



THE SABAN CENTER  
*for* MIDDLE EAST POLICY  
*at* THE BROOKINGS INSTITUTION

WORKING PAPER

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Number 5, August 2011

THE “DEMOCRATIZATION”  
PROCESS IN MOROCCO:  
PROGRESS, OBSTACLES,  
AND THE IMPACT OF THE  
ISLAMIST-SECULARIST DIVIDE

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MAÂTI MONJIB

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## EXECUTIVE SUMMARY

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In the 1990s, Morocco began a period of “democratic transition” that appeared to be in deadlock until the 2011 protests that swept through the Middle East and North Africa. What has become known as the “Arab Spring” has put a renewed focus on Morocco and the need for further, democratic steps there. Despite the new Constitution of July 1, 2011, reform in Morocco seems limited and superficial—it does not change the nature of the regime, which still has the bulk of power and is accountable to no one. Morocco’s experience implementing reforms in the 1990s can offer important lessons for the constitutional reforms taking place today. In the early 1990s, Morocco’s regime had to yield political ground to reformists for the first time since the 1960s. The palace found itself confronted by a combination of new internal, regional, and international factors, including:

- Strong public displeasure at the king’s support of the 1990-1991 U.S.-led war against Saddam Hussein’s Iraq, expressed through public protests.
- Pressure from France’s socialist government against the kingdom to improve its human rights record.
- Direct negotiations between the PLO and Israel, which meant that King Hassan II could no longer compensate for his poor human rights record by participating in Arab-Israeli rapprochement.

- The fall of the Berlin Wall, which meant that Morocco was no longer needed to use its large, well-trained army to play the role of the West’s anti-communist subcontractor in Sub-Saharan Africa.
- A regional wave of political opening; for two years, Algeria had been experiencing a democratic spring and Tunisia seemed to have opted for non-repressive relations with opposition parties.

In addition, the grave illness of King Hassan, publicly known by the mid-1990s, pushed the palace and the opposition to make mutual concessions, as both sides preferred compromise to the uncertainty that could result from the death of the longtime monarch during a period of internal turmoil. As a result, the negotiations led to the formation of the *Gouvernement d’Alternance*—the Government of Change—at the start of 1998. This was the first time since 1960 that the prime minister had power, including the ability to implement some reforms, even if the king remained the ultimate authority.

Though the reforms of the 1990s did not lead to any decisive transfer of power away from the palace, they did have a positive effect on the relationship between the state and the citizenry: Press freedom increased, women’s rights were bolstered, cases of torture declined, and pro-democratic civil society groups were formed. In addition, the government

worked to reduce corruption and hold relatively transparent elections.

Yet, the political reforms reached a standstill. In addition to economic conditions, cultural factors, and a lack of political will, underlying structural challenges in Morocco hampered full-scale democratic reform. Morocco has among the highest rates of illiteracy in the Arab world, its education system is one of the least effective of the Middle East and North Africa (MENA) region, and the level of income disparity among its population is one of the highest worldwide. Such an unbalanced distribution of knowledge and wealth negatively affected the distribution of power in the country.

Morocco has an authoritarian culture. In rural areas, the family and clan are still deeply patriarchal. Traditional religiosity, instead of modern culture, still dominates the countryside and small towns where the majority of the population live. Secular culture remains limited to only parts of the middle class and the educated *petite bourgeoisie*.

As a result, the rule of law has taken a back seat to the regime's political considerations, especially when it comes to civil society groups. The Ministry of Interior grants legal recognition to new associations based not solely on legal grounds, but on political concerns as well. The regime also continues to ignore the constitutional prerogative of the cabinet and parliament, especially in those areas where the impression might arise that they exercise real power.

Morocco's electoral system, specifically, the division of electoral districts, has disadvantaged the country's opposition. Before each election, the Ministry of Interior uses its careful study of public opinion to redraw the boundaries of electoral districts to the regime's advantage. At the same time, Morocco's political system has proved to be toxic for the democratic parties who participate without any leverage. By taking part in the political system, parties lose all the intangible benefits they once held—

such as their image of being defenders of the truth, democracy, and the poor. Without gaining any of the advantages of participating in politics, such as exercising power, parties in Morocco have suffered by being seen as enablers of a system that many of their constituents either resent or are indifferent toward. In retrospect, therefore, the *Gouvernement d'Alternance* appears to have been a fatal embrace.

In 2008, with the support of the state, former Deputy Minister of Interior Fouad El Himma founded the *Parti Authenticité et Modernité* (PAM), which has served as a new royalist party. Its principal purpose seemed to be to secure an artificial parliamentary majority for the regime against the pro-democratic parties and moderate Islamists. The PAM has already exploited the ostentatious royal patronage and the cleavage between Islamists and secularists, using the divide to its advantage in the 2009 elections.

The ideological cleavage between Islamists and secularists is one of the most important obstacles to democratization in Morocco. Traditional opposition parties have perceived the rise of Islamism in Morocco as a threat to society and the future of the country. As a result, leftists have participated in the government without real power or political guarantees.

Despite strong criticisms of them, the majority of Islamists (those belonging to AWI or the PJD parties) have shown a willingness to cooperate with secular movements, in order to accelerate Morocco's political opening process. But, Islamism's social and political effectiveness explains why many intellectuals and leaders of secular organizations are less than enthusiastic about the prospect of a free Western-style democracy in Morocco. Important leaders of the left and civil society, such as Salah El-ouadie, Hassan Benaadi, and Bachir Znagui, have joined the PAM because fighting Islamism has been at the heart of the PAM's political program since its inception.

## RECOMMENDATIONS

Recent events in Egypt, Libya, and Tunisia show both the necessity for change in Morocco and the risks. Dramatic change can come about suddenly, but even a change in the regime may not necessarily bring about stability and better governance. Democratic forces must be strong and prepared as they push for reform in order to ensure that any resulting changes favor the cause of reform.

With a wave of democratization sweeping North Africa, the political reform process within Morocco seems too limited. If the Moroccan government does not engage in comprehensive reform in a dramatic way, it risks threats to its position and power. Reactivating reform measures would increase the legitimacy of the state, and as a result, consolidate the social and political stability of the country, and reinforce the state's negotiating power in the diplomatic sphere with regard to the Western Sahara conflict and other strategic issues.

The following steps are examples of reform measures that should be enacted to advance democratization in Morocco:

- The prime minister should be elected by universal suffrage and be officially referred to as the “head of government,” in order to counterbalance the tradition of monarchical authoritarianism and hegemony.
- Islamic organizations rejecting the use of force should be recognized as legitimate political parties and should be protected from police harassment.
- The judiciary should be reformed to end corruption and a lack of independence from the executive.
- The power of the security services and the jurisdiction of the Ministry of Interior should be curtailed.

Politics is only part of the struggle. To stay ahead of demands for change, dramatic legal reform is also necessary in Morocco. Possible changes include:

- Media laws should be reformed so that broadcast media are free from the current severe level of state control.
- The electoral system should be reformed to prevent elites and business leaders from being elected through “vote buying.” The most effective measure in this regard would be the transformation of Morocco into a single district. This would limit drastically the use of dirty money by local elites and political entrepreneurs. It would also help bring about a national elite that can stand up to the monarchical autocracy which dominates the central government.
- Criminal law should be reformed so that torture is banned and the 2003 anti-terrorism laws are abrogated.
- Private investment laws should be reformed in a way that enhances equal opportunities for all investors including those who are not favored by “economic Makhzen.”

International pro-democracy and human rights NGOs would be more effective if they succeeded in persuading their governments to decouple economic and strategic interests from democracy promotion. If human rights were seen as an end in themselves and not as a rhetorical tool to be used diplomatically against hostile states, the relationship between the West and the people of the MENA region could improve.

In addition, by focusing the defense of human rights on the most sensitive political and civil rights (freedom of press, freedom of expression, freedom of association, freedom from torture), Western countries, pro-human rights NGOs, and pro-democracy international bodies could prove particularly

effective in leading the Arab authoritarian regimes toward political opening and pluralism, because the principle of these rights cannot be contested, even by oppressive regimes.

### **Specific Recommendations for Effecting Change in Morocco**

The following are recommendations for the international community and NGOs looking to promote reform in Morocco:

- The international community and global civil society organizations dedicated to democracy promotion, including European and American NGOs, would be more effective if they collaborated with Islamist parties and organizations with the same intensity they collaborate with secular organizations. The only criterion that should prevent NGOs from working with Islamist parties is if the Islamist parties espouse violence.
- Moreover, international actors should communicate directly with specialized parliamentary commissions and the prime minister's office, rather than informal representatives of the Makhzen, as has been the case. Communication with Morocco should be based on the principle that the Moroccan polity is organized by law and not controlled by the Makhzen, the Ministry of Interior, or the Intelligence services.
- The international community would have a better understanding of the Moroccan

political system if it took into account the fact that some media outlets close to the regime, especially Francophone newspapers such as *Le Matin du Sahara* and *Aujourd'hui le Maroc*, as well as the 2M TV news channel, primarily target an international, rather than domestic, audience.

As several states in the region are undergoing democratic transformations of their own, Morocco's principal political need for the next decade is to pass from the phase of liberalization, which has had a great effect of decreasing tensions in the country, to the phase of democratization. Morocco should undertake measures that expand the political space and reform the Constitution so that power is given to elected institutions and the cabinet, rather than the monarchy. The development of a broad cross-ideological, pro-democracy alliance among opposition groups in Morocco will be instrumental to this goal. International cooperation, focusing on the systematic defense of basic human rights in Morocco and the reform of the education system and the judiciary will be essential to support this domestic movement for genuine democratization.

As the Obama administration reevaluates its policies in the region in light of the revolutions sweeping the Arab world, it should increase attention on promoting reform in Morocco. Maintaining a clear and consistent stand, and articulating the need for Morocco to respect the human rights and freedoms of its people, would enable the administration to play a constructive role in assisting Morocco to democratize its political system.



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## THE AUTHOR

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Daoud (Paris: Editions Michalon, 1996-2000), and *Islamists Versus Secularists in Morocco*, ed. (Amsterdam: IKV, 2009). He is also founder and President of Ibn Rochd Center for Studies and Communication in Rabat. Dr. Monjib is a former Fulbright Scholar in the United States (2005-2006) and was the 2009 Patkin Visiting Fellow at the Brookings Institution's Saban Center for Middle East Policy. He is a human rights activist and spent several years in political exile outside his native country (1992-2000).

# INTRODUCTION

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This paper analyzes the progress and the failures of the “democratic transition” in Morocco—a process that began in the 1990s but seemed stalled until the outbreak of protests on February 20, 2011, known as the February 20 Youth Movement. These protesters made clear that the promises of reforms announced by the king in his March 9, 2011 speech did not go far enough. The jostling for power between the street and the regime will determine the amount and depth of reform in the country.

The first part of the paper discusses the domestic and international dynamics that served as a catalyst for the process of political opening in Morocco in the 1990s. The next two parts of the paper analyze Morocco’s liberalization policies and the causes and manifestations of the stalemate that followed (2003–2011), which blocked further improvements in political participation. These factors include cultural, social, and economic obstacles, as well as the authoritarian political *habitus* of the monarchical system, the weakening of the traditional opposition parties, the cleavage between Islamists and secularists, and the government’s fear of Islamism. The last section of the paper presents recommendations for supporting and enhancing a more inclusive decision-making process in Morocco, in order to transform the political system into a consolidated democracy based on the rule of law, the separation of powers, and respect for public liberties.

The paper addresses and answers the following questions:

- What impact did a fear of Islamism (in Morocco and worldwide) have on the slowdown of Morocco’s political opening?
- How did conservatives within Morocco’s regime exploit the cleavage between religious and secular actors among Morocco’s political elites to slow down the pace of political change initiated during the last years of King Hassan II’s reign?
- How can multilateral cooperation—specifically, in terms of a systematic defense of human rights, civil and political liberties, transparency, and justice in the economic and judicial sectors—help promote political opening in Morocco?

To answer these questions, the paper draws on both the author’s personal experiences as an activist in civil society groups that defend democracy and human rights, as well as Arabic-, French-, and English-language academic literature and the Moroccan press, both official and independent.

