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**The historical background
of the Moroccan territorial claims**

Sarkis D. Hamboyan

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THE
HISTORICAL BACKGROUND
OF THE
MOROCCAN TERRITORIAL CLAIMS

By

SARKIS D. HAMBOYAN

A Thesis

Submitted in Partial Fulfillment
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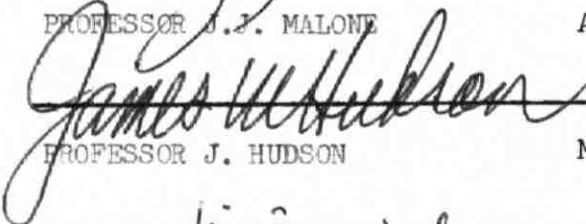
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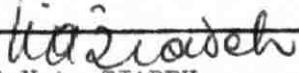
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PREFACE

The idea of studying the historical background of the Moroccan territorial claims occurred to my adviser, Prof. David C. Gordon and me in the autumn of 1963 when fighting broke out between the Kingdom of Morocco and the Republic of Algeria. Soon it became apparent that a comprehensive study of the problem, as such, necessitated a variety of sources, both primary and secondary, and the A.U.B. Library proved to be far from adequate in this respect. However, over the past four years the Library was able to acquire some valuable material, mainly in the form of documentary sources, which made the study of this problem possible. Nevertheless, I believe the A.U.B. Library still needs many works relevant to the subject.

I am most grateful and indebted to Prof. Gordon, who, as my adviser on the thesis, guided the early stages of this study with valuable suggestions and healthy criticism, and kindly put at my disposal his rich collection of books, periodicals, papers and notes, all dealing with the problem.

I owe a very deep sense of gratitude also to Prof. Joseph J. Malone, who, in the absence of Prof. Gordon,

acted as my adviser, supervised the writing of this study in its final form, and provided much needed encouragement until this work was completed.

Sarkis D. Hamboyan

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CHAPTER I
I N T R O D U C T I O N

The border fighting which occurred between the Kingdom of Morocco and the Republic of Algeria from October 8 to November 5, 1963, focussed once again the attention of the world in general and the students of North-African history in particular, on a territorial problem. This was the Moroccan claim upon the Western Sahara¹, i.e. the south-western section of present Algeria.

Earlier, in 1960, the Moroccan Government had officially made a similar territorial claim upon the whole of Mauritania. This was on the eve of the Mauritanian independence. Putting forward historical and legal documents Moroccan diplomacy made a desperate attempt at reannexing Mauritania to Morocco.² Then to the great indignation of the Moroccan Government, the Moroccan nationalists and those Mauritanians who favoured unification, and in spite of strong Moroccan protests, Mauritania was given independence

¹ Known also as the Moroccan Sahara.

² See Livre Blanc sur la Mauritanie, published by the Moroccan Foreign Ministry (Rabat, 1960).

by the Gaullist France within the French Community. The General Assembly of the United Nations approved the Mauritanian application for membership, though the recommendation of the Security Council was delayed by a Soviet veto.¹

Still earlier, in Autumn 1957, there had been outbursts of violence by bands of irregulars in Rio de Oro, in the Spanish Sahara, as well as in Mauritania. Simultaneously there had been the rising of the Ba Amran in Ifni, a Spanish enclave toward the south of the Moroccan Atlantic coast. Indeed, all these followed the excitement caused by the ending of French Protectorate over Morocco and the recovery of the Moroccan sovereignty in 1956, together with the appeals of Moroccan nationalists for the reunification of all Sherifian realms with the mother country, Morocco.²

But it is no surprise to find that for the past one hundred years or so, the Moroccan rulers on the one hand

¹See Keesing's Contemporary Archives, p. 16223, p. 16978, p. 17279, and p. 17799.

²Writing in Le Monde, June 18, 1956, Roger le Tourneau stated that certain armed bands were then fighting to occupy Tinduf and referred to a "Question of Western Sahara" in which were interested Morocco, France and Spain.

and Moroccan nationalists on the other have put forward such claims on numerous occasions.

As a matter of fact, the present southern frontiers of Morocco indicate the limit of more or less effective Sherifian administration at the time of the inauguration of the French Protectorate in 1912, that is, at a time when Morocco was living through one of the most critical periods in its history. Such a border line was primarily agreed to by the imperialist France and Spain for the purpose of settling their own disagreements over the division of Moroccan territory.¹ Never did an independent Moroccan government acknowledge those frontiers. The Franco-Spanish Convention of November 27, 1912, while delimiting the area of the Spanish Protectorate south of the Dra, implied that the area outside that line was also the territory of the Sherifian Empire for some undetermined distance.² One wonders if, in spite of their so-called Protectorates, imperial France and Spain were aiming at

¹This problem will be considered in Chapter II.

²See Article 2 of the said convention below, Appendix XIII.

keeping the Moroccan frontiers within certain definite limits. In other words, was there a deliberate attempt on the part of French and Spanish governments to detach certain territories or dependencies from the Sherifian administration prior to and after the establishment of the Protectorates? If so, what motives actuated the French and the Spanish? It is one of the main purposes of the present study to answer such questions in the following chapters.

The Moroccan border issue and the subsequent territorial claims as such have undergone three distinct phases. The first, covering the period from 1830 to 1912 was characterized by the origin and the evolution of the border issue. During this period the Moroccan Empire was undermined by the intrusion of France and Spain into North Africa and Western Sahara. Already weak, it then disintegrated, vast stretches of land being first contested and then overrun by the French and the Spanish, who later incorporated them into their respective empires. During this period Morocco was unable to fix most of her frontiers, because it was the policy of the French to keep them undemarcated. Thus the border issue once opened remained

unsolved throughout this period.

The second phase covers the years from 1912 to 1956 when Morocco, having fallen victim to European imperialism, was partitioned between France and Spain, though the two divisions were labelled as "Protectorates". The borders within each protectorate were decided according to circumstances and also according to the colonial policy of the French and Spanish authorities. During this period, at least officially, the border issue did not exist for France and Spain, though in the case of France, certain territorial and administrative arrangements indicate that the French colonial authorities still wanted to contain the Moroccan boundaries deliberately; thus, Tinduf, to the south of Morocco, was not placed under French authority in Morocco after it was "pacified" in the 1930's.

1956 marks the opening of the third phase when Morocco, after regaining her independence, reopened the border issue, this time in formal declarations of territorial claims. This was the beginning of a period when independent Morocco inaugurated a struggle for Morocco irredenta. This phase of the border issue is still in progress.

In the following chapters these phases will be dealt with one by one.

The present chapter however, proposes to give a brief survey of Moroccan history up to the 1820's after which we enter the real phase of the border issue. Such an outline is needed because, in the first place, Moroccan history is the history of these various territories now claimed, up to the nineteenth century. In other words, south-western Algeria, Ifni, Saguiat al-Hamra, Rio de Oro and Mauritania are all parts of Moroccan history, tradition, and heritage. Historically, the peoples of these countries or territories, and the countries or territories themselves, have had the same ruler for considerable periods of time: the Moroccan Sultan.

Such a historical sketch should reveal also the various common ties existing among the countries or regions concerned and their inhabitants, e.g. origin of people, religion, customs, traditions, social foundations, etc.

Furthermore, the fact that Morocco "has inherited from the two centuries when the authority of its rulers extended

from the Sahara to northern Portugal and Catalonia, and from the Atlantic to the Gulf of Gabes, an imperial outlook and air which it at no time entirely lost"¹ necessitates such a historical outline.²

*

* *

The earliest inhabitants of North Africa and the Sahara, including a large part of Mauritania, were the Berbers, presumably since at least the second millennium B.C. Their origin is yet unknown. The term "Berber" has its origin in the name "Barbary" which was commonly used by Europeans to designate the North African states during the period of Turkish domination. Probably the word is simply an adaptation of the Greek word for barbarism.

The presence of the Berbers with considerable proportions in the countries of North Africa and also in the Sahara, is more than significant. In fact, the Berbers form the bulk of the population of the Maghrib. It is in

¹Nevill Barbour, Morocco (London, Thames and Hudson, 1965), p. 209.

²Other aspects of the issue will be treated in due course.

Morocco, however, that the largest concentration of Berbers is to be found. They total at present more than four million. They still use their own language.¹

In the twelfth century B.C. the Phoenicians reached the Moroccan coasts and set up trading posts along the Mediterranean and the Atlantic. They were followed by the Carthaginians. Present Moroccan cities such as Melilla (Russadir), Tangier (Tingis), Shella (Salé) and Anfa (at Casablanca) were founded by them by the eighth century B.C.

After the Punic Wars (264-146 B.C.) North Africa came under the rule of the Romans. Morocco was annexed to the Roman Empire in 40 B.C. Emperor Claudius established the Roman provinces of Mauritania Caesariensis (eastern portion) and Mauritania Tingitanis (western portion). The latter's boundaries passed a few kilometres

¹The Berber-speaking groups today form islands of population all the way from the Siwa oasis in Egypt to the Atlantic coast. Not considering Morocco, there are some in Libya and a good many in the central and southern Sahara, but very few in Tunisia. There are big groups in the Kabylia and the Aurès mountains of Algeria. See Nevill Barbour (ed.), A Survey of North West Africa (London, Oxford University Press, 1962), pp. 7-9, 11-12, 192-193, 207-210, 265-266.

south of the present city of Rabat and a little to the south of Meknes and Fez. The resident city of the Roman governor was Volubilis. In the fifth century A.D. the Vandals and the Goths carried out destructive raids across the Roman provinces in North Africa; in Morocco they established a loose suzerainty over the Berber tribes.

The coming of the Arabs to Morocco and the Islamization of the Berbers was a great landmark in the history of Morocco. Indeed the amalgamation of the Arab and Berber elements resulted in the formation of a new type of society in Morocco. This had, in the course of history, its periods of splendour and of decay, but has nevertheless persisted to this day, because it proved to be so natural to the country.

After the death of the Prophet, the Arab Empire gradually extended westwards in the seventh century and eventually Morocco - Maghrib al-Aqsa - became a part of the Umayyad Empire. In due course, the Berbers were converted to Islam and the newly combined Arab-Berber armies - the Moors - with a fresh enthusiasm subsequently achieved

extensive conquests in Spain and France. Their advance was checked only at Tours in 732 by the Frankish army under Charles Martel.

Morocco, however, did not remain long within the empire of the Umayyads. With the rest of the Berber lands, it participated in the Kharijite schismatical revolt in the eighth century and ever since has remained detached from any political allegiance to the east.

The subsequent political history of Morocco is that of the rise and fall of various Arab and Berber dynasties. The boundaries of the country depended a great deal upon the power and ability of the various figures of these dynasties. Other factors in this regard, such as the presence of powerful neighbours, were decisive and fateful too, especially in the nineteenth century. However, the spiritual leadership of all the Moroccan rulers remained almost uncontested throughout North West Africa, north of the Senegal River, up to the 1950's.

The first dynasty was that of the Idrissites (788-973), whose founder, Maulay Idriss, was an oriental prince and supposedly a descendant of the Prophet. His rule extended

as far as Tlemcen, the western district of present Algeria. Under his son, Maulay Idriss II, the city of Fez was founded and made the capital of the kingdom early in the ninth century. Fez became then a center of Arab and Muslim culture. A successful and wise administrator, Idriss II "established in a rudimentary form the type of Moroccan kingdom which has existed ever since. This is a Muslim administration of which the methods are Arab, the official language is Arabic, and Arab arts and literature are encouraged. In this way Morocco was set on the path of becoming, by gentle and almost imperceptible stages, Muslim and Arabic-speaking."¹

The successors of Idriss II spent themselves fighting one another, until they were destroyed by the Umayyad Caliphs of Spain. In the tenth century the Idrissite kingdom of Morocco completely disintegrated. Two Berber tribes, the Sanhaja and the Zenata, were at war. This resulted in the establishment of various local principalities in Morocco.

In the eleventh century and still later the invasion of Arab tribes in great numbers introduced a new and

¹Barbour, Morocco, p. 47.

powerful factor in shaping the course of Moroccan history. These were known as the Beni Hilal (in the eleventh century) and the Maaqil (in the thirteenth century). As a matter of fact, this great influx (estimated as 200,000 families) was chiefly responsible for the Arabization of the western plains of Morocco.

Meanwhile, early in the eleventh century Morocco recovered its unity and identification, when Moslem Berbers from Mauritania, led by Yusef ben Tashfin, crossed the Dra and eventually conquered all the parts of Morocco. The center of this movement was a fortified monastery, "ribat", on the coast of Mauritania. Yusef founded a new Moroccan ruling dynasty, the Almoravids or Almurabitun - the people of the "ribat" - who ruled Morocco from 1053 to 1147. The present city of Marrakesh was founded by Yusef in 1066. A brilliant soldier, he carried his conquests eastwards into North Africa as far as Algiers, and northwards into Spain. At his death the Moroccan Almoravid Empire stretched from Spain to the River Senegal. Yusef ben Tashfin can be considered as the real founder and father of Morocco. A dynamic administrator,

with a strong sense of political order, he brought under one rule and for the first time all the Moroccan territories.¹

In the twelfth century the Almohads (1143-1268), Berbers from Tlemcen and the Middle Atlas, defeated the Almoravids, and under Abd al-Mumin founded the greatest of the western Moslem empires. Indeed, at the height of their power, under Abu Yaacub (1162-1189) and al-Mansur (1189-1198) the Almohads ruled as far east as Libya. Southern Spain was a part of this empire. The first great Almohad and the architect of this empire was al-Mumin himself. A capable organizer and an efficient administrator he was the Charlemagne of North Africa. Law and security reigned in all provinces. Provincial governors paid regular tributes to the Sultan. Al-Mumin engaged in the reorganization of the Moroccan army. Cities were beautified, new roads were opened and many more were repaired. He was also a patron of arts and learning. In 1162 he assumed the title of Caliph.

¹Henri Terrasse, Histoire du Maroc (Casablanca, 1949), I, p. 240; see also Barbour, Morocco, pp. 51-57, and Albert Ayache, Le Maroc (Paris, 1956), p. 31.

Later in the twelfth century a fresh wave of nomadic Berbers from the Sahara, the Beni Merin, gradually invaded northwest Africa. In the second half of the thirteenth century they established the next ruling dynasty in Morocco - the Merinids (1269-1465). As in the preceding cases the replacement of the Almohads by the Merinids involved several decades of dissension and civil war.

The early Merinids carried on for a while a religious war against Spain and Portugal. The most eminent of the dynasty were Abu Yahya (1244-1258), Abu Yusuf Yaacub (1258-1286), Abu Yaacub Yusuf (1286-1307), and Abu al-Hassan (1330-1351). Merinid rule nominally continued until 1465, though for 35 years power had already passed into the hands of the Beni Wattas, who first made the office of "Wazir" hereditary in their family and then became officially rulers from 1465 to 1554.

The period of the Beni Merin and the Beni Wattas marked the final abandonment of Moroccan pretensions to authority in Spain and also in the eastern Maghrib. On the other hand a prolonged siege of Tlemcen (1299-1307) failed to recover that area which then became the seat of a separate principality. It is true Abu

Hassan later was able to conquer it, but it was soon lost again.

Having neither a strong religious nor tribal basis as the Almoravids and the Almohads, the Beni Merin started the foundation of a state organization with a rudimentary civil service, largely Spanish Muslim in origin, and a rudimentary regular army. The capital was transferred from Marrakesh to Fez, which was enlarged by the construction of a new administrative city, New Fez, on the high ground above the old town.

The fall of Granada - the last Muslim stronghold in Spain - in 1492, was significant and fatal for Morocco. Indeed, after being for centuries on the defensive, Christian Europe, namely Spain and Portugal, now turned to the offensive. They had achieved nationhood and now their energies were directed overseas. Among their first targets were the Moroccan shores.

The Spanish and the Portuguese raids on the Moroccan ports began by 1400.¹ In this very year a Spanish force made a surprise landing near Tetuan. This city was then captured and destroyed, half the citizens were massacred

¹In 1260 the Spanish had captured and held Salé for a fortnight.

and the rest enslaved. In the course of the fifteenth century the Spanish raided the Atlantic coast of Morocco constantly, attacking among other places Azemmour, Mamora, and Fedala, killing, enslaving and robbing. On the other hand, the Portuguese managed to occupy certain Moroccan coastal cities, such as Ceuta (1415), Alcazarseghir (1452), Arzila (1471), Tangier (1471), Masra and Agadir (1496-1508). Against such assaults the Moroccan rulers of the time, the Beni Wattas (1465-1549), the last Berber dynasty over Morocco, were helpless.

The Portuguese, encouraged by the weakness of the Moroccan rulers, continued their raids, acquired Mazaga, Mogador and Safi, eventually establishing a protectorate over the whole neighbouring region of Dukkala, with Safi as capital. In 1513 Azemmour too was captured by the Portuguese. But then there followed a gradual decline of Portuguese power and influence in Morocco. This was partly due to the diversion of Portuguese interests to other spheres, partly to the hostility of the Muslim inhabitants of the cities under their rule, and partly to the successful reaction of the Saadians, the next ruling dynasty of Morocco, although this was much later.

In the meantime, the Spanish successes against the Kingdom of Granada had culminated in the latter's conquest, which in turn had led the attention of the Spanish rulers to prospects of conquests in North Africa. They occupied Melilla in 1497 and Peñon de Vélez Gomara in 1508.

In Morocco itself, such encroachments by the Portuguese and the Spanish, raised an intense indignation not only against the foreigners but also against the Muslim rulers, who could not defend their country. However, no capable tribal leaders appeared to take charge of the situation. Instead, leadership gradually passed to two types of people. First, the "murabit" (marabouts) whose power derived from asceticism or other religious observances; these tended to belong to mystic orders which had long taken root in Morocco. Second, the Sherifian families, whose prestige like that of the Idrissites came from a combination of descent from the Prophet with a reputation for virtue and practical ability. Such a Sherifian family were the Beni Saad, settled south of the Atlas. This family gradually took the lead in organizing

resistance to the Portuguese and, taking advantage of the collapse of the Merinids and the Wattasids, established independent kingdoms in Tarudant and Marrakesh. Thus, soon after 1500 Morocco came to be regarded in Europe as two separate kingdoms: Fez and Morocco, the latter term being simply a Europeanized form of the name Marrakesh.

It should be pointed out that the history of Morocco early in the sixteenth century is rather confused and complicated because of the struggle between the Beni Wattas and the Saadians on the one hand, and among the various members of the Saadians themselves, on the other.

The Saadians (1549-1654) won their prestige through the recovery of a number of ports in the south of Morocco from the Portuguese. These were Agadir (1541), followed by Mogador, Safi and Azemmour. Others followed as well, and of all her possessions in the south-west of Morocco, Portugal could retain only Mazagan, which was not surrendered until 1769.

In the sixteenth century the Ottoman Turks appeared in North Africa. Indeed, all North Africa, east of Morocco was conquered by the Ottoman fleets and their famous cor-

sairs. Inevitably the Ottoman influence was felt for a while in Morocco too. Thus, one of the last rulers of the Beni Wattas in Fez paid homage to the Ottoman Sultan and in 1553 it was through the help of the Ottoman troops from Algiers that he reestablished himself in Fez for a few months. In 1576, a Saadian claimant to the throne, Abd al-Malik and his brother Ahmad, took refuge in Constantinople and in the same year with the aid of the Ottoman troops from Algiers he established himself in Fez. For a very brief period prayer seems to have been said in the name of the Ottoman Caliph. But, once firmly on the throne, Abd al-Malik rejected any sort of subjection to Ottoman political supremacy. Abd al-Malik's rule was significant for another reason. In 1578 a Portuguese army under King Sebastian disembarked at Arzila and began to march on Larach, on the pretext of helping Maulay Muhammad, the dispossessed nephew of Abd al-Malik. The Portuguese army, however, was crushed by the forces of the Moroccan Sultan at the famous battle of Alcazarquivir (or Wadi Makha-zin). Maulay Muhammad was drowned in a river while fleeing, whilst King Sebastian was killed in the battle. For Portu-

gal this was particularly tragic because in 1580 the vacant Portuguese throne was occupied by Philip II of Spain. Portugal and all her possessions thus came under Spanish rule. Ceuta, one of the Portuguese outposts in Morocco has remained under the Spanish rule to this day.

On the other hand, the victory of Alcazarquivir, the vast booty, and the ransom for the prisoners brought great prestige and wealth to the Saadian rulers of Morocco.

Abd al-Malik's brother and successor Ahmad, became even more famous. As a result of his conquests he was called al-Mansour (the Victorious), and for his wealth al-Dahabi (the Golden). Ambitious and energetic, this Sultan concentrated his efforts on the conquest of the interior of the Sahara. Certainly, such a conquest would increase his wealth and prestige especially through the control of the Saharan trade routes. In 1581 the conquest of Gourara and Tuat, two important oases in the Sahara, was accomplished.¹ Then, in 1591, led by Jouder Pasha,

¹Following the downfall of the Merinids and under the Beni Wattas these regions had tried to detach themselves from the authority of the Moroccan Sultans. However, the Saadians succeeded in reestablishing their hold over these oases. See A.G.P. Martin, Quatre Siècles d'histoire marocaine (Paris, 1923), pp. 30-36.

two expeditions were sent to northern Sudan and such important cities as Timbuctu, Gao and Jenneh were brought under the Moroccan rule. The venture was fruitful indeed. Because the conquest was followed by a flow of gold and slaves from the Sudan to Morocco. The conquered area itself was governed from Timbuctu for forty-two years as a Moroccan protectorate under Pashas sent from Morocco. Gradually however, the Pashas became virtually independent, though there were periodical reassertions of Moroccan supremacy. Later, in 1780, their title was changed to Kahya and this regime continued until the arrival of the French in 1893.¹

Upon the death of Sultan Ahmad al-Mansour in 1603 the throne was disputed among three sons. Morocco was again divided into a kingdom of Fez and a kingdom of Marrakesh. It was during this rather confused period that Spain captured Maamora and Larache in 1610. Nominally Saadian rule continued in Fez until 1628 and in Marrakesh until 1659. This was, however, a period of dreary internecine strife. For a time besides the Kingdom of Fez and the Kingdom of Marrakesh,

¹There are still Moroccan descendants at Timbuctu. These are the Arma, Markasi, Alfasi, Filali and Andalu. See Vincent Monteil, L' Islam noir (Paris, 1964), pp. 70-71.

there were other independent or semi-independent regions such as Tarudant, Tafilalet, Ilich (Tazerwalt), Bu Regreg and Tuat-Gourara.

It was in such a disturbed period that the Alawites,¹ in the middle of the seventeenth century, gradually secured supreme power in Morocco. Their effective rule has lasted to the present day except the period from 1912 to 1956, the Franco-Spanish Protectorate period, when the Moroccan Sultans reigned but did not rule.

The founder of this new dynasty, Maulay Rashid, was a Sherif from Tafilalet. He first established a Makhzen (royal government) in Taza, then by 1671 occupied Fez and Marrakesh, and finally brought all the rest of the Moroccan Empire under his control.² His brother and successor, Maulay Ismail (1672-1727) proved to be one of the greatest rulers of Morocco. He was a controversial figure and well-known in Europe. In Morocco he was regarded as a great and worthy ruler, whereas

¹Descendants of Ali ibn Abi Talib, the son-in-law of the Prophet.

²In 1645 Tuat was conquered by Maulay Mohammad ben Sherif, the brother of Maulay Rashid; see Martin, *op.cit.*, pp. 51-53. Maulay Rashid fought against Maulay Mohammad, defeated and killed him in a battle and thus became the sole master of the Moroccan Empire; *ibid.*, pp. 59-60.

various European books have described him as a monster of cruelty.¹ In any case he was an active and indefatigable monarch, who successfully established his authority over the whole of the country, including the Saharan oases of Tuat, Gourara and Tidikelt,² and Mauritania.³ At the end of his reign it was said that it was "possible for a Jew or a woman to walk from one end of the country to the other without as much as anyone questioning them."⁴ The country enjoyed a period of prosperity and peace. His subjects were said "to work and pay taxes, every week, every month, and every year."⁵ He organized an army composed mainly of negroes, i.e. the Black Guard.⁶ These were slaves, some of whom were descended from those who had arrived in Morocco after Ahmad al-Mansour's conquest of the Sudan,

¹ See the reasons in Barbour, Morocco, p. 119.

² About Mauley Ismail and his rule over Tuat and the other Saharan oases see Martin, op. cit., pp. 62-86.

³ An English captive, Thomas Pellow, in the service of the Moroccan Sultan, records in his book that there was a Moroccan governor residing in Shinqit (Chinguetti) in 1727. See Adventures of Thomas Pellow (London, 1890). See also Livre Blanc, pp. 36-37, which gives enough evidence to prove that in the seventeenth, eighteenth and nineteenth centuries Mauritania was a part of the Sherifian Empire.

⁴ Archives marocaines, (Paris, 1906), IX, p. 132.

⁵ As quoted in Barbour, Morocco, p. 121

⁶ Ch.-A. Julien, Histoire de l'Afrique du Nord (Paris, 1961), II, p. 230.

whereas others were acquired during an expedition which Maulay Ismail made to Mauritania. The other section of his army was composed of the Oudaia Arabs from the south. Security of communications was ensured by the building of many posts (qasbas) at strategic points.

As to his external affairs, Maulay Ismail kept the Turks out of Moroccan affairs, though he failed to extend his rule over Algeria. He succeeded in recovering from the Spanish Maamora (now Mahdiya, 1681), Larache (1689) and Arzila (1691). On the other hand Tangier, which the English had received from the Portuguese as Catherine of Braganza's dowry in 1661, was conquered in 1684 and repopulated with people from the Rif. However, he could not recover Ceuta and Melilla from the Spanish.

The reign of Maulay Ismail was followed by another period of anarchy and disturbances. Nevertheless the reigns of Sidi Muhammad III (1757-1790) and Maulay Sulaiman (1792-1822) can be mentioned as periods of relative peace.

In 1774 a Moroccan demand for the return of Ceuta, Melilla and the Peñons resulted in a Spanish declaration of war. This was followed by Moroccan attacks on various

presidios. These failed partly because the Spanish succeeded in preventing a British squadron from delivering arms and ammunitions to the Moroccans. Peace was restored only in 1780.

Muhammad III founded in 1765 the city of Mogador which supplanted Agadir as the principal center of foreign trade in the south during the following 150 years. It served the trade from the Sous, the Wadi Noun, the Wadi Dra, the Saharan oases and west Africa at large. The port began to lose its importance only after the French occupation of west Africa, which interrupted the camel traffic from Timbuctu. It was also during the reign of Muhammad III that the Portuguese evacuated their last possession, Mazagan, in 1769. Patient, kind and just, Muhammad III was a wise ruler too.

Maulay Sulaiman was a pious and learned ruler. The first years of his reign were spent suppressing rival contestants to the throne. No external danger threatened the Moroccan Empire during this period since Europe was occupied with the upheaval of the French Revolution and the subsequent Napoleonic wars. Maulay Sulaiman himself avoided all conflicts.

In 1797 he recovered Oujda with its surroundings from the Turks by a friendly agreement with the Dey. However, he prudently did not accept the offer of the people of Tlemcen to come under his sovereignty because either he did not trust them or was unwilling to add to his troubles. He succeeded in putting an end to Moroccan privateering in 1817. In the following year Morocco was sufficiently prosperous to supply wheat to France and later to Tunisia.

In spite of his peaceful intentions Maulay Sulaiman had to carry a number of expeditions to various parts of the Empire in order to collect taxes. In 1802 he was in the Dra; in 1803, in the Rif; in 1804, in Taza; Oujda and other oases. In 1807 new governors were appointed at Figuig and an expedition was carried on to Gourara and Tuat.¹

The years from 1805 to 1810 were the most peaceful of Maulay Sulaiman's reign. But many uprisings, especially those of the Berbers in the Middle Atlas, exhausted his resources and the last years of his reign were disastrous.

¹Terrasse, op. cit., II, p. 309; see also Martin, op. cit., p. 122. Martin provides much evidence to show that Tuat and the adjacent oases were ruled by the Moroccan Sultans throughout the eighteenth century; see ibid., pp. 88-102. See the list of Moroccan governors over Tuat from 1693 to 1795, ibid., pp. 102-103.

The country entered upon a period of anarchy. This was brought to an end when Maulay Sulaiman nominated a capable nephew as his successor in preference to his own less worthy sons.

Before considering the emergence of a new factor on the North African scene, i.e. the arrival of the French in the first half of the nineteenth century and their imperialist schemes concerning Africa in the second half of the same century, one might conclude this short survey of Moroccan history by quoting the well-known writer on North Africa, Nevill Barbour, in regard to the Morocco of the eighteenth and nineteenth centuries. He describes the situation in Morocco in the following apt manner:

... This period of 150 years is the least interesting in Moroccan history. The inspiration and the splendour of the Almoravid and Almohad periods are entirely lacking; nor is there the delicate decoration connected with Beni Merin building nor the Levantine brilliance of Ahmad al-Mansur nor the barbaric vitality of Maulay Ismail. Morocco did indeed develop trade relations with Europe, but the country retired into itself, spiritually and physically, and its energies were increasingly consumed in the negative task of preserving something of its medieval heritage in spite of the decadence which had overtaken it and its anachronistic character in modern times. No great new monuments were created; there were less chroniclers of Moroccan history than there had been earlier. The Sultans devoted the greater part

of their time to military expeditions around the country (which were not always successful) in order to enforce respect and to collect taxes. Meanwhile the Makhzen was increasingly at the mercy of the vigorous modern states of Christian Europe. These were steadily substituting their influence for that of the Makhzen first in the ports, and round the Spanish presidios, and on the Algerian frontier, and then by one means or another in the interior.¹

¹Barbour, Morocco, p. 123; see also Terrasse, op. cit., II, pp. 313-316.

CHAPTER II
THE MOROCCAN EMPIRE
AND
ITS BORDERS
1830 - 1912

Throughout the nineteenth century and early twentieth century the Moroccan Empire underwent a series of minor and major crises of far-reaching nature. As a matter of fact, with the advent of the Age of Imperialism and the following scramble for Africa not only was the territorial integrity of the Empire threatened but its very existence seriously challenged. The Morocco of the nineteenth century could not react vigorously against the constant threat of the imperialist nations of Europe. With old-fashioned institutions, weapons and ideas, a weak Morocco was no match for either France or Spain. Consequently, during this period certain territories or dependencies of the Moroccan Empire were first claimed or contested by these two nations (a common course of action in the Age of Imperialism) and then overrun by their troops, accompanied or backed by diplomatic maneuvering. It was under such circumstances and

because of such encroachments that the Moroccan frontier issue arose with all its complexity and complications, evolving along a rather peculiar course from its beginning in the 1840's to 1912, when the French and Spanish inaugurated their Protectorates over Morocco.

The present chapter deals with this evolution. It considers the course of events in the Moroccan Empire from 1830 to 1912 and simultaneously the arrival of the French to North and West Africa and the gradual formation of a French African empire. The Spanish colonial ambitions and conquests in the same regions are considered too. There will be an attempt to bring out the features, the aims and the methods of the French imperialism of this period. This account will support the hypothesis that the French imperialists in the nineteenth century, after 1830 and more particularly in the second half of that century and early twentieth century aimed at and worked towards an extension of French rule over the Moroccan Empire as if it were the natural sequel to their conquest of Algeria. And, because of various conflicts arising essentially from the so-called "Scramble for Africa" among the great powers of Europe,

France followed naturally and according to circumstances, a policy of gradual penetration into and occupation of those parts of the Sherifian Empire that happened to have loose ties with the Makhzen (the Moroccan Government), namely the southern regions of the Empire (Mauritania) and the Saharan oases (Tuat, Gourara and Tidikelt).¹ The Spanish imperialists followed and imitated the French, sometimes collaborating with them, in the south and the seacoasts of Morocco, more precisely in Rio de Oro and Ifni. This aggressive policy of dismemberment and containment of the Moroccan Empire eventually culminated, in 1912, in the partition of the country into two divisions, French and Spanish, and the establishment of the so-called Protectorates. Until then certain territories of the Sherifian Empire, which are now vigorously claimed by Morocco, were already occupied by the French and the Spanish and incorporated into their empires.

¹ Throughout the nineteenth century though Tuat enjoyed some autonomy, it still acknowledged the sovereignty of the Moroccan Sultan. See Martin, op. cit., pp. 104-366.

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The Sultans who ruled the Moroccan Empire during this period were Maulay Abd al-Rahman (1822-1859), Sidi Muhammad IV (1859-1873), Maulay Hassan (1873-1894), Maulay Abd al-Aziz (1894-1907) and Maulay Hafidh (1907-1912).

Maulay Abd al-Rahman's long reign (1822-1859) was eventful internally and externally. Internally his reign was troubled by disorders and confusion. He had to try hard to establish peace and order, putting down uprisings, and collecting taxes even from such remote regions as the Saharan oases.¹ More significant and far-reaching was the new situation created in neighbouring Algeria the conquest of which was undertaken, in his lifetime, by the French.

The French occupation of Algiers in 1830 was the beginning of a new era in the history of North Africa. Its immediate pretext was an incident that had happened three years earlier, in which the Dey of Algiers, Hussein, had struck in the face a French envoy, Pierre Deval, with a fly-whisk,

¹ Terrasse, op. cit., II, pp. 317-319; cf. Christian, L'Afrique française, l'empire du Maroc et les déserts du Sahara (Paris, 1846), p. 313. See also Martin, op. cit., p. 159.

during a dispute over the unpaid debt of two Algerian Jews who had once furnished the French Government with large quantities of wheat. This incident had aroused the indignation of Charles X and his advisors. The French Government during the three years that had elapsed between the incident and the expedition, had considered diplomatically various means of international intervention. However, the official argument advanced by the French Government was its decision to stop the activity of piratical Algerian corsairs in the Mediterranean Sea.¹ It is no secret now that other and stronger motives impelled the French King to this adventure. Charles X and his ministers wanted to achieve a brilliant feat of arms and diplomacy which would restore not only the glory and prestige of France, lowered since Waterloo, but also revive the declining popularity of the Bourbon monarchy. The British Government, watchful and suspicious of French designs, protested before the expedition was undertaken and finally received a promise that the punitive expedition would withdraw from Algiers as soon as the Dey had been given a lesson in good behaviour. Never-

¹The Congress of Aix-la-Chapelle in 1818 was unable to agree on a joint expedition to punish the notorious Barbary pirates.

theless the French troops under General Bourmont, after occupying Algiers and the neighbouring coastal district, prepared themselves to stay there. The Dey was shipped to Naples. Though the exploit failed in its principal purpose, i.e. to save the French throne for Charles X, it secured, on the other hand, a foothold for France in North Africa which was to become a cornerstone of the French African Empire.¹

But what did the so-called Algeria represent then? How far did the legal and actual authority of the Dey of Algiers extend? No full and precise account is available in this respect. But it is safe to say that prior to the coming of the French the so-called Algeria was divided into three autonomous regions under the suzerainty of the Ottoman Sultan. These were later the origin of French departments of Oran (in the west), Medea or Titteri (in the center) and Constantine (in the east). These were governed by Beys, while the district of Algiers formed a separate unit, which was ruled by a Dey. We have no evidence whatsoever that the rule of these Beys and Deys ever reached

¹Parker Thomas Moon, Imperialism and World Politics (New York, The Macmillan Co., 1928), pp. 188-189.

the Saharan oases of Tuat, Gourara and Tidikelt. True, in the sixteenth century Khair al-Din, one of the Barbarossa brothers, extended his rule from Algiers to Bone and Constantine and even conquered Biskra, Touggourt and Wargla in the south. But in the subsequent centuries even these regions were not kept and the Kingdom of the Barbarossa Brothers itself collapsed into fragments. Indeed, the present southwestern part of the Algerian Republic, as far as Tuat, had always been attached to the Moroccan Sultan politically, spiritually, culturally and economically, but never to any Algerian ruler, before the conquest of Algeria by the French.¹

By 1834 the French had only completed the conquest of the Algiers area. Later, in 1840, the French army undertook the conquest of the other parts of Algeria. On the fall of Algiers, two out of the three Beys already (those of Oran and Medea) had rallied to the French. But the Bey of Constantine, Ahmad, did not submit until 1848. In the west, at Mascara, however, the Emir Abd al-Kader organized and per-

¹ See the immensely valuable and documentary work of Martin, op. cit., in this respect. As a matter of fact the French Government until the eve of Algerian independence (1962), had divided the Sahara into separate departments, each administratively independent from Algeria proper.

sonified the resistance to the French occupation.

