigation; the nomads were forced to withdraw from the spot and remain in state custody. The result in the long run was that there were no grounds for terror suspicion, and everything was swept under the rug as usual. The nomads, however, started to avoid the region where they had been denounced, and the locals celebrated their success. As a means in locally restricted conflicts, anti-terror legislation was found to be very helpful, and in this respect was welcomed by the Swasa on the local scene as an effective way to defeat an extremely powerful antagonist in the competition for access to scarce natural resources.<sup>51</sup>

So the reported constellation fed the paradox that in the orthodox sense not very observant Sahrawi have been suspected of Islamic dogmatic activism while their counterparts increasingly came to appreciate the Islamists' legal rhetoric as a rights based strategy in the human rights sense against inequality.

The majoritarian local reading of the empirical data presented in this paragraph may be summarised the following way: Social dynamics which are in no way generated in the region affect competition over access to scarce natural resources. The majority of the Swasa regarded the obvious local contribution to the overall drive of such social dynamics as an inevitable local response to external impacts. The competition has been framed in terms of the hegemonic nomadic discourse, which has been associated with the sensitive political issue of the West Sahara conflict. Also, social tensions and contested power relations at a higher level of social stratification have been negotiated in terms of nomadism and mobile herding. The locals, however, roundly refused the privileging of one side in declarations demanding equal treatment: *"This is one country for all of us and we all belong to one and the same king."*<sup>52</sup> Finally the local Swasa realised that resistance only seems to be successful when they play actors at all scales off against each other.

### **Social Lines of Conflict**

At first glance, the lines of conflict and violence between groups of actors, which can be identified as local *fellahin* on the one hand, and mobile *rahhalin* on the other, seem to confirm the theoretical model of a shift from complementary exploitation of natural resources and exchange of goods to conflict. But behind this conflict, so was the argument, are on the level of inter-elite cooperation neo-complementary groups of actors in the Sus, described here as strategic groups.<sup>53</sup> This implies not only alliances for mutual profit from economic cooperation, but also new conflict potential their cooperation imposes on others. At the same time, the partners downplay the social significance of these tensions generated through their elite cooperation.

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<sup>50</sup> Sub-Saharan is the official container term in Morocco for refugees from various countries south of the Sahara, especially from West Africa.

<sup>51</sup> On an international level, anti-terror legislation and the Moroccan engagement in the war on terrorism provided Moroccan state officials with strong arguments against the Polisario. With allusions to local denunciations of Sahrawi, subtly encouraged by the state itself, state functionaries accused the Polisario of being part of an Islamist network reaching from Algeria to the Sahel zone and being involved in human trafficking of sub-Saharan migrants. These arguments might be of use if the United Nations should at some point refuse to make more concessions in the conflict, if US support on the international scene seems necessary, or if a counterweight against an Algerian-U.S.-American construction of alliances in the fight of the 'hotbed of terrorism' in the Sahel zone is needed. Cf. Keenan 2005.

<sup>52</sup> This is – with variations – a common saying in the whole of Morocco.

<sup>53</sup> Evers and Schiel 1988; Berner 1995.

Furthermore, the new constellation cannot be approached as a shift from one prevailing model of contractual relation between two social partners to another model with two other cooperating partners to the detriment of the former partners. The analysis shows that the social process cannot be explained as a transformation of a double dichotomy. It is an asymmetrical constellation that has evolved. The dependants of the prosperous owners of large camel herds, who are mostly destitute, hired herdsmen, are opposed to the pauperised opponents of the wealthy landholders. The latter are cooperating with the owners of the camel herds, who at the same time hold positions as clan chiefs disposing political power. Most of the herdsmen; I asked; were either affiliated or dependent members of their masters' kin groups or in a sort of clientele relationship. The masters, however, actually act as intermediaries. Some of the real herd-owners in the background take great pains to remain anonymous. In comparison with the herdsmen-herd owner relationship, the peasants have relatively more room for manoeuvre vis-à-vis the landed property owners and at the same time compete with them over resources.

In short, the exercise of violence is delegated to particular social groups who need to fight for survival while the other actors are exempt from exercising violence. So, in terms of strategic grouping, one recognises the alliance of three groups of actors against one remaining group. This is what is meant by an asymmetrical constellation. The herd owners, the landed property owners and the poor, hired herdsmen as executors are allied against the local peasants. Also on the side of the losers of these developments are the former seasonal partners of the peasants practicing diverse forms of transhumant mobility. The longstanding relations between these partners have been pushed aside although they continue to a certain extent, particularly in regions that are less attractive for the camel nomads.<sup>54</sup> So, strategic groups maintain their economic advantages through active exclusion of others from access; this is what Weber (1978 [1914]) in his concept of class formation called '*social closure*'.

The constellation corroborates the hypothesis that complementary relations for the achievement of common objectives demand a state of equity between, in the concrete case, the two groups of elites. This social type of equity is based on the state of legal insecurity restraining the manoeuvrability of the other actors involved.