# A POLITICAL OPENING IN MOROCCO: WHAT HAPPENED?

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Beginning in the early 1990s, Morocco's regime had to yield political ground to reformists for the first time since the 1960s. The palace<sup>1</sup> found itself confronted by a combination of new internal, regional, and international factors. Until the end of 1990, King Hassan II had ruled with an iron fist: criticism of his regime was severely repressed and hundreds of left-wing intellectuals were continuously held in jail since the 1970s. Opposition parties dared not speak the names of the secret prisons—Tazmamart and Agdz, among others—where Hassan II had locked up dozens of military officers and numerous civilians during the 1970s.<sup>2</sup>

But suddenly in 1991 everything changed and a new political reality was born. One of the first signs of the new political climate occurred when Mohammed Bensaid, the leader of the small left-wing opposition party, the Organization for Democratic and Popular Action (OADP), and a resistance fighter against the French colonization, broke the “Tazmamart taboo.” Speaking before Morocco's House of Representatives during its spring session in 1991, he evoked the ordeals and horrors of Tazmamart. In spite of the widespread belief that he would be arrested, nothing happened. What

occurred in Morocco in 1991 to make it possible for Bensaid to speak freely?

A confluence of domestic, regional, and international developments occurred around 1991, and came in the wake of an economic crisis and a national strike in December 1990, to effect change in Morocco:

**At the domestic level:** When Iraq invaded Kuwait in August 1990, King Hassan II backed the U.S.-led coalition, sending around 1,300 soldiers to Saudi Arabia in support of the anti-Saddam campaign. Isolated, Saddam Hussein claimed that the liberation of Palestine was only possible through Kuwait, an announcement that drastically changed the political climate in Morocco—pro-Iraq demonstrations emerged all over the country, and despite police efforts to crack down on the demonstrators, the number of protests increased. In January 1991, shortly after the beginning of the military operation against Iraq, the king announced on television that every demonstration—whether it be for or against Iraq—would be strictly forbidden. Tensions in the country rose, with pro-Iraq public protests

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<sup>1</sup> The palace: this political term is very common in Morocco, referring to the king himself, his advisers, and close collaborators. It includes also the royal family members who intervene in politics with the implicit support of the king.

<sup>2</sup> Half of the prisoners in Tazmamart died from the inhumane treatment in the king's “secret garden,” as Hassan himself once called his illegal prisons.

breaking out in many cities; left-wing activists demonstrated in small groups together with Islamists, who for the first time made public appearances. The gravity of the crisis was exemplified by the urgent reaction of the Spanish government. Madrid feared that Hassan II, in order to avoid a military coup, would launch a new “Green March” against the Spanish enclaves of Ceuta and Melilla.<sup>3</sup> The military commander of Melilla declared publicly that any aggression against the two enclaves would be considered an act of war against Spain.<sup>4</sup>

The king did not order an operation against Ceuta and Melilla. Instead, public pressure forced him to authorize a national demonstration, which he allowed in Rabat instead of Casablanca, the latter being a more populous city and a stronghold of the opposition. It is estimated that more than half a million Moroccans participated in this demonstration on February 3, 1991 in support of Iraq, making it the biggest peaceful demonstration ever organized by the opposition in Morocco. Notably, the demonstration was led by the democratic opposition with the participation of many Islamists. The police not only refrained from attacking the protestors, but even sympathized with them. No violent incident was recorded during the demonstration, which would be a remarkable feat even for a country with a solid democratic tradition. In the past, the regime had justified the ban on public demonstrations based on the supposed immaturity of the people and the resulting potential security risks. Therefore, the peaceful episode put public pressure on the palace to end its ban of public demonstrations.

Over the course of the following months, media coverage became freer and some of the taboos—such as criticizing the secret services or the king’s policies—were broken. In addition, the government ordered public security forces to treat citizens with more respect. And, the king reached out to leaders of the opposition parties—Isiqlal and the Socialist Union of Popular Forces (USFP)—to raise his political stature. This was the beginning of a political thaw in the country that continued until the mid-2000s.

**At the regional level:** In addition to the domestic sources of pressure mentioned above, a regional wave of political opening compelled Hassan II to ease his authoritarian grip on power. For two years, Algeria had been experiencing a democratic spring and Tunisia seemed to have opted for non-repressive relations with opposition parties. Also, in Francophone Sub-Saharan Africa, it was the time of national conferences, which in many countries led to the end of single-party authoritarian rule.

**At the international level:** At the same time, shifting priorities among the international community exerted further pressure on the king to change his behavior. In France, the socialist government of President François Mitterrand pressured Morocco to improve its record on human rights. Furthermore, a book by the French author Gilles Perrault describing the abuses of the Hassan II regime spent months on France’s bestseller list.<sup>5</sup> In the United States, the American wife of a Tazmamart prisoner publicized the plight of the jail’s detainees, and the American government took

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<sup>3</sup> Bernard Labatut, “Un point de vue hispano-arabe : L’Espagne et la guerre du Golfe,” l’Institut de Stratégie Comparée, de la Commission Française d’Histoire Militaire et de l’Institut d’Histoire des Conflits Contemporains, available at <[http://www.stratisc.org/strat\\_5152\\_LABATUTESP.html](http://www.stratisc.org/strat_5152_LABATUTESP.html)>. The Spanish Ministry for Foreign Affairs declared that “Spain is more worried about a potential extension of the conflict in the Maghreb region than its consequences on Turkey.” (Labatut, *Ibid.*, translated by the author).

<sup>4</sup> *El Sol*, February 3, 1991.

<sup>5</sup> See Gilles Perrault, *Notre ami le roi*, (Paris: Editions Gallimard, 1990). The book was devoured by the public as if it were a thriller, and its author appeared on many talk shows. Morocco reacted by forcing the public to send several hundred thousand telegrams to the French president to protest against the book.

a similar position to that of France concerning human rights. Hassan II, therefore, found himself in a corner. Because of the beginning of direct negotiations between the PLO and Israel, he could no longer compensate for his poor human rights record by participating in Arab-Israeli rapprochement. Moreover, after the fall of the Berlin Wall, Morocco was no longer needed to use its large, well-trained army to play the role of the West's anti-communist subcontractor in Sub-Saharan Africa.

All these factors pushed the monarchy, for the sake of its survival, to integrate the opposition into the regime. In addition, the king's creation of the Consultative Council on Human Rights (CCDH) in 1990 led the way to constitutional reform in 1992, something opposition parties had been insisting upon for a long time. The reforms finally enshrined human rights in the country's Constitution (it also slightly increased the power of the prime minister).

But, the failure of democratization efforts in Algeria (1988-1991) and the end of the relatively liberal period in Tunisia (1987-1991) reduced external pressure on the Moroccan regime. It was, therefore, in a stronger position to negotiate with the opposition between 1992 and 1994, which at that time was united as a *Kutla Dimocratiya* (democratic bloc).

Ultimately, the grave illness of King Hassan, publicly known by the mid-1990s, pushed the palace and the opposition to make mutual concessions, as both sides preferred compromise to the uncertainty that could result from the death of the longtime monarch during a period of internal turmoil. As a result, the negotiations led to the formation of the *Gouvernement d'Alternance*—the Government of Change—at the start of 1998; the first time since 1960 that the prime minister had power, including

the ability to implement some reforms, even if the king remained the ultimate authority.

## DEMOCRATIZATION OR LIBERALIZATION?

The term “democratization” generally refers to a substantial and institutionalized redistribution of power from an authoritarian entity toward elected institutions (i.e., parliament, communal assemblies, etc.) and their appointed national and local institutions (i.e., the cabinet and local offices). By this definition, one cannot speak of Morocco in terms of democratization, but rather only in terms of political opening or liberalization, as all true power has remained in the hands of the non-elected head of state—the king. This paper therefore uses the term “liberalization” to refer to instances of the monarchical authoritarian regime softening its methods of controlling society either by changing overly repressive laws (most notably in the penal code) or by more vigilantly respecting laws protecting civil liberties.

Although in theory the constitutional amendments of 1992 and 1996 transferred more power to the prime minister,<sup>6</sup> they were only partially applied under the *Gouvernement d'Alternance* during Prime Minister Abderrahmane Youssoufi's tenure (1998-2002). In reality, the Moroccan Constitution is not a sacrosanct text but rather an optional reference to which the monarchy can look; it cannot overrule the ultimate decision of the king. Instead, a more fundamental element of the governing system is the concept of tradition (adapted and reinvented as suitable) that plays the role of an implicit constitution.

This does not mean that the Constitution and constitutional reforms are worthless, as certain political actors often claim. Rather, the Constitution is the base, at least theoretically, of the social contract that was established in the years after Morocco's

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<sup>6</sup> Article 24 of the Constitution states: “The King shall appoint the Prime Minister. Upon the Prime Minister's recommendation, the King shall appoint the other Cabinet members as he may terminate their services. The King shall terminate the services of the Government either on his own initiative or because of their resignation.” Unofficial English translation available at <<http://www.al-bab.com/maroc/gov/con96.htm>>.

independence. The degree of its application and the interpretation of its articles depend on the balance of power between the monarchy and the political elite and the regional and international context.

### CONSTITUTIONAL REFORMS: HOPES RAISED, HOPES DASHED

Morocco's 1996 referendum to amend the Constitution<sup>7</sup> reaffirmed the kingdom's commitment to respecting human rights.<sup>8</sup> However, there was some regression from the 1992 amendment, as the new revision—the adoption of Article 77—created a second parliamentary chamber, the House of Counselors. Members of this chamber are elected through indirect elections,<sup>9</sup> with local elites playing an important role in deciding its composition. Therefore, it is under even tighter control of the *Makhzen*<sup>10</sup> than is the House of Representatives. As a result, even if the reformist parties hold an absolute majority at the House of Representatives and elect a government willing to exert its constitutional powers, the government can be overthrown by the more conservative House of Counselors.<sup>11</sup>

The positive climate that ensued from the constitutional reforms, and the hope these reforms inspired were bolstered by the accession of Mohammed VI to

the throne in July 1999. The young king expressed his commitment to instituting a “new concept of authority,” meaning he valued a government that was based more on accountability and respect of human rights than on authoritarian rule.<sup>12</sup> The reforms lasted, with ups and downs, until the 2003 suicide attacks in Casablanca.<sup>13</sup> Although the attacks caused a return to reduced civil liberties and respect for human rights, the positive change which began during the 1990s was not completely turned back.

The narrative of hopes raised and then dashed can be seen in the appointments of the past three prime ministers. The 1998 nomination of Abderrahmane Youssoufi, a member of a traditional socialist opposition party, as prime minister raised expectations in Morocco and the Maghreb that the country was making strides toward democracy. Many people therefore hoped Morocco would be a model for other North African countries. But several factors ultimately provoked a backlash of conservative tendencies within the regime, most notably from the security and intelligence services: the weakening of the left and of liberal tendencies, the continued rise of Islamism, Algeria's descent into a bloody civil war, the 9/11 attacks in the United States, and the May 2003 attacks in Casablanca. As a result, Prime Minister Driss Jettou (2002-2007) and Prime Minister Abbas El Fassi

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<sup>7</sup> According to official figures, only 45,324 of 10 million Moroccan voters—less than 1 percent—voted “no” in the September 13, 1996 referendum. There were reports of voting fraud during the two constitutional referendums (and all other elections in Morocco until 2002).

<sup>8</sup> For the first time, respect for human rights were included in the preamble to the amended Constitution of 1992: “Aware of the need of incorporating its work within the frame of the international organizations of which it has become an active and dynamic member, the Kingdom of Morocco fully adheres to the principles, rights and obligations arising from the charters of such organizations, as it reaffirms its determination to abide by the universally recognized human rights.” Unofficial English translation available at <<http://www.al-bab.com/maroc/gov/con96.htm>>.

<sup>9</sup> Article 38 states: “For 3/5 of its membership, the House of Counselors shall consist of members elected in each region by electoral colleges made up of elected members of trade chambers as well as members elected at the national level by an electoral college consisting of wage-earners’ representatives.” Unofficial English translation available at <<http://www.al-bab.com/maroc/gov/con96.htm>>.

<sup>10</sup> The term *Makhzen* is used in two ways: 1) In common discourse it refers to the government and all its public services, particularly those related to the Ministry of the Interior; 2) Among the independent press and the intellectuals, the term is used to refer to the royal establishment made up of a network who declare devotion to the king and receive the material benefits associated with doing so. The term is frequently used in a pejorative sense to avoid using the word “king.”