Such great events and changes in neighbouring Algeria inevitably would affect the course of Moroccan history. Very soon, Abd al-Rahman, the Moroccan Sultan, was himself involved in a struggle against the French. His first encounter with this new situation occurred following the fall of Algiers when, fearful of a similar fate, the inhabitants of Tlemcen sent a delegation to him and asked for his protection. The Sultan hesitated for a while, but later accepted the offer. He sent his cousin Maulay Ali ben Sulaiman as governor of the city, with a small Moroccan army. Soon there were troubles and dissensions among the people of Tlemcen themselves, and certain Arab tribes. The confusion increased further when Moroccan troops were involved in some plunder. The Sultan then ordered his troops to withdraw from the city.

In 1832 a French envoy, M. de Mornay, arrived in Meknes. He succeeded in obtaining from the Moroccan Sultan the promise not to interfere in the quarrels between France and the population of the Algiers area. Abd al-Rahman prudently agreed to this demand because he wanted to avoid any conflict

with France and did not trust his troops returning from Tlemcen; actually they were in open rebellion against the Makhzen.

In Algiers itself, after the conquest, the French Government appointed as governor Marshal Clauzel (1830-1831) who tried to organize the other parts of Algeria - Medea, Constantine and Oran - under the rule of deys loyal to France. His successors from 1831 to 1834 consolidated the French occupation around Algiers and conquered one by one Oran, Bone, Bougie, Arzew and Mostaganem. The French advance alarmed other neighbouring regions. Local leaders such as Ahmad Bey in Constantine and Emir Abd al-Kader in Mascara organized resistance to the French. Soon Abd al-Kader was proclaimed leader by various Arab tribes, and his troops attacked Oran. He failed to occupy the city, but signed a truce with the French commander of Oran, General Desmichels.¹ The truce was broken in 1835 by the Emir and hostilities were resumed. So successful was Abd al-Kader that on May 30, 1837, the French General Bugeaud was obliged

¹See the text in Rouard de Card (ed.), Traité de la France avec les pays de l'Afrique du Nord (Paris, 1906), pp. 89-90.

to sign the Treaty of Tafna with him by which a part of Oran and a part of Algiers were ceded to the Emir.¹ In the meantime Abd al-Kader had paid homage to the Moroccan Sultan and obtained arms, horses and subsidies from him. The French on the other hand were able to conquer Constantine in 1837 and thus strengthen their position there. Two years later, in 1839, Abd al-Kader proclaimed the Holy War once more against the French and the struggle was renewed.

In 1840 General Bugeaud was appointed Governor-General of Algeria. Getting the necessary support from the government of Louis Philippe, Bugeaud reorganized the French army and undertook the offensive against Abd al-Kader. In a year (1841-1842) French troops were able to destroy or conquer all the chief strongholds of the Emir: Mascara, Tagdempt, Saida, Tlemcen, Sebdou, Boghar and Taza. The severest defeat of the Emir was on May 16, 1843, when the Duke of Aumale made a surprise attack on him at Taguin, 290 kilometres south of Algiers. The Emir could only escape capture and he took refuge in Morocco. Never

¹See the text ibid., pp. 92-94.

losing hope and energy he regrouped his troops and continued the fight against the French. He succeeded in winning over the hesitating Sultan of Morocco, who then sent regular Moroccan troops to Oujda. These troops attacked the French forces. General Bugeaud demanded the expulsion of Abd al-Kader from the Moroccan realms. Counting on British support the Makhzen refused the demand. Thereupon the French forces occupied Oujda and several border skirmishes occurred between the Moroccans and the French. While the Sultan himself declared the Holy War in 1844 against the French, French warships bombarded two Moroccan ports: Tangier (August 6) and Mogador (August 15). On August 13, 1844, the Moroccan army was attacked by the French forces under Bugeaud at oued Isly. The Moroccan army suffered a heavy defeat.¹ The Sultan asked for peace. This was negotiated at Tangier and a Convention was signed on September 10, 1844. By this Convention the Sultan undertook to withdraw his troops from the Algerian border, keeping at Oujda a force of only 2000 (Article 1); not to assist any enemy of France (Article 3);

¹See an account of these events and a description of the battle by the secretary of Bugeaud, Christian, op. cit., pp. 429-439.

to consider Abd al-Kader an outlaw in the Moroccan Empire and in Algeria (Article 4). Furthermore, the delimitation of the frontier between the two countries was to be the same as it had been previously during the Ottoman domination of Algeria (Article 5). However, it was agreed to meet at the frontier and negotiate for the borderline on the spot.¹

Six months later the representatives of both sides met at Lalla Marnia and the agreement reached was signed on March 18, 1845. It is of the utmost importance to point out and underline the fact that this treaty confirmed the demarcation of only that section of the frontier which started from the Mediterranean Sea and extended to a locality called Teniet Sassi, 150 kilometres southwards. For the Saharan region, no demarcation was attempted. Indeed Article 4 of the Convention simply stated that in the Sahara there was no territorial limit to establish between the two countries as the land could not be tilled. Article 6 made the following significant statement:

¹See the text of the Convention below, Appendix I.

Regarding the country which is located south of the Ksour of both Governments, a country which is found without water, is uninhabitable and delimitation thereof would be superfluous.

Finally in Article 7 it was stipulated that both sovereigns should govern in the manner they understood best and exercise full rights over their respective subjects in the Sahara.¹

Why did not the French complete the frontier settlement? Was it not because they were aware of the fact that after a certain limit there were no legitimate rights for Algeria or for them in the Sahara? Why did the treaty display so much flexibility and uncertainty in this respect? Surely, an undefined frontier was to the advantage of the French as far as their ambitions of expansion towards the south were concerned. Indeed, French colonial policy in these regions was against any settlement of frontier until the turn of the century when they were eventually annexed.²

The defeat at Isly was disastrous for the Moroccans because essentially it secured the stay and the absolute predominance of the French in Algeria. However, in spite

¹See the text of the treaty below, Appendix II.

²Jean-Louis Miège, Le Maroc et l'Europe (Paris, Presse Universitaire de France, 1963), IV, p. 250, footnote 3.

of the blow and in spite of all internal difficulties, the Moroccan Empire was able to survive and for the time being its territorial integrity was intact. As a matter of fact, Maulay Abd al-Rahman and his successors continued to exercise the full prerogatives of their sovereignty on the whole of their empire, even over such distant parts as Oued Saura, Tuat, Tidikelt, Gourara¹ and Mauritania.² As before, these territories were administered by the Makhzen through Moroccan civil servants, who were in charge of tax collection and of justice, and who celebrated their Friday prayers in the name of the Moroccan Sultan. Indeed most of the maps of this time, e.g. that of Beaudoin, included these regions within the Moroccan realms. Furthermore, in 1860 a "firman" was asked by the French Government from the Makhzen for the French explorer Daveyrier so that the latter could stay in Tuat.³

¹Martin, op. cit., p. 159, states:

Le sultan Moulai-Abderrahmane est toujours le souverain de tout le Maghreb-Extrême, y compris le Tafilelt et le Touat; pour n'en pouvoir douter, il suffit de voir le brevet qu'il signa, le 16 octobre 1837, pour le cadhi Sid Abdelâziz, du Timmi, - aux vues duquel brevet "tous ses serviteurs et fonctionnaires devront se conformer".

²Ahmad Lamine Ech Chenguiti, El Wasit, trans. Mourad Tef-fahi (Saint Louis, Centre IFAN, 1953), pp. 10-11, p.16 footnote 19.

³Miège, op. cit., IV, p. 251, and on the same page footnote 1. Also Budget Meakin, The Land of the Moors (London, 1901), p. 406.

In 1845 the Emir Abd al-Kader took refuge once again in Morocco. This time the Sherifian troops attacked his forces and defeated him. Eventually, while trying to go to the Sahara, he was caught by the French and thus his struggle came to an end.

In 1851 another crisis occurred in the Franco-Moroccan relations when two French ships were wrecked near Sale' and then looted by the people of the city. On the basis of false information from the governor of the city (who was afraid of punishment) the Sultan refused to pay indemnities. The French answer was the bombardment of the city by a group of French warships.

Maulay Abd al-Rahman died in 1859. In Morocco he enjoys the reputation of a great Sultan. His contemporaries had a great esteem for him because of his work, the dignity of his life and moderation. However, his heroic struggle for Islam against French ambitions in North Africa was to prove a failure. The French presence in Algeria remained a constant threat to the independence and the integrity of the Moroccan Empire. The French victory over Morocco and the Sale' incident showed the vulnerability of Morocco to a European power.

Indeed, throughout the Age of Imperialism Morocco was to be at the mercy of European powers which would find frequent excuses to intervene in Morocco. Only disagreements among European powers postponed a total collapse.

The successor of Manlay Abd al-Rahman was his son Sidi Muhammad IV (1859-1873), a calm, dignified and honest man. At the beginning of his reign he had to face the hostility of Spain. In 1848 the Spanish had occupied the Chaffarine Islands, east of Melilla, and now they proceeded to occupy the Peregil Islands. British presence forced the Spanish Government to promise not to occupy any strategic point permanently. But when a Spanish fortification near Ceuta was demolished by the Moroccans, the Spanish Government had a good pretext to declare war. A Spanish army 50,000 strong commanded by generals O'Donnell and Prim, supported by the Spanish navy, started on an expedition in Morocco. On February 5, 1860, Tetuan was occupied. The Moroccan troops suffered several defeats and were unable to check the Spanish advance on Tangier. However, the Spanish were prevented from conquering the city by the intervention of the British. It was the policy of the British at the time, not

to allow the installation of any European base opposite Gibraltar.

By the Treaty of Tetuan between Morocco and Spain, the Sultan undertook to pay an indemnity of 20 million douros (£4,000,000) to Spain and also to cede a certain unidentified area on the Atlantic coast corresponding to a fishing establishment which the Spanish claimed they had possessed in the fifteenth century.¹ Spain obtained also the right of "the most favoured nation". Two years later the indemnity was paid, and Tetuan was evacuated by the Spanish.

The war of 1860 with Spain had shown once more the weakness of Morocco against a European power. A significant outcome of the war was the change of the status of almost all European consulates established at Tangier, to that of legations. Usually the Pasha of Tangier was the link between these legations and the Sultan, though for major issues ambassadors would arrive in Fez.

¹There was later some difficulty in identifying this place which was referred to as Santa Cruz de Mar Pequena. This, however, led in 1934 to the Spanish occupation of Ifni. See Barbour, North West Africa, pp. 190-193; also Miège, op. cit., III, pp. 320-328.

In 1863 a commercial convention was signed between France and Morocco regulating the right of protection.¹ Relations between the two countries became so cordial that in 1865 a Moroccan mission led by Caid Muhammad Chergui and the Pasha of Salé was welcomed in Paris. In 1867 Morocco took part in the Universal Exposition of Paris. But in spite of this friendship the French General Wimpfen led in 1870 an expedition into the Guir Valley as far as Tafilalet, in pursuit of certain rebel tribes from the south of Oran.

Sidi Muhammad IV had his troubles at home. These were mainly revolts, which had to be put down. Numerous campaigns were needed to pacify various parts of the Empire. At the end of his reign the Moroccan Empire enjoyed internal peace and prosperity.² But ominously the development of the so-called system of protection, Moroccan trade with Europe and the activity of the European diplomatic agents at Tangier, increased and intensified the foreign penetration into Morocco. Nevertheless, the status quo of Morocco could be maintained because of three major factors: first, the rivalry of the European

¹ de Card, op. cit., pp. 339-340.

² It should be pointed out that Sidi Muhammad IV had the Saharan oases of Tuat, Gourara and Tidikelt under his authority as his letters and appointments of governors prove. See Martin, op. cit., pp. 176-177, p. 182, p. 186, p. 202.

powers among themselves; second, France's preoccupation in the 1880's with European affairs (the unification of Germany and the Franco-Prussian War); third, the policy of Great Britain in opposing the establishment of any European power on the African coast opposite Gibraltar.

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While having by 1870 consolidated their rule in Algiers and penetrated economically into Morocco, the French had extended their empire into West Africa. As a matter of fact, the French had been in this part of Africa for a long time, mainly round the Senegal mouth, where there had been a permanent French colony since the end of the sixteenth century. But it was a rather inactive and forgotten settlement, especially after 1815, when it was one of the few fragments left to France from her former colonies. But in the mid-nineteenth century a new governor, Faidherbe (1851-1865), changed the situation. A new approach was adopted, the so-called policy of "Peace or Powder"¹ and soon the colony of Senegal was

¹Stephen H. Roberts, The History of French Colonial Policy, 1870-1925 (London, 1963), p. 302.

founded. A ring of stagnant and isolated posts was transformed into a large territory. To accomplish this Faidherbe established relations with the native chiefs, drove back the Moors and the Toucouleurs, and by using his battalion of native "tirailleurs" enforced peace. The land up to the right bank of the Senegal bend was opened to trade. During these years the French spread also along the southwestern coast, beyond the English settlement at Sierra Leone to the Gold Coast and Dahomey. Various posts were established between Grand Bassam and Porto Novo and thus a footing was obtained on the Ivory Coast and the Dahomey colonies. These posts were to be used for expansion inland. By 1870, the French had already enlarged their colony in the Senegal, as far inland as Medina on the river. Many other posts were acquired round the coast to Porto Novo in Dahomey.¹

However, Faidherbe's attempt at penetration into Mauritania, north of the Senegal, was checked in 1857 by the Emir of the Trarza (southern Mauritania) a vassal of the Moroccan Sultan.² The French then made an agreement with

¹See the map *ibid.*, p. 305.

²The grandfather of this Emir, Ali Chandora, had been invested in Meknes by Maulay Ismail. See *Livre Blanc*, p. 14.

the Trarza which would guarantee the free passage of Europeans on the river and also their safety in the country of the Moors. The French in return undertook to pay a tax corresponding to 3% on the value of imported rubber to the posts on the river. The payment of this tax was continued until 1902.¹

In 1860 Captain Vincent started on a mission of exploration into the Adrar region (central Mauritania). On May 16 of the same year he had reached a point north of Chenguitti. The ruler of the latter however, did not let him visit the ksours of Adrar. Then the French sent Bou al-Mogdad, an assistant to the Cadi of St. Louis and interpreter of Vincent, to undertake a trip across Mauritania, from the south to the north. Al-Mogdad's knowledge of Arabic helped him to collect valuable information for the French about the tribes in Mauritania.² Numerous other attempts were made by the French in 1860 to explore various regions of Mauritania, such as those of Bourrel, Alioum Sall, Mage, and so on. Very soon all these regions (later collectively

¹ Ibid., p. 14.

² Ibid., pp. 14-15.

called Mauritania by the French) were claimed to be within the French sphere of influence though in certain areas the French claims conflicted with those of the Spanish.¹

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In regard to the last years of Sidi Muhammad, who died in 1873, it is of interest to note that in 1871, the Sultan, aware of the intentions of European powers -the dismemberment of the Moroccan Empire- approached the United States Consul-General Felix A. Matthews in Rabat, with the proposal that the United States take Morocco under its protection. The United States Government declined the offer though in its reply regretted any attempt on the part of foreign powers to dismember the Moroccan Empire, and promised to use its friendly offices to prevent such an act.²

Sidi Muhammad was succeeded by his son, Maulay Hassan (1873-1894), a laborious, pious and thoughtful ruler, the last Sultan before the Protectorate who was capable of keeping the integrity and even the prosperity of the Moroccan

¹See map in Barbour, North West Africa, p. 191.

²Mark I. Cohen and Lorna Hahn, Morocco (New York, Frederick A. Praeger, 1966), p. 17; Rom Landau, Moroccan Drama, 1900-1955 (London, Robert Hale Ltd., 1956), p. 68.

Empire.¹ He successfully reaffirmed his authority throughout the Moroccan realms. This was partly due to his unceasing campaigns against various dissident tribes and partly to his intelligent and flexible approach to the internal and external affairs of Morocco. His foreign policy was successful too, because of his extreme caution; whenever foreign powers found a pretext for intervention, he fended them off by his conciliatory policy. He was also helped in this by Great Britain. The latter enjoyed a prosperous trade with Morocco, which exceeded those of the other nations. Politically Great Britain since 1845 and more particularly since 1860, was the defender of the integrity of the Sherifian Empire. The British representatives at Tangier was called for consultation by the Makhzen whenever any demands were made by the European governments.

As noted, throughout his reign Maulay Hassan carried out numerous campaigns in his empire. At various times he was in the plains, in the Middle Atlas region, in the Tafilalet, in the Great Atlas and in the Sous, to the south of

¹Ayache, op. cit., p. 56.

Morocco.¹ His was a desperate attempt not only at suppressing revolts, but also at collecting taxes, restoring order and security, affirming his authority within the limits of the Moroccan Empire, and, if possible, checking foreign interventions and penetration. In fact, occasionally he would be obliged to inform other powers of his authority over these regions, i.e. southern part of the Moroccan Empire as far as the Senegal.² As to the oases to the southeast, i.e. Tuat, Gourara and Tidikelt, he already enjoyed full prerogatives as his letters and messages to the people of these regions indicate.³

However, between 1870 and 1880 the interest of the French and other European nations in the Sahara at large increased as a result of the expeditions of Rohlfs and Barth. Many projects were formed to reach Central Africa through the Sahara. The Sudan and its "100 million consumers" excited the imagination of many an imperialist.⁴ The project of a

¹Terrasse, op. cit., II, pp. 335-337; Miège, op. cit., III, pp. 350-354.

²Livre Blanc, pp. 37-38; Miège, op. cit., III, p. 305.

³Livre Blanc, pp. 23-24; Martin, op. cit., pp. 205-231.

⁴For a concise account of these explorations and projects see Miège, op. cit., III, pp. 293-297.

Trans-Saharan railway on the part of the French to control the territories south of Algeria and link these with Timbuctu and the Senegal, was popularized in France by an engineer called Duponchel, after 1875. A German traveller, Gerard Rohlfs opposed to this project another one, which would connect Tripoli to Sudan. By the end of 1878 a Commission for the Trans-Saharan Railway was formed by the Geographical Society of Paris. In 1879 Freycinet, the French Minister for Public Instruction, was interested in the project and soon within the Ministry of Public Works a special commission was created for the study of questions related to the railway which would extend from Algeria to the Senegal. The Commission considered two routes: an eastern one from Laghouat to El Golea, and a western one which would pass through Tuat. Apparently the second would cross the eastern part of the Moroccan Empire. It was thought to obtain from Maulay Hassan the concession of certain points necessary for the Trans-Saharan Railway, and thus repair, as it were, "the mistake" committed by the Government of Louis Philippe in 1845 after the battle of Isly.¹ While the negotiations proceeded with the Makhzen, Colonel Flatters was charged with the tracing of the possible route

¹ Ibid., p. 296.

of the railway. This first expedition in 1880 was interrupted. The second ended in January 1881 by the massacre of the mission, and the enterprise was postponed.

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During this period the problem of foreign protection became very acute. The first treaty of protection and the jurisdiction of consuls had been signed in 1767 with France.¹ Similar conventions were signed in 1856 with Great Britain and in 1860 with Spain. Still another convention with France signed at Tangier in 1863, specified the advantages that French citizens would enjoy in Morocco. This last one served as a model to other nations. Soon the system of protection was so developed and abused that Mauley Hassan secured the calling of an international conference at Madrid, in 1880, to discuss this problem. The conference drew up the Madrid Convention (July 3, 1880),² which was completed in the following year with some further agreements at Tangier (March 30, 1881).³ The Madrid Convention indeed regularized the

¹ de Card, op. cit., pp. 320-330.

² Ibid., pp. 344-352.

³ Ibid., pp. 352-358.

system of protection and was the first step toward the foreign regulation of Moroccan affairs. It gave to all the thirteen signing powers - Germany, Austria, Belgium, Denmark, Spain, the United States, France, Great Britain, Italy, Holland, Portugal, Sweden and Norway - the right of "most favored nations" previously enjoyed only by France and Great Britain. But it limited the right of foreign states to extend diplomatic protection to Moroccan nationals. The economic provision was the first step in establishing an "open-door" policy in Morocco. The Act of Algeciras twenty six years later was to make this final.

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In the 1880's and the following decades the two European countries mostly interested in extending their rule over all or parts of the Sherifian Empire were Spain and France. Economically and politically other powers were interested in Morocco as well; but gradually it remained to these two powers to dismember the Empire first claiming and then conquering certain parts, and eventually partitioning the rest. It was this imperialist

policy which created at the time and later on the Moroccan frontier issue and territorial claims.

Let us first consider the policies of Spain in the eighties towards Morocco and how the Spanish colony of Rio de Oro was formed. In effect, the imperialist-minded Spaniards were disappointed after the victory of 1860, at not receiving enough from Morocco. There were several attempts by the Spanish Government at getting that fishing post, the so-called Santa Cruz, which was accorded to Spain by the Treaty of 1860. But all these attempts failed.¹ Instead, beginning in 1882, the Spanish Government considered a plan to occupy the coast of Rio de Oro,² south of Cape Bojador, a region which was near the Canary Islands and which controlled the caravan route to Morocco. In these years various societies were formed in Spain aiming at the establishment of Spanish colonies and the expansion of Spanish commercial activities in Africa. In 1884 the "Compañía de Pesquerias Canario-Africana" was formed in Madrid and the "Compañía Mercantil Hispano-Africana" in Barcelona. In the same year Rio de Oro (the site of future Villa

¹Miège, op. cit., III, pp. 320-330.

²For the various meanings of the term see Barbour, North West Africa, p. 194, footnote 1.

Cisneros) was occupied by the explorer Emilio Bonelli. In January 1885, the Spanish protectorate over the Moroccan African coast, from Cape Blanco in the south to Cape Bojador in the north, was proclaimed to the powers. In July of the same year by a royal decree Bonelli was appointed governor of this region. From this region the Spanish expeditions and missions pushed to the east, towards the Sahara. But these failed to achieve an extension of authority or even commercial relations with the interior because of the hostility of the natives. In these years an organized resistance to European penetration was that of Ma al-Ainin, the learned and saintly Qadiri leader, who was supported and encouraged by the Moroccan Sultans.¹ Thus actual control by the Spanish was limited to Villa Cisneros.

The Moroccan Empire was once more threatened by the Spanish just before the end of the reign of Maulay Hassan, in 1893, when the Rif tribesmen attacked the Spanish population of Melilla. Soon a Spanish army landed in Morocco. The Sultan, old and exhausted, settled the problem by paying

¹About Ma al-Ainin see Attilio Gaudio, Le Sahara des Africains (Paris, Rene Julliard, 1960), pp. 29-35.

an indemnity of four million douros (£650,000) to Spain and successfully avoided another intervention.

What else, one might ask, could the Moroccan Sultan do to preserve the integrity of his empire? An empire which still had essentially a medieval character and mentality, as far as its institutions and population were concerned. This empire had to face the constant economic and political penetration of European powers, with their modern institutions and weapons. The Scramble for Africa had just begun. The Moroccan Empire with its tremendous economic potentialities stimulated the fancies of European imperialists. Morocco, it was calculated, could be used as a bridge to reach Central Africa. Soon a "Moroccan Question" was created which was indeed more a European question than Moroccan. The struggle among the major European powers for colonies, for markets and for national glory would soon find another battleground in Morocco.

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In the eighties and early nineties the French colonial authorities in Algeria pursued an aggressive policy in

the south-western part of the Moroccan Empire. They aimed at conquering the far-off Moroccan oases in the Sahara. These attempts renewed tension between the French and the Moroccans.

Yet the French colonial policy was rather paradoxical. Because, in spite of popular anti-colonial feelings at the time in France and the critical attitude of many French political leaders regarding colonialism, French imperialists at home and in Algeria pursued boldly such an aggressive policy towards the Moroccan Empire. Thereafter they persistently demanded further economic penetration into Morocco followed by further political influence.

The conquest of Figuig was first considered to be necessary. In this regard General Saussier, for instance, wrote to the French War Ministry in May 1882. Another French commander in Algeria wrote in June 1882:

The protection of our south-west frontier is wholly attached to the possession of Figuig.... The occupation should take place immediately.¹

The French Government would not agree to such a demand because the status of Figuig was clear according to the

¹Miège, op. cit., IV, p. 40, footnote 7.

Treaty of Lalla Marnia (Article 5) and more important than that its conquest might provoke the other interested powers. However, the French Government was prepared to exploit the uncertainty of Article 4 of the same treaty, which provided for no territorial limit in the Sahara, and work towards the acquisition of the latter. Already the French Government had previously opposed and still opposed all suggestions or demands of delimitation between the Moroccan Empire and the French Algeria in the Sahara.¹ Accordingly now it considered the possible conquest of the Tuat region which was important for the control of the routes from the south of Algeria to the interior of the Sahara.

The status of this particular region, a group of oases under the names of Tuat, Gourara and Tidikelt, was supposedly uncertain according to the Article 4 of the Treaty of Lalla Marnia and according to the official position of the French Government. However, there is ample evidence to be convinced that these oases, even then as before, recognized the sovereignty of the Moroccan Sultan.² Most of the maps of the

¹Ibid., p. 250, footnote 3.

²See the documentary work of Martin, op. cit., Chapters IV-VII.

time, e.g. that of Beaudoin (1848), included these within the Moroccan Empire. The suggestion of the Chambre de Commerce of Algiers in July 1874 that a French Consulate be established in these oases implied their non-French and non-Algerian character. Furthermore, France had implicitly recognized the Moroccan sovereignty over these regions when in 1860 a firman was sought on behalf of the explorer Duveyrier so that he could stay in Tuat. Also, this was true when in 1882 Orga, the French envoy in Tangier, had asked the Sultan for permission to carry the Trans-Saharan railway across Tuat, which was refused by the Sultan.¹

However, international diplomacy and the dealings of colonial powers determined the fate of these oases otherwise. Thus, the Anglo-French Convention of August 5, 1890, accorded the Sahara to France, which theoretically meant that the lands between Niger and Algeria were French. This agreement brought the problem of these oases to a decisive stage.

During the autumn of 1890 in the French Ministry of

¹Miège, op. cit., IV, p. 251.

War a campaign was projected for the occupation of In Salah, a well-known oasis in the Tidikelt. But this was not carried out immediately. Only the post of El Golea was occupied to the north-east of the Gourara. Maulay Hassan alarmed by the French projects, reinforced in March 1891 the Moroccan garrison at Figuig and in May sent some troops to Tidikelt. Delegates from Tuat visited him.¹ The French Government thwarted in its plans, expressed concern over "the activities of the Makhzen in these regions" and affirmed that these oases would in the future enter within the French zone of influence effectively.² In July 1891, the major campaign was decided upon.

Maulay Hassan notified the French Government of his authority over Tuat and insisted on his rights. He declared furthermore to the French envoy H elouis, in August, that he himself planned an expedition to Tuat to keep the inhabitants quiet. Simultaneously he sent a note to the European representatives and particularly to signatories, namely Spain, Great Britain and Italy, of the Note of March 1887 over the maintenance of the integrity of Morocco. The British Govern-

¹Martin, op. cit., pp. 241-249.

²Mi ge, op. cit., IV, p. 252.

ment replied that it considered Tuat as Moroccan and hence opposed the cession of this oasis to France.¹ The Spanish Government too opposed the French plan while the Spanish press bitterly attacked it. In the meantime the representatives of Italy, England, Germany, Spain and Austria-Hungary advised the Sultan to refuse the cession of Tuat.²

In October 1891, the French Foreign Minister Ribot, declared in the French Chamber that the French Government would not tolerate Moroccan sovereignty over those territories which "so naturally" entered within the French zone of influence, that this was not a European question, not even a Moroccan question, but only a question of policing the south of Algeria. However, the reaction of European Powers prevented the conquest of these oases, because on December 18, 1891, the representatives of Great Britain, Italy and Spain presented a note to the Moroccan Government supporting the view that those oases were Moroccan, and encouraging the Sultan to resist further French demands.

¹Ibid., p. 252, footnote 9.

²Ibid., p. 253.

The French resorted then to a policy of gaining friends in these regions through the influence of the pro-French Sherif Ouezzane and the great families of south-west Algeria. The French themselves tried to buy over as many native chiefs in these oases as possible.¹

The Trans-Saharan Railway project on the other hand necessitated the conquest of Tuat. The Picard Commission in a report dated August 20, 1890, underlined the need for such a railway. For the Commission this was essential in order not to allow other European Powers to reach the Sudan. In 1891, the demand in favour of its construction was supported by many societies, viz. the Société d'Economie Industrielle et Commerciale de Paris, the Chambre de Commerce de Marseille, the National Congress of the Géographie de Rochefort, etc. However, no attempt was made in 1892 to conquer this region because the French Government was alarmed at the fear that the British might have second-thoughts in regard to Morocco. This was caused by the arrival of the new British envoy in Morocco, Sir Euan Smith, who proposed a number of reforms in the Moroccan Empire

¹Martin, op. cit., pp. 231-234, 251-254, 258-261.

under the auspices of Great Britain.¹ France then changed her role and acted as the defender of the Sultan and Morocco. The British initiative met with many difficulties and opposition. In January 1893 Smith was recalled by the Government of Gladstone, and the British move was dropped. Thereupon the French, changing their attitude, considered once more the conquest of the oases. The French envoy at Tangier, Aubigny, rallied wholeheartedly to the program of conquest, whose realization seemed to him a great advantage for the French interests in Morocco. In April, three French ministers - of War, Foreign Affairs and Interior - discussed the problem of occupying the oases of Gourara, Tuat and Tidikelt. It was to prevent this occupation that Maulay Hassan undertook his great expedition to Tafilalet in 1893. In the same year the French Cabinet decided to send a French regiment from El Golea to In Salah and to Tuat. But the death of Mirebel, the Army Chief-of-Staff, and complications at Melilla (between Morocco and Spain) once more caused the postponement of the enterprise.

¹Miège, op. cit., IV, pp. 263-277.

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The idea of the conquest of the oases was never abandoned by the French. Already claimed, they were overrun in the late nineties. This was the beginning of the end of the Sherifian Empire which had to fight then for its very existence. From 1894 to 1912 European imperialism struck its deadly blows and one by one parts of the Moroccan Empire were incorporated in the African empires of the French and the Spanish. Morocco was to lose her independence when in 1912 what was left of the former Moroccan Empire was brought under French and Spanish Protectorates.

This critical period will be dealt with now.

In 1894 Maulay Hassan died and was succeeded by his son Maulay Abd al-Aziz, a boy of fourteen. Albeit intelligent, well-meaning and considerate, he was also weak in character, lacking the resolution, the experience and realism necessary to deal with the forthcoming crises. At the beginning of his reign the government was carried on by Ba Ahmad, who acted as regent and who successfully suppressed all opposition and revolts against the young Sultan. After the death of this capable regent in 1900, Maulay Abd al-Aziz decided to be his

own master. Unfortunately he let himself be surrounded soon by a group of irresponsible and dishonest assistants who misguided and ruined him. Though he felt the necessity of reforming his empire, his personal amusements and pleasures prevailed. He was led to take a full interest in European manners and novelties. His everyday companions and intimates gradually became European businessmen and opportunists, who enjoyed being his personal advisers. Soon his amusements and unorthodox life caused widespread discontent among the pious and conservative Moslem classes in Fez and elsewhere. Furthermore, his costly pleasures emptied the Makhzen's treasury. To remedy the financial situation Maulay Abd al-Aziz inaugurated in 1901 a uniform system of taxation, the Tertib. This was met by universal opposition, followed by disorders and revolts in many parts of the Empire, such as that of Bou Hamara in Taza. He further tried to relieve the financial troubles by obtaining foreign loans, which proved to be disastrous in other ways.

As pointed out, external factors, the interests of certain European Powers, their rivalries and struggles, made the reign of Maulay Abd al-Aziz a very difficult and critical

one. A scramble for Morocco was gathering momentum; France, Spain, Great Britain, Italy and a late-comer Germany, were all involved in this scramble. France, because of her position in North Africa (Algeria and Tunisia being under her control), enjoyed definite advantages over the others. However, complications and crises soon were to follow. The French once more took the initiative and their first target became the conquest of the Moroccan oases of Tuat, Gourara and Tidikelt, which still declared their loyalty and attachment to the Moroccan Sultan.¹ Nevertheless their conquest was accomplished between 1896 and 1900. Pretexts for their conquest had been found. For instance, in 1899 a French scientific mission was attacked in the Tuat which caused a French reprisal and in December 1899 In Salah was raided by French troops.² The news of this raid irritated not only the native governors but also the Sultan.³ In January 1900 Tuat was already threatened. Local

¹See the letters of the Sultan in Martin, op. cit., pp. 303-304 et passim and Livre Blanc, p. 25ff; see also Roger le Tourneau, "Maroc et le Sahara occidental", Le Monde, June 18, 1956.

²See a contemporary account in Meakin, op. cit., pp. 405-408; also Martin, op. cit., pp. 311-327.

³See the Sultan's letter to Caid Cherradi and the letter of the Pasha of Tidikelt to the French commander of Ourgla in Livre Blanc, pp. 27-28.

chiefs asked the help of the Sultan. But very little help could be obtained and the regions were occupied by the French.¹

French imperialism next claimed that all eastern Morocco was a geographical and economic prolongation of Oran. Indeed, this was first placed on diplomatic footing by the famous imperialist Théophile Delcassé, the French Foreign Minister, in an important speech in the Senate in July 1901.² Delcassé claimed that the geographical situation made eastern Morocco an enclave of French possessions and consequently, Morocco should be reorganized and transformed in order to meet the urgent needs of industrial expansion. He made clear that it was French aid and experience that would be enlisted. Delcassé openly claimed for France a priority in Morocco.

In 1901, Maulay Abd al-Aziz sent two missions to Europe. One to Paris, led by Abd al-Krim ben Sliman (Minister for Foreign Affairs) and another to London and Berlin, headed by Si al-Mehdi al-Menebhi (Minister of War). Both these embassies

¹Henri Cambon, Histoire du Maroc (Paris, 1952), pp. 96-98. See also Martin, op. cit., pp. 328-366.

²Roberts, op. cit., p. 549.

sought to stop French penetration by the demarcation of the frontier between Algeria and Morocco. Both missions were failures as far as the question of demarcation was concerned. In Paris the French Government avoided any agreement upon frontiers. Delcassé's aim was to leave the frontier indefinite and thus exploit the situation for French penetration into Morocco. However, an agreement was reached between the French Government and the Moroccan Embassy in the form of a Protocol, on July 20, 1901. Drawn "to consolidate the bonds of amity existing between them (France and Morocco) and to develop their reciprocal good relations", this treaty provided that the boundary should remain uncertain, but that France and Morocco should each have the right to set up posts for defense purposes and customs collection in the desert region. The tribes living in the territory between those two lines should be permitted to choose which authority they preferred to remain under. Moroccans and Algerians could enter that territory freely for commercial and other purposes. Moroccan tribes who owned pastures in Algeria could continue to use them, and vice versa. Two commissioners were to be appointed annually by

each government to preserve friendly relations between them and to settle future border disputes.¹ This agreement actually gained for France closer control over all caravan routes which came from the interior of the Sahara. It further sanctioned a railway to Beni Ounif to control this desert trade at the head.

When the French and Moroccan commissioners set out to execute the agreement of 1901, they found that its terms were rather impracticable. Furthermore, the assassinations of two French captains by Moroccans in January 1902, led the French to seek further concessions from the Moroccan Government along the frontier and strengthen their hold there. Consequently, the commissioners negotiated two further treaties in April and May, 1902, the content of which was much more in harmony with the French objectives of loosening the boundary instead of tightening it, of providing a complete program of military, economic and political co-operation between the two governments as follows: in case of need the two states should work together in pacifying

¹See the text of the Protocol below, Appendix III.

and policing the frontier from Teniet Sassi to Figuig, but no guard or customs posts should be established between these two points. Instead of these customs duties France agreed to pay Morocco a certain sum of money annually. In the other frontier area the two governments should establish markets and customs posts at specified points in order to develop commerce between Algeria and Morocco.¹

At this stage the Sultan was dissatisfied with the course of affairs. So, in September 1902, he sent Caid Maclean to Europe to seek aid in stemming the tide of the French advance. The Caid was given personal letters from the Sultan to the British King and to the German Emperor. In London the Caid proposed to the British Government that the integrity of the Moroccan Empire be guaranteed by Great Britain or else by both Great Britain and Germany for a period of seven years, and that, if at the end of that period Morocco had not thoroughly reformed her government and developed her natural resources, then

¹See the texts of these two agreements below, Appendices IV and V.

the guarantee should lapse. He proposed also that a Moorish loan be raised in England, France and Germany, and that all railway concessions be divided between these three countries. The British Government showed some interest in the project of the loan and railroad construction, but as it was already in conversation with the French Government over the future of Morocco and was disinclined to tie its hands, it refused to consider the other measures. Thus the mission proved to be a failure.¹

In the meantime French aspirations for any further penetration into and conquest of Morocco necessitated the consent of other European Powers. For this purpose Delcassé resorted to secret diplomacy, prior to any overt action. In the first place, an agreement was quickly reached with Italy. Fortunately for Delcassé's designs, the Italian Government inquired whether the Anglo-French agreement of 1899¹ marking out French and British spheres of interest in the Sudan, would infringe on the Ottoman province of

¹Eugene N. Anderson, The First Moroccan Crisis, 1904-1906 (Hamden, Archon Books, 1966), pp. 16-17.