Some aspects, apparently contradictory to the theoretical functioning of strategic groups, also become clear. The strategic grouping referred to in this paper does rely upon shared common interests and did not develop into one characterised by cohesion and social integration. A personal social network only developed between some few leading Sahrawi notables, Swasa farmers and old established investors from the *Makhzen* elite. There is solidarity, not based on common lifestyle but on mutual interest. When I asked big real estate holders about their knowledge, whether they really know the owners of the camel herds they supply with water, most of them answered the question very precisely. Whether they contributed with this to the circulation of rumours or not, has to remain unverified. When asked about established personal relationships with these identified investors, only those 3 of 22 who hold high positions in political parties answered positively and described the relationship as a professional alliance.

In this constellation, both sides were looking for allies and found them. The Sahrawi have included in their network an intermediary group, whose members are able to communicate with both parties, the local Sahrawi nomads living in the Sus since their arrival from the south in the 1970s. These people had sold their camels and invested in agriculture. Realising, however, that this

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<sup>54</sup> See e.g. Werner 2006.

would never be an acceptable alternative way of life for them, they began to rent out their land to local peasants and limited their own activities to the keeping of small livestock. In addition, they were successful in accessing a new form of labour, namely, construction work, where they act as mobile teams of workers. The satellite settlements and camps founded in the 1950s, 1960s and 1970s still serve as refuge areas for their nomadic relatives, today, in cases of conflict escalation. Furthermore, when expecting a violent event, the Sahrawi may hire supporters on the construction labour market that is under Sahrawi control. Today, the Sahrawi student organisation at Ibn Zohr University at Agadir may also be alerted in case of tensions between their camel herding kin and the local population and help organise support by expressing their discontent and fuelling uprisings of the concerned clans in the Southern Provinces.<sup>55</sup>

After 1996, the peasants on the other hand, for the first time also had a powerful partner available to them, namely development agencies. These interveners regarded the local peasants as the target group for the establishment of transnational standards of sustainable resource management. As mentioned, demonstrating the ability to exercise low level violence is generally accepted as the appropriate way to maintain access rights in a local context. Now, the situation escalated as both sides felt supported by strong allies. Insofar, transnational actors did not introduce new dimensions of conflict but contributed to the reactivation of local interest in the violent option (Turner 2005). Furthermore, the local Swasa quickly learned to interpret and to strategically make use of transnational legal impacts. Whereas the recourse to project law and the support of development agencies did not produce the desired results, the integration of Moroccan legislation in the transnational war on terror indeed provided a legal tool that could be activated in accordance with state politics in order to get state representatives to intervene on behalf of local peasants.

## Conclusion

The case study shows how fragile systems of exchange depend on the variety of crops produced, the plural legal configuration, and legal (in)security of land and access rights, ecological factors as well as state and transnational intervention, and the degree of integration of local economies in the global market.

The complex relationship between the different but interrelated networks provides the analytical tool for the understanding of the new dimensions of violent conflict in the Sus. This aspect has been overshadowed in the conventional way by implicitly emphasising the shift from complementarity to confrontation as the typical result of increasing competition in resource exploitation.<sup>56</sup> Furthermore, the described displacement competition sheds light on the processes of disengagement of local elites from their local social environment. The arrangements analysed in this paper within Moroccan elite circles in a transnational context and its consequences for those becoming involved confirm Boldley's (2003) argument that the extension in scale necessarily leads to an increasingly small elite gaining disproportionate power (cf. a. Waterbury 1970).<sup>57</sup> They do not feel a binding responsibility to the local community as a whole for which they used to keep political functions as elected representatives. The professional connections the farmers maintained

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<sup>55</sup> This may appear as an episode in a continuous confrontation between members of different student organisations but may also have quite concrete reasons. See e.g. *Le Journal Hebdo* N° 302, 2007.

<sup>56</sup> See e.g. [http://www.tanmia.ma/article.php3?id\\_article=1539&lang=fr](http://www.tanmia.ma/article.php3?id_article=1539&lang=fr).

<sup>57</sup> Storm (2007) also identifies the performance of elites in the political arena as the main obstacle to further democratisation.

with the nomads, and particularly the provision of water, changed the peasants' minds. The reaction of the peasants can be described as a formation of local resistance against the elite's hegemonic claim to accessing increasingly scarce resources. This phenomenon may be interpreted as a reaction in conformity with the model of strategic grouping in resource competition (Berner 1995).<sup>58</sup> The stereotype of the eternal nomad-peasant conflict disguises accumulative processes concerning political and economic power in the rural countryside.

Looking at existing development programs, it cannot simply be a question of integrating the mobile pastoralists or not (Werner 2006). Targeting rural poverty and rural development implies integrating all social actors in one concept of action. Accordingly, neglecting the very real alliance of nomadic and peasant elites as a special local arrangement will bring about a collapse of development programs.

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<sup>58</sup> Insofar, the tuning of this resistance against the strategic cooperation within elite circles also adds a note to the anthropological debate on resistance that seems worth to be considered when its global dimensions are addressed (Scott 1990, 2005; Edelman 2005).

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