<sup>11</sup> Article 77 of the Constitution states: “The House of Counselors may vote warning or censure motions against the Government. ... The censure motion ... shall be approved only after a vote by a 2/3 majority of the members of the House. Voting shall take place three days after the motion has been introduced. The vote for censure shall entail the joint resignation of the Government.” Unofficial English translation available at <<http://www.al-bab.com/maroc/gov/con96.htm>>.

<sup>12</sup> See Scott MacLeod, “The King Speaks: An interview with King Mohammed VI of Morocco,” *Time* Europe Web Exclusive, June 20, 2000, available at <<http://www.usa-morocco.org/timemagazineinterview.htm>>.

<sup>13</sup> On May 16, 2003, five coordinated suicide attacks in Casablanca killed thirty-one people. A Moroccan Islamic group affiliated with al-Qa'ida, is officially suspected of having carried out the attacks.

(October 2007-present) were entrusted with less power than Youssefi (1998-2002). In fact, the status of the current prime minister is even more fragile than that of his predecessors. After the legislative elections in 2007, the majority of members of the El Fassi government were not recommended by the prime minister to the king (as stipulated by Article 24 of the Constitution) but by the king's advisers, particularly Meziane Belfqih.<sup>14</sup> After his nomination, El Fassi announced that his only political program was the "program of the king," which the monarch had announced two months before the elections. The prime minister thus publicly renounced his party's political platform, on which he had campaigned.

What seemed to be the beginning of a democratic transition actually turned out to be the near cooptation of the opposition. At a time when Hassan II was reaching the end of his life, this strategy aimed, among other goals, to ensure a smooth monarchical transition by locking the opposition leaders in a golden cage—namely, pulling them into the government but giving them no real power. Once the dynastic transition was accomplished, with the support of the traditional opposition, the palace retrieved most of the powers it had ceded to the prime minister.

### ACHIEVEMENTS OF THE POLITICAL OPENING

Though the reforms of the 1990s did not lead to any decisive transfer of power away from the palace, they did have a positive effect on the relationship

between the state and the citizenry. Those reforms and initiatives can be divided into two categories:

- Civil and political reforms and initiatives;
- Social and cultural reforms.

The following sections examine those reforms and initiatives that had the most impact on the democratization process, the political and social life of the country, and the functioning of state services.

### Civil and Political Reforms and Improvements

The following were the civil and political reforms that started in the 1990s:

- *An increase of freedom of the press, expression, assembly, and association.* Since the end of the 1990s Morocco has seen an unprecedented development of the independent press. The leading daily Arabic language paper (*Al Massae*) is not only independent,<sup>15</sup> it accounts for one-third of all newspaper sales in Morocco. In terms of weekly papers, of the three leading French-language weekly papers, two are independent and critical (*Tel Quel* and *Le Journal Hebdomadaire*)<sup>16</sup> and the four leading Arabic language weekly papers (*Al Ayam*, *Nichane*, *Al Michael*,<sup>17</sup> *al Watan Al-An*)<sup>18</sup> are also independent with liberal tendencies. However, while systematic preemptive

<sup>14</sup> At a religious vigil, Abdelaziz Meziane Belfqih, a powerful adviser to Mohammed VI, stepped aside with El Fassi and gave him a list with the members of his government. El Fassi was baffled to discover names on the list which he had never suggested. Subsequently, during a meeting with the Istiqlal Party, Abbas El Fassi said to his colleagues: "A royal adviser gave me a list which was put together at the highest level. But don't ask further questions; this is not a subject to be discussed." *Tel Quel* N° 294, October 2007.

<sup>15</sup> This daily paper suffered from heavy pressure placed on it repeatedly by the regime during 2008 and 2009, and is currently required to moderate its criticism of the army, the intelligence services, and the palace. Rachid Niny, the director of the newspaper, tried to exploit the relatively liberal climate imposed by February 20 youth movement to speak more freely about the security services and intelligence. He was arrested and prosecuted for press offenses in May 2011.

<sup>16</sup> *Le Journal Hebdomadaire* was shut down by the government at the start of 2010.

<sup>17</sup> *Al Michael* was shut down for political reasons at the end of 2009, and its director was sentenced to one year in prison. He was freed in June 2010.

<sup>18</sup> According to the OJD Maroc (Organisme de Justification de la Diffusion). Information available at <<http://www.ojd.ma/site/ma/leschiffres.php>>. On the other hand, it should be noted that Morocco's newspaper readership level is one of the lowest worldwide, with thirteen copies read for every 1,000 people (the worldwide average is 250 per 1,000 people; in Arab countries, the average is 40 per 1,000 people and in Algeria, the average is 71 per 1,000 people). Only 350,000 copies of newspapers are distributed every day. See <[http://www.wan-press.org/print.php3?id\\_article=18613](http://www.wan-press.org/print.php3?id_article=18613)>.



ensorship is no longer practiced on newspapers, the television and radio stations are still under government control.

- *The decline of cases of torture and enforced disappearance compared to the levels that existed from 1960 through the 1980s.* Security services no longer systematically apply torture, with the exception of using it against jihadist (or supposed jihadist) cells.
- *The active development of the pro-democratic civil society through the creation or reinforcement of associations independent of the regime.* A prominent example is the expansion of the Moroccan Association of Human Rights (AMDH), the largest and most influential human rights association in North Africa. Several platforms and umbrella associations for democratic development have been and are still being created, such as the “Espace Associatif” (EA)<sup>19</sup> and the “Forum des Alternatives Maroc” (FMAS).<sup>20</sup> The number of associations continues to grow, from around 32,000 in 2005 to about 65,000 in 2009.<sup>21</sup>
- *A limitation on the power of the monarchy.* While the two constitutional reforms mentioned above (1992, 1996) have not changed the overall authoritarian nature of the regime, they have theoretically opened the door to limiting the monarch’s power. Article 26 states that the king must promulgate a definitively adopted law within thirty days after receiving it from the government. Previously, the Constitution placed no

timeframe on the king.<sup>22</sup> In addition, Article 24 stipulates that the prime minister, not the palace, nominates the members of the government for approval by the head of state.

- *Relatively transparent elections and increased women’s representation.* The 2002 parliamentary elections, the first held under the rule of Mohammed VI, were relatively fair and transparent, with decreasing levels of intervention by the local authorities. In 2002, the regime supported an agreement by the parties participating in legislative elections to allocate 10 percent of the seats in the House of Representatives to women. This led to a substantial increase in the number of women—from two to about thirty—in the lower chamber. Similarly, the reform of the Communal Charter and the electoral law in 2008 decreed a 12 percent minimum quota for women in municipal government. To guarantee equal representation, every municipal council is required to appoint a consultative commission called the Commission of Equality and Equal Opportunity. This commission is composed of local associations and civic actors that are appointed by the head of the local council. The commission advises on questions of “equality, equal opportunity, and gender” on request of the council.<sup>23</sup>
- *A national dialogue on human rights.* The establishment of the Equity and Reconciliation Commission (*l’Instance Équité et Réconciliation*, IER) in 2004—Morocco’s version of a truth commission—played a positive role in the reconciliation between

<sup>19</sup> Espace Associatif’s website available at <[www.espace-associatif.ma](http://www.espace-associatif.ma)>.

<sup>20</sup> Forum des Alternatives Maroc’s website available at <[www.forumalternatives.org](http://www.forumalternatives.org)>.

<sup>21</sup> See “Etude sur le volontariat et le bénévolat au Maroc,” Carrefour Associatif, 2010, p. 7.

<sup>22</sup> But, as the constitutionalist Mohammed A. Benabdellah reminds us: “The sovereign can recur to a constitutional procedure to avoid promulgation: 1. Refer to the Constitutional Council if one or several dispositions are unconstitutional 2. Ask for a revision by the Parliament 3. Submit the law to a referendum if the Parliament maintains its position.” See <<http://aminebenabdallah.hautetfort.com/list/droit-constitutionnel/Evolution-constitutionnelle.pdf>>.

<sup>23</sup> See chapter 3 and following of the electoral law: “Special provisions regarding the election in the complementary electoral constituencies created in urban or rural communities,” *Official Gazette of the Kingdom of Morocco*, January 1, 2009 (author’s translation).

certain victimized segments of society and the state by setting up public hearings—some of which were broadcast on state television—in which victims of the state’s iron-fist years described their ordeals. This triggered a nationwide debate (about past human rights violations and how to prevent them in the future) and reduced feelings of insecurity in society because by establishing the IER, the state implicitly acknowledged the severe human rights violations that its security services had committed. Yet, while the state has compensated some of its victims, it has not publicly apologized to the country or even to the victims and their families.

- *An increase in the productivity of local and national administrations.* The reforms improved the functioning of public administration services by professionalizing them. Compared to the 1970s and 1980s, the needs of citizens have increasingly been taken into account. This is also the result of a general social evolution of mentalities and progress in training public agents and officials.

## Social and Legal Reforms

The following were the social and legal reforms that started in the 1990s:

- *Increased gender equality.* In 2003, Morocco reformed the *Mudawana* (Family Law) so

that women no longer fell under the guardianship (*tutelle*) of their husbands and were entitled, under certain conditions, to half the fortune accumulated by the couple after their marriage. This was an important step toward gender equality in the country, as it drastically improved the status of women. Two years later, in 2005, the state reformed the Nationality Law, allowing the children of Moroccan women married to foreigners to gain Moroccan citizenship. Lastly, in 2008, the king announced that Morocco would retract some of its reservations to the United Nations Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). While the reforms received widespread support among feminist groups in Morocco and observers in the region, the king’s retraction of the country’s reservations to the Convention provoked a strong negative reaction from conservatives—including those within the power structure—and certain Islamists.<sup>24</sup> The king’s support of these measures was courageous, as polling has indicated that Moroccan citizens have been generally much more reluctant to improve women’s rights than he is.<sup>25</sup>

- *A focus on reducing corruption.* The establishment of the Central Body for the Prevention of Corruption (*Instance Centrale de Prévention de la Corruption, ICPC*)<sup>26</sup>

<sup>24</sup> “The Moroccan reform of the family law, stipulating equality between men and women deserves to be applied to all Arabic and Islamic countries” says Amr Hamzawy, MENA expert at the Carnegie Endowment for International Peace. See <[http://www.aujourd'hui.ma/?mod=resultatQuery&choix\\_recherche=2&aa=2005&table=articles&num=5726](http://www.aujourd'hui.ma/?mod=resultatQuery&choix_recherche=2&aa=2005&table=articles&num=5726)>. Bassima Hakkaoui, leader of the female deputies of the PJD in the House of Representatives, reacted strongly in the Moroccan press against feminists who interpreted the retraction of Morocco’s reservations announced with a royal letter to the Consultative Council on Human Rights as a total retraction of all of Morocco’s reservations, including those incompatible with Sharia.

<sup>25</sup> A survey on the Moroccans’ perception of Mohammed VI’s politics, carried out by the French daily *Le Monde* and the Moroccan weeklies *Tel Quel* and *Nichane*, showed that the reform the Moroccans most disagree with is the reform of women’s rights. The Ministry of Interior destroyed the 100,000 copies of *Tel Que l* and *Nichane* on August 1, 2009. The issue of *Le Monde* was interdicted in Morocco. See *Le Monde* (Paris), August 3, 2009.

<sup>26</sup> The ICPC was founded by the decree of March 13, 2007, published in the official *Gazette* on April 2, 2007. As its members are known for their competence and integrity, the creation of this institution was welcomed by civil society: The secretary general of Transparency International, Rachid Filali, estimated that the creation of the ICPC was an important step forward toward the elimination of a phenomenon that becomes more and more endemic. He says that “the announcement of the appointment of such a body can only be welcomed by those who had been expecting such a measure. It is a very clear political message and the Government must give it the necessary support.” *Le Matin du Sahara* (Casablanca), August 22, 2008.

in 2008 was a relatively important step in the fight against corruption. Civil society actors had been requesting the establishment of such a body for several years to address ongoing corruption in the government, justice, administration, and security services. Also, law enforcement agencies dealt several severe blows to drug trafficking that had been rampant in the north of the country and that had involved local authorities, security officers, and high ranking officials from the Ministry of Interior. The Bin Louidane affair at the end of 2006 was emblematic and led to the arrest of Abdelaziz Izzou, who was chief of security for the royal palaces at the time. Twelve high-ranking officials were released from their duties and brought to justice. Overall, corruption was rooted out in nearly all of the security forces of the Tangier region: the harbor police, the provincial police, the DST (intelligence service), the royal gendarmerie, the auxiliary forces, and the *caïdal* authorities (part of the Ministry of the Interior).<sup>27</sup> Despite the fact that these campaigns set red lines, they were very selective and geographically limited; conducting a nationwide anti-drug campaign would have entailed too many political risks.