²The one which settled the Fashoda crisis.

Tripoli and Cyrenaica, which the Italians wanted for themselves. The Italian Government was soon assured that France had no interest in those regions. In exchange, the Italian Foreign Minister, in December 1900, handed the French ambassador in Rome a note stating that Italy would not oppose France in "the exercise and the safeguarding of the rights which are the result for her of the proximity of her territory (Algeria) with that (Moroccan) Empire", it being "understood that, if a modification of the political or territorial status of Morocco should result therefrom, Italy would reserve to herself, as a measure of reciprocity, the right eventually to develop her influence with regard to Tripolitania-Cyrenaica".¹ This was certainly a secret deal: Italy would let France conquer the Moroccan Empire if France would let Italy seize Tripoli and Cyrenaica.

Delcassé next sought to bargain with Spain. The latter was promised the northern coast of Morocco, including Tangier and Fez and a part of the south, if France took the rest. The Spanish Cabinet however, refused to sign the pact, probably fearful of British displeasure. Then Delcassé turned

¹As quoted in Moon, op. cit., p. 199.

to England. The moment was very favourable. The British Government, afraid to remain diplomatically in isolation, had been negotiating for an alliance with Germany, only to be irritated and annoyed by tactless German diplomacy, German press attacks on British conduct in South Africa, German naval increases and the German Berlin-Baghdad Railway project. The British, consequently, turned to Japan with which country an alliance was concluded in 1902 and then to France. Soon the Entente Cordiale between England and France was reached in 1904. Part of this agreement was published as an Anglo-French Declaration of April 8, 1904.¹ In this agreement France officially denied any intention of changing the political status of Morocco, that is, of annexing Morocco or establishing a protectorate over her; France was to make an agreement with Spain concerning Morocco; no fortifications were to be constructed opposite Gibraltar; and Great Britain recognized that it remained to France to "preserve order" and to "provide assistance for the purpose of all administrative, economic, financial and military reforms" in Morocco. In exchange, France gave Britain a free hand in Egypt.¹

¹See the text of the Declaration below, Appendix VI.

Very significant and more important than the clauses of the Declaration were the secret articles negotiated and signed on the same day and carefully concealed until they leaked out in a French newspaper seven years later. The official declaration that France would not alter Morocco's independent status was replaced by the secret agreement that "whenever the Sultan ceases to exercise authority over it", the northern part of Morocco should "come within the sphere of influence of Spain", (Article 3) the bulk of the territory of course being left for France. If Spain should decline the offer, the Anglo-French arrangement "would be none the less at once applicable" (Article 4).¹ Spain certainly did not decline the offer, but rather joined France in making a public declaration on October 3, 1904, that both powers were "firmly attached to the principle of the integrity of the Moroccan Empire under the sovereignty of the Sultan", and in signing on the same day a secret convention which provided for the partition of Morocco between France and Spain.²

¹See the text below, Appendix VII.

²See the texts of both the declaration and the secret convention below, Appendix VIII.

Supported by these secret treaties Delcassé appeared confidently before the French Chamber of Deputies on December 10, 1904, and announced that the time had come for France to convince Morocco that France in her own interest must serve the interests of Morocco. He declared:

For the sake of our tranquility, to aid it (Morocco) in establishing internal security and order; for our prosperity, to furnish means (capital) to profit by the resources in which Morocco abounds; so that, continuing to live its own life, its customs, laws and chiefs being safeguarded, under a Sultan whose authority will be strengthened and extended, Morocco will know our power only through the benefits which will accompany it.¹

It appeared that Morocco was destined to be another Tunisia.²

Indeed the time was favorable for France to act. The capture of an "American" citizen Perdicaris³ by the famous Moroccan bandit Raisuli in May 1904, had called worldwide attention to the disorderliness of the country and French diplomatic aid in obtaining the release of Perdicaris had made a good impression.

¹As quoted in Moon, op. cit., p. 201; see also Roberts, op. cit., pp. 550-551.

²Lyautey, Choix de lettres, 1882-1919 (Paris, 1947), p. 270.

³Landau, op. cit., pp. 55-56; see also Cohen and Hahn, op. cit., p. 20, footnote.

Further confusion was added with the appearance on the scene of Bou Hamara or El Rogui (the usurper), a pretender to the Sherifian throne, who called himself Muhammad ben Hassan and claimed to be the eldest brother of Maulay Abd al-Aziz.¹ Bou Hamara was a petty ruler in the inaccessible land of the Rif Berbers. He was able to extend his authority over eastern Morocco. Both Bou Hamara and Raisuli received secret support and encouragement from the French. Raisuli at times was openly supported even by the Spanish authorities.²

Affairs in Morocco were approaching a major crisis. The young Sultan was being encouraged to spend money recklessly. To fill his treasury he had to levy higher taxes, which in turn increased the number and intensified the movement of revolts. To overcome the financial difficulties Abd al-Aziz in 1904 turned to the Parisian bankers, for a huge loan of 62½ million francs. This was guaranteed by the customs revenue, which were to be collected by French

¹Bou Hamara's true name was Jelali Zarhoui.

²Landau, op. cit., pp. 57-58; Lyautey also wrote in his letters in favour of utilizing these dissenters for France, Lyautey, op. cit., p. 272.

agents. Thus the Moroccan customs fell into the hands of France.

Such was the situation when Delcassé sent a minister, Saint-René de Taillandier, to Fez with a program "reforms" to be approved by the Sultan: a force of military police to be organized under French officers; a State Bank; and various other public works to be undertaken with French capital.

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Meanwhile in "Mauritania" (a term used firstly by the French to designate the southern territories of the Moroccan Empire as far as the Senegal River), the French were intensifying their activities after 1902, in order to bring this immense region under their control. In March 1902 French troops from the Senegal attacked the Trarza. In the following few years the French attempted to move towards the north trying to capture the emirates of Brakna, Tagant and Adrar. There was strong opposition against the French advance and occupation. The various tribes and their chiefs united and declared the Holy War against the French. On this occasion

they affirmed their allegiance to the Moroccan Sultan and received assistance from the latter. Their chiefs such as Sidi Ould Muhammad Fall (the Emir of Trarza), Ahmadou Ould Sidi Ali (the Emir of Brakna), Othman Ould Bakr (the Emir of Tagant) and Muhammad al-Mokhtar Ould Mhaimida (from Hodh) visited the Sherifian Court and asked for help. The Sultan then sent his uncle, Maulay Idriss, to Adrar to order the French to leave the country or else lead the resistance and declare war against them.¹ Upon his arrival to Adrar, Maulay Idriss established his headquarters at Tidjikja and soon was able to defeat the French at Niemi-lane. However, the French brought fresh troops from Saint Louis under Marchand. Maulay Idriss was obliged to move to Ouadane to await reinforcements from the Sultan. In 1906 the French envoy at Fez demanded that the Makhzen stop sending arms to Mauritania and protested against the activities of Maulay Idriss.² By 1907 the French had increased their efforts for the complete domination of Mauritania but without much success.

¹See the work of Commander Gilbier, La pénétration en Mauritanie (Paris, 1926), p. 93ff, 130ff, and 138ff. Unfortunately in spite of the writer's efforts this book could not be found in Beirut. Livre Blanc relates these events on the basis of this work. See also Gaudio, op. cit., p. 79.

²Livre Blanc, pp. 15-17; see also pp. 96-101 the testimony of Muhammad Hassan ben Yaich who accompanied Maulay Idriss to Smara.

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While French diplomacy was paving the way for the conquest of Morocco it encountered the opposition of a major European power, i.e. Germany. By the beginning of 1905 the German Government had become continuously irritated by French motives and activities in regard to Morocco. Early in March 1905, the Kaiser appealed personally to the United States President, urging him to join in a promise to protect the Moroccan Sultan against any nation seeking exclusive control over it. The Kaiser pointed out that the route of American commerce to the Near East and the Far East would be dominated by France and Spain if these powers were left to divide Morocco between themselves.¹ Simultaneously acting somewhat reluctantly at his chancellor's suggestion, the Kaiser dramatically and unexpectedly landed from his yacht at Tangier in March 1905. In two short speeches he declared that the Moroccan Sultan was sovereign and independent and that Morocco should be cautious about adopting the French program of reforms. Furthermore, he

¹Moon, op. cit., p. 202.

demanded that Morocco remain open to the commerce of all nations on equal terms. This was indeed a deliberate challenge to the French imperial schemes in the Moroccan Empire.

Encouraged by this open support of the German Government Sultan Abd al-Aziz declined to ratify the French program of reforms, unless they were first discussed by an international conference of the powers who had signed the Madrid Convention of 1880. The German Government too in a circular demanded an international conference.

Delcassé vigorously opposed the idea, as it would hinder his scheme. A diplomatic crisis followed and war seemed very near. In June, the French Cabinet met to decide between yielding or fighting. Delcassé pleaded with his colleagues to maintain the "honour" of France and told them that Great Britain had promised to support France in an eventual war against Germany.¹

However, the French Cabinet rejected Delcassé's idea

¹ According to Cambridge History of British Foreign Policy, III, pp. 342-343, Delcassé has exaggerated possible British support.

of ignoring German demands. Indeed, France could not risk a war as Russia, the sole ally of France was crippled by a war with Japan. Hence, the French Premier Rouvier, agreed to a conference. This was also partly due to President Roosevelt's secret urging.

The Conference was held at Algeciras, from January 16 to April 7, 1906. Eleven European nations, the United States and Morocco took part in it. France however, before the Conference, had secured the support of Britain and Russia, and could count on Spain and Italy. Germany was rather isolated though Austria backed her half-heartedly. Needless to say, France and Germany were the two antagonists in the Conference. After much diplomatic maneuvering and secret deals the Conference resulted in the General Act of Algeciras signed on April 7, 1906, by the delegates of Austria, Belgium, France, Germany, the Netherlands, Italy, Morocco, Portugal, Russia, Spain, Sweden, the United Kingdom and the United States. It reaffirmed the sovereignty of the Sultan, the territorial integrity of the Empire and the principle of equal economic opportunity in Morocco for all European nations. It was agreed too, to create a Franco-Spanish po-

lice force under a Swiss inspector-general, and an internationally supervised State Bank of Morocco. The latter was to be managed by four censors appointed respectively by the Banks of Germany, England, France and Spain. France secured responsibility for the reorganization of customs duties and the control of arms traffic.¹

Though Delcassé's plan of a French protectorate over Morocco was defeated in favour of an international control, the Conference of Algeciras proved to be a diplomatic victory for the French. As a matter of fact, contrary to her expectations, Germany found that only Austria supported her in the Conference, whereas Britain, Russia, Italy and Spain backed France. Henceforth, for her aggressive policy in regard to the Moroccan Empire, France could rely on British and Russian support, the neutrality of Italy and the friendly attitude of the United States.

The Algeciras Conference did not solve the numerous problems that Morocco faced. Indeed, it added some more

¹See below Appendix IX. An extremely well-written and reliable account of the First Moroccan Crisis is the work of Eugene N. Anderson, op. cit.

and intensified others. The Empire was in disintegration. There was plenty of disorder which attracted foreign intervention. In the north, the celebrated bandit, Raisuli, captured Sir Harry Mac Lean and held him for a £20,000 ransom. In the south, the elder brother of the Sultan, Maulay Abd al-Hafidh, the Governor of Marrakesh, rallied warlike tribesmen against the European control and also against the Sultan who had accepted it. On the other hand, in 1907 the Shawiya tribesmen, on the Atlantic coast, infuriated by a rumor that a Franco-Spanish syndicate was building a railway through a Moslem cemetery in Casablanca, invaded the town and killed five Frenchmen and three other Europeans. France took the opportunity to send a warship to bombard Casablanca. A French army of 3,000 strong occupied the city and the surrounding region including Rabat. In the same year, incidents on the frontier of eastern Morocco led to a similar French intervention in that area. Thus Oujda was occupied on March 29, the mountains of Beni Snassen by January 1908.¹

¹See a detailed account of these events in Martin, op. cit., pp. 414-446.

Soon the whole of Morocco was in ferment. Numerous tribesmen now joined Ma'lay Abd al-Hafidh, the Pretender to the throne. The French gave no effective aid to Abd al-Aziz, but permitted the Pretender to defeat him in 1908, and seize the throne himself. Civil war however continued until Abd al-Hafidh was able to crush opposition in the northern hill-country of the Rif, and capture a rival aspirant to the throne, whom he imprisoned in an iron cage. Though European Powers had recognized Abd al-Hafidh as Sultan, peace was not achieved in Morocco.¹ No sooner had the new Sultan come to terms with Europeans than his native supporters turned against him. As Moon points out, no sultan could be popular both in Morocco and Europe.²

The Moroccan finances continued to prove the Sultan's major difficulty. To satisfy French imperialists, the Sultan was obliged to accept a loan of 100 million francs at 5%, which was used to pay off the debts brought upon himself by his predecessor and to indemnify France, by paying

¹ See a detailed account of these years ibid., pp. 447-545.

² Moon, op. cit., p. 208.

a sum of 60 million francs, for the cost of the French occupation of Casablanca and the damage done to French property by the French bombardment. As the customs taxes, the chief source of revenue of the Sultan, were entirely committed to paying interest to European bondholders on this and previous loans, Abd al-Hafidh had to raise funds for his own expenditure by heavier direct taxes, which the tribesmen refused to pay.

It was in these critical years that the chaotic state of Morocco enabled the French to resume their conquest of Mauritania. By 1909 the southern and central parts of Mauritania - Adrar - were conquered.¹

Germany in the meantime and after the Algeciras Conference, continued to oppose Franco-Spanish "punitive" expeditions in Morocco. But the German Government remained passive when the French troops occupied Casablanca. But in September 1908 a trivial incident in this city brought about the second Moroccan crisis. The German Consul of Casablanca attempted to smuggle six deserters from the French

¹Livre Blanc, pp. 18-19, 43-47.

Foreign Legion out of the town to a German steamship in the harbor. But the deserters were arrested and two employees of the German Consulate attempting to prevent the arrest were handled roughly. The German Government demanded an apology, the liberation of three of the deserters and a compensation for the injured employees. Once more there was fear of war. In this new crisis France once more enjoyed the support of Britain and Russia, whereas Germany's ally, Austria, urged moderation to the German Government. Finally, the dispute was referred to the Hague Tribunal for arbitration.¹

For a while there seemed to be a compromise between the two powers when in February 1909, an agreement was reached between France and Germany "to avoid all causes of future misunderstanding". Germany promised not to thwart French political interests in "the consolidation of order and internal peace" in Morocco; Germany's interests were "merely economic". In exchange, France pledged to preserve

¹Moon, op. cit., p. 209. The Tribunal held the German Consulate at fault for helping deserters, and the French at fault for using needless violence.

the independence and unity of Morocco and to "safeguard economic equality". Germany, in short, was willing to let France control political and military affairs, on condition that German business interests were safeguarded.¹ But this agreement did not end the friction between the two powers.

France was able to further her influence in the following year (1910) by an agreement with the Sherifian Court. This established the French hold more firmly over the finances and administration of Morocco.²

Tribal disorders, the proclamation of a new Pretender in Meknes and the besieging of the Sultan at Fez by rebel forces, led Abd al-Hafidh eventually to appeal to France for military aid. Despite German warnings, the French Foreign Minister Gruppi announced in April 1911, that a French army would be sent to relieve the Sultan and the Europeans in Fez. In May a French army of 10,000 soldiers was sent to Morocco and Fez was occupied. Spain, suspicious of French intentions, soon sent Spanish troops to occupy that part of Morocco which had been promised to her by the

¹ Ibid., p. 209; see also State Papers, 102, p. 435.

² See below, Appendix X.

secret articles of 1904 Convention.

The German Foreign Minister Kiderlen-Waechter took the opportunity to claim that the Act of Algeciras had been violated and dispatched a German gunboat, the Panther, to Agadir. The Great Powers were notified that the ship had been sent to protect German lives and property. But in fact, the German move was meant to induce France to offer a compensation to Germany for French seizure of Morocco. But the French delayed any offer. The Third Moroccan Crisis had reached its climax. by September, when the situation in Europe became very acute, and the danger of war was great. Britain openly supported France. Eventually negotiations led to an agreement between the two countries on November 4, 1911.¹ By this agreement Germany agreed to French intervention in and Protectorate over Morocco, on condition that all nations should enjoy equality as regards customs tariffs, transportation charges, and mining. In return Germany received two

¹See below Appendix XI. According to the letter annexed to this Franco-German agreement Morocco included all North Africa extending between Algeria, French West Africa and Rio de Oro. It should be pointed out that French control at that time covered neither North Mauritania, nor Tinduf. See also "Le différend frontalier entre le Maroc et l'Algérie" in Naghreb, No. 2, March-April, 1964.

strips of territory in the French Congo.

With the removal of German opposition, French imperialists discarded the policy of maintaining "the independence and integrity" of the Sherifian Empire. The main obstacle then to French designs for Morocco was Spain and the Moroccans themselves.

In 1912 French diplomacy and military power succeeded in overcoming these two obstacles. First, Fez was overrun and the Sultan forced to sign a treaty by which the French Protectorate over Morocco was declared.¹ Next, a formal agreement with Spain partitioned the Moroccan Empire thus providing the Spanish with their share. This was the end of the Moroccan Empire and the end of its independence. The border issue had lost significance for the time being. It remained to the French colonial authorities in Algeria, the Sahara and Morocco to delimit frontiers for their own uses and according to their colonial strategy. These frontiers, formed during this Protectorate period, would and could

¹For a description of the events of the years 1911-1912 in the Moroccan Empire, see Martin, op. cit., pp. 546-589.

not be accepted by any independent Moroccan Government.

Indeed, during this new period there was no Moroccan authority to reject these frontiers or raise the issue.

Thus the border issue entered a new phase, when France aimed at its liquidation in her favour.

CHAPTER III
THE PROTECTORATE PERIOD
AND
THE MOROCCAN BORDERS
1912-1956

From 1912 to 1956 Morocco experienced foreign rule, politically divided into two zones or Protectorates, French and Spanish. But Morocco suffered territorially, because those parts of the former Sherifian Empire in the western Sahara, conquered, claimed or contested by the French and the Spanish prior to 1912, were not brought within these Protectorates; they were developed into separate administrative units. Significantly, even during this period there was a deliberate attempt by the French colonial authorities to keep certain former Moroccan territories outside the limits of their Moroccan Protectorate. Tinduf, for instance, to the south of Morocco, "pacified" in the 1930's, was not subsequently brought under the French administration in Morocco, with the result that even after regaining her independence Morocco was deprived of Tinduf.

The Moroccan border issue as such during the Protectorate period was not raised. Stripped of all real power and authority no Moroccan Sultan would raise the issue until after independence in 1956. As far as the French were concerned such an issue did not exist any more, because for them there remained only the matter of dividing their African Empire into administrative units or countries, with "proper" frontiers as they would consider fit, Morocco being a part of that Empire. Indeed, it was during this period that the Moroccan borders took their present form, although this was a unilateral settlement by the French, since no independent Moroccan government has ever acknowledged such a settlement.

The Protectorate was beneficial to Morocco in many respects. But on the other hand the French legacy was a sad one for the territorial integrity and national aspirations of Morocco.

The present chapter treats briefly the events and developments of this period in so far as they have any bearing, direct or indirect, on the border issue.

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On March 30, 1912, a French diplomatic mission obtained the signature of Sultan Maulay Hafidh to the Treaty of Fez, which formally established the French Protectorate in Morocco. According to the treaty the French undertook to respect the person and the prestige of the Sultan, his religious position, and the practice of the Moslem religion and its institutions. It provided for the appointment of a French Resident-General, who was to be the virtual ruler of the country. He would carry out the administrative, judicial, educational, economic, financial and military measures which the French Government judged could be usefully introduced on Moroccan territory.¹

In the same year, on November 27, 1912, by a new Franco-Spanish treaty the French were able to reach agreement with the Spanish regarding the partition of the Moroccan Empire. Thus a separate Spanish zone was established in the northern coast of Morocco, about 200 miles long and 60 miles deep, to be administered by a Moroccan Khalifa or lieutenant of the Sultan, under the supervision of the Spanish High Commissioner; this zone would remain nominally part of Morocco, but would

¹See the text of the treaty below, Appendix XII.

become to all intents a Spanish colony. Spain acquired also additional territory in the south, to be added to her claimed possession of Rio de Oro. Furthermore, the limits of the would-be Spanish possession of Ifni were defined.¹ Another point of agreement in the treaty was the internationalization of Tangier, with 140 sq. miles of surrounding territory.

The Treaty of Fez and the ensuing French Protectorate were strongly rejected by the population of Morocco, as General Catroux, a collaborator of Lyautey and a member of his staff, acknowledged in his book Lyautey le Marocain.² Bloody uprisings were provoked and many French soldiers were killed in Fez and in other cities which were already under French control, viz. Rabat, Casablanca, Meknes and Oujda. As Catroux relates "a wave of anarchy submerged Morocco and turned against the French and against Maulay Hafidh. By having made common cause with them, he became a traitor to Islam and to his country."³

The French Protectorate was established only by means

¹See the Franco-Spanish Agreement below, Appendix XIII. About Ifni see above p. 45 and below p.

²General Catroux, Lyautey le Marocain (Paris, Hachette, 1952), p. 131ff.

³Ibid., p. 132.

of an overwhelming superiority of arms. Practically the entire population of Morocco rose against the enemy. It took the French over twenty years to bring the whole of Morocco under their rule. The campaigns of "pacification" were hard, costly, strenuous and long for the French, because almost no Moroccan tribe submitted without resistance and some did not submit until they had exhausted their last means of resistance.¹

After signing the Treaty of Fez, Maulay Hafidh found himself in an utterly embarrassing situation when he came to realize how shaky his position had been and on the other hand how passionate and widespread was the opposition by the Moroccans at large, against the French. He vacillated at first and then tried to oppose the imposition of the Protectorate. When it became evident that he would not co-operate, the French authorities decided to get rid of him. His younger brother, Yusuf, was considered an adequate substitute. Under pressure Maulay Hafidh abdicated on August 12, 1912, and two days later the "oulema" of Fez "elected" the new Sultan, Maulay Yusuf.

¹See the work of General A. Guillaume, Les Berbères Marocains et la Pacification de l'Atlas Central (Paris, Julliard, 1946).

The new Sultan, who reigned until 1927, proved an admirable choice for the French, because he was able to secure the respect of his subjects while co-operating with the Protectorate authorities in the way which the latter wished. Thus, his decree on May 4, 1913, approving the Franco-Spanish Agreement of November 27, 1912, was evidently dictated by the French authorities.

The first Resident General of French Morocco was General -later Marshal- Louis Lyautey, a brilliant soldier, a great statesman and idealist. Prior to arriving in Morocco he had had some experience in colonial administration in the French colonies of Indo-China, Madagascar and Algeria. Aristocratic and authoritarian by temperament, Lyautey's conception of the Protectorate and beliefs concerning colonial issues were defined and dominated by the principle of supervision rather than direct administration. Accordingly he believed that under the Protectorate Morocco would retain her own institutions and administer her affairs in her own ways, except for the control of a European power in external affairs, general administration of the army, and the financing and guiding of the country's economic development. In return for such assistance, France would receive

economic and military advantages, such as exploitation of natural resources, a foreign market, manpower and strategic position; but above all, she would enjoy the grand sense of accomplishment in her "mission civilisatrice".

One fundamental problem which the Protectorate authorities faced was the so-called "pacification" of Morocco. The Treaty of Fez, as stated above, had caused widespread resentment and anarchy throughout Morocco. It took Lyautey and his successors more than twenty years (1912-1934) to accomplish the actual conquest of Morocco.

The first serious challenge to the French rule came the same year as the proclamation of the Protectorate. In 1912, al-Hiba, the son of the famous "murabit" Ma al-Ainain, from Smara (in the northern Mauritania, present Saguiat al-Hamra) occupied Marrakesh and proclaimed himself Sultan. French troops were able to put down al-Hiba's attempt aided by certain chiefs in the High Atlas of whom the best known was Madani al-Glawi, a former Grand Vizier at the time of Maulay Hafidh. These chiefs were rewarded for their services by being allowed to retain and extend the fiefs which they had acquired in the Atlas during the period of weakness of the Makhzen.

By the year 1914 central Morocco, between Fez and Marrakesh almost as far as the Moulouya River and the connection of Fez to Oujda through Taza, were under French control. The tribes still resisting were driven from the plains to the mountains. With the outbreak of World War I in 1914, Lyautey was compelled to send his best contingents to France. Consequently, throughout the war the Resident General of French Morocco had to rely upon diplomatic and strategic subtlety in order first, to maintain French authority in the country, and second, to continue the program of "pacification". In the subsequent seven years only the south of Meknes was subjected (in the Middle Atlas) though a number of pockets of resistance remained in both the northern and southern parts of the Middle Atlas.

On December 4, 1920, Mauritania was constituted a territory of French West Africa by a decree. It was given later the status of colony.

In 1921 a grave crisis, the rising of the Rif, in the north of Morocco, threatened the existence of both Spanish and French Protectorates. The fact was that in the northern area the Spanish occupation had encountered a warlike and stubborn mountain population. In this region Abdelkrim al-Khattabi, a

Cadi of the Beni Uriaghel, surprisingly led a very successful uprising against the Spanish, and proved himself remarkably talented both militarily and politically. In 1921 a Spanish army commanded by General Silvestre, suffered a disastrous and bloody defeat near Anual. After the Spanish withdrawal from the interior, Abdelkrim declared himself in 1923 president of an independent Rif Republic. In making his tribe the basis of his government he followed tradition, but in other respects his little republic was organized along modern lines.

Abdelkrim's successes brought him great popularity among the Rif tribes. He was now regarded as a liberator and undisputed leader. The situation was so alarming that Marshal Lyautey would write:

Nothing could be worse for our regime than the establishment so near Fez of an independent Muslim state, modernized... making Krim a centre of attraction not only for our own dissidents but also for all those Moroccan elements, particularly the young, whose outlook has been broadened by recent events in the east and in whose minds xenophobic aspirations have been raised.¹

The inevitable conflict between Abdelkrim and the French arose when the latter extended their military occupation into

¹As quoted in Barbour, Morocco, pp. 160-161.

hitherto unoccupied territory adjoining Abdelkrim's lands, and then threatened his food supply. Abdelkrim attacked the outlying French posts and involved the French in a disaster second only to that suffered by the Spanish. The situation eventually brought the Spanish and the French into close co-operation. A large French army 325,000 strong, under Marshal Pétain and a Spanish army of 100,000 men, supported by aircraft and tanks, undertook combined military operations against Abdelkrim. By April 1926, Abdelkrim had to give up the fight and surrender to the French, who exiled him to the Reunion Islands.¹

Following the collapse of the Rif Republic, it remained only for Lyautey's successors² to continue the "pacification" program in the High Atlas, the Anti-Atlas and the valleys of the Sous and the Dra and north Mauritania. This was accomplished by using a large number of troops, supported by tanks and aircraft, in a final campaign lasting from 1931 to 1934.³

¹Concerning Abdelkrim and the Rif War see Walter B. Harris, France, Spain and the Rif (London, Edward Arnold & Co., 1927).

²Lyautey resigned in 1926 and was replaced by a civilian Resident, Steeg, while the responsibility for the military operations was entrusted to Marshal Pétain.

³For an account of the stages of "pacification" see E. Guernier (ed.), Maroc (Paris, 1948), pp. 75-92. See also Livre Blanc, p. 19.

However, most of the newly subjected territories in southern Morocco, e.g. Tinduf, and northern Mauritania, i.e. the Moroccan Sahara, were not regarded as or included within Morocco proper by the French colonial authorities.¹ Perhaps they were still holding their century-old official view that these were not Moroccan or else they wanted to deprive Morocco of these lands in case Morocco regained her independence in the near future; their attachment to Algeria or the Sahara administratively would supposedly mean permanent French control over them. Indeed, after the conquest of Tinduf and its surrounding by the French forces, French Algerians insisted on having these areas attached to Algeria rather than to Morocco, though the French authorities of Morocco preferred their inclusion into the Moroccan Protectorate.²

¹In 1928, in a book on the Sahara, E.F. Gautier, an eminent authority on the history and geography of the great desert, considered the Iguidi Desert (in which Tinduf and Gara Jbilet are found) as part of the Moroccan Sahara. See E.F. Gautier, Sahara the Great Desert, English translation by D.F. Mayhew (New York, 1935), p. 99.

²See the article of André d'Uxurbe "La frontière Algero-Marocaine et le Protocole du 20 Huitlet 1901" in Le Monde, October 30, 1963. On the other hand, Jean Lacouture, a well-known French writer on Moroccan affairs wrote in Le Monde, October 16, 1963, that in the south-west of Colomb Beshar, along the Qued Dra, the only delimitation known between Morocco and Algeria was what might be called a line of usage ("une ligne d'usage") established day by day from 1930 to 1960, according to the administrative habitude between the French authorities of Algeria and of Morocco.

It should be pointed out that all frontier settlements by the French colonial authorities during this period were definitely unilateral, arbitrary and based on French colonial considerations. In making the course of the River Dra the dividing line between Morocco and Algeria south of Figuig, the French colonial authorities contained further the Moroccan boundaries and attempted to curtail deliberately the territorial aspirations and pretensions of an independent Morocco. Indeed, as d'Uxurbe points out, for morphological and ethnic reasons Oued Dra could and should not constitute a frontier; morphological because a distinct topography characterizes the whole region, the Hamada of Dra, and ethnic because the same people had lived on both sides of the river valley.¹

In 1938, General Trinquet, being responsible for the frontiers between Morocco and Algeria, proposed a boundary, the so-called "Trinquet Line", between the two countries from Colomb Beshar to the Spanish Sahara.² This included parts of

¹Le Monde, October 30, 1963.

²In 1912 the frontier between Morocco and Algeria from Teniet Sassi to Colomb Beshar was demarcated by the "Vernier Line", Vernier being the French High Commissioner at Oujda. This was recognized by the Moroccan Sultan as the administrative and fiscal frontier in 1928. See the article of Jean Lacouture on this subject in Le Monde, October 8, 1963.

the Hamada of Dra and could be regarded as somewhat favourable to Morocco. But even this was not accepted or applied by the French Government and eventually the River Dra itself was considered the administrative boundary for the French colonial authorities between Morocco and Algeria.¹

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The Franco-Spanish Treaty of 1912 fixed not only the limits of the Spanish zone in northern Morocco, but also the limits of the Spanish west African colonies in southern Morocco, thus bringing to an end a long standing conflict between French and Spanish colonial interests in this part of the Moroccan Empire. Indeed, though the Spanish Emilio Bonelli had occupied Rio de Oro (the site of future Villa Cisneros) in 1884 and a year later, in 1885, the Spanish Government officially had proclaimed a protectorate over a large area of western Sahara between Cape Bojador and Cape Blanco², the further extension of Spanish power had been checked for a generation not only by the resistance of the natives, but also by the

¹ Ibid.; see also Le Monde, October 16, 1963.

² See the map, Barbour, North West Africa, p. 191.

French whose interests in and claims to the same region conflicted with those of Spain. The Franco-Spanish Conventions of 1900 and 1904 aimed at defining the territorial rights of the two countries in this region.¹ But it was the Franco-Spanish Treaty of 1912 which finally set the limits of both the Spanish and French claims in West Africa,² though the territorial rights finally accorded by the French to Spain in this treaty were substantially less than those which had been agreed to in the said Conventions.³

Thus by 1912 Spanish claims and acquisitions in West Africa extended to the following: Ifni, a small enclave on the Atlantic coast of Morocco, north of Wadi Nun;⁴ Tarfaya, known also as Cape Juby or Tekna; Saguiat al-Hamra;⁵ and Rio de Oro, stretching from Cape Bojador to Cape Blanco.⁶

¹ Ibid.

² See Articles 3 and 4 of the Franco-Spanish Treaty of 1912.

³ See the map, Barbour, North West Africa, p. 191.

⁴ This claim was based on the Treaty of Tetuan of 1860; see above, p. 45.

⁵ In the Anglo-Moroccan Agreement of 1895 it was stated that the territory between Dued Dra and Cape Bojador, i.e. Tarfaya and Saguiat al-Hamra, was Moroccan and no one could claim it. See State Papers, Vol. 87, p. 972.

⁶ Tarfaya, Saguiat al-Hamra and Rio de Oro collectively are known as Spanish Sahara.

Like the French the Spanish too had to carry on a program of "pacification" in their part of Morocco. They met stubborn resistance from the Moroccans not only in the Rif but also elsewhere. In 1916 Cape Juby in Tarfaya was occupied by Colonel Bens and La Guera (Cape Blanco) in the far south was overrun in 1920. The final phase of "pacification" was accomplished in the 1930's when partly due to French requests for co-ordination with their own occupation of the neighbouring territory, the Spanish army occupied Smara (in the interior of Saguiat al-Hamra) and Ifni.¹

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Internationally humiliated and politically divided, but with a historical, religious and national awareness, Morocco would not long tolerate foreign rule. The rise of Moroccan nationalism aiming first at internal reforms and then at full Moroccan independence was a forceful phenomenon of the Protectorate period. It very naturally led activists to seek the recovery of all pre-Protectorate Moroccan territories thus reopening the border issue at the time of independence and

¹Barbour, North West Africa, pp. 147-153, p. 195.

provided the major force behind the official Moroccan territorial claims in the post-independence period, as will be seen in the following chapter.

The nationalist movement in Morocco as a political force originated in the Moroccan League, formed by a number of young Moroccans in Rabat in 1926 under the leadership of Ahmad Balafrej, and in a Students' Union founded by Allal al-Fassi in Fez in the same year, the latter being primarily concerned with the reform and propagation of Islam in Morocco. These two groups initiated later in 1934 the so-called "Comité d'action marocaine" which submitted to the new Sultan, Mohammed V (who had succeeded his father in 1927)¹, as well as the French Cabinet and the French Resident General, a program of reforms, which called for a strict interpretation of the Treaty of Fez, the participation of Moroccans at a high level in the administration of the country, and the formation of a national assembly representing all Moroccans. However, this committee and other similar groups, such as the National Party and the Popular Party were suppressed in 1937 by the Protectorate authorities following many nationalist disturbances and the nationalist leaders were

¹Concerning Mohammed V see Landau, op. cit., pp. 197-205.

either imprisoned or exiled.¹

At the outbreak of World War II the Sultan and the nationalist leaders pledged their full support for the Allies. Following the fall of France in June 1940, the Protectorate authorities under General Nogues represented the Vichy Government for two years. When American forces landed at Casablanca on November 8, 1942, the Sultan once more affirmed Moroccan support for the Allies.² Soon Morocco was occupied by Free French forces.

In December 1943, through the efforts of Balafrej, members of the earlier nationalist groups, together with members of various religious bodies and professors of the Qarawiyeen University of Fez, formed the Istiqlal Party (Independence Party).³ On January 14, 1944, the new party submitted a mani-

¹About the rise and the course of Moroccan nationalism see ibidem, pp. 149-160; also Barbour, Morocco, pp. 173-186.

²There was in January 1943 a historic meeting between the Sultan and President Roosevelt and British Prime Minister Winston Churchill, during which the American President remarked:

Why does Morocco, inhabited by Moroccans, belong to France? Anything must be better than to live under French colonial rule... When we've won this war, I will work with all my might to see to it that the United States is not wheedled into the position of accepting any plan that will further France's imperialistic ambitions.

As quoted in Cohen and Hahn, op. cit., p. 46.

³The other great nationalist, al-Fassi, was in exile. However, despite his absence, he was named president of the Istiqlal.

festos to the Sultan, the representatives of France and the Allied Powers, claiming that under the Protectorate regime Moroccan sovereignty had ceased to exist, that the Protectorate had promoted the interests of the French settlers while obstructing the development of the Moroccans, and that the Moroccans were entitled to the freedom and the other rights recognized in the Atlantic Charter. Therefore it demanded firstly, the unification of Morocco (i.e. of the French, Spanish and International Zones) and its independence, and secondly, the establishment of a democratic government under a constitutional monarchy, which would guarantee freedom and reforms in all aspects of Moroccan national life. In the following two years popular demonstrations in support of this nationalist movement led to the imprisonment or exile of Moroccan political and national leaders, such as Balafrej and thousands of others.

In March 1946, a new Resident General for French Morocco, Eric Labonne, permitted all the exiled nationalist leaders to return to their country, including al-Fassi, who had been in exile for the previous nine years. He was now permitted to reside in Tangier. Labonne had contacts with Moroccan nationalists hoping to forestall serious troubles with the nationalist

movement. He initiated various reforms, such as the establishment of the Council of Viziers and Directors in 1947, the authorization of election of representatives to the Moroccan colleges in the Government Council in 1948, the opening of more junior administrative posts to Moroccans, and the sponsoring of a plan to bring 10,000 Moroccan children a year into the school system.

Labonne's reforms encountered strong opposition by the French colons, who considered that they went too far. At the same time they caused a split in the nationalist ranks. One group, led by al-Fassi and Balafrej considered these reforms inadequate and favoured appeals to Arab countries and the United States for help in gaining immediate independence. Another group, under the leadership of Mohammed al-Wazzani favoured cooperation with the French in the hope of obtaining independence gradually. In the end, the latter group left the Istiqlal and formed the Shoura or P. D. I. (Democratic Party for Independence).

By 1947 the Sultan had associated himself with the aims of the Istiqlal and during his visit to the international city of Tangier on April 10 of the same year, he gave a speech in

which he stated:

Morocco took an active part in the last war, offering her sons and her resources until final victory was achieved. Today, as all people claim those rights compatible with modern times, it is just that the Moroccan people obtain their lawful rights and realize their legitimate aspirations, which are the same for all peoples. Morocco ardently desires to regain her rights.¹

In the same year another important event for the Moroccan nationalist movement was the formation of the North African Liberation Committee in Cairo under the joint direction of al-Fassi, Torres² and the elderly Abdelkrim, who had returned from exile by escaping from an Australian ship which was carrying him from Réunion Islands to the French Riviera. Together with other North African nationalists, e.g. Habib Bourguiba, this Committee engaged in diplomatic activity to oust the French from North Africa.

Mohammed V's speech in Tangier had immediate repercussions. The French Government responded by replacing the moderate Resident General Labonne³ with General Juin, who was determined to suppress the nationalist movement. In October

¹As quoted in Cohen and Hahn, op. cit., p. 49.

²A Moroccan nationalist leader from the Northern Zone of Spanish Morocco.

³Concerning Labonne and his experiment see Landau, op.cit., pp. 249-257.

1950, the Sultan visited Paris and in vain submitted two notes to the French Government asking for the abolition of the Protectorate.

While the conflict between the Resident General and the Sultan intensified, in December 1950, Thami al-Glawi, the Pasha of Marrakesh, encouraged by General Juin, provocatively adopted a haughty tone in the course of an audience with Mohammed V and even cried out, "You are not the Sultan of Morocco, you are the Sultan of the Istiqlal."¹ Al-Glawi then toured various districts of the country to rally support for his fight against the Sultan and the nationalists. In February 1951 he ordered the march of some 300,000 Berber tribesmen toward Fez and Rabat. These warriors camped outside these towns and awaited further orders. This move was engineered by Juin who then demanded that the Sultan dismiss his nationalist advisors and repudiate the Istiqlal. Under such circumstances the Sultan accepted the advice of President Auriol of France to cooperate with the Resident General in order to avoid bloodshed. Accordingly he dismissed his Istiqlal advisors and criticized "certain parties" that obstructed progress,

¹As quoted in ibid., p. 274.

but did not mention the nationalist groups directly. However, he let it be known that he had capitulated under duress and thus strengthened further his prestige among the nationalist circles.

Thereupon General Juin sought the deposition of the Sultan despite the latter's concessions. But this time the French Government replaced him¹ by General Guillaume, who tried to ease the tension. Soon the Berber warriors were ordered to return home.

In the same year nationalist movement in Morocco gathered further momentum when representatives of the Istiqlal and P.D.I. from the French Zone, and of the Islah and Wahda from the Spanish Zone, met in Tangier with a newly arrived spokesman of the Arab League, and signed a pact of unity. These representatives agreed to coordinate their efforts to achieve Morocco's complete independence and oppose further negotiations with France prior to the granting of such independence, thus rejecting an unofficial French proposal to incorporate Morocco fully into the French Union.

¹Concerning the era of General Juin see ibid., pp. 258-282.

The assassination of a Tunisian nationalist leader, Ferhat Hached, on December 7, 1952, caused a wave of grave disturbances and riots in Casablanca¹ and other Moroccan cities. The French authorities reacted ruthlessly and there were many casualties followed by the large-scale arrests of nationalist leaders and their sympathizers. Furthermore, nationalist newspapers, public meetings, trade unions and scholastic organizations supporting the nationalist cause, were all banned.

In 1952 and 1953 the Moroccan question was brought before the United Nations General Assembly by a number of Middle East and South-East Asian countries. In spite of the French claim that the matter was a domestic affair, and their refusal to participate in the assembly's debates, the majority took the view that the question could be discussed on the ground that Morocco was, juridically, an independent and sovereign state. Hence the United Nations resolutions expressed the hope that the French Government would "endeavor to further the fundamental liberties of the people of Morocco, in conformity with the purposes and principles of the /United Nations/ Charter." The

¹Ibid., pp. 283-292.

United Nations recognized their right to complete self-determination, and urged "that the right of the people of Morocco to free democratic political institutions be ensured."¹

In the meantime however, relations between the Sultan and the French Residency in Morocco deteriorated further. The Sultan, together with the Istiqlal, objected to and strongly opposed the "Berber policy" of the Protectorate authorities and refused to become reconciled to it.²

In the spring of 1953, the French Resident General Guillaume and a group of Moroccan political and religious leaders, made plans to get rid of the Sultan. This movement of opposition was brought into the open and led by Thami al-Glawi, the powerful Berber Pasha of Marrakesh, and Sherif Abdelhai al-Kettani, head of the Kittaniya brotherhood. The Sultan was denounced

¹ Ibid., pp. 394-395; see also pp. 347-358.

² The Berber Dahir of May 16, 1930, and other subsequent measures by the French authorities in Morocco for maintaining a distinct Berber element in Morocco came to be known as the "Berber Policy". These aimed at transforming the "djemaas" (popular assemblies) of the Berber tribes into tribunals possessing judicial powers independent of the religious authority of the Sultan and the Islamic law, and the establishment of French-Berber schools in which French was taught to the exclusion of Arabic, and the Islamic religion discouraged. The Moroccan nationalists considered these measures as an attempt to set the Berber tribes against the Sultan and the Makhzen. See ibid., pp. 142-148.

for his "modernist" opinions which were "incompatible with his position as Caliph and Commander of the Faithful". Al-Glawi himself secured the support of 287 Moroccan notables for a petition submitted to the Resident General Guillaume, accusing the Sultan of pursuing a policy prejudicial to the country's interests and demanding his deposition. Al-Glawi toured Morocco to rally more support for his movement. On August 11 Mohammed V appealed to the French President Auriol, maintaining that the movement had been encouraged by certain French authorities in the Protectorate, since it was remarkable that the members of this opposition should move about freely and openly plot against the internal security of the State. On August 13, the Sultan accepted a French demand for the surrender of his executive and legislative powers to two Franco-Moroccan councils, and also accepted all the other French proposals for political and legal reforms. Thus, the main grievances of his opponents had been satisfied. Nevertheless, al-Glawi, with some two thousand followers gathered in Marrakesh, announced on August 14 that they no longer accepted the religious authority of the Sultan, and proclaimed Mohammed Maulay ben Arafa, an elderly uncle of Mohammed V, as Imam. The Sultan in his turn denounced the proc-

lamation as a heresy, which would be "condemned by 350 million Moslems". In the city of Marrakesh and from other parts of Morocco the supporters of al-Glawi were able to rally thousands of armed tribesmen who then marched on Rabat and Fez. However, in those cities where there were demonstrations of loyalty to the Sultan, large numbers of Istiqlal supporters and other nationalists were arrested by the police, and French infantry, armoured cars and tanks were brought out to prevent clashes. The events reached a climax on August 20, when in an interview at the Imperial Palace of Rabat, General Guillaume demanded the Sultan's abdication, and when this was declined, the Sultan was informed that an order had been made for his exile which was carried out immediately: the Sultan and his two sons were taken to a military camp and then flown to Corsica, and subsequently to Madagascar.¹

On August 21, 1953, Maulay ben Arafa was formally proclaimed the new Sultan. But, the majority of the Moroccans, following the call of the Istiqlal, refused to recognize him. French expectations did not materialize because active as well

¹See a detailed and interesting account of the events and developments of these months ibid., pp. 295-322.

as passive resistance to the French authorities soon led to the formation of the National Liberation Army. The French settlers of Morocco, determined not to make concessions to the Moroccan nationalist demands, formed vigilante groups and counter-terrorist forces through their committee of "Présence française". Thousands of acts of terrorism and counter-terrorism occurred in the years 1954 and 1955. In 1954 the French Government of Mendès-France made certain proposals, which would have had the effect of decentralizing the administration and of allowing the Moroccans to manage their own economic and fiscal affairs. These were rejected by the Moroccan nationalists. By 1955 it was evident that only the withdrawal of Maulay ben Arafa, the return of the exiled Sultan and the complete independence of Morocco could restore order in the country.

Quite significantly the Moroccan nationalist movement in the Spanish Zone enjoyed a different treatment.¹ indeed, the Spanish authorities pursued a relatively liberal policy, based, it seems, on recognition of the fact that Moroccan independence could not be indefinitely postponed. Thus, the de-

¹The nationalist movement in the Spanish Zone began in 1931, and the principal nationalist party, Front of Freedom, was founded in 1936 by Abdel Khalek Torres.

position of the Sultan in 1953 was not recognized by the Spanish authorities and the Khalifa of Tetuan continued to represent Mohammed V and not Maulay ben Arafa. For these reasons there was much less enmity between the Spanish authorities and the Moroccan population.¹

The bloody events in Morocco eventually forced the French Government of Premier Faure to open negotiations in August 1955. At Aix-les-Bains a special committee of the French Government, the "Committee of Five" had lengthy discussions with Moroccan representatives of all political views, including viziers, nationalist leaders, the Pasha of Marrakesh, colons, ulema etc. This committee suggested then a compromise solution which called for the removal of Grandval, the Resident General, as well as the Sultan, Maulay ben Arafa, the establishment of a throne council and of representative governmental institutions, the transfer of Mohammed V from Madagascar to France, and negotiations between France and Morocco for a limited measure of home rule. Following the consultations at Aix-les-Bains the French Cabinet issued a historic declaration on September 12, aiming at establishing a permanent union between France and Morocco

¹Landau, op. cit., pp. 336-343.

and a community between their two peoples. The declaration stated further that France intended to lead Morocco to the status of a sovereign and democratic state, and to maintain with it permanent bonds of freely accepted interdependence. The following two principles among others were solemnly reaffirmed by the French Government:

(1) Respect for the treaties concerning Morocco and for the recognized rights of the beneficiary powers.

(2) Respect for Moroccan sovereignty and for the integrity of the Sherifian Empire.¹

Though the Resident General was replaced by Pierre Boyer de Latour and arrangements were made for the transport of Mohammed V to France, the French colons of Morocco and their supporters in France made fresh attempts to obstruct the reform plans of the French Government. There was deadlock again when de Latour, with the collaboration of the French colon leaders and Maulay ben Arafa altered the Aix-les-Bains Agreement. Tension grew once more and the Moroccan Army of Liberation intensified its activities. Guerilla attacks were made on French outposts particularly in the Rif and in the Middle Atlas. At this stage

¹See the text below, Appendix XIV.

Premier Faure obtained approval from the French National Assembly to proceed with the original plan of the throne-council and asked de Latour to act along that line. The Présence française, in its turn, responded with strikes and riots of its own. On October 15, the Resident General finally announced the creation of a throne council. However, the most astonishing and decisive turn of events happened when al-Glawi, the arch-enemy of Mohammed V unexpectedly announced on October 25 his wish to see "His Majesty Sidi Mohammed ben Yusef" restored to his rightful position and to see Morocco independent. With this new development the enthusiasm of Moroccans for their exiled ruler was beyond control. The Présence française, now bereft of its most powerful ally, decided to follow suit. Maulay ben Arafa was persuaded to abdicate.¹

In the meantime, at the end of October, Mohammed V had arrived at Beauvillon, France, en route for Paris. On November 1, he met with Foreign Minister Pinay. On the same day in his Paris residence he was visited by numerous French and Moroccan leaders. On November 6, at La Celle St. Cloud, Mohammed V and Pinay made

¹For a detailed account of events of 1954 and 1955 see Landau, op. cit., pp. 359-384.

a joint declaration by which the Sultan undertook to create a representative Moroccan Government that would initiate reforms for Morocco's transformation into a constitutional monarchy, and to conduct negotiations "to enable Morocco to achieve the status of an independent state, united to France by the permanent ties of an interdependence freely accepted and defined."¹

On November 16, 1955 Mohammed V returned to Rabat where he was acclaimed with unprecedented popular enthusiasm. Soon the first representative Moroccan Government was formed under the presidency of Si Bekkai² with ministers chosen from both nationalist parties, the Istiqlal and the Democratic Party of Independence, and from independents.

The first task of the Government was to negotiate the terms of independence which had been agreed in principle. The Moroccan delegation to these negotiations headed by Mohammed V himself, arrived in Paris on February 11, 1956, and was greeted by the new French Premier, Guy Mollet, who promised to carry on Faure's Moroccan policy. The following day, at a banquet

¹See the text ibid., p. 396.

²An army colonel who had served with distinction in World War II, and an independent in Moroccan politics.

luncheon, which marked the formal opening of the negotiations, in answer to President Coty's speech, Mohammed V noted his country's hopes for French technical, financial and economic assistance, and also territorial unity. The negotiations were concluded on March 2 by a formal Franco-Moroccan agreement. The French Government solemnly confirmed "its recognition of the independence of Morocco ... as well as its determination to respect, and see to it that others respect, the integrity of Moroccan territory, as guaranteed by international treaties."¹

Discussions with the Spanish Government in the following month led to a similar joint declaration on April 7, in which the Spanish Government recognized the independence and sovereignty of Morocco and reaffirmed "its wish to respect the territorial unity of the empire", which was guaranteed by international treaties.² Later in the same year the incorporation of the Tangier Zone was agreed by the various powers concerned.³

¹See the text below, Appendix XV.

²See the text below, Appendix XVI.

³Barbour, North West Africa, p. 175.

At length Morocco had regained her independence and sovereignty. But Mohammed V's rule extended over only a part of the former Sherifian Empire. There remained then the challenge of and the struggle for rebuilding Morocco's territorial integrity: the recovery of Moroccan Irredenta.

CHAPTER IV

M O R O C C O I N D E P E N D E N T A N D M O R O C C O I R R E D E N T A

In 1956 territorially independent Morocco extended over an area which in fact corresponded to only a fraction of the former Moroccan or Sherifian Empire. Therefore, historically conscious Moroccan nationalists earnestly sought Morocco's territorial unity. The reintegration of all Moroccan territories was a necessity and an immediate goal for the nation. More than once in the short history of post-Protectorate Morocco, the Moroccan territorial issue reached dangerous dimensions nationally and internationally. At times Moroccan diplomacy and Moroccan armies (both regular and irregular) had to be employed in an ardent attempt to build Greater Morocco, by the acquisition or conquest of Morocco irredenta. After sinking into oblivion for forty-four years the Moroccan border issue as such was reopened with full vigour and wide implications. Independent Morocco was now ready to pursue and defend her territorial claims, fully convinced of their legitimacy. This opened the third and by far the most critical and decisive

phase of the border issue.

It is with this phase that the present chapter aims to deal, from the year of independence to the mid-1960's, relating and analyzing the main trend of events and developments.

The dominant role in the reopening of the border issue and the exposing of Moroccan territorial claims as such, was played by the veteran Moroccan nationalist and scholar Allal al-Fassi. It was more particularly after 1948 that the adamant Istiqlal leader put forward and repeatedly reiterated his view of what true Morocco, Greater Morocco, should include territorially.¹ This view was readily accepted and adopted as basic policy by the Istiqlal Party and the Moroccan nationalists as a whole. It was not long before that the Moroccan Government and Mohammed V himself declared their wholehearted and unreserved allegiance to this thesis.

It should be pointed out that unfortunately neither France nor Spain showed any genuine sympathy for these legitimate claims. They were still too much influenced by their

¹See his Al-Harakat al-Istiqlaliyya fi'l Maghrib al-Arabi (Cairo, 1948). There is an English translation by H.Z. Nuseibeh, The Independence Movements in Arab North Africa (Washington, 1954).

colonial traditions and were not ready to give up colonies from which they could still derive both prestige and economic wealth. They had been compelled by the course of events, specifically, the rise of Moroccan militant nationalism, to grant and acknowledge the independence of Morocco. Now, neither was ready to make any further territorial concessions, though the Spanish attitude toward Morocco, it should be admitted, did show hints of a friendly disposition. Evidence of this was the handing back of Tarfaya in 1958. The French, on the other hand, were far from being realistic and honest about the question of Moroccan territorial aspirations. They declined to hand over to independent Morocco such territories as Mauritania, Tinduf, western Sahara, over which Morocco was still exercising a valid claim. For Morocco, it was inconceivable that her historically legitimate entitlement could ever be abandoned. National aspirations would never permit demise of these claims. Indeed in the joint declaration of independence, France pledged to "respect the integrity of the Moroccan territory guaranteed by international treaties", but, in effect, the only territory which France recognized as Moroccan was that which had previously comprised French Morocco during

the Protectorate period. However, the Moroccan negotiators at the Independence discussions did not agree with the frontiers proposed by the French. Moroccan opposition or reservations left the frontier issue open for future negotiations.

By keeping her hold on most of the former Moroccan territories France cherished the hope that she would thus be ensuring lasting control, not only of the land itself but also of the vast wealth of mineral resources in the Sahara and Mauritania. Algeria (and hence the Sahara) were considered as integral parts of Metropolitan France and more or less treated as such. Indeed, France seemed to suffer from the same delusion in her frontier policy in regard to Morocco. Between 1956 and 1962 French colonialists saw their hopes shattered in this respect when one by one, former French colonies achieved their independence (though most of them preferred to remain within the framework of the newly created French Community). Eventually, after a long and hard struggle even Algeria was able to achieve her independence in 1962. Mauritania had obtained hers in 1960. Thus the French Empire was virtually liquidated; in part due to the Gaullist appreciation of the need to place French authority into a more viable context. What remained in North and West Africa as a

French legacy was the unfortunate transfer of unsettled territorial and border issues about which there has been much ill-feeling and tension among the countries of this part of Africa.¹ It is no exaggeration to say that there has even been at times a serious threat to world peace.²

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After independence in 1956 the territories which were not returned to Morocco were the following:

I. Territories under the control of France

A. Mauritania

B. Western Sahara, including Tinduf, Saura, Tuat, Tidikelt and Gourara.

II. Territories under the control of Spain

A. Rio de Oro

B. Saguiat al-Hamra

¹See the article of I. William Zartman, "The Politics of Boundaries in North and West Africa", in The Journal of Modern African Studies, May 1965, pp. 155-173.

²The fate of the Moroccan territories under the control of Spain remains to be seen when Spain decides to liquidate her colonies.

C. Tarfaya

D. Ifni

E. The Spanish presidios of Ceuta and Melilla¹

Post-independence Morocco faced the enormous task of building the foundation of a new Morocco, an undertaking which called for the successful settlement of a number of vital questions. The territorial issue was given a high priority.²

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The Moroccan territorial claims attracted national and international attention when Allal al-Fassi, in a speech at Tangier on June 19, 1956, vehemently demanded the incorporation into Morocco of south-western Algeria, the Mauritanian

¹The term "presidio" given to Ceuta and Melilla is a Spanish word which means "city" or "fortified place". Both presidios had not been under Moroccan rule since the fifteenth century and are now inhabited mainly by Spaniards. However, the Moroccan claims upon these can be qualified on the same basis as the Spanish claims upon the Gibraltar. See Barbour, North West Africa, pp. 181-188.

²For a very short account of the problems and achievements of post-independence Morocco see Barbour, Morocco, pp. 185-192. For a longer treatment see Cohen and Hahn, op. cit., pp. 95-249.

area of French West Africa, and the Spanish Sahara. He declared that Morocco, though independent, was not completely unified and that Moroccans would continue the struggle until Tangier, the Spanish and French Sahara and Mauritania were liberated and unified. On July 3 of the same year, at a press conference in Cairo the unyielding nationalist and exponent of the territorial issue stated that the Moroccan and Mauritanian nationalists had been forced to raise this question because of the introduction into the French Parliament of a Bill for the integration of the Sahara into French national territory. On July 5, 1956, a map of Greater Morocco was published in the Istiqlal daily Al-Alam, which showed the territories claimed by Morocco. Meanwhile, on June 26, a Mauritanian section of the Bureau du Maghrib was established in Cairo under Horma Ould Babana, a former deputy for Mauritania in the French National Assembly, who described himself as leader of the Mauritanian Nationalist Movement.¹ Ould Babana was present at al-Fassi's press conference on July 3 and was received by Mohammed V on July 23.² In the newly-formed Moroccan Con-

¹About Ould Babana and his view over the question of Mauritania, see Gaudio, op. cit., pp. 72-73, 78-86.

²Keesing's Contemporary Archives, X, pp. 15110-15111.

sultative Assembly two representatives from Mauritania were welcomed and in the Ministry of the Interior a special department was created for the Saharan Affairs in November, 1957.

While in 1957 a Franco-Moroccan Commission was being set up for the study of the frontier issue, irredentist fervor gained momentum and agitation increased in Morocco for the cause of Morocco irredenta. The Istiqlal weekly Sahra al-Maghrib (The Moroccan Sahara) especially published for this purpose, played a leading role in directing public opinion in this respect. This sort of agitation was not confined to Morocco proper. It extended to the territories claimed, where national uprisings broke out by 1957. Thus Ifni, the Spanish Sahara (particularly Rio de Oro) and Mauritania became the scenes of violent clashes between the natives who demanded unification with Morocco, and the colonial authorities of Spain and France.

Ifni was the first to attract public attention when the Ifniites clashed in April, 1957, with the Spanish forces. The local leaders of the Ait Ba-Amran made it clear that their loyalty was to the King of Morocco¹ and his Government rather

¹In 1957 Morocco became known as the Kingdom of Morocco and its ruler as King.

than to the Spanish administration, and repeatedly demanded the restitution of the enclave to Morocco. Indeed, a delegation of Ifni tribesmen journeyed to Rabat to demand the integration of their territory into the motherland. Such moves on the part of Ifni nationalist leaders enjoyed the support of the Istiqlal which saw its activities and influence thus extended to Ifni. The Spanish authorities then undertook the suppression of the Istiqlal activities in Ifni but in July the party was still able to organize a general strike there. On November 23, 1200 troops from Ifni, together with the help of some Moroccan irregulars attacked the Spanish garrisons throughout the enclave while Mohammed V was out of the country visiting the United States. Though the Moroccan Government disclaimed any responsibility for the events, the King and his ministers perforce accepted the popularly supported rebellion and, when the Spanish Government warned against providing aid to the rebels, the Moroccan Government replied that the Moroccan Royal Army was ready to defend Moroccan soil. However, neither side was ready to go to the extreme. King Mohammed V called for a peaceful settlement of the conflict whilst Prince Hassan offered a cease-fire if Spain would cede Tarfaya.¹ In the meantime Ifni

¹Cohen and Hahn, op. cit., p. 216.

nationalists succeeded in penetrating the town of Sidi Ifni but were repulsed beyond a 5-mile perimeter of the town, by Spanish forces which were reinforced on this occasion by more troops from Spain and the Canary Islands.¹

In the meantime tension had grown up and unrest spread in the Spanish Sahara itself. In December 1957, sporadic fighting was reported which became fierce in early 1958. The Saharan Liberation Army and the Spanish forces both claimed to have inflicted heavy casualties on the other side. Al-Fassi even claimed that Spain had effective control over only the towns of Al-Ayoun and Villa Cisneros.²

Meanwhile the Saharan Liberation Army was active in Mauritania and obviously nationalist elements supported the activities of this army in favour of unification with Morocco. The Mauritanian party Entente Mauritanienne strongly favoured unification, whereas another party, Union Progressiste Mauritanienne, opposed it and aimed instead at an independent Mauritania. In February 1958 Moktar Ould Daddah, the young Vice-President of the Mauritanian Government, declared that the Mauritians were

¹Keesing's Contemporary Archives, XI, pp. 15895-15896.

²Cohen and Hahn, op. cit., pp. 217-218.

determined to resist the activities of uncontrolled bands coming from the north, which had been cutting the country off from the markets of south Morocco and thus causing complete stagnation in northern Mauritania. He had, he said, asked for French action on the borders of Rio de Oro.¹

It was against this tide of nationalist movements that the French and Spanish colonial troops undertook a co-ordinated action of suppression.²

In its turn this co-ordinated Franco-Spanish action provoked a greater activity on the part of the Moroccan King and Government. In February 1958, Mohammed V visited Zagora and Mhamid, near the southern limits of the Moroccan territory, and speaking to the representatives of the Saharan tribes at Mhamid on February 25, he reminded them that his grandfather, Sultan Maulay Hassan, had made two expeditions to the Sahara "in order to consolidate the unity of Morocco and its sovereignty over the whole of the national territory, at a moment when it

¹Barbour, North West Africa, p. 271.

²In the summer of 1957 the Foreign Ministers of Spain and France had met at San Sebastian and exchanged their points of view in regard to Morocco. This had laid the ground for the later common course of action in Mauritania and the Spanish Sahara.

was the object of foreign covetousness". In his address the King stated:

We proclaim solemnly, that we shall continue our action for the return of the Sahara in accordance with respect for our historic rights and the will of its inhabitants.¹

This proclamation of the Moroccan King was very significant because it showed the unreserved and official adoption of the territorial claims as a national policy to be pursued by his Government. On the other hand its impact upon the inhabitants of these territories was enormous.²

Meanwhile talks proceeding between the Spanish Government and the Moroccan Government representatives at Cintra, Portugal, led to some concrete results and agreement was reached on April 10, 1958, by which Tarfaya was to be handed over to Morocco. The transfer took place in April and May with some difficulties. The Moroccan Government however, did not retract its claims to Rio de Oro, Saguiat al-Hamra and Ifni in spite of this concession.

From April 27 to 30 of the same year the Istiqlal Party organized a Conference of Maghrib Unity at Tangier. This was attended by representatives of the Neo-Destour Party of Tunisia

¹Le Monde, February 27, 1958.

²See an eye-witness account of this visit and the full text of the speech in Gaudio, op. cit., pp. 73-76.

(the ruling party there) and the newly-formed Algerian FLN (Front de Libération National). The resolutions of the conference were later presented to and accepted by the King of Morocco and the President of Tunisia. These resolutions recognized the FLN as the only representative of the Algerian people; declared the right of Algeria to independence; demanded the evacuation of foreign troops from Tunisia and Morocco; and expressed sympathy with the "profound longing of the Mauritians for union with Morocco."¹

Following the speech of February 25, 1958, by Mohammed V, more Mauritanian nationalist leaders visited the King in order to demonstrate their allegiance to him. In addition to Al-Aghdaf (the son of Ma al-Ainin), Horma Ould Babana and Mohammed al-Haiba Ould Shaikh Malainine, there arrived in Rabat Mohammed Fall Ould Oumeir, the Emir of Trarza; Dey Ould Sidi Baba, former Minister of Commerce, Industry and Mines; Mohammed al-Moktar Ould Bah, former Education Minister; Shaikh Ahmedou, leader of the Mauritanian Youth Movement, and a number of others. They emphasized the fact that the hereditary chiefs of Mauritania had always

¹Barbour, North West Africa, pp. 65-66.

acknowledged the supremacy of the Moroccan Sultan, rendering him assistance and being in turn helped by him in time of need, and that prayer had always been offered for him in mosques. They put forward their wish to see Mauritania a part of Morocco. In July, 1958, these Mauritanian notables were all given advisory posts in the Moroccan Government.¹

In the same year the Moroccan Government refused to send representatives to the Frontier Commission in spite of requests from the French Government. With the outbreak of the Algerian war of independence Morocco was fully engaged on the side of the Algerians, and now the Moroccan King and his Government felt it was morally impossible to open such discussions with France.²

In 1958 the Moroccan Government refused to associate with France in the O.C.R.S. (Organisation Commune des Régions Sahariennes), a project which was inaugurated by the French Government in January 1957, designed to make of the Sahara an independent entity to be exploited by France and possibly by the neighbouring states, i.e. Morocco and Tunisia.³ France had

¹ Ibid., pp. 271-272; Gaudio, op. cit., p. 76 and pp. 79-87.

² See Maroc, Revue du Ministère des Affaires Etrangères, (Rabat, 1963), No. 10, Nouvelle Série, p. 2.

³ Barbour, North West Africa, pp. 259-260. About the wealth of the Sahara see pp. 258-259.

invited both countries to collaborate in such a project. In declining this offer Morocco believed she was backing the FLN, who denounced this project as a move to detach the Sahara from Algeria. No less important was the fear that the plan could further impede the realization of Morocco's aspirations for the recovery of those territories to be included in this plan.¹ But when the French Government proceeded with the plan, the Moroccan Government warned all foreign companies interested in the exploitation of the mineral resources of Mauritania and Tindūf, that they would be doing so at their own risk.²

In September, 1958, the Moroccan Government sponsored a Mauritanian and Saharan Conference in Rabat where two hundred delegates, claiming to speak for more than a million persons met to deny the legality of de Gaulle's constitutional referendum in French West Africa and to reaffirm their desire to see the integration of their regions into Morocco.³ However, on November 28, 1958, the referendum took place and Mauritania voted in favour of remaining within the French Community as

¹ Cohen and Hahn, op. cit., p. 219.

² Barbour, North West Africa, p. 261.

³ Cohen and Hahn, op. cit., pp. 219-220.

an autonomous republic under the official name of "Islamic Republic of Mauritania", under the leadership of Si Moktar Ould Daddah, who became the first Premier of the republic.¹

No significant event or development occurred in the following year except that the Moroccan Government continued to insist vehemently on annexing those territories.

Notwithstanding the claims of Morocco, Mauritania proclaimed its independence on November 28, 1960, following an agreement with France on October 19 of the same year. On this occasion the Moroccan claim to Mauritania continued to be pressed. In a letter to the Secretary-General of the United Nations on August 20, 1960, the Moroccan Foreign Minister asked that the question of Mauritania should be included in the agenda of the forthcoming session of the General Assembly. Support for the Moroccan claim to Mauritania was expressed in a communique' issued towards the end of August 1960, at the close of the meeting of Arab Foreign Ministers at Shtora, Lebanon, at which all Arab League States -with the exception of Tunisia- were represented.² On November 23, the Tunisian Foreign

¹About Ould Daddah and his view of the Mauritanian Question see Gaudio, *op. cit.*, pp. 89-92.

²See the text of the resolution below, Appendix XVII.

Minister announced that his Government would recognize Mauritanian independence. The Moroccan Government then recalled its ambassador from Tunis in protest. On December 4, Mauritania's application for the United Nations membership was vetoed by the Soviet Union, which had wished to obtain the acceptance of Outer Mongolia at the same time.

In 1960 King Mohammed V proposed a conference of heads of African States "directly interested" in the Congo question. The conference was held from January 4 to 7, 1961, at Casablanca. In addition to the Congo, the conference considered Algeria, French atomic tests in the Sahara, a framework for African military and political co-operation and racial policies in the Republic of South Africa, Mauritania and Israel. Those attending besides Mohammed V, were President Nasser of the United Arab Republic, President Nkrumah of Ghana, President Modibo Keita of Mali, and President Sekou Touré of Guinea. The Algerian Provisional Government (G.P.R.A.) was represented by a delegation headed by Ferhat Abbas, Libya by its Foreign Minister, and Ceylon by the Ceylonese Ambassador to the U.A.R. This grouping of African States was known then as the Casablanca Powers or Casablanca Bloc. Among the resolutions taken at the

conference was one which approved any action Morocco might take on Mauritania to restore her legitimate rights.¹ However, the impact of this resolution was somewhat weakened by the fact that Ghana had recognized the independence of Mauritania the previous week and the Bloc was itself ephemeral, having by the end of 1962 lost its significance and importance.²

On February 6, 1961, King Mohammed V died during a minor nasal surgery. Taking into account the critical period through which he led his people and country it is safe to say that he was one of the great rulers of Morocco. He was intelligent, industrious, with a high sense of duty and responsibility, open to modern ideas though profoundly attached to Islam, an enemy of all violence, but patient, tenacious and a skillful negotiator. He was succeeded by his son King Hassan II.

In March 1961, relations with Spain were troubled once more by an incident in which eleven oil prospectors working in Saguiat al-Hamra, were kidnapped by an unidentified armed gang, taken by the Royal Moroccan Army to Rabat and there handed over to their countries' ambassadors. Though the Spanish Government

¹See the text of the resolution below, Appendix XVIII.

²About this conference see also Cohen and Hahn, op. cit., pp. 241-244.

protested strongly, the Moroccan Government considered the incident as another example of spontaneous commando activity by local inhabitants which proved further the attachment of the natives of Spanish Sahara to Morocco.

Although Morocco had officially refused to discuss the delimitation of her south-western frontier with France, considering it the right of an independent Algeria to negotiate such a matter, FLN or GPRA leaders residing or visiting Morocco were now and then reminded of this crucial problem.¹ This led on July 6, 1961, to a secret agreement at Rabat between King Hassan of Morocco and Ferhat Abbas, then the President of the Algerian Provisional Government, on the question of the frontier with Algeria.² According to this agreement the Algerian Provisional Government recognized that the territorial problem created by the arbitrary delimitation of the two countries and imposed by France, would be settled by negotiations between the Government of the Kingdom of Morocco and the Government of independent

¹Mohamed Boudiaf, Où va l'Algérie? (Paris, Librairie de l'Etoile, 1964), pp. 140-142.

²The text of this agreement was made public by the Moroccan Government on the eve of the border incidents with Algeria, i.e. on October 21, 1963. See the French text in Maroc, p. 5. See the English text below, Appendix XIX.

Algeria. To this end, the two governments decided to establish a joint Algero-Moroccan Commission which should meet at the earliest possible moment in order to study and solve this problem in a spirit of Maghribian brotherhood and unity. Therefore, the Algerian Provisional Government reaffirmed that agreements which might be reached as a result of the Franco-Algerian negotiations were not binding upon Morocco so far as the territorial demarcation between Algeria and Morocco was concerned.¹

The question of the Mauritanian United Nations membership came up once more in the Security Council on October 25, 1961, and this time Mauritania succeeded in obtaining membership. The Moroccan Minister for Labour and Social Affairs, addressing the council at his Government's request, said that while Morocco supported the universality of the United Nations, Mauritania's admission would create a dangerous precedent. "The Moroccan province of Mauritania", he maintained, "is not a State in the meaning of international law". At a press conference after the vote, the Moroccan Minister of Information

¹ It should be pointed out here that President Ben Bella, who in 1963 took his country into a war with Morocco over this frontier issue, was the Vice-President of the GPRA, though in detention, at this time, and was always kept informed of the problems and commitments of his Government and at no time did he reject the agreements concluded by the Provisional Government with other countries.

deplored the Soviet Union's abstention, saying that a socialist country which preached anti-colonialism as a basic principle should adhere to it in all its actions. Mauritania's admission to the United Nations in no way altered the country's Moroccan character, the minister held. On the contrary, it only strengthened Morocco's determination to continue the struggle.¹

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In 1962 and 1963 the problem of the Moroccan territorial claims, still far from being solved, reached another dangerous climax leading to war between Morocco and Algeria. This in turn endangered the peace of the world. Indeed, after enjoying the unreserved and full support of Morocco, morally and materially, throughout her war of independence, Algeria refused even a discussion of the problem as such, asserting her full sovereignty over all the territory transferred from France as a result of the Evian Agreement, causing thus resentment and frustration in Morocco.

¹See Morocco, a pamphlet prepared by the Reference Division Central Office of Information, London, for the British Information Services, August, 1962, p. 31.

Soon after Algeria was proclaimed independent on July 3, 1962, a dispute broke out over a number of military posts in the Colomb Beshar region including Saf-Saf and Meridja, and over some others in the south-east of Morocco, including Zegdou. Algeria claimed that these posts were within Algeria and that they had been forcibly occupied by the Moroccan troops early in July. The Moroccan reply was that those posts were in Morocco but had been seized by the Algerian forces.¹ The Moroccan Government claimed furthermore that the population of Tinduf had sent a delegation of their chiefs to Rabat to reaffirm its allegiance to the Moroccan King and that there had been pro-Moroccan demonstrations in the town in favour of unification with Morocco, which were suppressed ruthlessly by Algerian troops.²

In July 1962 King Hassan sent two delegations to discuss the frontier question with Algerian leaders, viz. Ben Khedda, the President of the Provisional Government, and Abderrahman Fares, the Provisional Executive, who replied that the question

¹The New York Times, July 7, 1962.