In addition, the regime developed a cultural and religious policy based on two pillars to counterbalance the rise of radical Islamism:

- *Promotion of secular and universal culture (including world music), especially among the young urban population.* The regime

made efforts to promote a kind of apolitical secularism, mainly through the 2M television station and events like the Essaouira-Mogador cultural festival (whose patron is André Azoulay, counselor to the king) and the Mawazine world music festival in Rabat. The reintegration of philosophy into the high school curriculum and the teaching of social sciences in universities are also part of this policy.

- *Implementation of a new religious policy based on popular Islam and Sufism.* For most of Morocco's history, Islamic faith has been quietly and peacefully practiced, and the government has tried to revive this in order to weaken political Islam. An example is the state's support of the Sufi Buchishyya brotherhood. The state encourages the brotherhood to appear publicly in big demonstrations (for example, on the topic of supporting important decisions of the king, and on the topic of Palestine) with the goal of opposing the Al Adl Wal Ihssan (AWI) movement, whose founder Sheikh Abdessalam Yassin is a former member of the Buchishyya brotherhood. Also, in school and religious books, the government has removed statements that did not respect human rights. Further, the minister for religious affairs initiated the training of the *murshidat*, a group of female religious guides, and integrated them into the ministry's education department. This was the first time in modern Morocco that women were given an official religious mission.

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<sup>27</sup> *Almassae*, December 5-27, 2006.

# THE STALEMATE (2003-2011): A RESULT OF STRUCTURAL AND POLITICAL FACTORS

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Despite some political reforms in Morocco that led to freedoms in a number of areas and an official discourse more outspoken about the endemic nature of corruption and the need to combat it, the reforms mostly reached a standstill in 2003, with regression in the field of civil liberties and the press. Economic conditions, cultural factors, and a lack of political will combined with other trends—such as the decline of opposition parties and the rise of a royal-sponsored party—to create a situation in which progress stalled. This state of affairs has begun to change, thanks to protests organized by the February 20 Youth Movement that pressured the king to deliver a speech on March 9, 2011. The king promised constitutional reform and implied the transfer of sovereign powers to the prime minister, parliament, and the judiciary, as well as an expansion of civil liberties.<sup>28</sup> Yet, given the lack of trust between the regime and young Moroccans, protests continued after the speech in more than one hundred cities and towns. Furthermore, the draft Constitution presented by the king in his June 17, 2011 speech disappointed many of those who had initiated the youth movement. The new Constitution, despite the progress it represents, leaves a bulk of power in

the hands of the monarch. The youth activists had fought, with the support of small leftist parties like the Socialist Unified Party (PSU), for a true constitutional monarchy where the king would have a role, but not govern.

## ECONOMIC AND CULTURAL VARIABLES: A BALL AND CHAIN PREVENTING PROGRESS

Underlying structural challenges in Morocco—mostly cultural and economic—hampered full-scale democratic reforms in the country. Morocco has among the highest rates of illiteracy in the Arab world, its education system is one of the least effective of the Middle East and North Africa (MENA) region,<sup>29</sup> and the level of income disparity among its population is one of the highest worldwide.<sup>30</sup> Such an unbalanced distribution of knowledge and wealth has a negative effect on the distribution of power in the country.

Morocco has an authoritarian culture. In rural areas, the family and clan are still deeply patriarchal. Traditional religiosity, instead of modern culture, still dominates the countryside and small towns where the majority of the population lives. Secular

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<sup>28</sup> See Lisa Abend, “Reforming Morocco: Taking Apart the King’s Speech,” *Time*, March 10, 2011.

<sup>29</sup> “Literacy and Adult Education in the Arab World: Regional Report for the CONFINTEA V Mid-Term Review Conference,” UNESCO-Beirut Regional Office for Education in the Arab States & UNESCO Institute For Education, Bangkok, September 2003, available at <[http://www.unesco.org/education/uie/pdf/country/arab\\_world.pdf](http://www.unesco.org/education/uie/pdf/country/arab_world.pdf)>.

<sup>30</sup> Ali Abdel Gadir Ali, “Globalization and Inequality in the Arab Region,” Arab Planning Institute, Kuwait, September 2003, available at <<http://www.arab-api.org/cv/aali-cv/aali/wps0307.pdf>>.

culture remains limited to only parts of the middle class and the educated *petite bourgeoisie*. The failure of modernization can be principally explained by the poor quality of education. According to a 2008 World Bank report on education in the MENA region, Morocco ranks near the bottom, placing eleventh out of fourteen nations studied, far behind Jordan, Tunisia, and even Algeria. Its poor performance is comparable to Iraq—a country in a state of war since 1980—and the poorest countries of the Arab League—Djibouti and Yemen.<sup>31</sup>

One reason for the poor state of the Moroccan education system is that during the three decades of iron-fist rule before the 1990s, the regime considered schools to be threatening in two ways: politically, the regime perceived students and teachers as opponents and agitators; ideologically, the regime viewed modern thought as dangerous to the country's stability and threatening to the acceptance of monarchical legitimacy.<sup>32</sup>

Further, the education system has been harmed by the slow pace of economic development and anemic growth of GDP in Morocco that has created an environment in which wealth is highly segmented and resources are held by a privileged few. The Human Poverty Index in Morocco is one of the highest in the MENA region<sup>33</sup> and because there are few riches to be shared, affluent elites hold their wealth tight,

and oppose any democratization process that would threaten the rentier economy. As Adam Przeworski has demonstrated, growth in national wealth favors a transition toward democracy and helps in the consolidation of newly established democracies.<sup>34</sup>

The poor economic situation has taken its toll on education, as limits on capital have translated into a lack of educational resources. This has created a situation in which the economy, education system, and level of democracy are deeply intertwined: the stronger the economy, the more resources there are available to schools; the better the schools and the education system as a whole, the faster the march toward democracy becomes, as a better educated population is more likely to embrace liberal ideas and democratic values.<sup>35</sup> The relative poverty of the country, coupled with an education system that imparts few needed skills, results in an endemic problem of youth unemployment and a pessimistic mindset that reinforces religious radicalism.

A 2009 survey conducted by Gallup of young people in the Arab world asked: "Thinking about the job situation in the city or area where you live today, would you say that it is now a good time or a bad time to find a job?" The results for Morocco were striking, even compared to other Arab countries with similar socio-economic development levels: only 13 percent of young males replied "good time," compared with

<sup>31</sup> The report uses a composite index of education results for fourteen countries in the MENA region, measuring the educational systems' performance in terms of access, equality, efficiency, and quality. "The Road Not Traveled: Education Reform in the Middle East and North Africa," The World Bank Group, 2008, available at <[http://siteresources.worldbank.org/INTMENA/Resources/EDU\\_Flagship\\_Full\\_ENG.pdf](http://siteresources.worldbank.org/INTMENA/Resources/EDU_Flagship_Full_ENG.pdf)>.

<sup>32</sup> In a speech to the nation on March 29, 1965, King Hassan II declared, "It would be better if you were illiterate, because illiterates aren't more dangerous to the state than so-called intellectuals." For an analysis of the context of this speech, see Maâti Monjib, *La Monarchie Marocaine et la lutte pour le pouvoir* (Paris: L'Harmattan, 1992).

<sup>33</sup> The 2009 Arab Human Development Report sponsored by the UNDP states: A "lens for the analysis of impoverishment is human poverty, which refers to the deprivation of capabilities and opportunities, and can be measured through the Human Poverty Index (HPI), a composite index built on three components: a) longevity, b) knowledge and c) standard of living. Applying that index, low income Arab countries exhibit the highest incidence of human poverty in the region, with an average HPI of 35 per cent compared to a 12 per cent average in high income countries. This metric shows that insecurity undercuts health, education and standards of living, all of which puts in question the effectiveness of the state in providing, and ensuring access to the basic necessities of life. ... Arab countries scoring an HPI of 30 per cent or more include ... Sudan (with an HPI of 34.3 per cent), Yemen (36.6 per cent), Mauritania (35.9 per cent), and Morocco (31.8 per cent). In almost all of these countries, significant insecurity (i.e. a value of more than 30 per cent) is recorded for the education component, represented by the adult illiteracy rate." "Arab Human Development Report 2009: Challenges to Human Security in the Arab Countries," United Nations Development Programme, executive summary available at <<http://www.arab-hdr.org/publications/contents/2009/execsummary-e.pdf>>.

<sup>34</sup> Adam Przeworski et al. *Democracy and Development: Political Institutions and Well-Being in the World, 1950-1990* (Cambridge: Cambridge University Press, 2000).

<sup>35</sup> Ibid.

37 percent in Tunisia and 34 percent in Mauritania (the average for Arab League countries was 32 percent).<sup>36</sup> Young Moroccans seem to be among the most pessimistic in the Arab world, which is unsurprising, given that 40 percent of young Moroccans graduating from university are unemployed.<sup>37</sup>

Another impediment to democratic progress is the fact that the monarchy has a monopoly on the allocation of the state budget. As a result, it is able to co-opt active or potential leaders of the reform movement. In addition, the economic authoritarianism of the regime, combined with the racketeering of the Makhzen, has prevented the strengthening of a national upper-middle class that has an interest in defending the rule of law in order to improve the climate for investment and transparency. Ultimately, Morocco's authoritarianism has impeded the participation of independent-minded businessmen in politics, as the Makhzen is hampering a rapprochement between the business community and the pro-democratic opposition. After Abderrahim Lahjouji and Hassan Chami, two presidents of Morocco's largest private sector business association, CGEM (Confédération Générale des Entreprises du Maroc), showed some signs of independence vis-à-vis the palace, the association's leadership was put under renewed royal control and has stayed that way since 2005.<sup>38</sup>

### A LACK OF POLITICAL WILL, ENABLED BY DOMESTIC AND INTERNATIONAL EVENTS

The political and constitutional situation in Morocco has been well framed by the Moroccan scholar M. A. Benabdellah, who shows the contortions and

paradoxes of Moroccan constitutionalism: "No one can deny the fact that today, Morocco has all the democratic institutions necessary for a constitutional practice similar to developed democracies (powers of the parliament, designation of the members of government, constitutional control of the laws). But every constitutional evolution in Morocco is taking place against the background of a regime in which parliament and the executive branch act as everywhere else but are practically under the king, who can issue directives and instructions. He is the key element of the system, the source of power for all institutions. No doubt, Morocco has seen five constitutions but they remain under the control of the governing monarchy."<sup>39</sup> The *Economist* put it far more bluntly a couple of years ago: "For all its claims of democratic reform, Morocco is still, constitutionally and in practice, an absolute and at times capricious monarchy."<sup>40</sup>

The regime took advantage of several events to delay political reforms. The descent of Algeria, Morocco's powerful neighbor to its east, into a bloody civil war in the early 1990s was one of the most important factors that modified the power dynamic in favor of Morocco's authoritarian monarchy. The Western world and the liberal middle class in Morocco feared that too much pressure on the regime could lead to a destabilization of the country and that a real opening could lead to an electoral success for the Islamists. At the same time, the regime used the 9/11 terrorist attacks, the 2003 Casablanca attacks, and the failure of the 2004 negotiations with the Polisario in Western Sahara to put aside democratization. The government exploited the tensions in Western Sahara caused by separatists as a unifying theme to rally the nation around the flag.

<sup>36</sup> "The Silatech Index: Voices of Young Arabs," Gallup, June 2009, available at <<http://www.gallup.com/poll/120758/silatech-index-voices-young-arabs.aspx>>.

<sup>37</sup> Education for Employment Foundation, available at <<http://www.themastercardfoundation.org/efe.htm>>.

<sup>38</sup> *Tel Quel* N° 209, January 21–27, 2005. For example, the palace has practically nominated the last two leaders of the CGEM via direct intervention. Also, the king directly appoints the head of the powerful medical association (*ordre des médecins*), despite the constant criticism by its members.

<sup>39</sup> M. A. Benabdellah, *Propos sur l'évolution constitutionnelle au Maroc. (Considerations on the Constitutional Evolution of Morocco)*, available at <[http://aminebenabdallah.hautetfort.com/list/droit\\_constitutionnel/Evolution\\_constitutionnelle.pdf](http://aminebenabdallah.hautetfort.com/list/droit_constitutionnel/Evolution_constitutionnelle.pdf)>.