²Ibid.; see also Keesing's Contemporary Archives, XIII, p. 19497.

should be discussed only after Algeria had elected its National Assembly.

During the early months of 1963 the relations between the two countries showed a marked improvement and between March 13 and 15 King Hassan paid an official visit to Algiers. On this occasion the King raised the frontier question with Ben Bella, then the Prime Minister of Algeria, who proposed its consideration be postponed until after the adoption of the new Algerian Constitution and the presidential elections in October. Ben Bella added however, that as a basic principle there should be no question of the Algerians becoming purely and simply the heirs of France as far as the frontiers of Algeria were concerned.¹

Relations between the two countries were strained during the summer of 1963 because of ideological differences. The monarchical regime of Morocco had to confront the newly established socialist regime of Algeria. When the leaders of the National Union of Popular Forces (U.N.F.P.), a left wing political party in Morocco, were arrested in July, Morocco alleged that the Algerian Government (members of which were on friendly relations

¹ See the declaration of King Hassan at the Press Conference of October 24, 1963, Maroc, p. 9.

with the leaders of the U.N.F.P.) was involved in a U.N.F.P. plot.¹

By July 1963, and more particularly in September, the Moroccan Government repeatedly alleged that Algerian troops had made incursions into Moroccan territory; that Algerian aircraft had violated Moroccan airspace; and that Moroccans living in Algeria were being expelled from the country or were being forced to accept Algerian nationality.² On the other hand the Algerian Government made the counter-charge that Morocco was massing troops on the border. In two dramatic speeches (September 30 and October 1) Ben Bella, now the President of the Algerian Republic,³ alleged that the Moroccan Government was also encouraging the unrest in the Kabilie region of Algeria.⁴ Thereupon, King Hassan sent a message to President Ben Bella expressing his astonishment and concern at the latter's accusations. In his reply, President Ben Bella suggested a

¹Keessing's Contemporary Archives, XIV, p. 19940.

²Le Monde, September 1-2, 6, 12, 14, 15-16, October 4, 20-21, 1963.

³On September 2, 1963, the new Algerian Constitution was approved in a referendum, and on September 16, Ben Bella was elected President.

⁴The New York Times, October 1, 1963; Le Monde, October 3, 1963.

meeting either between the two heads of state, or between their foreign ministers, adding, however, he was not prepared to discuss any frontier question. Then King Hassan refused to meet the Algerian President but accepted the meeting of the foreign ministers of Morocco and Algeria at Oujda.

In the meantime military operations in the frontier areas of the two countries had started. Towards the end of September, Moroccan auxiliary forces had begun to move from Tagounit and on October 1 had occupied Hassi Beida and Tinjoub, two wells surrounded by palm trees, situated about 250 miles south-west of Colomb Beshar and 200 miles north-east of Tinduf. These two sites, claimed to be already under Moroccan sovereignty, were of great strategic importance commanding one of the two tracks in the desert from Colomb Beshar to Tinduf. Control of them would obviously bring the Moroccans much nearer to Mauritania territorially.¹

On October 5, the talks between Ahmad Reda Guedira, the acting Moroccan Foreign Minister, and Abdelaziz Bouteflika,

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¹Hassi Beida and Tinjoub lie about 20 miles east of the former French administrative frontier but are on the Moroccan side of the Trinquet Line. A map prepared in March 1948 by the Institut Géographique National Français and issued by the French Protectorate authorities show them as being within Moroccan territory. See Le Monde, October 17, 1963.

the Algerian Foreign Minister, took place at Oujda. In the communiqué issued after the meeting, it was stated that they had agreed to implement immediately the Algero-Moroccan Conventions of March and April 1962 for mutual cooperation in various spheres; to reaffirm the principles of non-interference by either country in the other's affairs; to take all possible measures to establish normal relations; and to agree as soon as possible on a date for a meeting between King Hassan and President Ben Bella.¹

On October 8 Algerian troops suddenly appeared at Hassi Beida and Tinjoub.² After the Moroccan garrisons there rejected a demand by the Algerians to evacuate these sites, the Algerians occupied them by force. Ten Moroccans were killed during the fighting.³ Anticipating a grave crisis and in order to avoid further complications of the matter, King Hassan sent on the following day two special envoys -Abdelhai Boutaleb, the Moroccan Minister of Information and Colonel Mebdon- to Algiers with a personal message to the Algerian President, demanding

¹Le Monde, October 8, 1963.

²On the same day further talks between the two countries on measures of cooperation were to have opened at Tlemcen.

³The New York Times, October 9, 1963; Le Monde, October 10, 1963.

"justice for the massacres of Hassi Beida and Tinjoub", and the immediate opening of discussions on the frontier issue. These demands were rejected by President Ben Bella, who maintained that these two sites were on Algerian territory.¹ Thereupon the Moroccan Government moved regular army troops to southeastern Morocco, and on October 14 Hassi Beida and Tinjoub were both recaptured.²

The immediate reaction of Algeria was that on October 15, President Ben Bella called a mass rally in the Algiers Forum, and in a fiery address attacked King Hassan as a "tyrant" and a "criminal" and announced the immediate mobilization of all former members of the National Liberation Army and all those able to bear arms. The Algerian National Assembly adopted on the same day a resolution condemning the Moroccan offensive as a violation of the United Nations Charter, the Arab League Charter, the Bandung Charter and the Addis Ababa Charter.³ It should be pointed out that the Algerian President was deliberately exploiting the frontier crisis to rally the country

¹ Le Monde, October 10 and 11, 1963.

² Le Monde, October 12, 1963; The New York Times, October 15, 1963.

³ Le Monde, October 16 and 17, 1963; The New York Times, October 17, 1963.

which was being torn by dissension, around his Government.

Ben Bella however, made an attempt of his own to settle the problem. He sent a delegation on the same day to Marrakesh headed by Mohammed Yazid, his personal ambassador on Maghrib questions. Meeting the representatives of the Moroccan Government the Algerian delegates proposed that both sides should withdraw their forces to the positions they had occupied on October 1, i.e. before the military occupation of Hassi Beida and Tinjoub by the Moroccans. The Moroccan delegates countered this proposal by insisting that they should return to the positions held on the morning of October 8, before the Algerian attack, i.e. the Moroccan forces should retain possession of the two sites in dispute. Negotiations broke down on October 17, as no agreement could be reached on the status of Hassi Beida and Tinjoub.¹

Meanwhile intermittent fighting went on around Hassi Beida and Tinjoub until the end of October. The Algerian Army, bringing strong reinforcements by land and air, made repeated counter-attacks to occupy these two posts. In spite of Algerian official statements they remained in Moroccan hands throughout

¹The New York Times, October 17 and 18, 1963.

the war.

While such military operations were taking place the conflict was further intensified by a propaganda war through the media of radio and press. For example, on October 16, the Algiers Radio accused the Moroccan Government of conniving at the kidnapping of Ben Bella and his friends by the French in 1956, and declared on the following day:

The Moroccan Monarchy no longer has any place in the concert of African nations Their Africa is that of Verwoerd, Salazar and Welensky, their natural ally is France, who shares their conception of democracy...

Radio Rabat in turn replied on October 17 stating that

The rulers of Algeria have betrayed their friends and brothers, and do not shrink from any method of establishing their dictatorship Ben Bella has started a process of violence from which he hopes to profit to establish Fascism on African soil¹

On October 24 King Hassan called a press conference in Marrakesh. In his address he recalled the Moroccan support and active help to the Algerian independence movement and accused President Ben Bella of trying to place the conflict on an ideological plane by saying that the regimes of Morocco and Algeria

¹Keesing's Contemporary Archives, XIV, p. 19940.

were incompatible. The King concluded his declaration as follows:

Whether he likes it or not, and whether we like it or not, Algeria will have the regime which she has chosen for herself, and Moroccans will have the regime which they have chosen for themselves. The President of the Algerian Republic should make the best of a bad bargain, and accept co-existence with this monarchy....¹

In the meantime having been defeated at Hassi Beida and Tinjaub, the Algerians opened hostilities in the northeast, attacking during the night of October 17, the Moroccan border village of Ich, 30 miles northeast of Figuig. After losing a number of soldiers, the Moroccan garrison withdrew the following morning.² It was alleged also by the Moroccans that on October 17 Algerian aircraft had bombed the Tindrara region in Oujda province. In a telegram to President Ben Bella on October 18, King Hassan pointed out that it was not contested that Ich and Tindrara were in Morocco, and described the Algerian attacks as "part of a premeditated action designed to transform the frontier incident into a general conflict".³

¹See the full text of the address in Maroc, pp. 7-12.

²See an account of the Algerian attack in Le Monde, October 22, 1963, by Jean Lacouture.

³The New York Times, October 19, 1963; Le Monde, October 20-21, 1963.

President Ben Bella did not reply to this message, and Ich remained in Algerian hands.¹ The Algerian forces tried also to open two new fronts by attacking the Moroccan posts of Hassi Taghoucht and Oussada. Both attacks were repulsed by the Moroccans.²

By October 25 the Moroccans extended the scope of their drive by launching a new offensive towards Tinfouchy, 50 miles south of Hassi Beida, in an attempt to control the road from Colomb Beshar to Tinduf. Another section of the Moroccan forces drove southwest and reached within a few miles of Tinduf.³

Meanwhile the position of President Ben Bella was strengthened at home when the Kabilie rebel chief who opposed Ben Bella, Colonel Mohand ou el-Hadj joined the war against Morocco.⁴

A new factor was introduced into the frontier dispute when an Algerian helicopter with five Egyptian officers on

¹In his press conference of October 24, King Hassan stated that he had not given orders to recapture Ich because he wanted to spare the population the dangers of military operations and in the hope of an early settlement.

²Le Monde, October 23, 1963.

³Le Monde, October 26, 27-28, 29, 1963; The New York Times, October 28, 29, 1963.

⁴Le Monde, October 26, 1963; The New York Times, October 25, 1963.

board landed in Moroccan territory on October 20 in the Bou Denib area, northwest of Colomb Beshar. The Moroccan Government alleged that the Egyptians, who were detained as prisoners, had been engaged in espionage. On the other hand, the Algerian Government declared that the helicopter had been attacked by Moroccan fighters over Algerian territory and forced to land in Morocco. This was denied by King Hassan, who said that the pilot himself had admitted having made a mistake and landed in Moroccan instead of Algerian territory. The Egyptian Government demanded the release of the officers, which was refused by the Moroccan Government. According to the latter, during interrogations the officers had said that they had arrived in Algiers on October 17 as members of the U.A.R. military mission.¹

On October 28 and 29 three Cuban ships arrived at Oran bearing Soviet tanks, planes and artillery, together with fifty Cuban technicians. Algerian Government sources pointed out that these deliveries had been made under an agreement concluded in Moscow the previous summer, between the Soviet Government and Colonel Houari Boumedienne, and hence were not connected with the border crisis.² Meanwhile the U.A.R. too was helping Algeria

¹L'Orient (Beirut), October 21, 1963; Le Monde, October 22, 23, 1963.

²Le Monde, October 29, 1963; The New York Times, October 30, 1963.

with the shipment of troops and war material. This was admitted by the Cairo newspaper Al Ahram, which noted that Egyptian warships were furthermore helping to protect the Algerian coast.¹

On October 31, the Moroccan Government broke diplomatic relations with Cuba, and recalled its ambassadors from the U.A.R. and Syria.² It said that the three states had shown "extreme hostility" toward Morocco during the country's border conflict with Algeria.³

While the fighting between Morocco and Algeria was increasing in intensity a number of African and Arab heads of state

¹The New York Times, October 30, 1963; Le Monde, November 2, 1963; according to Jeune Afrique, January 6-12, 1964, the U.A.R. military mission was composed of 3000 soldiers. For further evidence of the presence of Egyptian troops see Le Monde, November 10, 13, 23, 1963. Such military aid to Algeria led political commentators to think that an arms race might start in North Africa, which could produce an international crisis. On October 29 it was reported from Madrid that Morocco was pressing western countries for arms, that the United States, France and Spain were "cooperating closely" to prevent a flow of military material into North Africa that would aggravate the clash between Algeria and Morocco and create a potentially dangerous international situation. See The New York Times, October 30, 1963.

²On October 17, the Syrian ruling Baath Party had sent a message to the Algerian National Liberation Front condemning Morocco's "reactionary and imperialistic aggression".

³The New York Times, November 1, 1963.

offered to mediate. President Bourguiba of Tunisia was the first to send messages to King Hassan and President Ben Bella (on October 12) appealing to them to avoid bloodshed, and proposing a meeting of the three heads of state at Bizerta on November 15. Both King Hassan and President Ben Bella accepted the invitation. On October 15, after the Moroccan offensive, President Bourguiba once more appealed to King Hassan and President Ben Bella to end the fighting. He proposed a conference of Moroccan, Algerian and Tunisian Foreign Ministers in Tunis, on October 28.¹

The border fighting was causing great anxiety in other African and Arab countries. The Syrian Prime Minister, Salah Bitar, as well as President Nkrumah of Ghana offered to mediate (October 16 and 17). An Iraqi mediation mission headed by the Minister of Education Dr. Juwari, left Baghdad on October 18 for talks with the Algerian and Moroccan Governments.² Characteristically, during the conflict most of the Afro-Asian countries maintained a strictly neutral attitude except for the U.A.R., Syria, and Iraq, where the press took a strongly pro-

¹Le Monde, October 15, 1963.

²Keesing's Contemporary Archives, XIV, p. 19941.

Algerian line.

In Cairo, on October 19, the Arab League Council unanimously adopted a resolution deploring the conflict between the two Arab states, and urging an immediate cease-fire and a settlement of the dispute by peaceful means. On October 20, the Council adopted a U.A.R. resolution which called on Algeria and Morocco to withdraw their forces to the positions occupied before the fighting, and to end press and radio propaganda against each other; to set up a mediation committee composed of the chief delegates of the U.A.R., Tunisia, Libya, and Lebanon, together with the chairman of the Council's session and the Secretary-General. The Council further requested Algeria and Morocco to grant the Mediation Committee all the necessary facilities for carrying out its duties. Delegates of both Morocco and Algeria declared that their countries had no objections to the visits of the Committee. But the Moroccan Foreign Minister, Ahmad Balafrej, declared on October 21 that the Moroccan Government could not accept that resolution which called for the evacuation of Moroccan territory by Moroccan forces. He regarded the League's mediation as useless.¹

¹ Ibid., p. 19941; Le Monde, October 22, 24, 1963.

On October 20, President Nasser of the U.A.R., in letters to King Hassan, President Ben Bella, President Bourguiba and King Idriss of Libya, proposed a meeting of the five heads of state in Tunis not later than October 26, to settle the border dispute between Morocco and Algeria. However, in a speech, he openly expressed his support for Algeria, deploring Moroccan aggression against Algeria and the Algerian people, and declared that the U.A.R. would always stand alongside Algeria.¹

Thus far, therefore, all mediation efforts had failed.

The Emperor Haile Selassie of Ethiopia, who had been invited to Morocco several months earlier, took advantage of his visit to make a fresh attempt to mediate in the Algero-Moroccan border dispute. He arrived in Marrakesh on October 17, accompanied by the Ethiopian Foreign Minister, Ketema Yifru, who was at the same time the General-Secretary of the Organization of African Unity (O.A.U.). Two days later the Algerian Government officially requested a special meeting of the Foreign Ministers of the African states according to Article twelve of the Addis Ababa Charter. It accepted President Bourguiba's proposal for a meeting of the Foreign Ministers of Algeria, Morocco and

¹Le Monde, October 24, 1963.

Tunisia, but did not fix a date. On October 20, the Ethiopian Foreign Minister flew to Algiers, met President Ben Bella, and returned to Rabat the same day with Abdelaziz Bouteflika, the Algerian Foreign Minister. On October 21, the Emperor and the two Foreign Ministers arrived in Algiers and on the same day President Bourguiba asked President Ben Bella to delegate Bouteflika to Tunis to discuss the proposed Foreign Ministers' conference.¹

On October 22, during these negotiations the Moroccan Government rejected Algerian proposals that the dispute should be referred to the O.A.U. and that the Moroccan troops should withdraw to the position they had held before October 1. The Emperor then suggested a meeting between King Hassan and President Ben Bella on neutral territory. This was accepted by both parties but no agreement could be reached on a meeting-place. An Algerian proposal that the meeting should take place in an African capital was rejected by the Moroccan Government, which proposed Gibraltar or Spain. Thereupon President Ben Bella suggested Switzerland or a Scandinavian country. On October 23, the Emperor left Algiers for Tunis, as no agreement could be

¹Le Monde, October 19 and 21, 1963.

reached on this point.¹

During the next two days the prospects for peace improved. On October 23, the Algerian Foreign Minister announced that Algeria had again demanded a conference of African Foreign Ministers, but she was equally prepared to accept the Tunisian proposal for a meeting of Algerian, Moroccan and Tunisian Foreign Ministers, and President Nasser's proposal for a meeting of North African heads of state. The same day King Hassan informed the Emperor Haile Selassie that he was prepared to meet the Algerian President at any place and at any time. Meanwhile, President Mobido Keita of Mali sent messages to King Hassan and President Ben Bella offering his good offices and suggesting that they could meet in Bamako, the capital of Mali. On October 24, at 11 p.m. it was officially announced in Tunis that King Hassan and President Ben Bella had both accepted the proposal of the Ethiopian Emperor to meet in Libya on October 28.² The following day at 5 p.m. it was announced that the Emperor Haile Selassie, King Idriss of Libya, President Nasser and President Keita would also take part in the conference.

¹Keesing's Contemporary Archives, XIV, p. 19941.

²Ibid.; The New York Times, October 23, 1963.

But two hours later King Idriss informed the Emperor that he was unable to accommodate so many heads of state in Tripoli. Thereupon, the Moroccan Government declared that a meeting of Foreign Ministers of the participating countries should precede a conference of heads of state. At 9 p.m. the Algerian Government declared that the conference would be held in Tunis and President Touré of Guinea would also be present. To this, the Moroccan Government replied denying that it had agreed to take part in a conference in Tunis unless a meeting of Foreign Ministers had taken place first, whereupon the Algerian Government revived its request for an African Foreign Ministers' conference. Confronting such a deadlock Emperor Haile Selassie abandoned his attempt at mediation and on October 26 left Tunis for Paris.¹

Fortunately the deadlock over the question of the form and place of the meeting was overcome on the same day, when the Moroccan and Algerian Governments both accepted a proposal by President Keita of Mali that King Hassan, President Ben Bella and the Emperor Haile Selassie should meet in Bamako on October 29.

¹Le Monde, October 25, 26, 27-28, 1963; The New York Times, October 26, 1963.

The proposal was accepted the next day by the Emperor. King Hassan and President Ben Bella reached Banako on October 29, but did not meet until the following day. The Emperor and President Keita acted as mediators between them. At the conclusion of the discussions on October 30, the four Heads of State signed the following agreement:

1) A cease-fire would come into force at midnight on November 1-2.

2) A commission of Moroccan, Algerian, Ethiopian and Malian officers would determine a demilitarized zone.

3) Ethiopian and Malian observers would watch over security and military neutrality in this zone.

4) The signatories would request a meeting of Foreign Ministers of the O.A.U. to set up an arbitration commission at Addis Ababa, which would allocate responsibility for the outbreak of hostilities, study the frontier question, and make proposals for the settlement of the dispute.

5) Algeria and Morocco would cease all public and press attacks on each other from November 1, and would strictly observe the principles of non-interference in each other's affairs. Settlement of all disputes between African States were to be

by negotiations.¹

In general the Bamako Agreement was accepted with great satisfaction at the United Nations headquarters in New York, as well as in the capitals of African and Arab countries. But, in spite of the agreement, fighting went on in the Figuig area after the time fixed for the cease-fire. On November 1, King Hassan announced that Moroccan troops had withdrawn about two-thirds of a mile from the border town of Figuig in the face of a violent Algerian artillery attack. This was denied by President Ben Bella, who said that the Algerian Army had occupied the town some days earlier. In the afternoon, however, Figuig was reoccupied by the Moroccan forces.² At midnight, when the cease-fire came into effect, fighting stopped, but it broke out again on November 2, and each side accused the other of responsibility. Firing and intermittent combat by both sides continued around Figuig and north of Tinduf until November 4, when a Malian officer in charge of supervising the truce arrived

¹See the full text in Le Monde, November 1, 1963; see also The New York Times, October 28, 29, 30, 31, 1963; also Le Monde, October 29, 30, 31, 1963; also Jeune Afrique, No. 156, November 4-10, 1963, the article "Bamako: l'Afrique sauve le Maghreb" by Kamal Jawad.

²The New York Times, November 2, 1963.

in the Figui area and succeeded in bringing the fighting to an end.¹

From November 15 to 18, the Council of Ministers of the O.A.U. consisting of thirty-two members met in Addis Ababa. Abdelaziz Bouteflika, the Foreign Minister of Algeria, headed a twenty-nine-man delegation. Ahmad Reda Guedira, the new Foreign Minister of Morocco (replacing Balafrej in the new Moroccan Cabinet) headed a twenty-man delegation. The Council of Ministers, welcomed the Bamako Agreement and after hearing statements by the Foreign Ministers of Algeria and Morocco, set up a seven-member Special Arbitration Commission under Clause Four of the Bamako Agreement, consisting of representatives of Ethiopia, the Ivory Coast, Mali, Nigeria, Senegal, the Sudan and Tanganyika.²

From December 3 to 5, the Special Arbitration Commission met in Abidjan (Ivory Coast) and elected its officers: Idrissa Diara, the delegate of Mali as President and the delegate of Ethiopia as Vice-President.³ The Commission met next in Bamako

¹The New York Times, November 4, 5, 1963; Le Monde, November 3-4, 6, 1963.

²Le Monde, November 15, 16, 19, 20, 21, 23, 1963; The New York Times, November 16, 19, 1963.

³Le Monde, December 7, 1963.

on January 23 to 27, 1964, when Algeria and Morocco submitted their evidence on the issues of dispute.¹ Having failed to reach a concrete decision the Commission decided to hold its next meeting in March.

Meanwhile the tension between Algeria and Morocco gradually relaxed after the cease-fire came into force, the ban on hostile propaganda being observed by both sides. The Arab Summit Conference in Cairo from January 13 to 16, 1964, greatly improved the relations between Morocco and Algeria and also between Morocco and the U.A.R. During the Conference King Hassan, President Ben Bella and President Nasser had a series of talks. On January 13 it was announced that the five Egyptian officers captured by the Moroccans had been released. On January 31, it was announced that the Egyptian contingent in Algeria would shortly return home.²

Agreement was reached on February 20, between Morocco and Algeria on the demilitarized zone. Although no details were disclosed at the time, it was reported that both parties would withdraw their forces seven kilometres from the positions they

¹Le Monde, January 28, 1964.

²Keessing's Contemporary Archives, XIV, p. 19942.

had occupied on October 1; that Hassi Beida and Oum al-Achar areas would become a "no-man's land"; and that there would be an exchange of prisoners.

Subsequently it was reported that under the terms of the same agreement Ich had been evacuated on March 5 by the Algerian forces, who had retired to the Algerian border town of Beni-Ounif and that the heights dominating Figuig and Ich would be demilitarized to prevent any further hostilities. As regards Hassi Beida and Tinjoub, it had been agreed that the Algerians would withdraw to Tinfoushy and the Moroccans to Tagounit.¹

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Despite all the fighting and sacrifices Moroccan Irredenta was still beyond the grasp of Morocco independent. The Moroccan territorial issue was still unsolved.

The Moroccan territorial claims continued to be the focus of national aspirations. The successive Moroccan Cabinets continued to have their Minister for the Affairs of Mauritania and Moroccan Sahara. The Moroccan Foreign Minister, speaking

¹ Le Monde, March 10, 1964. This account of the war is based mainly on that of Keesing's Contemporary Archives, XIV, pp. 19939-19942.

in the Moroccan Parliament in January 1965, declared that Morocco would never relinquish her territorial rights.¹ On February 15, 1966, the Istiqlal once again called for the return of all Moroccan territories under foreign occupation.² On January 12, 1967, King Hassan himself restated the "just claims" of Morocco.³ In March 1967, the Moroccan Government once more reaffirmed the Moroccan territorial claims.⁴

Far from being solved, the Moroccan territorial issue remained potentially a dangerous source of unrest and ill-feeling in North West Africa.

¹L'Orient, January 17, 1965.

²Le Monde, February 17, 1966.

³Le Monde, January 15-16, 20, 1967.

⁴Le Monde, March 10, 1967.

CHAPTER V

C O N C L U S I O N

The foregoing assessment has attempted to reveal the historical background of the Moroccan territorial claims, the evolution of the problem per se and its growing complexity in the light of present world situation.

Actually the problem includes two issues which are inseparably related to each other. Firstly, there is the problem of delimiting the Morocco-Algerian border between Teniet Sassi and the western Tarfaya boundary, and secondly, the broader issue of redeeming Morocco irredenta.

The border issue resulted from a Franco-Moroccan judgment in the Treaty of Lalla Marnis (1845) that a border was not necessary because "a country which is found without water is uninhabitable and a delimitation thereof would be superfluous"; also from the French colonial policy of the late nineteenth and early twentieth centuries, which kept the border with Morocco as uncertain as possible in spite of Moroccan demands for demarcation; and finally, from a decision of the Moroccan Government in 1956 to await the independence of Algeria before finally drawing a border which appeared

clearly essential. Morocco's hope that an independent and "brotherly" Algeria would prove more understanding than the French, based on the assurances, given by the Algerian leaders such as Ferhat Abbas, to negotiate a border settlement after independence, did not materialize; on the contrary, and to the bitter resentment of Morocco, the Algerian Government headed by Ben Bella even declined to discuss the issue as such, after independence.

The broader issue of Morocco irredenta resulted from the encroachment made by western imperialism upon the Sherifian Empire during the "Scramble for Africa" in the late nineteenth and early twentieth centuries. Aiming at a conquest of the Sherifian Empire, France in particular, first advanced claims to large sections of Moroccan Sahara under the authority of the Moroccan Sultan, and later, after the occupation, annexed them partly to Algeria and partly to the French West Africa; the final blow of French imperialism came in 1912 when the core of the Sherifian Empire was conquered and made a Protectorate. The Moroccan boundaries were further restricted in favour of French Algeria during the Protectorate period. The other interested colonial power, Spain, dealt with Morocco

along the same lines. However, Morocco claims that although under foreign domination, all the people of the former Sherifian Empire continued to consider themselves subjects of the Sultan and members of the Muslim community which the Sultan headed. Therefore, after the core, composed of the French and Spanish Protectorates together with Tangier in 1956 and two years later Tarfaya, had achieved independence, there remained still unredeemed, parts of the country and nation, under colonial (Spanish), "neo-colonial" (Mauritanian) or simply neighbouring (Algerian) rule. Any attempt on the part of independent Morocco to secure the return of Moroccan irredenta involved and still involves the employment of warfare, subversion, breaking off relations, propaganda, alliances, mediation, and continued diplomacy. Such attempts also take into account such basic elements as national interests and sentiments, existing ideology, national identity and security.

There can be no doubt and no question that historical evidence overwhelmingly supports the validity and legitimacy of the Moroccan territorial claims. These lands and their inhabitants have been under the sovereignty of the Moroccan Sultan and a part of Moroccan history, culture, society and

economic system for the past nine hundred years, from the time of the Almoravids to the early twentieth century. With the coming of Islam and the Arabs to North and West Africa at the end of the seventh century A.D., and the subsequent foundation of the Idrissite Kingdom in Morocco in the eighth century, Morocco had achieved a unity and an identity which were further strengthened under the Almoravids and the Almohads, between the eleventh and the thirteenth centuries; the Almoravid and the Almohad empires comprised that part of Africa which stretched from Spain and the Mediterranean Sea to the Senegal River, and from the Atlantic Ocean to Libya. With the Almohads the Moroccan rulers assumed the title of Caliph. True, in the subsequent centuries Morocco could not maintain the glory and splendour of the Almoravids and the Almohads; under weak rulers the Moroccan Empire lapsed at times into anarchy, when the country would face the danger of disintegration and distant regions would lead a semi-independent existence. However, now and then, under strong and energetic rulers Morocco was able to re-establish, recover and continue its unity over the whole of that part of North and West Africa which now constitutes Greater Morocco, viz. present

Morocco and Western Sahara to the Atlantic and to the Senegal. As a matter of fact, the authority of the Moroccan Sultans over these lands was not questioned until the arrival of the French and Spanish colonialists in North and West Africa and the advancement of their imperial ambitions, in the nineteenth century. But historical evidence fully substantiates Moroccan claims that even throughout the nineteenth and early twentieth centuries the inhabitants of these regions, native tribes with their chiefs, have considered the Moroccan Sultans as their sovereign rulers and masters, both political and spiritual. There is much evidence to support the belief that European Governments in the nineteenth century considered these lands as belonging to the Moroccan Sultans. But the diplomacy of European imperialism allowed them to come under the colonial rule of France and Spain, and indeed treated them as the colonies of these two countries. Then these lands were developed and administered by the colonial authorities of these two powers as separate entities all through the first half of the present century, so that when Morocco achieved its independence these lands were not returned to it on the pretext that they were not Moroccan. Spain still retains her colonies

of Rio de Oro, Saguiat al-Hamra and Ifni. But from the French-held Moroccan territories Mauritania achieved a separate existence, whereas the rest was included in Algeria. Needless to say then, the boundaries of Morocco, Algeria and Mauritania are all colonial creations. It should be added here that an independent Mauritania has further complicated the issue of the Moroccan territorial claims in its recent phase, because the Spanish Sahara (Rio de Oro and Saguiat al-Hamra) is claimed by Mauritania as well, and this claim is supported by Algeria.

The problem of the Moroccan territorial claims has been given further prominence due to the discovery of enormous mineral wealth in the claimed regions. It suffices to cite here that Colomb Beshar in western ~~Algeria~~ is rich in coal (at Kenedsa) and manganese; and Gara Jbilet, to the southeast of Tinduf, has one of the world's largest iron deposits, estimated at more than three billion tons, which is of the best quality, and which is indeed larger than any other single deposit in the world; in Mauritania itself there are rich deposits of iron at Fort Gouraud, and of copper at Akjouit; as to the Spanish Sahara the presence of rich phosphate deposits

has been established recently.¹

The Morocco-Algerian border conflict itself was greatly intensified because it brought into confrontation two hostile regimes and ideologies, socialist Algeria and monarchical Morocco. Indeed during the border war the Algerian press and radio disregarding historical evidence, built up the dispute as a basic conflict between the "Revolutionary Socialism" of Algeria and the "Reactionary Monarchy" of Morocco. The speeches of President Ben Bella and his colleagues left no doubt that socialist Algeria aimed at bringing the whole of North Africa under the same political system, with the establishment of socialist governments.² This move helped Algeria to obtain the full diplomatic and military support of socialist countries, such as the Soviet Union, Cuba and the United Arab Republic. There are, of course, those who look at the border conflict as a creation of the Governments of both Algeria and

¹See Barbour, North West Africa, pp. 258-259 and p. 276; Saul B. Cohen, Geography and Politics in a World Divided (New York, Random House, 1963), p. 180; Gaudio, op. cit., pp. 92-99 and pp. 114-115; Livre Blanc, p. 6; Time, August 17, 1959; The New York Times, February 3, 1967.

²See Jeune Afrique, October 21-27, 1963, p. 15.

Morocco for the immediate purpose of combatting domestic opposition by appealing to the national feeling of the masses.¹

Be that as it may, the problem of the Moroccan territorial claims, a legacy of western, and in particular French, imperialism, challenges the peace of North and West Africa and will continue to do so until there appears a satisfactory settlement which takes into account historical reality.

¹This approach is best formulated by Mohammed Boudiaf, op. cit., pp. 142-143. Boudiaf was an Algerian leader during the struggle for independence and a friend of Ben Bella; but later he opposed Ben Bella, was imprisoned and then set free.

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Thesis Title:


"THE HISTORICAL BACKGROUND OF THE MOROCCAN TERRITORIAL CLAIMS"

by

SARKIS D. HAMBOYAN

(Name of Student)

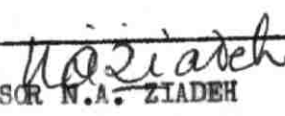
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Member of Committee

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APPENDIX I

Convention conclue à Tanger, le 10 septembre 1844, pour régler et terminer les différends survenus entre la France et le Maroc.

S.M. l'Empereur des Français, d'une part, et S.M. l'Empereur du Maroc, Roi de Fez et de Suz, de l'autre part, désirant régler et terminer les différends survenus entre la France et le Maroc et rétablir conformément aux anciens traités, les rapports de bonne entente qui ont été un instant suspendus entre les deux Empires, ont nommé et désigné pour leurs Plénipotentiaires:

S.M. l'Empereur des Français, le sieur Antoine-Marie Daniel Doré de Nion, officier de la Légion d'honneur, chevalier de l'ordre royal d'Isabelle-la-Catholique, chevalier de première classe de l'ordre Grand-ducal de Louis de Hesse, son consul général et chargé d'affaires près S.M. l'Empereur du Maroc, et le sieur Louis Charles-Elie Decazes, comte Decazes, duc de Glücksberg, chevalier de l'ordre royal de la Légion d'honneur, commandeur de l'ordre royal de Daneborg et de l'ordre royal de Charles III d'Espagne, chambellan de S.M. Danoise, chargé d'affaires de S.M. l'Empereur des Français près S.M. l'Empereur du Maroc;

Et S.M. l'Empereur du Maroc, Roi de Fez et de Suz, l'agent de la Cour très élevée par Dieu, Sid-Bou-Selam-Ben-Ali, lesquels ont arrêté les stipulations suivantes:

Art. 1^{er}. - Les troupes marocaines réunies extraordinairement sur la frontière des deux Empires, ou dans le voisinage de ladite frontière seront licenciées. S.M. l'Empereur du Maroc s'engage à empêcher désormais tout rassemblement de cette nature. Il restera seulement, sous le commandement du caïd de Oueschda (Oudjda), un corps dont la force ne pourra excéder habituellement deux mille (2,000) hommes. Ce nombre pourra toutefois être augmenté si des circonstances extraordinaires, et reconnues telles par les

deux Gouvernements, le rendent nécessaire dans l'intérêt commun.

Art. 2. - Un châtement exemplaire sera infligé aux chefs marocains qui ont dirigé ou toléré les actes d'agression commis en temps de paix sur le territoire de l'Algérie contre les troupes de S.M. l'Empereur des Français.

Le Gouvernement marocain fera connaître au Gouvernement français les mesures qui auront été prises pour l'exécution de la présente clause.

Art. 3. - S.M. l'Empereur du Maroc s'engage de nouveau, de la manière la plus formelle et la plus absolue, à ne donner, ni permettre qu'il soit donné, dans ses Etats, ni assistance, ni secours en argent, munitions ou objets quelconques de guerre à aucun sujet rebelle ou à aucun ennemi de la France.

Art. 4. - Hadj-Abd-el-Kader est mis hors la loi dans toute l'étendue de l'Empire du Maroc, aussi bien qu'en Algérie. Il sera, en conséquence, poursuivi à main armée par les Français sur le territoire de l'Algérie, et par les Marocains sur leur territoire, jusqu'à ce qu'il en soit expulsé ou qu'il soit tombé au pouvoir de l'une ou l'autre Nation. Dans le cas où Abd-el-Kader tomberait au pouvoir des troupes françaises, le gouvernement de S.M. l'Empereur des Français s'engage à le traiter avec égard et générosité. Dans le cas où Abd-el-Kader tomberait au pouvoir des troupes marocaines, S.M. l'Empereur du Maroc s'engage à l'interner dans une des villes du littoral de l'Empire jusqu'à ce que les deux Gouvernements aient adopté de concert les mesures indispensables pour qu'Abd-el-Kader ne puisse, en aucun cas, reprendre les armes et troubler de nouveau la tranquillité de l'Algérie et du Maroc.

Art. 5. - La délimitation des frontières entre les possessions de S.M. l'Empereur des Français et celles de S.M. l'Empereur du Maroc reste fixée et convenue conformément à l'état de choses reconnu par le

Gouvernement marocain à l'époque de la domination des Turcs en Algérie. L'exécution complète et régulière de la présente clause fera l'objet d'une convention spéciale négociée et conclue sur les lieux, entre les plénipotentiaires désignés à cet effet, par S.M. l'Empereur des Français et un délégué du Gouvernement Marocain. S.M. l'Empereur du Maroc s'engage à prendre sans délai, dans ce but, les mesures convenables, et à en informer le Gouvernement français.