<sup>40</sup> "Popular but Prickly; Morocco and its King," *Economist*, August 27, 2009.

## THE WEAKNESS OF THE RULE OF LAW

The rule of law has taken a back seat to the regime's political considerations, especially when it comes to civil society groups. The Ministry of Interior grants legal recognition to new associations based not solely on legal grounds, but also on political concerns. Therefore, associations engaged in issues that are considered sensitive by the regime or whose founders are members of the opposition have had trouble obtaining the proper legal status. Also, the authorities systematically discriminate when it comes to granting associations the *statut d'utilité publique* (essentially, a form of charitable and tax-exempt status that qualifies an organization to receive public funds). But most importantly, the flip side of this is that associations that are close to the regime receive favorable treatment and obtain public funding more easily. The same discrimination is applied when it comes to authorizing or refusing public demonstrations or the use of a public space. The development of civil society is encouraged or hampered along political lines.<sup>41</sup>

The regime continues to ignore the constitutional prerogative of the cabinet and parliament, especially in those areas where the impression might arise that they exercise real power. For instance, press reports revealed that in August 2008 the king enacted by *dahir* (royal decree) a new status for senior officials in the Ministry of Interior. Specifically, the decree significantly improved the financial standing and administrative strength of the powerful *walis* (governors) and *caïds* (senior officials). However, Article 46 of the Constitution states that the parliament has authority over these positions:

“The Legislative Power shall have competence in... the fundamental guarantees granted civil and military personnel.”<sup>42</sup> The national media took up the story, not because this was an unprecedented event, but because for the first time a minister (Mohamed El Yazghi, the former leader of the socialist party, USFP) challenged a royal decision by referring to it as unconstitutional.<sup>43</sup> In the same month, August 2008, the king had appointed the president of the Competition Council, though the law states that it is the prerogative of the prime minister.<sup>44</sup>

Furthermore, the Equity and Reconciliation Commission's (IER) institutional recommendations, which could have paved the way for an actual separation of powers, have never been applied. Though they have officially been accepted by the king, there is no official or unofficial agenda for their implementation.<sup>45</sup> (It should also be noted that the work and investigations of the IER have been limited to the period before Mohammed VI inherited the throne.)

## A BROKEN ELECTORAL SYSTEM

Morocco's electoral system—specifically, the division of electoral districts—has disadvantaged the country's opposition. Before each election, the Ministry of Interior uses its careful study of public opinion to redraw the boundaries of electoral districts to the regime's advantage. For example, prior to the 2007 elections, the government conducted redistricting in Casablanca and Tangier with the aim of disadvantaging the Islamist Justice and Development Party (PJD).<sup>46</sup> The same strategy was used to disadvantage the nationalist parties in 1963 and the left during the 1970s, 1980s, and 1990s. In

<sup>41</sup> Amaney A. Jamal, *Barriers to Democracy: The Other Side of Social Capital in Palestine and the Arab World*, (Princeton and Oxford: Princeton University Press, 2007), p. 98.

<sup>42</sup> Constitution of Morocco, Article 46, unofficial translation available at <<http://www.al-bab.com/maroc/gov/con96.htm>>.

<sup>43</sup> *AuFait*, September 28, 2008.

<sup>44</sup> Price Liberalization and Free Competition Act (No. 6/99), August 2008.

<sup>45</sup> “The IER recommended to reinforce the principle of the separation of powers and to constitutionally prohibit any interference of the executive power with the functioning of the legislative power.” For the IER's recommendations, see <<http://www.dissertationsgratuites.com/dissertations/Les-Recommandations-De-l%E2%80%99Ier-Maroc/228764.html>>.

<sup>46</sup> In Tangier, Rabat, Salé, and Casablanca, the PJD obtained twenty three out of forty seats in 2007. But, if the electoral districting were proportional to population, these four cities would have sent sixty five representatives to the House instead of only forty.

practice, the *Sheikh* and *Moqaddem*,<sup>47</sup> and, at times, the neighborhood guards have played an important role in the redistricting by gathering information—which often is very accurate—that is analyzed by the General Affairs Department and other intelligence services. In 2006, then-Prime Minister Driss Jettou publicly acknowledged to French investors that the electoral system prevents any single party from reaching a majority. Prime Minister Driss Jettou assured his interlocutors who worried about a survey conducted by the International Republican Institute that predicted 47 percent of the vote would go to the Islamists of the PJD<sup>48</sup> in the legislative elections. He said that the system does not allow anyone to win.

The result of Morocco's electoral system and the authoritarian interventions in the voting process is that a majority of the population often does not vote. Many voters who do go to the polls do so not for political reasons but for direct advantages or for archaic bonds of solidarity. Ultimately, the current electoral system favors local elites, encourages corruption, and destroys citizens' confidence in the value of political participation. In the last legislative elections, the one million invalid ballots cast—arguably a sign of protest—outnumbered the combined votes for the leading two parties, Istiqlal and the PJD.

In the current system, many well-known and respected national figures—such as Mohammed Sassi, Khalid Jamai, Abderrahim Lahjouji, Fouad Abdelmoumni, and Driss Benali—would find it difficult to be elected, because elections are determined by local interests and vote buying. Obscure local dignitaries easily win elections by changing their political affiliation and basing their campaigns on personal attacks rather than a discussion of issues, political programs, or ideology.

For this reason, it is no surprise that legislative elections take the character of local elections; since the parliament has insufficient powers to control the executive and have a real impact on the nation's policy, campaign discourse is skewed away from a debate of national issues. During the campaigns, the majority of the candidates make local promises that are outside the scope of their potential future responsibilities as parliamentarians. For all these reasons, a majority of the population does not vote, and those who do show up to the polls often cast votes in protest. In 2007, for instance, voter turnout was only 37 percent, and the highest rate of invalid votes (36 percent versus a nationwide level of 19 percent) was registered in Casablanca-Anfa—one of Morocco's richest neighborhoods, with one of the lowest rates of illiteracy. One can therefore conclude that these invalid votes were a sign of political protest and not caused by a lack of familiarity with voting. It is also in Anfa where the highest abstention rate, 76 percent, was registered.<sup>49</sup> Together, this means that if the portion of the population who was not registered to vote is also accounted for, less than one in ten adult citizens chose to vote for their representative in parliament. As a result, it follows that, among the segment of society most in tune with modern values, the legitimacy of the government is very low.

The June 2009 local elections followed the pattern of the 2007 elections, with citizens protesting by staying home. During the June 2009 campaign, local authorities in some regions unofficially supported the party close to the king, the *Parti Authenticité et Modernité* (PAM), and turned a blind eye to the distribution of money in the days before the elections.<sup>50</sup> This only exacerbated the public's disenchantment in an election in which the strategic objective of the regime was to display citizen support

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<sup>47</sup> The *Sheikh* and *Moqaddem* are the traditional local public servants of the Makhzen. They play an administrative role of information and mobilization. Through them the Makhzen can most efficiently control the population, spy on them and “guide” their votes if necessary.

<sup>48</sup> “Les Islamistes marocains tentés par le modèle turc,” *Le Monde Diplomatique* (Paris), August 2007.

<sup>49</sup> *Tel Quel* N° 290, September 2007.

<sup>50</sup> The same month (January 2009) the weekly *Al-Ousboue* reported that the leader of the PAM who does not hold office, presided over a meeting of the organisation of the upcoming election at the Ministry of Interior.



through large-scale voter participation and a clear victory for the PAM. After record-low voter participation in the 2007 parliamentary elections (37 percent),<sup>51</sup> the Ministry of Interior claimed that the municipal election turnout was 52 percent. However, in examining the numbers closely, it becomes apparent that this figure cannot be accurate.

The Ministry of Interior calculated its turnout figure by claiming that 13.3 million people were registered on the voting lists, far fewer than the number that had been registered for the 2007 elections (15.5 million). This would imply that the population had not grown—and even diminished—since the 2003 municipal elections.<sup>52</sup> However, not only had the population grown, but the voting age had been lowered from twenty-one to eighteen years of age, raising the number of citizens with the right to vote by nearly two million. Lastly, participation rates in Morocco for local elections tend to be higher than for parliamentary elections, as Moroccans are aware of parliament’s lack of power and favor elections with a more direct impact on their daily lives. For all these reasons, the government’s figure of a 52 percent turnout rate is suspicious. Yet, even if the figure is correct, the turnout rate is anemic. According to the government, 6.9 million voters had gone to the polls (52 percent of 13.3 million). This means that in a country with 20 million people who are of voter age, approximately 13 million people—two-thirds of Morocco’s adult citizens—were not interested in voting.

In particular, voters in the Casablanca district turned out in limited numbers. Since the 1940s, Casablanca

has been the biggest, and most politicized, city in Morocco, where the majority of the country’s modern economic activity is located. Yet, despite this, the official abstention rate was very high: 71 percent of registered voters did not vote, and 11 percent of ballots that were cast were invalid. Factoring in the unregistered population, this means that only 16 percent of adults in Casablanca voted for their representative in the local institutions. This can be interpreted as the passive renouncement by an urban population who realizes that elections are not a deciding factor for policy in the country. With unemployment and pessimism widespread especially among the young, the population has no incentive to vote at elections that they know will have no impact on the government’s labor market policies.

### THE WEAKENING OF THE TRADITIONAL OPPOSITION: THE FATAL EMBRACE

One of Morocco’s traditional opposition party, the left-of-center USFP, has declined in strength in recent years. The party has lost its traditional base—the urban electorate, unions, employees, and civil servants—and has increasingly been dominated by notables who are more political entrepreneurs than engaged citizens. As a result, its electoral base has shifted toward citizens of rural areas.

Morocco’s political system has proved to be toxic for the democratic parties who participate without any leverage. By taking part in the political system, parties lose all the intangible benefits they once held—such as their image of being defenders of the truth,

<sup>51</sup> Tamara Cofman Wittes has said, “Fundamentally ... the biggest decisions rest with the king. To engage voters he will have to strengthen Parliament and the mainstream political parties, giving them a real capacity to act on voters’ concerns and reducing his own power in the process. If he chooses not to fortify Parliament, he faces the risk that voters may abandon their faith in the democratic process and turn to more dangerous and destabilizing alternatives.” Tamara Cofman Wittes, “Moroccan Roulette: What Happens if You Hold an Election and Nobody Comes?” *Slate*, August 24, 2007.

<sup>52</sup> According to calculations made by the author, based on official figures published by the Ministry of Interior, the following are the changes in population of registered voters:

Year	Population registered to vote	Growth
1983	7,079,600	--
1992	11,398,900	+61%
1997	12,941,700	+13.5%
2003	14,620,900	+13%
2009	13,360,200	-8.6%

democracy, and the poor. Without gaining any of the advantages of participating in politics, such as exercising power, parties in Morocco have suffered by being seen as enabling a system that many of their constituents either resent or are indifferent toward. In retrospect, therefore, the *Gouvernement d'Alternance* appears to have been a fatal embrace.

The regime has been successful in putting intense pressure on and isolating the few leaders of the Islamist PJD and socialist USFP that continue to demand constitutional reform, more civil liberties, and the rule of law.<sup>53</sup> Therefore, the parties that hoped several years ago that the political opening would inevitably lead to democratization have lost faith. Today, instead, they are striving for political survival, and have renounced their aspirations of turning the “monarchy with a constitution” into a “constitutional monarchy.” As Eva Wegner has said, “The underlying motive of the [PJD] Islamists’ behavior has been to avoid any repressive backlash; whenever promotion of social and political change conflicted with the desire to avoid repression, programmatic issues were dropped and anxiety for the party’s legal status always gained the upper hand... its attitude of anticipatory obedience after May 16 [suicide attacks], shows that the PJD considers the palace to stand on firm ground, which in turn is a strong indicator of the stability of authoritarian rule in Morocco.”<sup>54</sup> The independent Moroccan press has argued that no fundamental change can be expected from the upcoming legislative elections because the parliament does not have a decisive impact on policymaking. It should be noted that the onset of the

Arab Spring and the political dynamics that resulted in Morocco made public opinion and independent media more optimistic about the democratic future of the country. Further, it would be unrealistic to expect the forces integrated into the political system to support regime change from a governing monarchy to a parliamentary monarchy, because being an integrated party means already having accepted the political and religious primacy of the king.<sup>55</sup>

Therefore, to escape their current dead-end situation, some USFP leaders have argued that the party should leave the government and form a new alliance with civil society organizations and left-wing parties, including those not represented in parliament. Such an alliance would be capable of changing the balance of power toward the pro-democratic sector and push the palace to respect the prerogatives of the cabinet. Otherwise, as Marina Ottaway and Meredith Riley explain, the palace will continue to govern over the government: “A veritable shadow government of royal advisers keeps an eye on the operations of all ministers and government departments. Not only are important decisions made by the palace, but their execution is also managed... by the royal entourage. The question is not whether Morocco will continue its democratic transformation, because, contrary to the views of some, such a transformation has not even started.”<sup>56</sup>

## REPRESSION: A TOOL TO STEER POLITICS

The repressive security campaign that Morocco launched in the wake of the 2003 attacks in

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<sup>53</sup> The regime also tries to soften them up by naming them to powerful positions. To this end, the king surprised observers when he named to a ministerial position Driss Lachgar, the influential USFP leader who between 2007 and mid-2009 championed a political project aimed at rapprochement with the moderate Islamists of the PJD. Lachgar did this to force the palace into a constitutional reform that would give more power to the parliament and the cabinet. For further details, see Maâti Monjib “The USFP and the Moroccan Monarchy: the Power of Patronage,” *Arab Reform Bulletin*, May 4, 2010, available at <<http://www.carnegieendowment.org/arb/?fa=show&article=40732>>.