Art. 6. - Aussitôt après la signature de la présente convention, les hostilités cesseront de part et d'autre. Dès que les stipulations comprises dans les articles 1, 2, 4 et 5 auront été exécutées à la satisfaction du Gouvernement français, les troupes françaises évacueront l'île de Mogador ainsi que la ville de Oueschda (Oudjda), et tous les prisonniers faits de part et d'autre seront remis immédiatement à la disposition des deux Nations respectives.

Art. 7. - Les deux H.P.C. s'engagent à procéder de bon accord, et le plus promptement possible, à la conclusion d'un nouveau traité qui, basé sur les traités actuellement en vigueur, aura pour but de les consolider et de les compléter, dans l'intérêt des relations politiques et commerciales des deux Empires. En attendant, les anciens traités seront scrupuleusement respectés et observés dans toutes leurs clauses, et la France jouira, en toute chose et en toute occasion, du traitement de la nation la plus favorisée.

Art. 8. - La présente Convention sera ratifiée et les satisfactions en seront échangées dans un délai de deux mois ou plutôt si faire se peut.

Ce jourd'hui, le 10 septembre de l'an de grâce 1844 (correspondant au 25 du mois de Chaaban de l'an de l'Hégire 1260) les plénipotentiaires ci-dessus désignés de leurs

Majestés les Empereurs des Français et du Maroc, ont signé la présente convention et y ont apposé leurs sceaux respectifs.

Ant. M.O. DORE DE NION. (Place du cachet du
DECAZES, duc de Glücksberg. Plénipotentiaire marocain)¹

¹Rouard de Card, op. cit., pp. 330-333.

APPENDIX II

Traité de délimitation conclu, le 18 mars 1845, entre les Plénipotentiaires de l'Empereur des Français et de l'Empereur du Maroc.

Louanges à Dieu Unique! Il n'y a de durable que le Royaume de Dieu!

Traité conclu entre les Plénipotentiaires de l'Empereur des Français et des possessions de l'Empire d'Algérie et de l'Empereur du Maroc, de Suz et Fez et des possessions de l'Empire d'Occident.

Les deux Empereurs, animés d'un égal désir de consolider la paix heureusement rétablie entre eux, et voulant, pour cela, régler de manière définitive l'exécution de l'article 5 du Traité du 10 septembre de l'an de grâce 1844 (24 cha'ban de l'an 1260 de l'Hégire).

Ont nommé pour leurs Commissaires plénipotentiaires à l'effet de procéder à la fixation exacte et définitive de la limite de souveraineté entre les deux pays, savoir:

L'Empereur des Français, le sieur Aristide-Isidore, comte de la Rue, Maréchal de camp dans ses armées, commandeur de l'Ordre impérial de la Légion d'honneur, commandeur de l'Ordre d'Isabelle la Catholique et chevalier de deuxième classe de l'Ordre de Saint Ferdinand d'Espagne.

L'Empereur du Maroc, le Sid Ahmida-Ben-Ali-el Sudjaaf, Gouverneur d'une des provinces de l'Empire.

Lesquels, après s'être réciproquement communiqué leurs pleins pouvoirs, sont convenus des articles suivants dans le but du mutuel avantage des deux pays et d'ajouter aux liens d'amitié qui les unissent:

Art. 1^{er}. - Les deux Plénipotentiaires sont convenus

que les limites qui existaient autrefois entre le Maroc et la Turquie resteront les mêmes entre l'Algérie et le Maroc. Aucun des deux Empires ne dépassera la limite de l'autre; aucun d'eux n'élèvera de nouvelles constructions sur le tracé de la limite; elle ne sera pas désignée par des pierres. Elle restera, en un mot, telle qu'elle existait entre les deux pays avant la conquête de l'Empire d'Algérie par les Français.

Les Plénipotentiaires ont tracé la limite au moyen des lieux par lesquels elle passe et touchant lesquels ils sont tombés d'accord, en sorte que cette limite est devenue aussi claire et aussi évidente que le serait une ligne tracée. Ce qui est à l'Est de cette limite appartient à l'Algérie. Tout ce qui est à l'Ouest appartient au Maroc.

Art. 3. - La désignation du commencement de la limite et des lieux par lesquels elle passe est ainsi qu'il suit: Cette ligne commence à l'embouchure de l'Oued (c'est-à-dire cours d'eau) Adjeroud dans la mer, elle remonte avec ce cours d'eau jusqu'au gué où il prend le nom de Kis; puis elle remonte encore le même cours d'eau jusqu'à la source qui est nommée Ras-el-Aïoun, et qui se retrouve au pied de trois collines portant le nom de Menasseb-Kis, lesquelles, par leurs situation à l'Est de l'oued, appartiennent à l'Algérie. De Ras el Aïoun, cette même ligne remonte sur la crête des montagnes avoisinantes jusqu'à ce qu'elle arrive à Drâ-el-Doum; puis elle descend dans la plaine nommée El-Aoudj. De là, elle se dirige à peu près en ligne droite sur Haouch-Sidi-Aïèd. Toutefois, le Haouch lui-même reste à cinq cents coudées (250 mètres) environ, du côté de l'Est, dans la limite algérienne. De Haouch-Sidi-Aïèd, elle va sur Djerf-el-Baroud, situé sur l'oued Bou-Nâïm; de là elle arrive à Kerkour-Sidi-Hamza; de Kerkour-Sidi-Hamza à Zoudj-el-Beghal; puis longeant à l'Est le pays des Ouled-Ali-ben-Talha jusqu'à Sidi-Zahir, qui est sur le territoire algérien, elle remonte la grande route jusqu'à Aïn-Takbalet, qui se trouve entre l'oued Bou-Erda et les deux oliviers nommés el-Toumiet qui sont sur le territoire marocain. De Aïn-Takbalet, elle

remonte avec l'Oued Roubban jusqu'à Ras-Afour; elle suit au delà de Kef en laissant à l'Est le marabout Sidi-Abd-Allah-ben-Mehammed-el-Hamlili; puis, après s'être dirigée vers l'Ouest, en suivant le col de El-Mechémiche, elle va en ligne droite jusqu'au marabout de Sidi-Aïssa, qui est la fin de la plaine de Missiouin. Ce marabout et ses dépendances sont sur le territoire algérien. De là, elle court vers le Sud jusqu'à Koudiet-el-Debbagh, colline située sur la limite extrême du Tell (c.a.d. le pays cultivé). De là, elle prend la direction Sud jusqu'à Kheneg-el-Hada, d'où elle marche sur Teniet-el-Sassi, col dont la jouissance appartient aux deux Empires.

Pour établir plus nettement la délimitation à partir de la mer jusqu'au commencement du désert, il ne faut point omettre de faire mention, et du terrain qui touche immédiatement à l'Est la ligne sus-désignée, et du nom des tribus qui y sont établies.

A partir de la mer, les premiers territoires et tribus sont ceux de Beni-Mengouche-Tahta et de Aâtia. Ces deux tribus se composent de sujets marocains qui sont venus habiter sur le territoire de l'Algérie, par suite de graves dissentiments soulevés entre eux et leurs frères du Maroc. Ils s'en séparèrent à la suite de ces dissensions et vinrent chercher un refuge sur la terre qu'ils occupent aujourd'hui et dont ils n'ont pas cessé jusqu'à présent d'obtenir la jouissance du souverain de l'Algérie, moyennant une rente annuelle.

Mais les Commissaires plénipotentiaires de l'Empereur des Français, voulant donner au Représentant de l'Empereur du Maroc une preuve de la générosité française et des dispositions à resserrer l'amitié et à entretenir les bonnes relations entre les deux Etats, a consenti au Représentant marocain, à titre de don d'hospitalité, la remise de cette redevance annuelle (cinq cents francs pour chacune des deux tribus), de sorte que les deux tribus susnommées n'auront rien à payer, à aucun titre que ce soit, au Gouvernement d'Alger, tant que la paix et la bonne intelligence dureront entre les deux Empereurs des Français et du Maroc.

Après le territoire des Aâtta vient celui de Messirda, des Achâche, des Ouled-Mellouk, des Beni-Bou-Saïd, des Beni-Senous et des Ouled-el-Nahr. Ces six dernières tribus font partie de celles qui sont sous la domination de l'Empire d'Alger.

Il est également nécessaire de mentionner le territoire qui touche immédiatement à l'Ouest la ligne sus-désignée, et de nommer les tribus qui habitent sur ce territoire, à portée de la mer. Le premier territoire et les premières tribus sont ceux des Ouled-Mansour-Rel-Trifa, ceux des Beni-Iznâssen, des Mezaour, des Ouled-Ahmed-ben-Brahim, des Ouled-el-Abbès, des Ouled-Ali-ben-Talha, des Ouled-Azouz, des Beni-Bou-Hamdoun, de Beni-Hamlil et des Beni-Mathar-Rel-Ras-el-Aïn. Toutes ces tribus dépendent de l'Empire du Maroc.

Art. 4. - Dans le Sahara (désert), il n'y a pas de limite territoriale à établir entre les deux pays, puisque la terre ne se laboure pas et qu'elle sert seulement de pacage aux Arabes des deux Empires qui viennent y camper pour y trouver les pâturages et les eaux qui leur sont nécessaires. Les deux Souverains exerceront de la manière qu'ils l'entendront toute la plénitude de leurs droits sur leurs sujets respectifs dans le Sahara. Et, toutefois, si l'un des deux Souverains avait à procéder contre ses sujets, au moment où ces derniers seraient mêlés avec ceux de l'autre Etat, il procédera comme il l'entendra sur les siens, mais il s'abstiendra envers les sujets de l'autre Gouvernement.

Ceux des Arabes qui dépendent de l'Empire du Maroc, sont: les M'bèia, les Beni-Guil, les Hamian-Djenba, les Eûmour-Sahara et les Ouled-Sidi-Cheikh-el-Gharaba.

Ceux des Arabes qui dépendent de l'Algérie sont: les Ouled-Sidi-Cheikh-el-Cheraga, et tous Hamian, excepté les Hamian-Djenba sus-nommés.

Art. 5. - Cet article est relatif à la désignation des kessours (villages du désert) des deux Empires. Les deux Souverains suivront, à ce sujet, l'ancienne coutume établie par le temps, et accorderont, par considération l'un pour

l'autre, égards et bienveillance aux habitants de ces kessours.

Les kessours qui appartiennent au Maroc sont ceux de Yiche et de Figuigue.

Les kessours qui appartiennent à l'Algérie sont: Aïn-Safra, S'fissifa, Assla, Tiout, Chellala, El-Abiad et Bou-Semghoune.

Art. 6. - Quant au pays qui est au Sud des kessours des deux Gouvernements, comme il n'y a pas d'eau, qu'il est inhabitable et que c'est le désert proprement dit, la délimitation en serait superflue.

Art. 7. - Tout individu qui se réfugiera d'un Etat dans l'autre ne sera pas rendu au gouvernement qu'il aura quitté par celui auprès duquel il se sera réfugié, tant qu'il voudra y rester.

S'il voulait, au contraire, retourner sur le territoire de son gouvernement, les autorités du lieu où il se sera réfugié ne pourront apporter la moindre entrave à son départ. S'il veut rester, il se conformera aux lois du pays et il trouvera protection et garantie pour sa personne et ses biens. Par cette clause les deux Souverains ont voulu se donner une marque de leur mutuelle considération. Il est bien entendu que le présent article ne concerne en rien les tribus: l'Empire auquel elles appartiennent étant suffisamment établi dans les articles qui précèdent.

Il est notoire aussi que El-Hadj-Abd-el-Kader et tous ses partisans ne jouiront pas du bénéfice de cette Convention, attendu que ce serait porter atteinte à l'article 4 du traité du 10 septembre de l'an 1844, tandis que l'intention formelle des Hautes Parties contractantes est de continuer à donner force et vigueur à cette stipulation émanée de la volonté des deux Souverains, et dont l'accomplissement affirmera l'amitié et assurera pour toujours la paix et les bons rapports entre les deux Etats.

Le présent traité, dressé en deux exemplaires, sera soumis à la ratification et au scel des deux Empereurs, pour être ensuite fidèlement exécuté.

L'échange des ratifications aura lieu à Tanger, sitôt que faire se pourra.

En foi de quoi, les Commissaires plénipotentiaires susnommés ont apposé au bas de chacun des exemplaires leurs signatures et leurs cachets.

Fait sur le territoire français voisin des limites, le 18 mars 1845 (9 de rabiâ-el-ouel, 1260 de l'Hégire).
Puisse Dieu améliorer cet état de choses dans le présent et dans le futur!

Le général Comte DE LA RUE.

AHMIDA-BEN-ALI.¹

¹Ibid., pp. 334-338.

APPENDIX III

Protocole intervenu le 20 juillet 1901 entre M. Delcassé, ministre des affaires étrangères de la République française, et Si Abdelkerim ben Sliman, Ministre des affaires étrangères et Ambassadeur plénipotentiaire de S.M. Chérifienne auprès du Gouvernement de la République française, portant application et exécution du traité de 1845 dans la région du Sud-Ouest Algérien.

Le Gouvernement française et le Gouvernement chérifien se sont mis d'accord sur les stipulations suivantes dans le but de consolider les liens d'amitié existant entre eux et de développer leurs bons rapports réciproques, en prenant pour base le respect de l'intégrité de l'Empire chérifien, d'une part, et, d'autre part, l'amélioration de la situation de voisinage immédiat, qui existe entre eux, pour tous les arrangements particuliers que nécessitera ledit voisinage.

Art. 1^{er}. - Les dispositions du traité de paix, de bonne amitié et de délimitation, conclu entre les deux Puissances en 1845, sont maintenue, à l'exception des points visés dans les articles suivants:

Art. 2. - Le Makhzen pourra établir des postes de garde et de douane en maçonnerie ou sous une autre forme, à l'extrémité des territoires des tribus qui font partie de son Empire, depuis le lieu connu sous le nom de Teniet-essassi, jusqu'au qçar de Isch et au territoire de Figuig.

Art. 3. - Les gens des qçour de Figuig et de la tribu des Amour-Sahra continueront à user, comme par le passé, de leurs plantations, eaux, champs de culture, pâturages, etc., et, s'ils en possèdent au-delà de la ligne du chemin de fer du côté de l'Est, ils pourront en user entièrement, comme par le passé, sans qu'il puisse leur être suscité d'obstacle ou d'empêchement.

Art. 4. - Le Gouvernement marocain pourra établir autant de postes de garde et de douane qu'il voudra du côté de l'Empire marocain, au-delà de la ligne qui est considérée approximativement comme la limite de parcours des Doui-Menia et des Ouled-Djerir et qui va de l'extrémité du territoire de Figuig à Sidi-Eddaheh, traverse l'Oued-Elkheroua et atteint, par le lieu connu sous le nom d'Elmorra, le confluent de l'Oued-Telzaza et de l'Oued-Guir. Il pourra également établir des postes de garde et de douane sur la rive occidentale de l'Oued-Guir, du confluent des deux rivières susdites jusqu'à quinze kilomètres au-dessus du qçar d'Igli.

De même, le Gouvernement français pourra établir des postes de garde et de douane sur la ligne voisine de Djennan-eddar, passant sur le versant oriental du Djebel Bechar et suivant cette direction jusqu'à l'Oued-Guir.

Art. 5. - La situation des habitants du territoire compris entre les lignes de postes des deux pays indiquées ci-dessus, est réglée de la façon suivante:

Pour ce qui concerne les gens des tribus des Doui-Menia et des Ouled-Djerir, les deux Gouvernements nommeront des Commissaires qui se rendront auprès d'elles et leur laisseront le choix de celui des deux Gouvernements sous l'autorité desquels ils seront placés. Ceux qui choisiront l'autorité française seront maintenus dans leur résidence et ceux qui choisiront l'autorité marocaine seront transportés de ce territoire à l'endroit que le Gouvernement marocain leur assignera comme résidence dans son Empire, et auront la faculté de conserver leurs propriétés et de les faire administrer par des mandataires ou de les vendre à qui ils voudront.

Les gens fixés sur le territoire susdit et vivant sous la tente, autres que les Doui-Menia et les Ouled-Djerir, demeureront sous l'autorité de l'Empire marocain et pourront y conserver leur résidence.

Les gens des qçour du territoire susdit auront le choix de l'autorité qui les administrera et pourront y conserver leur résidence.

Art. 6. - Tous les gens relevant de l'autorité algérienne qui possèdent des propriétés, plantations, eaux, champs, etc., sur le territoire de l'Empire marocain, pourront les administrer à leur gré. Il en sera de même pour ceux qui relèvent de l'autorité marocaine et qui possèdent des propriétés sur le territoire algérien.

Art. 7. - Dans le but de maintenir les bonnes relations entre les tribus voisines relevant des deux Gouvernements, d'établir la paix et de développer le commerce entre elles, les deux Gouvernements ont stipulé que leurs sujets respectifs pourraient se rendre librement sur le territoire compris entre les postes des deux pays et indiqué dans les articles 4 et 5, pour y faire du commerce ou dans un autre but et sans qu'on puisse leur réclamer de droits.

Art. 8. - Les deux Gouvernements ont convenu que les Commissaires indiqués à l'article 5 fixeraient sur place tous les points de garde et de douane spécifiés, pour le Gouvernement marocain, aux articles 2 et 4.

Art. 9. - Il a été convenu entre les deux Gouvernements que désormais ils ne s'imputeraient pas réciproquement la responsabilité des réclamations qui surviendraient à l'avenir entre les tribus des deux pays et ne se réclameraient de ce fait aucune indemnité pécuniaire, cela dans le but d'éviter des difficultés qui sont soulevées périodiquement à ce sujet entre les deux Gouvernements.

Chacun des deux Gouvernements désignera annuellement deux Commissaires, l'un pour la région du Nord et l'autre pour la région du Sud, pour discuter et régler au mieux et sans retard, les réclamations qui surviendront entre les tribus et les autorités locales respectives, leur prêteront l'appui nécessaire pour faire rendre justice par les intéressés.

Le Commissaire du Makhzen dans le Nord se rendra à Marnia pour étudier et régler les contestations des tribus

marocaines avec le Commissaire du Gouvernement de l'Algérie dans les conditions sus-énoncées. De même, le Commissaire du Makhzen dans la région du Sud se rendra dans la région de Djenan-eddar, pour étudier et régler les réclamations des tribus marocaines avec le Commissaire français, dans les conditions sus-énoncées.

De même, le Commissaire du Gouvernement de l'Algérie pour les réclamations des tribus algériennes dans la région du Nord se rendra à Oudjda, et le Commissaire pour les réclamations de la région du Sud se rendra à Figuig.

Ecrit à Paris le 20 juillet 1901, correspondant au 3 Rabi II 1319.

DELCASSÉ,

ABDELKERIM BEN SLIMAN.¹

¹ Ibid., pp. 363-366.

APPENDIX IV

Accord intervenu le 20 avril 1902 entre les Chefs des deux missions constituant la Commission franco-marocaine, chargée d'assurer les résultats visés dans le protocole signé à Paris le 20 juillet 1901.

En vue d'obtenir les résultats visés par le protocole conclu à Paris entre le Ministre des Affaires Etrangères du Gouvernement chérifien et le Ministre des Affaires Etrangères du Gouvernement français, au mois du juillet 1901, correspondant à l'année 1319 de l'hégire et pour arriver à établir solidement la paix, la sécurité et un mouvement commercial destiné à rendre plus riches et plus peuplées les régions limitrophes algériennes et marocaines, le fequih Si Mohammed El Guebbas, premier secrétaire du Ministre de la guerre marocain, chef de la Mission marocaine et le Général Cauchemez, chef de la Mission française, après avoir examiné la situation sur les lieux mêmes, se sont mis d'accord sur les dispositions ci-après:

Ces dispositions complètent les traités d'amitié, de bon voisinage et d'accord réciproque, conclus en 1844 et 1845, entre les deux Gouvernements et sont destinés à affermir définitivement leur entente et le double et mutuel appui qu'ils se prêtent, dans les conditions spéciales qui correspondent à leur situation respective pour assurer la prospérité et le développement des deux pays.

Art. 1^{er}. - Le Gouvernement chérifien consolidera, par tous les moyens possible, dans l'étendue de son territoire, depuis l'embouchure de l'Oued Kiss (Oued Adjeroud), et le Teniet-Sassi jusqu'à Figuig, son autorité makhzénienne telle qu'elle est établie sur les tribus marocaines, depuis le traité de 1845.

Le Gouvernement français, en raison de son voisinage, lui prêtera son appui, en cas de besoin.

Le Gouvernement français établira son autorité et la paix dans les régions du Sahara, et le Gouvernement marocain son voisin, l'y aidera de tout son pouvoir.

Art. 2. - En vue de développer les transactions commerciales, chacun des deux Gouvernements établira, dans les régions limitrophes, des marchés, ainsi que des postes chargés de la perception des droits qui seront établis pour augmenter les ressources et les moyens d'action des deux pays.

Les droits à percevoir dans les postes ci-dessus mentionnés et dans les marchés feront l'objet d'un accord commercial annexé aux présentes stipulations.

Art. 3. - Dans le Tell, les points où seront installés des marchés pour le compte de chacun des deux gouvernements seront ainsi fixés:

Le Gouvernement chérifien établira un marché (souk) à Cherraa, près de l'Oued Kiss, dans le pays des Angad, un second à Oudjda, un troisième à la kasbah d'Aïoun Sidi Mellouk et un quatrième à Debdou.

Un marché mixte sera établi à Ras-el-Aïn, point connu pour appartenir aux Beni Mathar Ahel Ras-el-Aïn, dont il est fait mention à l'article 3 du traité de 1845, comme habitant à l'ouest de la ligne-frontière.

Le Gouvernement français établira des marchés à Adjeroud d'Algérie, à Marnia et à El-Aricha.

Dans le Sahara, les deux Gouvernements établiront également des marchés. Un marché français sera établi à Ain-Sefra, un marché marocain à Figuig et des marchés mixtes avec perception de taxes ou droits de marché, le long de la voie, à Beni-Ounif et à Kenadsa.

En outre, en raison des relations commerciales entre Figuig et Duveyrier, le Gouvernement français accepte l'installation d'un bureau de perception mixte en ce dernier point.

Chaque Gouvernement désignera un contrôleur pour le représenter dans chaque marché mixte et dans chaque bureau de perception et pour percevoir des taxes au bénéfice des deux Gouvernements.

Art. 4. - Les points, où seront installés des bureaux de perception entre Adjeroud et Teniet Sassi sont les suivants:

Pour le Maroc:

1. Saïdia d'Adjeroud ou El Heimer.
2. Oudjda.
3. Un point dans la tribu des Mehaïa, en face de Magoura.

Pour la France:

1. Adjeroud d'Algerie.
2. Marnia.
3. El-Aricha.

Art. 5. - Les chefs des deux Missions ont examiné avec soin la question du régime douanier à établir entre le Téniet-Sassi et Figuig, et se sont efforcés de trouver une solution satisfaisante.

Il leur a paru impossible d'installer des douanes sur la ligne sus-indiquée. Ils sont tombés d'accord pour faire estimer la quantité des marchandises qui pénètrent annuellement sur le territoire marocain entre ces deux points, et la somme qui revient de ce chef au Gouvernement chérifien. Cette somme sera versée à la fin de chaque année à l'agent désigné par le Makhzen pour la recevoir.

Le Gouvernement français se charge de son côté, d'asseoir les perceptions qui lui paraîtront les plus propres à le récupérer. Par cette clause de présent arrangement, il entend témoigner l'amitié sincère et pure qui existe entre les deux pays et leur intention de s'aider mutuellement de leur autorité dans ces régions.

Toutefois, le Représentant du Makhzen à Figuig doit veiller

sur les marchandises qui pénétreront à Figuig et provenant des régions susvisées. Si ces marchandises ont payé les droits de douane et si les caravaniers ont reçu valable, ils ne seront point inquiétés; Dans le cas contraire, ils seront astreints à payer les droits à l'Amin de Makhzen à Figuig, qui en informera immédiatement le Représentant du Gouvernement français, lequel aura la faculté de recevoir ces droits annuellement, ou de les recevoir au fur et à mesure, en donnant quittance, ou bien d'en faire abandon au Gouvernement chérifien.

Art. 6. - De même qu'il a été reconnu impossible d'établir des douanes et des postes de garde dans la ligne comprise entre Teniet-es-Sassi et Figuig, de même les deux Gouvernements renoncent à établir les postes de garde et les douanes, prévus à l'article 4 du Protocole de Paris susvisé.

Le Makhzen installera à Figuig les postes de garde spécifiés ci-après à l'article 8. Il y installera également les bureaux pour la perception des droits qui seront indiqués dans l'accord commercial sus-mentionné.

Art. 7. - Les Chefs des deux Missions sont tombés d'accord pour installer des postes de garde permanents entre Saïdia d'Adjeroud et Teniet-Sassi, afin d'obtenir la paix, la libre circulation entre les deux pays, et de prêter main-forte au service des perceptions.

Le Gouvernement français installera les siens aux points ce-dessous:

1. Adjeroud d'Algérie.
2. Marnia.
3. El-Aricha.

Le Gouvernement marocain installera les siens aux points ci-dessous:

1. Saïdia d'Adjeroud.
2. Oudjda.
3. Un point sur l'Oued Za.

Art. 8. - Les postes de garde marocains de Figuig seront placés entre les qsour et les cols, de façon à assurer la sécurité et à prêter main-forte aux agents chargés de la perception des droits qui seront déterminés dans l'accord commercial précité.

Le Gouvernement français assurera la surveillance de la voie ferrée sur les deux côtés, dans le Sahara, mais, entre la ligne et les qsour de Figuig, il n'effectuera aucune construction militaire.

Des méfaits de toute sorte, principalement des assassinats se produisent fréquemment au Djebel des Beni-Smir et dans la région avoisinante, où se trouvent campés les Oulad-Abdallah, fraction des Amour placée sous l'autorité marocaine; les chefs des deux Missions ont employé leur zèle à rechercher les moyens de mettre un terme à cette succession de crimes qui afflige profondément les deux pays amis, et de ramener la tranquillité dans cette région.

Le seul procédé qui leur a paru efficace pour atteindre ce résultat, consiste à établir dans le Djebel des Beni-Smir, deux gardes distinctes fournies, l'une par le Gouvernement français et l'autre par le Gouvernement marocain.

Tout malfaiteur arrêté dans cette région sera jugé conformément aux lois et à la justice par l'autorité dont dépend la garde qui aura opéré l'arrestation.

Il sera procédé ainsi à l'égard de tous les habitants de la montagne dont il s'agit, ou de tous ceux qui s'y réfugieraient habituellement. En ce qui concerne les autres, ils seront jugés conformément aux usages et traités existant entre les deux pays.

Art. 9. - Un Khalifa de l'Amel de Figuig sera désigné pour représenter le Gouvernement marocain dans l'un des trois qsour:

Kenadsa, Bechar et Ouakda.

Il sera chargé de prêter main-forte aux autorités algériennes contre les mauvais sujets qui se réfugieront dans les qsour.

Art. 10. - Les Commissaires des deux Gouvernements voisins, prévus dans l'article 9 du protocole signé à Paris s'efforceront, par tous les moyens en leur pouvoir, de solutionner, dans le plus bref délai possible, tous les litiges qui surgiraient entre les habitants des deux pays.

Les Commissaires français sont: le capitaine du bureau arabe de Marnia, et le capitaine, chef des affaires indigènes de Djenan-Eddar ou de Beni-Ounif, ou tout autre agent désigné par le Gouvernement français.

Les Commissaires marocains seront: le Khalifa de l'Amel de Figuig, le Khalifa de l'Amel d'Oudjda ou tout autre agent désigné par le Makhzen.

Les Chefs des deux Missions apposeront leurs signatures sur le présent accord qui sera dressé en deux expéditions, renfermant chacune les deux textes français et arabes, placés l'un à côté de l'autre.

L'une de ces expéditions sera envoyée au Gouvernement français et l'autre adressée au Makhzen chérifien, pour qu'elles soient soumises à l'examen et à l'approbation des Ministres des Affaires étrangères des deux pays.

Fait à Alger, le 20 avril 1902, correspondant au 12 du mois sacré de Moharrem, premier mois de l'année 1320 de l'Hégire.

Signe: CAUCHEMEZ.

SID MOHAMMED EL GUEBBAS.

A cet acte a été ajoutée par accord subséquent la mention suivante:

"Le Gouvernement marocain, après avoir examiné le présent accord, l'a trouvé conforme aux nécessités du

voisinage. Comme l'établissement des douanes prévues au protocole de Paris, pour la perception des droits de douane, est impossible dans les circonstances présentes, on a décidé de l'ajourner jusqu'au moment où il sera possible, et de se borner actuellement à percevoir les droits de marché et de passage dans les postes à ce destinés, ainsi qu'il résulte des articles du présent accord. Sous cette réserve, ratification a été donnée le 16 décembre 1902."¹

¹ Ibid., pp. 366-372.

APPENDIX V

Articles additionnels à l'accord du 20 avril 1902,
signés à Alger le 7 mai 1902

Louange à Dieu!

Il n'est rien dérogé au régime particulier qui a toujours existé pour les relations par voie de terre entre l'Algérie et le Maroc, mais en raison des conditions spéciales du voisinage de terre existant entre les deux pays, les soussignés ont arrêté les dispositions suivantes, qui seront établies en deux expéditions, écrites chacune en français et en arabe et soumises, comme l'accord ci-dessus visé, à la ratification des Ministres des Affaires étrangères de la France et du Maroc.

Art. 1^{er}. - Le Makhzen maintient sa faculté d'établir:

1. Des droits de sortie;
2. Des droits de transit.

D'autre part, le Gouvernement français a déclaré son intention d'appliquer ou de maintenir, conformément à la législation en vigueur, les droits de statistique et de taxe sanitaire.

Les droits seront établis suivant les tarifs annexés au présent acte, auxquels les deux Gouvernements déclarent ne pas faire objection et qu'ils s'interdisent de modifier sans un accord préalable.

Art. 2. - Indépendamment des droits indiqués à l'article précédent, il peut être perçu des droits de place sur les marchés mixtes.

Les droits de place ont été fixés par les signataires du présent acte, conformément au tableau-ci-annexé.

A la fin de chaque marché, les droits réalisés seront partagés par moitié entre les agents des deux Gouvernements.

Les modifications qu'il y aurait lieu d'apporter dans l'avenir aux tarifs de ces marchés mixtes seront faites d'un commun accord entre les autorités locales voisines, qui informeront leurs Gouvernements respectifs.

Dans les marchés autres que les marchés mixtes mentionnés à l'article 3 de l'accord sus-indiqué, chaque Gouvernement aura la faculté d'établir les droits qu'il jugera convenables, sans toutefois que ces droits puissent dépasser ceux adoptés d'un commun accord pour les marchés mixtes du Tell.

Art. 3. - Les marchés algériens mentionnés à l'article 2 de l'accord du 20 avril 1902 dépendront exclusivement des autorités françaises. Toutefois, le Gouvernement marocain pourra y placer un agent pour éviter la contrebande. Lorsque les Marocains arriveront sur un marché algérien avec des marchandises pour lesquelles ils n'auront pas payé les droits, l'agent français les contraindra à lui verser ces droits, dont il fera lui-même remise à l'agent marocain. L'agent marocain sera, en outre, chargé d'étudier le mouvement commercial et la marche des caravanes. Il devra être indigène. Les marchés marocains prévus également à l'article 2 de l'accord précité dépendront exclusivement du Gouvernement chérifien. Mais le Gouvernement français pourra y installer un de ses agents pour les mêmes raisons que ci-dessus. Cet agent devra être indigène.

Art. 4. - Les marchés mixtes seront ouverts aux négociants des deux pays qui y opéreront leurs transactions sur le pied d'égalité. Les deux Gouvernements auront conjointement, sur le marché, un agent qui procédera au recouvrement des droits spécifiés aux articles 1 et 2.

Les perceptions pour le compte des deux Gouvernements seront faites dans un bureau de perception unique, par les soins des deux agents qui les constateront sur un registre spécial et en donneront quittance sous leur double signature.

Les sommes réalisées seront partagées à la fin de chaque marché, et chacun des deux agents recevra la part revenant à son Gouvernement; ils se donneront mutuellement quittance.

Art. 5. - Le recouvrement des droits s'effectuera dans tous les bureaux de perception prévus à l'article 4 de l'accord du 20 avril 1902, d'après le tarif uniforme ce-annexé.

Dans les bureaux de perception mixtes, les droits seront recouverts dans les mêmes conditions que dans les marchés mixtes mentionnés à l'article 4.

Les agents des deux Gouvernements seront responsables des sommes réalisées, dont le partage sera effectué à la fin de chaque mois.

Art. 6. - Les Commissaires institués par le protocole signé à Paris en 1901 (correspondant à l'année 1319 de l'hégire), ou leurs délégués, exercent le contrôle de toutes les opérations dont les agents de recouvrement des deux pays sont chargés sur les marchés et dans les postes de perception.

Ces Commissaires s'entendent, en outre, avec les autorités dont ils relèvent sur les mesures propres à assurer la sécurité et à faciliter la marche des caravanes qui relieront les marchés situés de part et d'autre.

Art. 7. - Les droits à percevoir sur les marchés ou dans les bureaux de perception mixtes seront payés en monnaie française ou hassanienne.

Le cours du change des deux monnaies sera indiqué au commencement de chaque période trimestrielle, d'après une entente entre le Ministre de France et le représentant de Sa Majesté chérifienne à Tanger.

Le Gouvernement français et le Makhzen, avisés du cours ainsi arrêté, devront assurer son application par les agents chargés de la perception des droits.

Art. 8. - Les droits mentionnés à l'article 5, dans l'accord du 20 avril, et dont le Gouvernement français s'est déclaré à tenir compte au Gouvernement marocain, seront évalués au bout de la première année qui commencera le jour où l'accord aura été approuvé. Ils seront, aussitôt après, versés au Makhzen. Ces droits seront ensuite l'objet d'évaluations annuelles.

Art. 9. - Les postes de garde mentionnés à l'article 7 de l'accord précité pourront, suivant les circonstances, être augmentés par chacun des deux Gouvernements.

Ces postes devront excercer une surveillance vigilante et ne laisser passer que les marchandises dont les détenteurs sont munis de récépissés attestant qu'ils ont acquitté les droits. Ils devront agir de concert au mieux des intérêts des deux Gouvernements.

Art. 10. - Les deux Gouvernements pourront, d'un commun accord, apporter aux stipulations ci-dessus les modifications qu'ils jugeront utiles.

Fait à Alger le 7 mai 1902, correspondant au 27 moharem de l'année 1320 de l'hégire.

Suivent les signatures: CAUCHEMEZ,
MOHAMMED EL GUEBBAS.

A cet acte a été ajoutée, par accord subsequnt, la mention suivante:

"Le Gouvernement marocain, après avoir examiné le présent accord, l'a trouvé conforme aux nécessités du voisinage. Comme l'établissement des douanes prévues au protocole de Paris pour la perception des droits de douane est impossible dans les circonstances présentes, on a décidé de l'ajourner jusqu'au moment où il sera possible, et de se borner actuellement à percevoir les droits de

marché et de passage dans les postes à ce destinés, ainsi qu'il résulte des articles du présent accord.

"Sous cette réserve, ratification à été donnée le 16 décembre 1902."¹

¹Ibid., pp. 372-375.

APPENDIX VI

THE FRANCO-BRITISH AGREEMENT

of April 8, 1904

Declarations respecting Egypt and Morocco

Article I. - His Britannic Majesty's Government declare that they have no intention of altering the political status of Egypt.

The Government of the French Republic, for their part, declare that they will not obstruct the action of Great Britain in that country by asking that a limit of time be fixed for the British occupation or in any other manner, and that they concur with the draft Khedivial Decree annexed to the present Agreement, containing the guarantees considered necessary for the protection of the interests of the Egyptian bondholders, but only on the condition that, after its promulgation, it cannot be modified in any way without the consent of the Powers Signatory of the Convention of London of 1885.

It is agreed that the post of Director-General of Antiquities in Egypt shall continue, as in the past, to be entrusted to a French expert.

The French schools in Egypt shall continue to enjoy the same liberty as in the past.

Article II. - The Government of the French Republic declare that they have no intention of altering the political status of Morocco.

His Britannic Majesty's Government, for their part, recognize that it appertains to France, more particularly as a Power whose dominions are conterminous for a great distance with those of Morocco, to preserve order in that country, and to provide assistance for the purpose of all administrative,

economic, financial and military reforms which it may require.

They declare that they will not obstruct the action taken by France for this purpose, provided that such action shall leave intact the rights which Great Britain, in virtue of Treaties, Conventions, and usage, enjoys in Morocco, including the right of coasting trade between the ports of Morocco, enjoyed by British vessels since 1901.