<sup>54</sup> Eva Wegner, “Islamist Inclusion and Regime Persistence: The Moroccan Win-Win Situation” in *Debating Arab Authoritarianism. Dynamics and Durability in Nondemocratic regimes*, ed. Oliver Schlumberger (Stanford: Stanford University Press, 2007), pp.87-88.

<sup>55</sup> See Khadija Mohsen-Finan and Malika Zghal, “Opposition islamiste et pouvoir monarchique au Maroc; le cas du PJD,” *Revue Française de Science Politique* 56, 2006, pp. 79-110.

<sup>56</sup> Marina Ottaway and Meredith Riley, “Morocco: Top-Down Reform Without Democratic Transition” in ed. Marina Ottaway and Julia Choucair-Vizoso, *Beyond the Facade: Political Reform in the Arab World* (Washington, DC: Carnegie Endowment for International Peace, 2008), p.162.

Casablanca continues to this day. Compared with the 1997-2003 period, the 2003-2010 period witnessed relatively higher levels of repression, including more arrests and more instances of torture.<sup>57</sup> Islamists are not the only segment of the opposition affected. The 2008 arrests and mistreatment of the leaders of Albadil Alhadari, a liberal Islamist group, represent a sort of warning to the political class and especially to those who continue to be aggressive in calling for substantial democratic reforms, and for entrusting power to the parliament and the ministerial government, rather than the monarchy.

### THE CREATION OF A ROYAL-SPONSORED PARTY

In 2008, with the support of the state, former Deputy Minister of Interior Fouad El Himma founded the PAM, which has served as a new royalist party. Its principal purpose seems to be to secure an artificial parliamentary majority for the regime against the pro-democratic parties.

If the PAM can build on the success it had in the June 12, 2009 local elections in the next legislative elections in 2012, the reform process and the civil liberties gained during the last decade and a half risk being dealt a severe blow. The PAM has already exploited the cleavage between Islamists and secularists, using the divide to its advantage in the 2009 elections: The Ministry of Interior published a poll shortly before the elections that claimed the

PJD would receive 39 percent of the votes and the PAM would come in fourth with about 9 percent.<sup>58</sup> Because the secular parties perceived the PAM as a lesser of the two evils, especially if it was on track to garner less than 10 percent of the vote, they only feebly opposed its discourse and program. Ultimately, the PAM won the election with 18 percent of the vote.<sup>59</sup>

The PAM has been adept at using rhetoric based on Morocco's authoritarian tradition to gain support. In doing so, it has frequently contradicted itself by articulating an anti-Islamism message that contrasts with its praise of the religious role of the monarchy and emphasis of the status of the king as "Commander of the Faithful." It thus mixes the spiritual with the political, which is exactly what it condemns the Islamists of doing. The anti-Islamism of the PAM is not ideological but rather politically motivated: as Islamism is one of the strongest tendencies in Moroccan society, it is the only real threat to royal authoritarianism.

This is not the first time in the history of Morocco's authoritarian monarchy that the state has created a party to weaken the prevailing political tendencies. At the end of the 1950s, the state supported the creation of the Popular Movement, a rural Berber party, to foil the urban Arabist Istiqlal party. From the 1960s through the 1980s, the Makhzen created several more "official" parties and coalitions (including the FDIC, RNI,

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<sup>57</sup> Human rights organizations have documented the following details of human rights violations:

- More than 5,000 Islamists were arrested after the attacks of May 16, 2003; very few of them had any organizational connection to the jihadists responsible for the attacks, and at least two died under torture;
- The anti-terrorist law, which was voted for by the parliament under pressure from the palace in 2003, even by those who were opposed to it, allows for repression which is politically motivated and not simply based on security reasons;
- The arrest of the leaders of Albadil and other politicians;
- The deliberate beating by the police of elderly and respected democrats like Abdelhamid Amine and Abderrahmane Benameur during peaceful demonstrations;
- The legal harassment of those who openly criticize the authoritarian rule of the king or the army.

See *Rapport annuel de l'AMDH sur la situation des droits humains au Maroc durant l'année 2008* Rabat, AMDH, Morocco, 2009; *Rapport annuel de l'AMDH sur la situation des droits humains au Maroc durant l'année 2009*, Rabat, AMDH, Morocco, 2010.

<sup>58</sup> *Le Journal Hebdomadaire*, May 22, 2009.

<sup>59</sup> For further information, see Maâti Monjib, "Morocco: Local Elections Bring Victory to Vote-Buyers and a Royal Friend," The Brookings Institution, June 19, 2009, available at <[http://www.brookings.edu/opinions/2009/0619\\_morocco\\_monjib.aspx](http://www.brookings.edu/opinions/2009/0619_morocco_monjib.aspx)>.

and UC)<sup>60</sup> to counter the rise of a popular socialist movement. All these instances illustrate the efforts that Morocco's monarchy has taken to maintain authoritarianism by weakening all popular movements regardless of their ideology—even those that are profoundly monarchists, as was the case with the USFP and is the case today of with the PJD.

### THE CLEAVAGE BETWEEN ISLAMISTS AND SECULARISTS

The ideological cleavage between Islamists and secularists is one of the most important obstacles to democratization in Morocco. Traditional opposition parties have perceived the rise of Islamism in Morocco as a threat to society and the future of the country. As a result, leftists have participated in the government without real power or political guarantees.<sup>61</sup>

In order to avoid an Algeria-like scenario (civil war) in Morocco, the left-wing opposition found itself in a position where making an “alliance with the devil” was the best possible choice. A majority of the young population (57 percent) considers religion the most important thing in their lives, compared with 29 percent in Mauritania and 35 percent in Algeria. Young Moroccans see spiritual life as more important than professional success (43 percent) and even family (32 percent).<sup>62</sup> This Islamist trend has pushed the left to ally itself with the monarchy.

Meanwhile, in Morocco as in other Maghreb countries, there is also a strong anti-religious trend, especially among Francophone elites. It has its intellectual roots in the anticlerical tradition of French Laicism and Marxism. This “secular-fundamentalist” tendency can be found among university professors and students, Berber intellectuals, senior police and military officers, and members of the central administration. It includes intellectuals and politicians, such as the historian and philosopher Abdellah Laroui, Berber Ahmed Aassid, former chief of national security Hamidou Laanigri, former spokesman of the royal palace Hassan Aourid, the former leader of Morocco's principal microcredit NGO Al Amana Fouad Abdelmoumni, as well as journalists Mohammed Labrini, Omar Brouksy, Said Lakhal, and Jamal Hachem.

Between 2007 and 2008, the Citizens' Assembly, Morocco's branch of the Middle East Citizens' Assembly (MECA), organized a series of debates in the country between Islamists and secularists. During the June 30, 2007 debate in Rabat, the journalist Said Lakhal gave an inflammatory speech against Islamism, entitled, “The Political Exploitation of Religion Leads to Violence and Terrorism.” He stated that “Islamism aims to exterminate every other civilization and their achievements.”<sup>63</sup> Lakhal's sentiments were perhaps not a surprise, since he has collaborated regularly with *Al Ahdath Al Maghribiya*, one of Morocco's first daily Arabic language

<sup>60</sup> The Front for Defense of Constitutional Institutions (*Front pour la Défense des Institutions Constitutionnelles*, FDIC) was created in 1963, shortly before the legislative elections by Ahmed Réda Guédira, the closest friend of the king. He won the elections, as did the PAM in 2008-2009. The National Rally of Independents (*Rassemblement National des Indépendants*, RNI) was created in 1977 by the friend and brother in law of the king, Ahmed Osman. Nearly all of the deputies labeled as independents joined him, giving the party a majority. The Constitutional Union (*Union Constitutionnelle*, UC) was founded in 1983 by Hassan II's prime minister, Maâti Bouabid, shortly before the elections of June 10, which the party won.

<sup>61</sup> A few months before the Gouvernement d'Alternance was formed, two authors close to the left wing opposition wrote the following: “During the 1992-1993 elections, the [non-Islamist] opposition became aware of the ‘dangers of obscurantism,’ which had already been denounced by Noubir Amaoui, Secretary General of the Democratic Federation of Labour [CDT, linked to the Socialist Union of Popular Forces, SUPF]. Furthermore, it became conscious of the rise of Islamism and most Mafia-like structures in Morocco. Mohamed Guessous, a member of the USPF political bureau, estimated that the latter's profits from smuggling, abuse of administrative and political power and corruption could amount up to 50% of Morocco's GNP.” Zakya Daoud and Brahim Ouchelh, *Le Monde Diplomatique*, June 1997.

<sup>62</sup> Young people (15 to 29 years old) were asked the following question: “Here are some aspects of life that some people say are important to them. Please look at them and categorize them into three separate categories: those that are essential and you cannot live without, those that are very important, and those that are useful but that you can live without.” Percentage is “essential/cannot live without it.” “The Silatech Index: Voices of Young Arabs,” Gallup, June 2009, available at <<http://www.gallup.com/poll/120758/silatech-index-voices-young-arabs.aspx>>.

<sup>63</sup> Said Lakhal “L'Exploitation politique de la religion conduit à la violence et au terrorisme,” in ed. Maâti Monjib, *Muajahat beina Al Islamiyine wal Ilammiyine bil Maghrib* (Rabat-Amsterdam: Dafatir Wjihat Nadar, Centre Ibn Rochd, IKV, 2008), p. 269.

newspapers, founded by secular socialists at the beginning of Morocco's political opening. His editorial line can be summarized as *no democracy for the anti-democrats*. In other words, no democracy for the Islamists. In another debate in Morocco's capital on June 21 and June 22, 2008, the journalist Jamal Hachem, stated that "those who don't believe in the nation while pledging their allegiance to global terrorist organizations and aim at destroying their own country don't deserve to vote or to be elected in a democracy. They should go to jail because the doctrines they believe in cannot be taken as political opinions or positions, they are only criminal beliefs hidden under a religious varnish."<sup>64</sup>

Despite strong criticisms of them, the majority of Islamists (those belonging to AWI or the PJD parties) have shown a willingness to cooperate with secular movements, in order to accelerate Morocco's political opening process. This begs the question: Why are the secularists so afraid of the Islamists, even those who show moderation? Mona Yacoubian has argued: "The Islamists' successes stem from their effectiveness as vehicles for popular opposition. While liberal, secular opposition parties remain largely detached from much of the population, Islamists have developed vast and easily mobilized grassroots networks through charitable organizations and mosques. The leadership is often younger and more dynamic, with strong ties to the community, and the party organizations brim with energy and ideas, attracting those who are seeking change."<sup>65</sup> In addition, Islamists feel right at home in Arab countries where Islam is the "natural" ideology of most of the people. Therefore, contrary to the secular actors, Islamists do not face the challenge of having to convince the population that their way is the right way. The framework of

Islam is so strong that in the 1960s and 1970s even some of Morocco's socialists, including Marxists, justified their political programs by referring to Islam.<sup>66</sup> For instance, Ali Yata, founder and former Secretary General of Morocco's communist party (the Party of Progress and Socialism) often started his speeches with religious comments.