Article III. - His Britannic Majesty's Government, for their part, will respect the rights which France, in virtue of Treaties, Conventions, and usage, enjoys in Egypt, including the right of coasting trade between Egyptian ports accorded to French vessels.

Article IV. - The two Governments, being equally attached to the principle of commercial liberty both in Egypt and Morocco, declare that they will not, in those countries, countenance any inequality either in the imposition of customs duties or other taxes, or railway transport charges.

The trade of both nations with Morocco and with Egypt shall enjoy the same treatment in transit through the French and British possessions in Africa. An Agreement between the two Governments shall settle the conditions of such transit and shall determine the points of entry.

This mutual engagement shall be binding for a period of thirty years. Unless this proviso is expressly denounced at least one year in advance, the period shall be extended for five yeats at a time.

Nevertheless, the Government of the French Republic reserve to themselves in Morocco, and His Britannic Majesty's Government reserve to themselves in Egypt, the right to see that the concessions for roads, railways, ports, etc., are only granted on such conditions as will maintain intact the authority of the State over these great undertakings of public interest.

Article V. - His Britannic Government declare that they will use their influence in order that the French officials now in the Egyptian service may not be placed under conditions less advantageous than those applying to the British officials in the same service.

The Government of the French Republic, for their part, would make no objection to the application of analogous conditions to British officials now in the Moorish service.

Article VI. - In order to insure the free passage of the Suez Canal, His Britannic Majesty's Government declare that they adhere to the stipulations of the Treaty of the 29 October, 1888, and that they agree to their being put in force. The free passage of the Canal being thus guaranteed, the execution of the last sentence of paragraph 1 as well as of paragraph 2 of Article VIII of that Treaty will remain in abeyance.

Article VII. - In order to secure the free passage of the Straits of Gibraltar, the two Governments agree not to permit the erection of any fortifications or strategic works on that portion of the coast of Morocco comprised between, but not including, Melilla and the heights which command the right bank of the River Sebou.

This condition does not, however, apply to the places at present in the occupation of Spain on the Moorish coast of the Mediterranean.

Article VIII. - The two Governments, inspired by their feeling of sincere friendship for Spain, take into special consideration the interests which that country derives from her geographical position and from her territorial possessions on the Moorish coast of the Mediterranean. In regard to these interests the French Government will come to an understanding with the Spanish Government. Any agreement which may be arrived at on the subject between France and Spain shall be communicated to His Britannic Majesty's Government.

Article IX. - The two Governments agree to afford to one another their diplomatic support, in order to obtain the execution of the clauses of the present Declaration regarding Egypt and Morocco.¹

¹Landau, op. cit., pp. 385-386.

APPENDIX VII

SECRET ARTICLES ADDED TO THE
FRANCO-BRITISH DECLARATION
of April 8, 1904

Article I. - In the event of either Government finding themselves constrained, by the force of circumstances, to modify their policy in respect of Egypt and Morocco, the engagements which they have undertaken towards each other by Articles IV, VI and VII of the Declaration of to-day's date would remain intact.

Article II. - His Britannic Majesty's Government have at present no intention of proposing to the Powers any changes in the system of the Capitulations, or in the judicial organization of Egypt.

In the event of their considering it desirable to introduce in Egypt reforms tending to align the Egyptian legislative system with that in force in other civilized countries, the Government of the French Republic will not refuse to entertain such proposals, on the understanding that His Britannic Majesty's Government will agree to entertain suggestions that the Government of the French Republic may have to make to them with a view to introducing similar reforms in Morocco.

Article III. - The two Governments agree that a certain area of Moorish territory adjacent to Melilla, Ceuta and other Présides should, whenever the Sultan ceases to exercise authority over it, come within the sphere of influence of Spain, and that the administration of the coast from Melilla as far as, but not including, the heights on the right bank of the Sebou shall be entrusted to Spain.

Nevertheless, Spain would previously have to give her formal assent to the provisions of Articles IV and VII of the Declaration of to-day's date, and undertake to carry them out.

She would also have to undertake not to alienate the whole or a part of the territories placed under her authority or in her sphere of influence.

Article IV. - If Spain, when invited to agree to the provisions of the preceding article, should think proper to decline, the Agreement between France and Great Britain, as embodied in the Declaration of to-day's date, would be none the less applicable.

Article V. - Should the consent of the other Powers to the draft Decree mentioned in Article I of the Declaration of to-day's date not be obtained, the Government of the French Republic will not oppose the repayment at par of the Guaranteed, Privileged and Unified Debts after the 15 July, 1901.

Signed in duplicate, London, April 8, 1904.¹

¹Ibid., p. 387.

APPENDIX VIII

THE FRANCO-SPANISH CONVENTION

of October 3, 1904

(For France, M. Delcasse; for Spain, M. Leon y
Castillo, Spanish ambassador to France)

The published Declaration is translated thus:

The Government of the French Republic and that of His Majesty the King of Spain, having come to an agreement as to the extent of the rights and as to the guaranteeing of interests arising for France from her possession of Algeria, and for Spain from her possessions on the Moroccan coast; and His Majesty the King of Spain having in consequence declared his adherence to the Franco-English Declaration of April 8, 1904, relating to Morocco and Egypt, communication of which Declaration was made to him by the Government of the French Republic, hereby declare that they are firmly attached to the principle of the integrity of the Moroccan Empire under the sovereignty of the Sultan.¹

¹ Ibid., p. 388.

CONVENTION SECRETE AU SUJET DU MAROC SIGNEE A PARIS

le 3 octobre 1904

Le président de la République française et S.M. le Roi d'Espagne, voulant fixer l'étendu des droits et la garantie des intérêts qui résultera pour la France, de ses possessions algériennes, et pour l'Espagne, de ses possessions sur la côte du Maroc, ont décidé de conclure une convention et ont nommé, à cet effet, pour leurs plénipotentiaires, savoir:

Le président de la République française, S.E. M. Théophile Delcasse, député, ministre des affaires étrangères de la République française, etc.,.

Et S.M. le Roi d'Espagne, S.E.M. de Léon y Castillo, marquis del Muni, son ambassadeur extraordinaire et plénipotentiaire près le président de la République française, etc...

Lesquels, après s'être communiqué leur pleins pouvoir, trouvés en bonne et due forme, sont convenus des articles suivants:

I

L'Espagne adhère, aux termes de la présente convention, à la déclaration franco-anglaise du 8 avril 1904 relative au Maroc et à l'Egypte.

II

La région située à l'ouest et au nord de la ligne ci-après déterminée constitue la sphère d'influence qui résulte pour l'Espagne de ses possessions sur la côte marocaine de la Méditerranée.

Dans cette zone est réservée à l'Espagne la même action qu'est reconnue à la France par le deuxième paragraphe de l'article 2 de la déclaration du 8 avril 1904 relative au Maroc et à l'Egypte.

Toutefois, tenant compte des difficultés actuelles et de l'intérêt réciproque qu'il y a à les aplanir, l'Espagne déclare qu'elle n'exercera cette action qu'après accord avec

la France pendant la première période d'application de la présente convention, période qui ne pourra pas excéder quinze ans à partir de la signature de la convention.

De son côté, pendant la même période, la France, désirant que les droits et les intérêts reconnus à l'Espagne par la présente convention soient toujours respectés, fera part préalablement, au Gouvernement du Roi, de son action auprès du Sultan du Maroc en ce qui concerne la sphère d'influence espagnole.

Cette première période expirée, et tant que durera le *statu quo*, l'action de la France près du Gouvernement marocain, en ce qui concerne la sphère d'influence réservée à l'Espagne, ne s'exercera qu'après accord avec le Gouvernement espagnol.

Pendant la première période, le Gouvernement de la République française fera son possible pour que, dans deux des ports à douane de la région ci-après déterminée, le délégué du représentant général des porteurs de l'emprunt marocain du 12 juillet 1904 soit de nationalité espagnole.

Partant de l'embouchure de la Moulouya, dans la mer Méditerranée, la ligne visée ci-dessus remontera le thalweg de ce fleuve jusqu'à l'alignement de la côte des hauteurs les plus rapprochées de la rive gauche de l'oued Delfa. De ce point, et sans pouvoir, en aucun cas, couper le cours de la Moulouya, la ligne de démarcation gagnera aussi directement que possible de la ligne de faîtes séparant les bassins de la Moulouya et de l'oued Inaouen, de celui de l'oued Kert, puis elle continuera vers l'ouest par la ligne de faîtes qui sépare les bassins de l'oued Inaouen et de l'oued Sebou, de ceux de l'oued Kert et de l'oued Ouergha, pour gagner par la crête la plus septentrionale le djebel Moulay-Bou-Chta. Elle remontera ensuite vers le nord, en se tenant à une distance d'au moins vingt-cinq kilomètres à l'est de la route de Fès à Ksar-el-Kebir, par Ouezzan, jusqu'à la rencontre de l'oued Loukkos, ou oued El-Kous dont elle descendra le thalweg jusqu'à une distance de cinq kilomètres en aval du croisement de cette rivière avec la route précitée de Ksar-el-Kebir, par Ouezzan. De ce point, elle gagnera aussi directement que possible le rivage de l'océan Atlantique, au-dessus de la lagune de Ez-Zerga.

Cette délimitation est conforme à la délimitation tracée sur la carte annexée à la présente convention sous le numéro 1.

III

Dans le cas où l'état politique du Maroc et le Gouvernement chérifien ne pourraient plus subsister, ou si, par la faiblesse de ce Gouvernement et son impuissance persistante à amener la sécurité et l'ordre public ou pour toute autre cause à constater d'un commun accord, le maintien du statu quo devenait impossible, l'Espagne pourrait exercer librement son action dans la région délimitée à l'article précédent et qui constitue dès à présent sa sphère d'influence.

IV

Le Gouvernement marocain ayant, par l'article 8 du avril 1869, concédé à l'Espagne un établissement à Santa-Cruz-de-Mar-Pequeña (Ifni), il est entendu que le territoire de cet établissement ne dépassera par le cours de l'oued Tazeroualt, depuis sa source jusqu'à son confluent avec l'oued Mesa et le cours de l'oued Mesa, depuis ce confluent jusqu'à la mer, selon la carte n° 2 annexée à la présente convention.

V

Pour compléter la délimitation indiquée par l'article premier de la convention du 27 juin 1900, il est entendu que la démarcation entre les sphères d'influence française et espagnole partira de l'intersection du méridien $14^{\circ} 20'$ ouest de Paris avec le 26° de latitude nord qu'elle suivra vers l'est jusqu'à sa rencontre avec le méridien 11° de Paris. Elle remontera ce méridien jusqu'à sa rencontre avec l'oued Draa, puis le thalweg de l'oued Draa jusqu'à sa rencontre avec le méridien 10° ouest de Paris, enfin le méridien 10° ouest de Paris jusqu'à la ligne de faite entre les bassins de l'oued Draa et de l'oued Sous, et suivra, dans la direction de l'ouest, la ligne de faite entre les bassins de l'oued Draa et de l'oued Sous, puis entre les

bassins côtiers de l'oued Mesa et de l'oued Noun, jusqu'au point le plus rapproché de la source de l'oued Tazeroualt. Cette délimitation est conforme à la délimitation tracée sur la carte n° 2 déjà citée et annexée à la présente convention.

VI

Les articles 4 et 5 seront applicables en même temps que l'article 2 de la présente convention.

Toutefois, le Gouvernement de la République française admet que l'Espagne s'établira à tout moment dans la partie définie à l'article 4, à condition de s'être préalablement entendue avec le Sultan.

De même, le Gouvernement de la République française reconnaît dès maintenant au Gouvernement espagnol pleine liberté d'action sur la région comprise entre les 26° et 27° 40' de latitude nord et le méridien 11° ouest de Paris, qui sont en dehors du territoire marocain.

VII

L'Espagne s'engage à n'aliéner ni à céder sous aucune forme, même à titre temporaire, tout ou partie des terrains désignés aux articles 2, 4 et 5 de la présente convention.

VIII

Si dans l'application des articles 2, 4 et 5 de la présente convention, une action militaire s'imposait à l'une des deux parties contractantes, elle en avvertirait aussitôt l'autre partie.

En aucun cas, il ne sera fait appel au concours d'une puissance étrangère.

IX

La ville de Tanger gardera le caractère spécial que lui donne la présence du corps diplomatique et ses institutions municipale et sanitaire.

X

Tant que durera l'état politique actuel, les entreprises de travaux publics, chemin de fer, routes, canaux, partant d'un point du Maroc pour aboutir dans la région visée à l'article 2 et vice versa, seront exécutées par des sociétés que pourront constituer des Français et des Espagnols.

De même, il sera loisible aux Français et aux Espagnols au Maroc de s'associer pour l'exploitation des mines, carrières, et généralement d'entreprises d'ordre économique.

XI

Les écoles et les établissements espagnols actuellement existant au Maroc seront respectés. La circulation de la monnaie espagnole ne sera ni empêchée, ni entravée. Les Espagnols continueront de jouir au Maroc des droits que leur assurent les traités, conventions et usages en vigueur, y compris le droit de navigation et de pêche dans les eaux et ports marocains.

XII

Les Français jouiront dans les régions désignées aux articles 2, 4 et 5 de la présente convention, des mêmes droits qui sont, par l'article précédent, reconnues aux Espagnols dans le reste du Maroc.

XIII

Dans le cas où le Gouvernement marocain en interdirait la vente sur son territoire, les deux puissances contractantes s'engagent à prendre dans leurs possessions d'Afrique les mesures nécessaires pour empêcher que les armes et les munitions soient introduites en contrebande au Maroc.

XIV

Il est entendu que la zone visée au paragraphe premier de l'article 7 de la déclaration franco-anglaise du 8 avril 1904 relative au Maroc et à l'Égypte commence sur la côte à trente kilomètres au sud-est de Melilla.

XV

Dans le cas où la dénonciation prévue par le paragraphe troisième de l'article 4 de la déclaration franco-anglaise relative au Maroc et à l'Égypte aurait eu lieu, les Gouvernements français et espagnol se concerteront pour l'établissement d'un régime économique qui réponde particulièrement à leurs intérêts réciproques.

XVI

La présente convention sera publiée lorsque les deux Gouvernements jugeront, d'un commun accord, qu'elle peut l'être sans inconvénients.

En tous cas, elle pourra être publiée par l'un des deux Gouvernements à l'expiration de la première période de son application, période qui est définie au paragraphe troisième de l'article 2.

En foi de quoi, etc...

Fait en double exemplaire, à Paris, le 3 octobre 1904.

DELCASSÉ

LEÓN Y CASTILLO.¹

¹Livre Blanc, pp. 73-76.

APPENDIX IX

THE ACT OF ALGECIRAS

April 7, 1906

(Excerpts)

... S'inspirant de l'intérêt qui s'attache à ce que l'ordre, la paix et la prospérité règnent au Maroc, et ayant reconnu que ce but précieux ne saurait être atteint que moyennant l'introduction de réformes basées sur le triple principe de la souveraineté de Sa Majesté le Sultan, de l'intégrité de ses Etats et de la liberté économique sans aucune inégalité, ont résolu, sur l'invitation qui Leur a été adressée par Sa Majesté Chérifienne, de réunir une Conférence à Algeciras pour arriver à une entente sur lesdites réformes, ainsi que pour examiner les moyens de se procurer les ressources nécessaires à leur application et ont nommé pour Leurs Délégués Plénipotentiaires, savoir....

... Lesquels, munis de pleins pouvoirs qui ont été trouvés en bonne et due forme, ont, conformément au programme sur lequel S.M. Chérifienne et les Puissances sont tombées d'accord, successivement discuté et adopté:

I. Une Déclaration relative à l'organisation de la police;

II. Un Règlement organisant la surveillance et la répression de la contrebande des armes;

III. Un Acte de concession d'une Banque d'Etat marocaine;

IV. Une Déclaration concernant un meilleur rendement des impôts et la création de nouveaux revenus;

V. Un Règlement sur les Douanes de l'Empire et la répression de la fraude et de la contrebande;

VI. Une Déclaration relative aux services publics et aux travaux publics; et, ayant jugé que ces différents documents pourraient être utilement coordonnés en un seul instrument, les ont réunis en un Acte général composé des articles suivants: ...¹

¹See the full text in Rouard de Card, op. cit., pp. 376-413.

APPENDIX X

ACCORD FRANCO-MAROCAIN DU 4 MARS 1910

Accord relatif à la région frontière

Article premier.- Les deux gouvernements considèrent tout d'abord que le régime à réaliser dans la région frontière repose sur les arrangements antérieurs conclus entre eux à ce sujet et qui sont complétés par les dispositions suivantes.

Art. 2.- Le Gouvernement français déclare qu'il fera évacuer par ses troupes, dans les conditions ci-après indiquées, Oujda, les Beni-Snassen, Bou-Amrane et Bou Denib, points qu'il a été amené à occuper sur le territoire marocain pour des raisons connues.

Sont maintenus dans leur état les autres postes actuellement occupés dans la région frontière, situés sur le territoire de parcours des Doui-Menia et des Oulad-Djerir, qui ont accepté la juridiction du Gouvernement général de l'Algérie, et de même, le poste de Ras-el-Ain des Beni-Mathar, dit "Berguent", lequel se trouve sur le territoire marocain, ces postes étant nécessaires à la protection de la frontière algérienne. Toutefois, pour couper court à tout malentendu à ce sujet, le Gouvernement français paiera au Gouvernement chérifien une indemnité qui sera fixée ultérieurement d'un commun accord.

Art. 3.- Le Makhzen désignera un haut commissaire chérifien pour se concerter avec le haut commissaire français, en vue de la mise à exécution des accords de 1901 et 1902.

Art. 4.- Le haut commissaire chérifien recevra sans délai les pouvoirs nécessaires pour l'exercice de ses attributions, notamment le droit de proposer, après entente préalable avec le haut commissaire français, la nomination et la révocation des caïds et autres fonctionnaires marocains.

Art. 5.- Lorsque le régime prévu par les accords antérieurs aura été intégralement réalisé d'une manière qui réponde

aux intérêts communs des deux gouvernements et lorsque les troupes françaises auront évacué dans les conditions prévues ci-dessus, les régions qu'elles occupent, les attributions des hauts commissaires français et chérifien resteront déterminées par l'article 3 du présent accord.

Art. 6.- Les troupes françaises cantonnées dans la région frontalière seront diminuées au fur et à mesure de l'augmentation des effectifs de la police makhzénienne qui sera organisée d'après les principes indiqués à l'article 9. Lorsque cette troupe makhzénienne aura atteint l'effectif de 2,000 hommes, chiffre indiqué à l'article premier du traité de 1844, et qu'elle aura été jugée capable de veiller à l'exécution des accords mentionnés à l'article 3, de maintenir la sécurité et de faciliter les transactions commerciales, enfin d'assurer la perception des impôts et autres taxes, les troupes françaises seront ramenées en deçà de la frontière algérienne.

Art. 7.- Les taxes des marchés et les droits mentionnés aux accords seront perçus selon les tarifs prévus, et les impôts zekat et achour selon les règles appliquées dans l'Empire chérifien; ces perceptions auront lieu par les soins des oumana et des gouverneurs du Makhzen avec l'assistance d'un fonctionnaire français pendant la durée de l'occupation.

Quant aux dépenses de l'administration des territoires occupés, telles qu'émoluments des oumana et autres, elles seront prélevées sur les recettes susdites; le tout sera inscrit dans un compte spécial qui sera envoyé au Makhzen; l'excédent sera versé au Trésor chérifien.

Art. 8.- Les améliorations introduites par le corps d'occupation à Oujda et chez les Beni-Snassen seront cédées au Makhzen dans les conditions indiquées par l'accord relatif à la Chaouia. Leur montant sera compris dans les dépenses d'occupation

Art. 9.- La force makhzénienne prévue à l'article 6 sera organisée selon les principes suivants: elle sera composée de soldats musulmans marocains recrutés par engagements, instruit et commandés par des officiers et sous-officiers français et algériens en nombre suffisant; elle aura des cadres marocains. Elle sera autonome et placée sous l'autorité d'un commandant français agréé par le Makhzen et qui relèvera directement des

hauts commissaires français et chérifien. Elle sera payée sur le produit des impôts des tribus de la région frontière et des taxes et droits mentionnés aux accords.

Art. 10.- En ce qui concerne Bou-Denib et Bou-Anane, le Gouvernement français est disposé à évacuer ces postes sans attendre que le Makhzen ait installé une force organisée, mais à condition que la liberté des relations commerciales et la sécurité des caravanes soient suffisamment assurées. A cet effet, le Makhzen ordonnera à son khalifa au Tafilelt, de veiller à la sécurité des caravanes qui circuleraient entre les ksours du Tafilelt et les postes de Bou-Denib et Bou-Anane; on constituera pour cela des escortes destinées à accompagner les caravanes et qui auront à leur tête un chef marocain désigné par le khalifa du Sultan au Tafilelt. De plus lorsqu'il sera possible, on construira des caravansérails où seront établis des postes de garde indigènes. Enfin, les autorités des régions limitrophes devront établir des relations officielles et régulières.

Dès que ce système fonctionnera d'une manière satisfaisante, les troupes françaises seront progressivement réduites et ramenées en Algérie.

Des mesures spéciales seront prises par le Makhzen pour que les droits de propriété des ressortissants algériens en territoire marocain puissent s'exercer sans entraves, conformément à l'article 6 de l'accord du 20 juillet 1901.¹

¹ Livre Blanc, pp. 65-66.

APPENDIX XI

CONVENTION ENTRE L'ALLEMAGNE ET LA FRANCE

RELATIVE AU MAROC

Le Gouvernement de Sa Majesté l'Empereur d'Allemagne et le Gouvernement de la République Française, à la suite des troubles qui se sont produits au Maroc et qui ont démontré d'y poursuivre dans l'intérêt général l'œuvre de pacification et de progrès prévue par l'Acte d'Algéciras, ayant jugé nécessaire de préciser et de compléter l'accord franco-allemand du 9 février 1909, ont résolu de conclure une convention à cet effet.

En conséquence,

M. de Kiderlen-Waechter, Secrétaire d'État des Affaires
Étrangères de l'Empire d'Allemagne,

et

M. Jules Cambon, Ambassadeur extraordinaire et plénipotentiaire de la République Française auprès de Sa Majesté l'Empereur d'Allemagne,

après s'être communiqué leurs pleins pouvoirs, trouvés en bonne et due forme, sont convenus des dispositions ci-après:

Article premier.- Le Gouvernement Impérial allemand déclare que, ne poursuivant au Maroc que des intérêts économiques, il n'entravera par l'action de la France en vue de prêter son assistance au Gouvernement marocain pour l'introduction de toutes les réformes administratives, judiciaires, économiques, financières et militaires dont il a besoin pour le bon Gouvernement de l'Empire, comme aussi pour tous les règlements nouveaux et les modifications aux règlements existants que ces réformes comportent. En conséquence, il donne son adhésion aux mesures de réorganisation, de contrôle et de garantie financière que, après accord avec le Gouvernement marocain, le Gouvernement français croira devoir prendre à cet effet, sous la réserve que l'action de la France sauve-

gardera au Maroc l'égalité économique entre les nations.

Au cas où la France serait amenée à préciser et à étendre son contrôle et sa protection, le Gouvernement Impérial allemand, reconnaissant pleine liberté d'action à la France, et sous la réserve que la liberté commerciale, prévue par les traités antérieurs, sera maintenue, n'y apportera aucun obstacle.

Il est entendu qu'il ne sera porté aucune entrave aux droits et actions de la Banque d'État du Maroc, tels qu'ils sont définis par l'Acte d'Algésiras.

Art. 2.- Dans cet ordre d'idées, il est entendu que le Gouvernement Impérial ne fera pas obstacle à ce que la France, après accord avec le Gouvernement marocain, procède aux occupations militaires du territoire marocain qu'elle jugerait nécessaires au maintien de l'ordre et de la sécurité des transactions commerciales, et à ce qu'elle exerce toute action de police sur terre et dans les eaux marocaines.

Art. 3.- Dès à présent, si S.M. le Sultan du Maroc venait à confier aux agents diplomatiques et consulaires de la France la représentation et la protection des sujets et des intérêts marocains à l'étranger, le Gouvernement Impérial déclare qu'il n'y fera pas d'objection.

Si d'autre part S.M. le Sultan du Maroc confiait au représentant de la France près du Gouvernement marocain le soin d'être son intermédiaire auprès des représentants étrangers, le Gouvernement allemand n'y ferait pas d'objection.

Art. 4.- Le Gouvernement français déclare que, fermement attaché au principe de la liberté commerciale au Maroc, il ne se prêtera à aucune inégalité pas plus dans l'établissement des droits de douane, impôts et autres taxes que dans l'établissement des tarifs de transport par voie ferrée, voie de navigation fluviale ou toute autre voie et notamment dans toutes les questions de transit.

Le Gouvernement français s'emploiera également auprès du Gouvernement marocain afin d'empêcher tout traitement dif-

férentiel entre les ressortissants des différentes puissances: il s'opposera notamment à toute mesure, par exemple à la promulgation d'ordonnances administratives sur les poids et mesures, le jaugeage, le poinçonnage, etc.... qui pourraient mettre en état d'infériorité les marchandises d'une puissance.

Le Gouvernement français s'engage à user de son influence sur la Banque d'État pour que celle-ci confère à tour de rôle aux membres de sa direction à Tanger les postes de délégué dont elle dispose à la commission des valeurs douanières et au comité permanent des douanes.

Art. 5.- Le Gouvernement français veillera à ce qu'il ne soit perçu au Maroc aucun droit d'exportation sur le minerai de fer exporté des ports marocains. Les exploitations de minerai de fer ne subiront sur leur production ou sur leurs moyens de travail aucun impôt spécial. Elles ne supporteront, en dehors des impôts généraux, qu'une redevance fixe, calculée par hectare et par an, et une redevance proportionnée au produit brut de l'extraction. Ces redevances, qui seront assises conformément aux articles 35 et 49 du projet de règlement minier annexé au protocole de la conférence de Paris du 7 juin 1910, seront également supportées par toutes les entreprises minières.

Le Gouvernement français veillera à ce que les taxes minières soient régulièrement perçues, sans que des remises individuelles du total ou d'une partie de ces taxes puissent être consenties sous quelque prétexte que ce soit.

Art. 6.- Le Gouvernement de la République Française s'engage à veiller à ce que les travaux et fournitures nécessitées par les constructions éventuelles de routes, chemins de fer, ports, télégraphes, etc. ... soient octroyées par le Gouvernement marocain suivant les règles de l'adjudication.

Il s'engage également à veiller à ce que les conditions des adjudications, particulièrement en ce qui concerne les fournitures de matériel et les délais impartis pour soumissionner, ne placent les ressortissants d'aucune puissance dans une situation d'infériorité.

L'exploitation des grandes entreprises mentionnées ci-dessus sera réservée à l'État marocain ou librement concédée par lui à des tiers qui pourront être chargés de fournir les fonds nécessaires à cet effet. Le Gouvernement français veillera à ce que, dans l'exploitation des chemins de fer et autres moyens de transport comme dans l'application des règlements destinés à assurer celle-ci, aucune différence de traitement ne soit faite entre les ressortissants des diverses puissances, qui useraient de ces moyens de transport.

Le Gouvernement de la République usera de son influence sur la Banque d'État afin que celle-ci confère à tour de rôle aux membres de sa direction à Tanger le poste dont elle dispose de délégué à la commission générale des adjudications et marchés. De même le Gouvernement français s'emploiera auprès du Gouvernement marocain pour que durant la période où restera en vigueur l'article 66 de l'Acte d'Algésiras, il confie à un ressortissant d'une des puissances représentées au Maroc un des trois postes de délégué chérifien au comité spécial des travaux publics.

Art. 7.- Le Gouvernement français s'emploiera auprès du Gouvernement marocain pour que les propriétaires de mines et d'autres exploitations industrielles ou agricoles sans distinction de nationalité et en conformité des règlements qui seront édictés en s'inspirant de la législation française sur la matière puissent être autorisés à créer des chemins de fer d'exploitation destinés à relier leur centre de production aux lignes d'intérêt général ou aux ports.

Art. 8.- Il sera présenté tous les ans un rapport sur l'exploitation des chemins de fer au Maroc qui sera établi dans les mêmes formes et conditions que les rapports présentés aux assemblées d'actionnaires des sociétés de chemins de fer françaises.

Le Gouvernement de la République chargera un des administrateurs de la Banque d'État de l'établissement de ce rapport qui sera, avec les éléments qui en sont la base, communiqué aux censeurs, puis rendu public avec, s'il y a lieu, les observations que ces derniers croiront devoir y joindre d'après leurs propres renseignements.

Art. 9.- Pour éviter autant que possible les réclamations diplomatiques, le Gouvernement français s'emploiera auprès du Gouvernement marocain, afin que celui-ci défère à un arbitre désigné ad hoc pour chaque affaire d'un commun accord par le Consul de France et par celui de la Puissance intéressée, ou, à leur défaut, par les deux Gouvernements de ces Consuls, les plaintes portées par des ressortissants étrangers contre les autorités marocaines, ou les agents agissant en tant qu'autorités marocaines, et qui n'auraient pu être réglées par l'intermédiaire du Consul français et du Consul du Gouvernement intéressé.

Cette procédure restera en vigueur jusqu'au jour où aura été institué un régime judiciaire, inspiré des règles judiciaires de législation des Puissances intéressées et destiné à remplacer, après entente avec elles, les tribunaux consulaires.

Art. 10.- Le Gouvernement français veillera à ce que les ressortissants étrangers continuent à jouir du droit de pêche dans les eaux et ports marocains.

Art. 11.- Le Gouvernement français s'emploiera auprès du Gouvernement marocain pour que celui-ci ouvre au commerce étranger de nouveaux ports au fur et à mesure des besoins de ce commerce.

Art. 12.- Pour répondre à une demande du Gouvernement marocain, les deux Gouvernements s'engagent à provoquer la révision, d'accord avec les autres Puissances et sur la base de la Convention de Madrid, des listes et de la situation des protégés étrangers et des associés agricoles au Maroc, dont parlent les articles 8 et 16 de cette Convention.

Ils conviennent également de poursuivre auprès des Puissances signataires toutes modifications à la Convention de Madrid que comporterait, le moment venu, le changement du régime des protégés et des associés agricoles.

Art. 13.- Toutes clauses d'accord, convention, traité ou règlement, qui seraient contraires aux précédentes stipulations, sont et demeurent abrogées.

Art. 14.- Le présent accord sera communiqué aux autres Puissances signataires de l'Acte d'Algésiras, près desquelles les deux Gouvernements s'engagent à se prêter mutuellement appui pour obtenir leur adhésion.

Art. 15.- La présente convention sera ratifiée et les ratifications seront échangées, à Paris, aussitôt que faire se pourra.

Fait à Berlin, le novembre 1911 en double exemplaire.

KIDERLEN

JULES CAMBON.¹

Excerpts from the letters annexed to this agreement

M. de Kiderlen Waechter, secrétaire d'État pour les affaires étrangères d'Allemagne, à M. Jules Cambon, ambassadeur de la République française à Berlin.

Berlin, le 4 novembre 1911

Mon cher Ambassadeur,

Pour bien préciser l'accord du 4 novembre 1911 relatif au Maroc et en établir la portée, j'ai l'honneur de faire connaître à Votre Excellence que dans l'hypothèse où le Gouvernement français croirait devoir assumer le Protectorat du Maroc, le Gouvernement impérial n'y apporterait aucune obstacle.

¹Livre Blanc, pp. 88-91.

... Vous avez bien voulu me faire connaître, d'autre part, que dans le cas où l'Allemagne désirerait acquérir de l'Espagne la Guinée espagnole, l'île Corisco et les îles Elobey, la France serait disposée à renoncer en sa faveur à exercer les droits de préférence qu'elle tient du traité du 27 juin 1900 entre la France et l'Espagne. Je suis heureux de prendre acte de cette assurance et d'ajouter que l'Allemagne restera étrangère aux accords particuliers que la France et l'Espagne croiront devoir faire entre elles au sujet du Maroc, étant convenu que le Maroc comprend toute la partie de l'Afrique du Nord s'étendant entre l'Algérie, l'Afrique occidentale française et la colonie espagnole du Rio de Oro....

DE KIDERLEN

M. Jules Cambon, ambassadeur de la République française à Berlin, à M. de Kiderlen Waechter, secrétaire d'État pour les affaires étrangères de l'Empire allemand.

Berlin, le 4 novembre 1911

Mon cher secrétaire d'État,

J'ai l'honneur de prendre acte de la déclaration que Votre Excellence a bien voulu me faire que, dans l'hypothèse où le Gouvernement français croirait devoir assumer le protectorat du Maroc, le Gouvernement impérial n'y apporterait aucun obstacle, et que l'adhésion du Gouvernement allemand accordée d'une manière générale au Gouvernement français par l'article premier de l'accord du 4 novembre 1911 relatif au Maroc s'applique naturellement à toutes les questions donnant matière à réglementation visée dans l'acte d'Algésiras.

D'autre part, j'ai l'honneur de vous confirmer que, dans le cas où l'Allemagne désirerait acquérir de l'Espagne la

Guinée espagnole, l'île Corisco et les îles Elobey, la France est disposée à renoncer en sa faveur à exercer les droits de préférence qu'elle tient du traité du 27 juin 1900 entre la France et l'Espagne. Je suis heureux, par ailleurs, de recevoir l'assurance que l'Allemagne restera étrangère aux accords particuliers que la France et l'Espagne croiront devoir faire entre elles au sujet du Maroc, étant convenu que le Maroc comprend toute la partie de l'Afrique du Nord et s'étendant entre l'Algérie, l'Afrique occidentale française et la colonie espagnole du Rio de Oro....

JULES CAMBON.¹

¹See the full texts of the letters in Livre Blanc, pp. 92-95.

APPENDIX XII

PROTECTORATE TREATY BETWEEN
FRANCE AND MOROCCO

Signed at Fez on March 30, 1912

The Government of the French Republic and the Government of His Sherifian Majesty, desirous of inaugurating a regular regime in Morocco based upon internal order and general security, which will make it possible to introduce reforms and to ensure the economic development of the country, have agreed upon the following:

ARTICLE 1.- The Government of the French Republic and His Majesty the Sultan have agreed to establish in Morocco a new regime comprising the administrative, judicial, educational, economic, financial and military reforms which the French Government may see fit to introduce within the Moroccan territory.

This regime shall safeguard the religious status, the respect and traditional prestige of the Sultan, the exercise of the Mohammedan religion and of all religious institutions, in particular those of the Habus. It shall include the organization of a reformed Sherifian Makhzen.

The Government of the Republic will come to an understanding with the Spanish Government regarding the interests which this Government derives from its geographical position and territorial possessions on the Moroccan coast.

In like manner, the city of Tangier shall retain its recognized distinctive characteristic, which will determine its municipal organization.

ARTICLE 2.- His Majesty the Sultan agrees that henceforth the French Government, subject to prior notification to the Makhzen, may proceed to such military occupation of the Moroccan territory as it may deem necessary for the main-

tenance of good order and the security of commercial transactions, and may exercise every police supervision on land and within the Moroccan waters.

ARTICLE 3.- The Government of the Republic pledges itself to lend constant support to His Sherifian Majesty against all dangers which might threaten his person or throne, or endanger the tranquility of his states. The same support shall be given the heir to the throne and his successors.

ARTICLE 4.- Such measures as the new regime of the Protectorate may require shall be established by decree, upon the proposal of the French Government, by His Sherifian Majesty or the authorities to whom he may have delegated his power. The same procedure shall be observed in the matter of new regulations and of modifications of the existing regulations.

ARTICLE 5.- The French Government shall be represented to His Sherifian Majesty by a Commissioner Resident-General, representative of all the powers of the Republic in Morocco, who shall attend to the execution of the present Agreement.

The Commissioner Resident-General shall be the sole intermediary between the Sultan and foreign representatives and in the relations which these representatives maintain with the Moroccan Government. In particular, he shall have charge of all matters relating to foreigners in the Sherifian Empire. He shall have the power to approve and promulgate, on behalf of the French Government, all the decrees issued by His Sherifian Majesty.

ARTICLE 6.- The diplomatic and consular agents of France shall be charged with the representation and protection of Moroccan subjects and interests abroad.

His Majesty the Sultan pledges himself not to conclude any act of an international nature without the previous approval of the French Republic.

ARTICLE 7.- The Government of the French Republic and the Government of His Sherifian Majesty reserve unto themselves the right to determine by mutual agreement the basis of a financial reorganization which, while respecting the rights conferred upon bondholders of the Moroccan public loans, shall make it possible to guarantee the commitments of the Sherifian Treasury and to collect regularly the revenues of the Empire.