Islamists take advantage of the fact that in Morocco, social time and social services are both strongly infused with religiosity. Islamists do not need to make an appointment to meet with each other—they simply meet at the mosque for the *Isba'a* prayer at the end of the day. In fact, they can get together up to five times a day at the mosque without attracting the attention of the political police. In addition, the Friday prayer at the mosque provides them with a regular opportunity for a large-scale meeting.

Furthermore, Islamists have a tradition of assisting the poorest people, which enhances their popularity. This charity makes political Islam popular in impoverished districts; it secures a loyal political basis that can be mobilized at any time. Similar behavior of political entities distributing money or services in a secular milieu would be perceived as a sign of corruption. For this reason, secular actors see Islamist parties as unfair competition, leading some of them to favor a total separation between religion and politics.

Islamism's social and political effectiveness explains why many intellectuals and leaders of secular organizations are less than enthusiastic about the prospect of a free Western-style democracy in Morocco. Important leaders of the left and civil society, such as Salah Elouadie, Hassan Benaadi, and Bachir Znagui, have joined the PAM because fighting Islamism has been at the heart of the PAM's political

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<sup>64</sup> Jamal Hachem, "The Jihadist Salafism and the legitimization of terrorism" in ed. Maati Monjib, *Muajabat beina Al Islamiyine wal Ilamniyine bil Maghrib* (Rabat-Amsterdam: Dafatir Wijhat Nadar, Centre Ibn Rochd, IKV, 2008), p. 190.

<sup>65</sup> Mona Yacoubian, "Engaging Islamists and Promoting Democracy," United States Institute of Peace Special Report 190, August 2007, p. 2, available at <<http://usip.forumone.com/files/resources/sr190.pdf>>.

<sup>66</sup> See for example Al Moharrir, mouthpiece of the National Union of Popular Forces (NUPF, lead by Ben Barka) published on October 1, 1964, an article justifying class struggle through Islam.

program since its inception. Despite this, somewhat paradoxically, such leftists insist on safeguarding and even strengthening the religious status of the king as stated in Article 19 of the former Constitution (which refers to him as “Commander of the Faith”), although this article entirely undermines the democratic character of the Constitution. Even Abraham Serfaty, a Jewish Moroccan and leftist, has defended Article 19, stressing that it gives the head of state the means to fight Islamism. Therefore, one can argue that a part of Morocco’s secularists prefer the current liberal autocracy to a democratic system dominated by Islamists and their values.

International relations scholar Francesco Cavatorta correctly asserts that in Morocco, as in other MENA countries, secularists believe that they could not defeat the Islamists in free and transparent elections.<sup>67</sup> He argues that in these countries only *ad hoc* alliances between the various elements of the opposition can be expected. This is based on his demonstration that in the MENA region, opposition groups have greater differences among them than do opposition groups in countries in Eastern Europe and Latin America, which have exhibited unified opposition movements during the democratization process. Further, he points to the fact that in the MENA region there tends to be less doubt prior to elections about which opposition group is mostly likely to win—generally, the Islamists.<sup>68</sup>

PJD Islamists beat secular organizations at their own game, championing democracy and citizen participation, and giving women a greater role within the party. The PJD is also better equipped to resist pressure and cooptation attempts by the royal palace. Its leadership is younger and the party ensures that

its youth department plays an important role. It is more transparent than the big non-Islamist parties when it comes to the election of its leadership. But, although the PJD accepts the tools and the mechanisms of democracy, it challenges democratic values such as equality between men and women in terms of inheritance, polygamy, and acceptance of Western-style individual rights. However, a good part of the Moroccan people, including women, identify with the values of the PJD.

Paradoxically, the PJD’s democratic adaptation and its moderate stance, and more generally, the strengthening of pro-democracy trends within the Islamist movement, have hindered democratization in Morocco. The partial integration of Islamists into elected institutions has also served to thwart democratic reform. As Eva Wegner and Miquel Pellicer have shown, “Liberalization in Morocco has been partially reversed, partly as a result of the rising Islamist strength ... it is the strength of the Islamist opposition, rather than its ideological rigidity, that makes MENA rulers reluctant to liberalize.”<sup>69</sup>

The moderate positions of Islamists put the regime in an awkward position for two reasons. First, these moderate positions can create favorable conditions for an alliance between Islamist and secular parties under a pro-democratization umbrella, which could change the balance of power in Morocco. Second, with moderate positions, Islamists are more likely to be respected by Western powers and non-governmental organizations (NGOs), which would strengthen their legitimacy while undermining the ruling elite’s leitmotif that political reform would only bring chaos.

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<sup>67</sup> Cavatorta notes, “Most activists in the secular camp are convinced that Islamist movements would often do extremely well in free and fair elections and they are afraid of the potential institutional and legislative changes that Islamists would introduce, rolling democratic achievements back. It would thus not make sense for secular/liberal/left-wing groups to work closely with Islamists against the ruling regime because a genuine process of democratization might not be beneficial for them, but instead aid a feared competitor.” Francesco Cavatorta, “Divided They Stand, Divided They Fail’: Opposition Politics in Morocco,” *Democratization* 16, February 2009, pp.143-144.

<sup>68</sup> *Ibid.*, p. 143.

<sup>69</sup> Eva Wegner and Miquel Pellicer, “Islamist, Moderation without Democratization: The Coming of Age of the Moroccan Party of Justice and Development?” *Democratization* 16, February 2009, p. 157, and see pp. 157-175.

Moreover, it is not easy for the regime to use anti-terrorism laws against a moderate movement that has renounced the use of force as a means of political change and has put pacifism at the forefront of its education program. This is, for example, the case of the Islamist Al Adl Wal Ihsan movement. As Wegner and Pellicer note, “The Moroccan regime responded to these developments [the moderation of PJD over the 2003-2007 period and its rising independence vis-à-vis the MUR, its founding and more ideological Islamist social movement organization] by deliberalizing,”<sup>70</sup> in order to avoid being compelled to negotiate with a strong cabinet, capable of exerting its constitutional power against the royal palace’s intervention.

Specifically, the Ministry of Interior has exploited the May 16, 2003 terrorist attacks to isolate some of PJD’s leaders, but only those emphasizing democratic reform. Mustapha Ramid, the moderate head of the PJD bloc in the House of Representatives was obliged to resign under pressure from the ministry. He had insisted on constitutional reform and tried to reach out to the left-wing parties in order to promote political reform.<sup>71</sup> In contrast, the government has not pursued other Islamists, such as Abdelbari Zemzami, who had been promoting a more radical ideology. The regime has not challenged Zemzami’s inflammatory attacks against religious minorities, human rights, and the left.<sup>72</sup>

Overall, the greatest weakness of Morocco’s pro-democracy movement is the fact that it is fractured.

There is division along three lines. First, there is a cleavage based on history and ideology.<sup>73</sup> Second, there are tensions between moderates and the radicals within each camp (Marxists against socio-democrats on the one hand, legitimist Islamists against anti-monarchy Islamists on the other hand). Third, there are structural and institutional factors in Morocco that cause divisions in the pro-democracy movement. As a result of the “integration/exclusion” policy, dissent has been divided since the late 1970s. The political scientist Ellen Lust-Okar argues, in divided dissent structures “where incumbents include some groups while excluding others, moderate opponents become less likely to mobilize, even when it is increasingly easy for them to do so. In short, incumbents use institutions to *shape* divisions between opposition groups, and this affects when and how they put pressure on the regime.”<sup>74</sup> As a matter of fact, autocracy in Morocco has been maintained<sup>75</sup> by playing the Islamists against the secularists, and the moderates against the radicals.

Reformist groups have had a difficult time coordinating with each other. The moderate left has found it extremely difficult to ally with the moderate Islamists within the PJD. Similarly, since their integration into the political system, the PJD’s moderate Islamists have been unable to challenge the very nature of the regime together with the radical Islamists, including the main nonviolent Islamist force, AWI. An example of this is the *Tansiqiyat* (coordination committees for the struggle against high

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<sup>70</sup> Ibid., p. 159.

<sup>71</sup> *Le Monde Diplomatique* (Paris), August 2007.

<sup>72</sup> Ellen Lust-Okar recalls that Hassan II had supported the most extreme Islamic group, al Shabiba al Islamia, in the 1960s and up to the mid-1970s. Ellen Lust-Okar, “The Management of Opposition: Formal Structures of Contestation and Informal Political Manipulation in Egypt, Jordan, and Morocco” in ed. Oliver Schlumberger, *Debating Arab Authoritarianism: Dynamics of Durability in Nondemocratic Regimes* (Stanford: Stanford University Press, 2007), p. 50.

<sup>73</sup> With the murder of Omar Benjelloun, a socialist leader, on December 18, 1975, for the first time the Islamist movement got known to a wider public. The political bureau of the USFP perceived Omar Benjelloun as the most critical voice against Hassan II’s repressive regime. His political friends and his brother, Ahmed Benjelloun, accused the palace of being behind his murder. Ahmed Benjelloun confirmed this accusation to the author during an interview conducted in Rabat in 2005 for *Le Journal Hebdomadaire*.

<sup>74</sup> Ellen Lust-Okar, “Divided They Rule: The Management and Manipulation of Political Opposition” *Comparative Politics* 2, January 2004), pp. 159-179.

<sup>75</sup> Until the beginning of the 1990s Hassan II’s regime has also used the Sahara issue to divide the left into nationalists and anti-imperialists. Some in the revolutionary anti-imperialist camp supported the position that Sahara had a Moroccan identity but they were condemned to heavy jail sentences on accusations of undermining the national consensus on Sahara. The purpose was to avoid their rapprochement with the nationalistic UFSP.

cost-of-living),<sup>76</sup> that are essentially structures put into place by radical left-wing militants from the Democratic Path (*Voie Démocratique*, a Marxist organization), local trade unions, and the Moroccan Association of Human Rights (AMDH). AWI militants joined these coordination committees, and began to outnumber the activists from the radical left.<sup>77</sup> As these Tansiqiyat began to work efficiently in 2008, and the number of people demonstrating in the streets increased, a senior official from the Ministry of Interior summoned the leaders of the Democratic Path and warned them of the risks of organizing demonstrations with the Islamists.

### INSTANCES OF THE REGIME SOWING DIVISION AMONG REFORMIST PARTIES

There are several cases of the regime sowing division among pro-democracy parties. For instance, Albadil Alhadari, a liberal Islamist party, struggled for ten years to gain official recognition, which it only achieved in 2005 after its founders staged a hunger strike. Two and a half years later, Albadil was banned and in July 2009, its two leaders—the chairman and spokesman—were sentenced to twenty-five years in prison, having been accused of being linked to a terrorist organization, the Belliraj group.<sup>78</sup> However, neither the police nor the judiciary was able to cite evidence of this connection. At the same time, the pro-government Francophone media accused the Albadil leaders of anti-Semitism and of having planned attacks against Morocco's Jewish community. Sion Assidon, a Jewish Moroccan businessman

and founder of Transparency Morocco, attempted to testify in favor of the leaders of Albadil and argue that the charge of anti-Semitism was false, but was denied this right by the court.<sup>79</sup> Moreover, the judges refused to hear the testimony of any witnesses for the defense. Clearly, the accusation of anti-Semitism was targeted to sway the opinions of the Western embassies and the Moroccan left, both of who are sensitive to issues of racism.

One of the aims of the regime is to keep the opposition divided, and Albadil and its two leaders had played a role in progressively bringing the left and the Islamists closer together.<sup>80</sup> Albadil's active efforts to create a *qotb dimocrati* (democratic front) among Islamists, the left, and liberal democrats proved an embarrassment for the regime, which was then planning to establish the PAM by gathering former activists from the left and Islamo-traditionalists for the upcoming elections. (There were media reports that a few days before they were arrested, the chairman and the spokesman of Albadil were asked to become members of the PAM.) In the same vein, during the June 12, 2009 mayoral elections, the entire political class was under high pressure from the Makhzen to refuse alliances with the PJD, which could have put the PJD in a position of dominating the municipal council of a major city.

The political pressure against a secular-Islamist rapprochement is further illustrated by the case of Fedoua Mennouni, an elected representative from the Popular Movement Party who fought to expose

<sup>76</sup> Almounadil-a.info, October 30, 2006.

<sup>77</sup> Al Jazeera "Talk" web forum, <<http://www.aljazeeraatalk.net/forum/archive/index.php/t-19316.html>>.