ARTICLE 8.- His Sherifian Majesty declares that in future, he will refrain from contracting, directly or indirectly, any public or private loan, and from granting in any form whatever any concession without the authorization of the French Government.

ARTICLE 9.- The present Treaty shall be submitted to the Government of the French Republic for ratification and the instrument of the said ratification shall be handed without delay to His Majesty the Sultan.

In faith whereof, the undersigned have drawn up the present Act and have affixed their seals thereto.

Fez, March 30, 1912¹
(11 rebiah 1330)¹

¹Landau, op. cit., pp. 392-393.

APPENDIX XIII

THE FRANCO-SPANISH AGREEMENT

November 27, 1912

(Excerpts)

Le Président de la République française et Sa Majesté
le Roi d'Espagne,

Désireux de préciser la situation respective de la
France et de l'Espagne à l'égard de l'Empire chérifien.

Considérant, d'autre part, que le présent traité leur
offre une occasion propice d'affirmer leurs sentiments d'amitié
réciproque et leur désir de mettre en harmonie leurs intérêts
au Maroc;

Ont convenu des dispositions suivantes:

Art. 1^{er}.— Le Gouvernement de la République française
reconnait que, dans la zone d'influence espagnole, il appar-
tient à l'Espagne de veiller à la tranquillité de ladite zone
et de prêter son assistance au Gouvernement marocain pour
l'introduction de toutes les réformes administratives, éco-
nomiques, financières, judiciaires et militaires dont il a
besoin, comme aussi pour tous les règlements nouveaux et les
modifications aux règlements existants que ces réformes com-
portent, conformément à la déclaration franco-anglaise du
8 avril 1904 et à l'accord franco-allemand du 4 novembre 1911.

Les régions comprises dans la zone d'influence déter-
minée à l'article 2 resteront placées sous l'autorité civile
et religieuse du Sultan, suivant les conditions du présent
accord.

Ces régions seront administrées, sous le contrôle d'un
haut-commissaire espagnol, par un Khalifa choisi par le Sul-
tan sur une liste de deux candidats présentés par le gouver-
nement espagnol. Les fonctions du Khalifa ne seront maintenues

ou retirées au titulaire qu'avec le consentement du gouvernement espagnol.

Le Khalifa résidera dans la zone d'influence espagnole et habituellement à Tetouan; il sera pourvu d'une délégation générale du sultan, en vertu de laquelle il exercera les droits appartenant à celui-ci.

Cette délégation aura un caractère permanent. En cas de vacance, les fonctions de khalifa seront provisoirement et d'office remplies par le pasha de Tetouan.

Les actes de l'autorité marocaine dans la zone d'influence espagnole seront contrôlés par le Haut commissaire espagnol et ses agents. Le Haut-commissaire sera le seul intermédiaire dans les rapports que le khalifa, en qualité de délégué de l'autorité impériale dans la zone espagnole, aura à entretenir avec les agents officiels étrangers, étant donné d'ailleurs qu'il ne sera pas dérogé à l'article 5 du traité franco-chérifien du 30 mars 1912.

Le Gouvernement de Sa Majesté le Roi d'Espagne veillera à l'observation des traités et spécialement des clauses économiques et commerciales insérées dans l'accord franco-allemand du 4 novembre 1911.

Aucune responsabilité ne pourra être imputée au Gouvernement chérifien du chef de réclamations motivées par des faits qui se seraient produits sous l'administration du khalifa dans la zone d'influence espagnole.

Art. 2.- Au nord du Maroc, la frontière séparative des zones d'influence français et espagnole partira de l'embouchure de la Moulouia et remontera le thalweg de ce fleuve jusqu'à un kilomètre en aval de Mechra-Klila. De ce point, la ligne de démarcation suivra jusqu'au Djebel-Beni-Hassen la trace fixé par l'article 2 de la convention du 3 octobre 1904.

Dans le cas où la commission mixte de délimitation visée au paragraphe 1 de l'article 4 ci-dessous constaterait

que le marabout de Sidi-Maarouf se trouve dépendre de la fraction sud des Beni-Bou-Yahi, ce point serait attribué à la zone française. Toutefois, la ligne de démarcation des deux zones, après avoir englobé ledit marabout, n'en passerait pas à plus d'un kilomètre au nord et à plus de deux kilomètres à l'ouest pour rejoindre la ligne de démarcation telle qu'elle est déterminée au paragraphe précédent.

Du Djebel Beni-Hassen, la frontière rejoindra l'oued Ouergha au nord de la Djema des Cheurfa-Taфраout, en amont du coude formé par la rivière. De là, se dirigeant vers l'ouest, elle suivra la ligne des hauteurs dominant la rive droite de l'oued Ouergha jusqu'à son intersection avec la ligne nord-sud définie par l'article 2 de la convention de 1904. Dans ce parcours, la frontière contournera le plus étroitement possible la limite nord des tribus riveraines de l'oued Ouergha et la limite sud de celles qui ne sont pas riveraines, en assurant une communication militaire non interrompue entre les différentes régions de la zone espagnole. Elle remontera ensuite vers le nord en se tenant à une distance d'au moins 25 kilomètres à l'est de la route de Fez à El-Kçar-El-Kébir par Ouezzan jusqu'à la rencontre de l'oued Loukkos, dont elle descendra le thalweg jusqu'à la limite entre les tribus Sarsar et Tlig. De ce point, elle contournera le Djebel-Ghani, laissant cette montagne dans la zone espagnole, sous réserve qu'il n'y sera pas construit de fortifications permanentes. Enfin la frontière rejoindra la parallèle 35° de latitude nord entre le douar Mgarya et le Marya de Sidi-Slama, et suivra ce parallèle jusqu'à la mer.

Au sud du Maroc, la frontière des zones française et espagnole sera définie par le thalweg de l'oued Draa, qu'elle remontera depuis la mer jusqu'à sa rencontre avec le méridien 11° ouest de Paris; elle suivra ce méridien vers le sud jusqu'à sa rencontre avec le parallèle 27° 40' de latitude nord. Au sud de ce parallèle, les articles 5 et 6 de la convention du 3 octobre 1904 resteront applicables. Les régions marocaines situées au nord et à l'est de la délimitation visée dans le présent paragraphe appartiendront à la zone française.

Art. 3.- Le Gouvernement marocain ayant, par l'article B du traité du 26 avril 1860, concédé à l'Espagne un établissement à Santa-Cruz-de-Mar-Pequena (Ifni), il est entendu que

le territoire de cet établissement aura les limites suivantes: au nord l'oued Bou-Sedra depuis son embouchure; au sud l'oued Noun depuis son embouchure; à l'est une ligne distante approximativement de 25 kilomètres de la côte.

Art. 4.- Une commission technique, dont les membres seront désignés en nombre égal par les Gouvernements français et espagnol, fixera le tracé exact des délimitations spécifiées aux articles précédents. Dans son travail, la commission pourra tenir compte, non seulement des accidents topographiques, mais encore des contingences locales.

Les procès-verbaux de la commission n'auront valeur exécutive qu'après ratification des deux Gouvernements.

Toutefois, les travaux de la commission ci-dessus prévue ne seront pas un obstacle à la prise de possession immédiate par l'Espagne de son établissement d'Ifni....¹

¹See the full text in E. Rouard de Card, Traité de délimitation concernant l'Afrique française, Supplément 1910-1913 (Paris, 1913), p. 81.

APPENDIX XIV

DECLARATION OF THE
FRENCH GOVERNMENT ON MOROCCO

SEPTEMBER 12, 1955

FOLLOWING THE DISCUSSIONS AT AIX LES BAINS

The French Government, following consultations which have taken place over the last few weeks with representatives of the various trends of Moroccan public opinion, has decided to put into practice a co-ordinated plan designed to restore, between France and the Sherifian Empire, a climate of confidence permitting the development of Franco-Moroccan friendship.

The purpose of this plan is to establish a permanent union between the two states of France and Morocco and a community between their two peoples.

Such an objective can be achieved only in a climate of calm and order. It requires, moreover, the unreserved support of the most representative elements of Moroccan public opinion. And, last of all, it implies the swift modernization of the institutions of the Sherifian Empire.

Thus, France, faithful to her ideals of liberty and solidarity, intends to lead Morocco to the status of a sovereign and democratic state, and to maintain with it the permanent bonds of freely accepted interdependence.

She solemnly reaffirms on this occasion that her policy in Morocco is based upon the following principles:

1. Respect for the treaties concerning Morocco and for the recognized rights of the beneficiary powers.
2. Respect for Moroccan sovereignty and for the integrity of the Sherifian Empire.

3. Permanence of France's presence in Morocco, in the mutual interest of both countries and in the interest of the free world.
4. Recognition of the position and rights which the French community in Morocco has acquired as a result of its size and creative vitality, and of the essential role it must continue to play in the life of the country by benefiting, in particular, from a fair representation of its interests.

Moroccan Sovereignty

Faithful to the spirit and letter of the treaties, France intends to strengthen and promote Moroccan sovereignty, which she has undertaken to guarantee.

She notes that the growth of a modern Moroccan élite makes it possible today to entrust this élite with ever increasing responsibilities in the administration of public affairs. The Moroccan authorities must, therefore, exercise fully the attributes and powers which are rightfully theirs under the Treaty of Fez.

The French Government declares that it is ready to examine, with a representative Moroccan Government, the fields in which it would be possible to undertake by mutual agreement the reorganization and abolition of the present system of control, without the sound administration of public affairs, the protection of the legitimate interests of the populations and their security being in any way affected.

The Sherifian Throne

Anxious to safeguard, in accordance with the engagements it has entered into, the permanence and historic mission of the Sherifian throne, the French Government is ready to agree to any arrangements that may be made in order to solve, in a climate of peace and reconciliation, the crisis which has grievously divided Moroccan public opinion.

This solution, from which all spirit of revenge must be

absent, will make it possible for the monarchy to remain, for all Moroccans, the symbol of their union and of their common faith in the destiny of the Sherifian Empire.

Constitution of a Moroccan Government

The Moroccan Government that is to be formed must be representative of the various trends of public opinion and of the different sections of the population. It will be, in principle, an all-Moroccan Government, but will include, to the extent and for the length of time which will appear necessary, the presence of French technicians.

In the immediate future, its task, within the framework of the Treaty of Fez, will be to administer public affairs, with respect for fundamental freedoms and the maintenance of acquired rights; to direct, without discrimination of any kind, the work of the Moroccan administration; and to devise the laws.

In addition, it will work out, in agreement with the French Government, then put into operation the modern democratic institutions with which Morocco is to be endowed.

It will also have the task of seeking, with the French Government, the new conditions, on the one hand for guaranteeing the rights and interests of France and of the French settlers in Morocco, and on the other hand for defining the permanent bonds which are to unite the two countries in the future.

Permanent Bonds Between France and Morocco

While acknowledging that a new definition of the permanent bonds between France and Morocco can only be worked out progressively, and will therefore entail some delays, the French Government declares itself prepared to deal with this problem and to resolve it in accordance with the following principles.

With France preserving, in the mutual interest of both countries, all the responsibilities entrusted to her in matters of defense and foreign affairs, the goal will be to

build a modern edifice, freely discussed, defined, and accepted, and expressing in its common institutions the association between the two states and the community between the two peoples.

1. The association of the two states will involve:

- a council consisting of delegations from each of the two Governments, and dealing with matters of common interests to the two states;

- a high judicial body to deal with disputes concerning the functioning of the new system of association;

- and, eventually all other joint or complementary institutions.

2. The community between the two peoples must manifest itself, in particular, through the recognition of mutual rights in the various economic, political, administrative, and judicial spheres.

Justifiably proud of its traditions and its civilization, the Sherifian Empire, which, with the help of France and of the French people, has become receptive to modern life, is today anxious to continue this advance and fulfill its aspirations. France will aid it to achieve this goal, in confidence, tolerance and harmony. With mutual respect for each other's dignity and personality, France and Morocco must together build an interdependent future on the indestructible foundations of friendship and brotherhood.¹

¹ Cohen and Hahn, op. cit., pp. 279-281.

APPENDIX XV

FRANCO-MOROCCAN AGREEMENT

of March 2, 1956

The Government of the French Republic and His Majesty Mohammed V, Sultan of Morocco, hereby solemnly state their determination to make fully operative the Declaration of La Celle-Saint-Cloud of November 6, 1955.

They note that, in view of Morocco's advance along the road to progress, the Treaty of Fez of March 30, 1912, is no longer consistent with the requirements of modern life and can no longer govern Franco-Moroccan relations.

Consequently, the Government of the French Republic hereby solemnly confirms its recognition of the independence of Morocco - which implies in particular the right to a diplomacy and an army - as well as its determination to respect, and to see to it that others respect, the integrity of Moroccan territory, as guaranteed by international treaties.

The Government of the French Republic and His Majesty Mohammed V, Sultan of Morocco, hereby declare that the purpose of the negotiations which have just opened in Paris between Morocco and France, as equal and sovereign States, is to conclude new agreements which will define the interdependence of the two countries in the fields where they have common interests, will thus organize their co-operation on a basis of liberty and equality, especially in matters of defence, foreign relations, economy and culture, and will guarantee the rights and liberties of French persons settled in Morocco and of Moroccans settled in France, with due respect for the sovereignty of the two States.

The Government of the French Republic and His Majesty Mohammed V, Sultan of Morocco, hereby agree that, pending the entry into force of these agreements, the new relations

between France and Morocco shall be founded on the provisions of the annexed Protocol to the present Declaration.

Done at Paris, in two original copies, on March 2, 1956.

(Signed) Christian Pineau, Embarek Bekkai.

Annexed Protocol

I. The legislative power shall be exercised as a sovereign right by His Majesty the Sultan. The representative of France shall be advised of draft dahirs and decrees: during the transition period, he shall have the right to submit observations on these texts when they concern the interests of France, French nationals or foreigners.

II. His Majesty Mohammed V, Sultan of Morocco, shall have at his disposal a national army. France will render assistance to Morocco in the constitution of that army. The present status of the French army in Morocco shall remain unchanged, during the transitional period.

III. Those administrative powers which up until now have been reserved shall be transferred in a manner to be determined by common agreement.

The Moroccan Government shall be represented, with a deliberative voice, on the Committee of the Franc Area, the central organ determining the monetary policy of the Franc Area as a whole.

Futhermore, the guarantees enjoyed by French civil servants and Government employees serving in Morocco shall be continued.

IV. The representative of the French Republic in Morocco shall have the title of High Commissioner of France.

Done at Paris, in two original copies, on March 2, 1956.

(Signed) Christian Pineau, Embarek Bekkai.¹

¹Landau, op. cit., pp. 400-401.

APPENDIX XVI

JOINT SPANISH-MOROCCAN DECLARATION
AND PROTOCOL OF APRIL 7, 1956

The Spanish Government and His Majesty Mohammed V, Sultan of Morocco, desirous of reaching a particularly friendly treaty, on a reciprocal basis, to strengthen their ties of friendship and to consolidate peace in the area in which their countries are situated, have agreed to issue the following declaration:

1. The Spanish Government and His Majesty Mohammed V, Sultan of Morocco, considering that the regime established in Morocco in 1912 no longer corresponds to present reality, declare that the agreement signed in Madrid on November 27, 1912, can no longer regulate Spanish-Moroccan relations.

2. Consequently, the Spanish Government recognizes Morocco's independence proclaimed by His Majesty Mohammed V, and Morocco's full sovereignty with all the attributes appertaining thereto, including those relating to foreign policy and the army.

The Spanish Government reaffirms its wish to respect the territorial unity of the empire, which is guaranteed by international treaties, and undertakes to adopt the necessary measures to render it effective.

The Spanish Government also undertakes to grant His Majesty the Sultan such aid and assistance considered necessary by mutual agreement, notably in matters of foreign relations and defense.

3. The purpose of the negotiations opened at Madrid between the Spanish Government and His Majesty Mohammed V, Sultan of Morocco, is to lead to new agreements between the two sovereign and equal states, with the object of defining free cooperation in those spheres where their common interests are involved.

These agreements will guarantee, in the friendly spirit mentioned above, the freedoms and rights of Spanish nationals in Morocco and of Moroccans in Spain, of a private, economic, cultural, or social nature, on a basis of reciprocity and respect for the sovereignty of both countries.

4. The Spanish Government and His Majesty the Sultan agree that until such time as the aforementioned agreements enter into force, relations between Spain and Morocco shall be based upon the terms of the protocol annexed to the present declaration.

Protocol

1. Legislative power will be exercised in a sovereign manner by His Majesty the Sultan. The representative of Spain in Rabat will be advised of projected decrees of the Sultan that affect Spanish interests and will be allowed to make pertinent observations.

2. The powers exercised until now by the Spanish authorities in Morocco will be transferred to the Moroccan Government in conformity with formulas established by common agreement. The position of Spanish civil servants in Morocco will be maintained.

3. The Spanish Government will assist the Moroccan Government in organizing its own army. The Spanish Army will remain in Morocco during the period of transition.

4. Spanish currency shall remain in use pending the conclusion of a new agreement.

5. Visas and all administrative formalities required for passage of persons from one zone to the other are abolished.

6. The Spanish Government will continue to be responsible for the protection abroad of the interests of Moroccans native to the zone defined previously by the Convention of November 27, 1912, and residents abroad, until the Government of His Majesty the Sultan assumes this function.¹

¹Cohen and Hahn, op. cit., pp. 285-286.

APPENDIX XVII

Résolution adoptée le 28 août 1960 par le comité politique du conseil de la Ligue arabe réuni à Chtaura (Liban).

Le comité politique du conseil de la Ligue arabe réuni à Chtaura (Liban),

Attendu:

Que la Mauritanie est partie intégrante du Maroc;

Que le Maroc, ayant recouvré son indépendance, a maintenant une souveraineté entière sur toutes les parties de son territoire;

Que l'impérialisme cherche à créer sur la partie sud du territoire marocain une entité artificielle sous le nom de "République islamique de Mauritanie";

Que l'intention de la France est d'accorder une indépendance fictive à la Mauritanie, son but réel étant la séparation de ce territoire du reste du Maroc, contre la volonté des populations mauritaniennes qui sont restées fidèles à leur nationalisme marocain et arabe;

Que l'impérialisme cherche par cette tentative à désagréger l'unité du Maroc et à en détacher une partie pour en faire le bastion d'un nouvel impérialisme en Afrique et une base dirigée contre l'intégrité territoriale du Maroc;

Décide:

I. De soutenir le Maroc dans sa demande de récupérer la Mauritanie en tant que partie intégrante de son territoire national, et de combattre toute tentative visant à séparer la Mauritanie du Maroc. En conséquence, les États arabes s'engagent à œuvrer par tous moyens pour faire échec à cette tentative;

2. D'appuyer la demande marocaine tendant à obtenir l'inscription à l'ordre du jour de la prochaine session de l'assemblée générale des Nations unies de la question de la Mauritanie. Les États arabes s'engagent à appuyer le point de vue du Gouvernement marocain;

3. De faire des démarches auprès de tous les États amis pour appuyer les efforts du Maroc pour recouvrer la Mauritanie, partie intégrante de son territoire national.¹

¹Livre Blanc, p. 117.

APPENDIX XVIII

RESOLUTION ON MAURITANIA
AT THE CASABLANCA CONFERENCE

January 7, 1961

The Conference,

Considering the colonialist intrigues aimed at dividing the territories of the African States in order to weaken them;

Considering that France, in order to strengthen her domination over the Sahara, exploits its wealth and secures for herself an outlet on the Atlantic, has severed from Morocco the southern portion of her territory, in Mauritania;

Considering that the setting up of a puppet State, the said Mauritania, against the will of the people concerned, and in disregard of the solemn undertakings given by France, is a violation of international treaties and agreements;

Considering that the setting up of Mauritania as a puppet State is merely a means for France to encircle the African countries, secure for herself bases to which she can retreat, and increase the number of her satellites;

Considering that, in general, the increase in the number of artificial States in Africa is a permanent threat to the security of the African Continent, and, at the same time, a strengthening of the forces of imperialism;

Considering that the objective aimed at by France in Mauritania is the economic exploitation and strategic use of this area, particularly against the African countries, as well as the maintenance of artificial barriers in Africa;

Considering that the defence of the unity and the territorial integrity of all African States is, at the same time, the defence of the freedom of Africa;

Solemnly denounces and condemns all forms of economic, political and military exploitation in Africa;

Declares its determination to oppose, by all possible means, every attempt to partition and create satellite States in certain parts of the African Continent;

Approves any action taken by Morocco on Mauritania for the restitution of her legitimate rights.¹

¹Colin Legum, Pan-Africanism (London, 1962), p. 189.

APPENDIX XIX

PROTOCOL OF AGREEMENT

The Government of His Majesty the King of Morocco and the Provisional Government of the Algerian Republic, imbued with feelings of maghrebian solidarity and fraternity, conscious of their African destiny, and wishing to give a concrete form to the common aspirations of their peoples, have agreed to the following:

Faithful to the spirit of the Tangiers Conference of April 1958, and firmly attached to the Charter and Resolutions adopted by the Conference of Casablanca, the two Governments decide to undertake the building of the Arab Maghreb on the basis of a fraternal association, particularly in the political and economic fields.

The Government of His Majesty the King of Morocco reaffirms its unconditional support of the Algerian people in its struggle for National Independence and unity. It proclaims its unreserved endorsement of the Provisional Government of the Algerian Republic in the latter's negotiations with France on the basis of respect for the integrity of the Algerian territory. The Government of His Majesty the King of Morocco will by all means oppose any attempt to partition or otherwise reduce the territory of Algeria.

The Provisional Government of the Algerian Republic, on its part, recognizes that the territorial problem created by the delimitation of the two countries arbitrarily imposed by France, will be settled by negotiations between the Government of the Kingdom of Morocco and the Government of independent Algeria.

To this end, the two governments decide to establish a joint Algerian-Moroccan Commission which shall meet at

the earliest possible moment in order to study and solve this problem in a spirit of Maghrebian fraternity and unity.

Therefore, the Provisional Government of the Algerian Republic reaffirms that agreements which may be reached after the Franco-Algerian negotiations, could not be binding upon Morocco as far as the territorial demarcation between Algeria and Morocco is concerned.

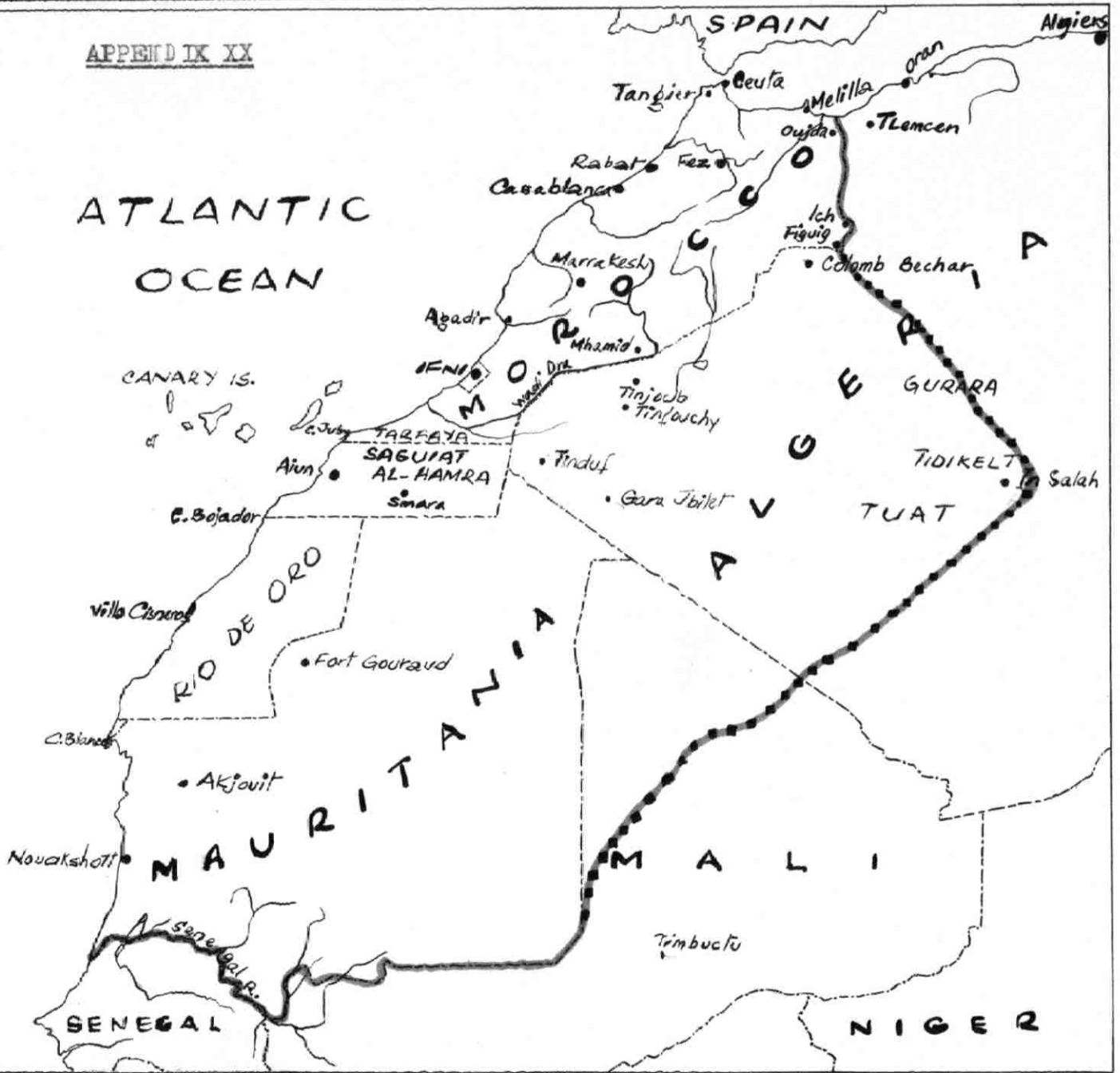
Done at Rabat, July 6, 1961.

Signed: His Majesty Hassan II
King of Morocco

Signed: His Excellency
Ferhat Abbas
President of the Provisional
Government of the Algerian
Republic.¹

¹As released by the Press Department of the Royal Moroccan Embassy, London, on October 28, 1963.

ATLANTIC OCEAN

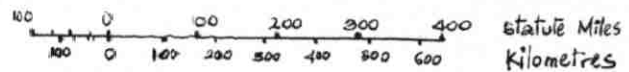


NORTH WEST AFRICA

EXISTING BOUNDARIES

GREATER MOROCCAN CLAIM

Scale 1:15,000,000 (240 miles = 1 inch)



BIBLIOGRAPHY

(A critical essay on the sources consulted)

There has been no serious attempt so far by any historian or scholar concerned with North and West African affairs, at studying in a comprehensive manner the Moroccan territorial claims.

To appreciate the validity of Moroccan claims upon the present South-West Algeria (the Moroccan Sahara) the work of A.J.P. Martin, Quatre siècles d'histoire marocaine (Paris, 1923) is basic and indispensable. In its first part it relates the history of the Moroccan Sahara (Tuat, Gourara and Tidikelt) from 1504 to 1902 based overwhelmingly on Arabic or indigenous archives and documents which the author has collected while on duty as a military interpreter in the French African Army in the Sahara. In publishing this book the author, whose account supports the thesis that these oases have been under the rule of the Moroccan Sultans throughout this period, has encountered official opposition by the French colonial authorities of Algeria, who held the opposite view. (See the Preface of the book). Livre Blanc sur la Mauritanie (Rabat, 1960), published by the Moroccan Ministry

for Foreign Affairs on the eve of Mauritanian independence, is basic for such a study because it contains much documentary evidence to support the official claim of Morocco that Mauritania and western Sahara have been, until the conquest by the French, within the Moroccan Empire, though it is rather disorganized and not well co-ordinated in its presentation. The official view of the Moroccan Government is put forward also in Maroc, No. 10, New Series (Rabat, 1963), published in French by the Moroccan Foreign Ministry, which deals more with the border dispute and war with Algeria. The Adventures of Thomas Pellow (London, 1890), is an interesting account of the experiences of an English captive in the service of the Moroccan Sultan in the early eighteenth century, and provides just another piece of evidence about Mauritania being a part of the Moroccan Empire during the seventeenth and eighteenth centuries. About the history, geography, literature and customs of Mauritania an indispensable and basic work is that of the well-known and popular Mauritanian historian Ahmad Lamine ech Chenguitti, El Wasit (Cairo, 1911), French translation by Mourad Tefahi (Saint Louis, 1953), which sheds also much light on the Moroccan

nature of Mauritania.

Among the numerous works on the Sahara Desert E.F. Gautier's Sahara the Great Desert, trans. by D.F. Mayhew (New York, 1935), is of particular interest, because Gautier, a respected and eminent authority on the geography and history of the Sahara, considers western Sahara as being a part of Morocco.

Most of the Frenchwriters on Moroccan history and particularly the Moroccan border issue are not free from bias and tendentiousness. Besides Martin and Gautier, another exception is Jean-Louis Miège, with his exhaustive work Le Maroc et l'Europe (Paris, 1961-1963) which covers the period 1830-1894. In this monumental work Miège deals with the relations between Europe and Morocco covering a wide scope of economic and political developments and problems, among which the Moroccan border issue has its due treatment. Making an exhaustive use of unpublished documentary sources in Rabat and elsewhere, Miège's work stands out as an impressive achievement of impartiality, objectivity and scholarship. The first volume of this work is an excellent and useful bibliography with comments and descriptions. Nevill Barbour(Ed.)

A Survey of North West Africa (London, 1962), ~~intended~~ intended to be an introduction to the principal facts about North West Africa, is comprehensive, objective and impartial so far as it treats the problem of the territorial claims. However, the problem is not presented as a unit and moreover the book needs another revision because of the changing scene of North West Africa since 1958, when the book was first published, and since 1962, when it had its second edition. A very useful introduction to the history, economic life and present problems, e.g. territorial claims, of Morocco is Morocco (London, 1962), a pamphlet prepared for the British Information Services by the Reference Division, Central Office of Information in London.

E. Rouard de Card has made a valuable contribution by collecting and editing all the available treaties dealing with the history of North West Africa in a number of volumes such as Les Traités entre la France et le Maroc (Paris, 1898), Traités de la France avec les pays de l'Afrique du Nord (Paris, 1906), Traités de délimitation concernant l'Afrique française (Paris, 1910) and the latter's supplement Traités de délimitation concernant l'Afrique française, Supplément 1910-1913,

(Paris, 1913). Most of these treaties unfortunately are not available in English, though a few of them are to be found in Sir E. Hertslet's The Map of Africa by Treaty (London, 1909). Other documentary materials concerning mainly the diplomatic history between Europe and Morocco in the late nineteenth and early twentieth centuries can be obtained in the State Papers (particularly vol 87 and 102), the British Documents on the Origin of the War, 1898-1914 (London, 1927), the German Diplomatic Documents, 1871-1914 (London, 1928-1931), H.A. Moulin's La Question marocaine d'après les documents du Livre Jaune (Paris, 1906) and Les Documents diplomatiques français, 1871-1914 (Paris, 1930-1931). The latter however, does not include the important documents for the years 1898, 1899 and 1900 and Niège in his bibliography complains that he has not been authorized to consult the official archives of these years.

The historical past of Morocco has been given in a number of works in French and English. Henri Terrasse in his Histoire du Maroc (Casablanca, 1949-1950) is comprehensive and exhaustive so far as the history of Morocco in general is concerned; but fails to deal with the border

issue of the nineteenth century; far from being objective and impartial he definitely and openly justifies French actions and policy toward Morocco. The same applies for Henri Cambon's Histoire du Maroc (Paris, 1952) which is more an account of the late nineteenth and early twentieth centuries concerning relations between Morocco and France. This approach of the French writers can be balanced somewhat by Nevill Barbour's Morocco (London, 1965) which portrays the history of Morocco up to the present in pleasant vivid fashion. Following this same line are Jean-Louis Miège's Le Maroc (Paris, 1962) and Vincent Monteil's Maroc (Paris, 1962) which aim at introducing the general public or reader to the history of Morocco, though both avoid treating the territorial issue as such. Charles-André Julien's excellent work Histoire de l'Afrique du Nord (Second Edition, Paris, 1952-1953) can be considered as the best general history of North Africa from antiquity to the arrival of the French in the 1830's, with a detailed and critical bibliography. In the series "L'Encyclopedie Coloniale et Maritime" Maroc (Paris, 1948), under the direction of Eugene Guernier, deals with almost all aspects of Moroccan history and Protectorate

life: history, geography, political structure and administration, economics, culture, the Protectorate etc. However, it aims at showing the blessings of the French Protectorate in Morocco, and therefore, though useful and illuminating in many respects, it is tendentious in all its dealings.

The Atlas of Islamic History (Princeton, 1952) compiled by Harry W. Hazard, is very helpful and should accompany any book on the history of Morocco because it presents the map of North Africa and hence the extent and frontiers of the Moroccan Empire at different times. Any study of Moroccan history at large should consider the extremely valuable but incomplete Archives marocaines (Paris, 1904-1936), composed of thirty-four volumes.

Considering certain critical periods in the recent history of Morocco a number of works and studies are of great help. Budget Meakin's The Moorish Empire; a Historical Epitome (London, 1899) and The Land of the Moors (London, 1901) are simple, interesting but well-informed because the writer has been the director of the "Times of Morocco" at the end of the nineteenth century and has lived in Morocco for more than 25 years being thus well-acquainted with Morocco.

Another British journalist , the correspondent of the "Times" in Morocco for about 40 years, Walter B. Harris, has given well-informed and eye-witness accounts in his The Land of an African Sultan (London, 1889), Tafilalet (London, 1895), Morocco That Was (London, 1921) and France, Spain and the Rif (London, 1927). About French penetration into and policy towards Morocco, interesting, concise, well-written and scholarly accounts are to be found in Parker Thomas Moon's Imperialism and World Politics (New York, 1928) and Stephen H. Roberts' History of French Colonial Policy (1870-1925) (London, 1963), though Moon's approach is definitely anti-imperialistic. An excellent, scholarly and masterly treatment of the first Moroccan crisis with its background is that of Eugene N. Anderson, The First Moroccan Crisis, 1904-1906 (Hamden, 1966).

Concerning the Protectorate period, a convenient account can be found in Ron Landau's Moroccan Drama, 1900-1955 written in a journalistic style. About Lyautey one should read his own letters such as his Choix de lettres (Paris, 1947) covering the period 1882-1919, full with the ideas of the man who became the architect of the new Morocco. This should be accompanied by the work of one of his closest collaborators General

George Catroux, Lyautey, le marocain (Paris, 1952). Albert Ayache's Le Maroc: Bilan d'une colonisation (Paris, 1956) counter-balances what official French sources would say about the Protectorate period in Morocco. A short but comprehensive treatment of this period - not always scholarly - is to be found in Morocco (New York, 1966) by Mark I. Cohen and Lorna Hahn; this work has a detailed account of the developments and problems of post-independence Morocco. About the nationalist movements of this period the veteran Istiqlal leader and nationalist Allal al-Fassi's The Independence Movements in Arab North Africa, translated by H.Z. Nuseibeh (Washington, 1954) is indispensable.

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The Moroccan territorial claim upon Mauritania has a useful and impartial treatment though not exhaustive, in Attilio Gaudio's Le Sahara des Africains (Paris, 1960), which

is basically a vivid collection of travel notes taken by the author while crossing the Sahara from the west (Rio de Oro, Mauritania and south Morocco) to Egypt. The book contains an eye-witness account of the visit of Mohammed V to Mhanid in 1958, and also important interviews with Mauritanian leaders about the Moroccan claim upon Mauritania. Mohammed Boudiaf's Où va l'Algérie? (Paris, 1964) has a long discussion of the Morocco-Algerian border dispute. In Keesing's Contemporary Archives (London) we find the record of all major events and developments in Morocco (and in the territories claimed by Morocco) over the past thirty years.

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The Moroccan territorial claims have been reported in countless articles, in many periodicals, journals and dailies. Particularly on the occasion of Morocco-Algerian border fighting almost all leading papers throughout the world covered

the progress of the war and dealt with the problem as such. However, the Paris daily Le Monde has the most exhaustive and reliable coverage of them all, and for the past decade many articles by such writers as Roger le Tourneau, Jean Lacouture and others are indispensable for the study of the problem in its latest phase. On the same occasion the New York Times also had extensive and day by day reporting. Mention should be made also of the many articles and coverages on the subject that appeared in such weeklies as Jeune Afrique (Tunis), L'Express (Paris), Paris Match, the Economist (London), Time and Newsweek. Among the periodicals which have published serious and valuable studies on the issue are Maghreb(Paris), No. 2, March-April, 1964, a periodical wholly devoted to North African affairs, and the Journal of Modern African Studies, especially in the issue of May, 1965, the article by I. William Zartman.