<sup>78</sup> On July 20, 2009 the Moroccan Association for Human Rights issued a statement: "Denouncing these unfair and heavy sentences closing a political trial deprived of the purpose to let Justice and law prevail; Condemning a clear violation of the right to being entitled to a fair trial; the violation of the principle of the presumption of innocence by government officials addressing directives to the Law's administration, the Minister of Interior, the Minister of Communication and government spokesman accusing the prisoners of being guilty before their trial, and the prime minister dissolving Albadil-Alhadari before referral to the prosecution; the kidnapping, arbitrary arrest and violation of related laws." (Author's translation.) Statement available at <[http://solidmar.blogspot.com/2009\\_07\\_01\\_archive.html](http://solidmar.blogspot.com/2009_07_01_archive.html)>.

<sup>79</sup> Author's interview with Abdelaziz Nouaydi in August 2009. Nouaydi was the lawyer of the six defendants and is the leader of the NGO Justice for the Right to a Fair Trial (*Justice pour le droit à un process équitable*).

<sup>80</sup> Al Mostapha Lmoutatassime, secretary general of Albadil, has participated in the debates held by Citizen's Assembly MECA in October 2007. He argued that "corruption (of the regime) prevents a rapprochement between the USFP and the Islamists." See *Annahar Almaghribiyya*, October 28/29, 2007.



the political police's strategy of preventing alliances between secular politicians and Islamists. In Oujda, the provincial capital of the Oriental Region, six elected representatives from the Popular Movement decided to ally themselves with the twenty-one elected representatives from the PJD. The government opposed the alliance and the police arrested the representatives from the PJD and the Popular Movement. When Mennouni, the leader of the Popular Movement representatives, rejected the government's offer of a government job in exchange for ending the alliance with PJD, the security services threatened her with the disclosure of compromising pictures. "The king doesn't want the PJD to rule Oujda city," the intelligence services of the Ministry of Interior reportedly told her.<sup>81</sup> Suddenly, Mennouni disappeared, and her family had no knowledge of her whereabouts. Several days later, "she" uploaded a new video on YouTube, in which she appeared pale and uneasy. She read a declaration in classical Arabic, saying in a monotone that she was manipulated by the PJD, whose officials had supposedly promised to pay for a trip to Turkey and for her mother's pilgrimage to Mecca.

Overall, the centrist nature of the policies of Morocco's regime and its deeply rooted monarchical legitimacy complicate the emergence of a united opposition made up of ideologically heterogeneous

groups. As the regime implements moderate policies and tries to meet the expectations of parts of various political camps, secularists as well as moderate Islamists see no urgency or benefit in allying with competitors who appear farther from their political positions than does the regime itself. In addition, because the centrism of the regime attracts and integrates many moderates, it creates a wedge within groups between those who are centrists and those who are not. Ultimately, although moderate parties are aware that their direct impact on the decision-making process of the government is insignificant, they feel that their demands are taken into account, with the exception of the calls for increased powers for representative institutions.<sup>82</sup>

Instead of keeping a neutral stance or fostering a rapprochement between the various components of the pro-democracy opposition, Western powers, especially the European Union, tend to reinforce divisions among opposition groups.<sup>83</sup> Hostility toward political Islam in the West, especially after 9/11, has been an obstacle in the path toward democratization.<sup>84</sup> The West's fear of Islam, and the cultural incompatibility between secular Western elites and Islamists who often lack the ability to communicate in European languages, prevent opposition groups in Morocco from pooling their resources.

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<sup>81</sup> See Morocco's independent media from July 3, 2009. For example, *Tel Quel* N° 383, July 2009. To listen to F. Mennouni's testimony go to <http://www.larbi.org/post/2009/07/L%E2%80%99Otage?pub=1>.

<sup>82</sup> Among the obstacles preventing an alliance between the Islamists, the liberals, the secularists, and the left, there is a wide gap between their views of a post-authoritarian society. For instance, what would be the role of religion and the Sharia? Which individual rights would be tolerated by the Islamists who consider several of them as immoral perversions?

<sup>83</sup> Francesco Cavatorta insists on "the preponderant role that the EU plays in reinforcing such divisions [between Islamist and secular camps] through its direct policies of democracy promotion and its wider Euro-Mediterranean Partnership framework." Francesco Cavatorta, "Divided They Stand, Divided They Fail: Opposition Politics in Morocco," *Democratization* 16, February 2009, p. 138.

<sup>84</sup> Frederic Volpi, "Political Islam in the Mediterranean: The View from Democratization Studies," *Democratization* 16, February 2009, pp. 20-38; "Constructing the 'Ummah' in European Security: Between Exit, Voice and Loyalty," *Government and Opposition* 42, 2007, pp. 451-470; "Strategies for Regional Cooperation in the Mediterranean: Rethinking the Parameters of the Debate," *Mediterranean Politics* 11, 2006, pp.119-135.

# RECOMMENDATIONS TO REACTIVATE DEMOCRATIZATION

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This section provides recommendations for pro-reform forces in Morocco, and offers recommendations for members of the international community and NGOs interested in advancing reform in Morocco. As recent events in the MENA region have illustrated, democratization is best led from within Moroccan society. Still, the contributions of global actors is important as well; Morocco is in need of international assistance to reduce the high rate of unemployment, improve the quality of education, enhance the legitimacy of the judiciary by training judges in human rights and deontological ethics, and address the vital environmental issues linked to water, forests, and urban planning. More so, the international community can provide important leverage so that the Moroccan regime ceases to violate its citizens' human rights and respects basic levels of freedoms.

Recent events in Egypt, Libya, and Tunisia show both the necessity for change in Morocco and the risks. Dramatic change can come about suddenly, but even a change in the regime may not necessarily bring about stability and better governance. Democratic forces must be strong and prepared as they push for reform in order to ensure that any resulting changes favor the cause of reform.

## POLITICAL AND CONSTITUTIONAL REFORMS

With a wave of democratization sweeping North Africa, the political reform process within Morocco,

despite the new Constitution of July 1, 2011, seems limited and superficial—it does not change the nature of the regime, which remains fundamentally autocratic; the monarchy still has the bulk of power and is accountable to no one.

If the Moroccan government does not engage in comprehensive reform in a dramatic way, it risks threats to its position and power. Reactivating reform measures would increase the legitimacy of the state, and as a result, consolidate the social and political stability of the country, and reinforce the state's negotiating power in the diplomatic sphere on the Western Sahara conflict and other strategic issues.

The following steps are examples of reform measures that would advance democratization in Morocco:

- The prime minister should be elected by universal suffrage and be officially referred to as the “head of government,” in order to counterbalance the tradition of monarchical authoritarianism and hegemony. Ideally, the constitution should be amended to resolve the ambiguity caused by the fact that the king also has the status of “Commander of the Faithful” (Article 19). A preamble should be inserted into the Constitution that states that the Constitution is the sole legal basis of the social contract, that no other reference can be invoked regarding the separation of powers, and that no single

article of the Constitution can prevail over another.

- Islamic organizations rejecting the use of force should be recognized as legitimate political parties and should be protected from police harassment. In particular, the recognition of Al Adl Wal Ihssan as a legitimate organization would be a strong symbolic gesture that would further moderate and integrate the strongest Islamist movement into the political system. However, such a measure would not fully reach its objective without a new constitutional reform that states that the parliament is the sole legislator, and where AWI could see dozens of its members elected. This move would serve to decrease tension within the country and thus would better guarantee civil tranquility.
- A reform of the judiciary is needed. During the first six months after he inherited the throne in 1999, Mohammed VI repeatedly promised to reform the judicial system, but more than a decade later, the situation remains at a stalemate. The judiciary suffers from corruption and a lack of independence from the executive, and fails to enforce many rulings. Reforming the judiciary would enhance the population's sense of security and rule-of-law, and thus boost entrepreneurial initiatives while attracting more foreign investment.
- The power of the security services and the jurisdiction of the Ministry of Interior should be curtailed. Currently, the government uses perceived threats to maximize the security apparatus's share of the state's budget and to justify its intervention in

political affairs, evidenced by the fact that the security services have intervened even more in politics since the suicide attacks of May 16, 2003. Reducing the strength of the security apparatus could also lead to a resolution of the Sahara issue and reconciliation with Algeria.

Reforming the security services would better the image of security personnel and could create conditions that encourage cooperation between security agents and the communities in which they work. Further, by renouncing politics and instead shifting its focus, resources, and strategy to combating organized crime and enhancing the security of dangerous urban neighborhoods, the Interior Ministry would do a great service to the nation and would build confidence among people.

## LEGAL REFORMS

Politics is only part of the struggle. To stay ahead of demands for change, dramatic legal reform is also necessary in Morocco. Possible changes include:

- Media laws should be reformed so that broadcast media are free from the current severe level of state control. This includes putting an end to jail sentences for press offenses. Sentences and penalties for libel or other infringements should be well-regulated to avoid governmental abuses.<sup>85</sup>
- The electoral system should be reformed to prevent elites and business leaders from being elected through "vote buying." One way to reduce corruption would be for legislators to be elected through proportional representation at the national level. This way,

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<sup>85</sup> One such case of abuse saw Aboubakr Jamaï, director and founder of the Journal, obliged to go into exile in the United States and then Spain after having been ordered to pay 3,500,000dh (around half a million U.S. dollars) in damages to a plaintiff backed by the regime.

candidates would be unable to distribute money in a single district. In addition, an independent national commission should be established to replace the Ministry of Interior in supervising the electoral process.

- Criminal law should be reformed so that torture is banned and the 2003 anti-terrorism laws are abrogated. The current provisions of the regular criminal law provide a sufficient framework to fight terrorism. Further, there are already cases of the 2003 anti-terrorist law being instrumentalized by the regime against the radical opposition, such as the prosecution of the leaders of Albadil Alhadari.
- Private investment laws should be reformed. Currently, private investors are too cautious in making investment bids, especially in the sectors dominated by the royal holding company, the ONA-SNI Group.<sup>86</sup> To enhance Morocco's economic growth (it currently ranks 127 out of 179 on the UNDP Human Development Index),<sup>87</sup> the new law should guarantee that private investment is free from political intervention. This will allow the country to improve its economy through entrepreneurship and investment.

## PROMOTING DEMOCRACY THROUGH COOPERATION: HUMAN RIGHTS FIRST

International pro-democracy and human rights NGOs would be more effective if they succeeded in persuading their governments to decouple economic and strategic interests<sup>88</sup> from democracy promotion. Specifically, because Western countries have diverse and entangled interests in the MENA region, regimes were successful until recently in satisfying the West on several of these economic and security interests in return for reduced pressure on human rights issues. In the case of Morocco, the regime's active assistance to the United States in combating terrorism helped reduce pressure on the regime to enact political liberalization. As a result, Morocco experienced a revival of serious violations of human rights, such as torture and kidnappings.<sup>89</sup> If human rights were seen as an end in and of themselves and not as a rhetorical tool to be used diplomatically against hostile states, the relationship between the West and the people of the MENA region could improve, since public opinion in MENA countries is very sensitive to this issue.<sup>90</sup>

To gain credibility for their promotion of human rights and democracy in the MENA region, Western entities should go beyond criticizing regional adversaries and elevate the importance of human

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<sup>86</sup> In 2008, the Chaabi-Addoha affair showed how the state could intervene to favor a firm, Addoha, against an independent-minded entrepreneur, Chaabi, CEO of Ynna Holding. Chaabi has claimed that Addoha had received the equivalent of 20 billion dirhams (2.3 billion U.S. dollars) in building lots. According to him, the goal of the regime was to weaken Ynna Holding. Chaabi had asked the king in an interview with *Le Journal hebdomadaire* to recuse himself from economic affairs in order to guarantee equality between all the economic actors. The minister of finance has denied the accusation against Addoha, but not adamantly. Despite the seriousness of the accusation and the national scandal that unfolded, the regime has denied Chaabi's request to launch an investigative parliamentary commission. Although they argued against Chaabi's claims, neither the government nor Addoha brought a legal case against Chaabi for slander. However, he was immediately punished; at the administration council of the national federation of real estate developers, which he headed, he was replaced by Youssef Ben Mansour, a man of the palace.

<sup>87</sup> "Human Development Index (HDI) - 2010 Rankings," United Nations Development Programme, available at <<http://hdr.undp.org/en/statistics/>>.

<sup>88</sup> Those interests include the energy needs of Western industries, the strategic interests in the Middle East, and the war against terrorism. The quality of the relationship between the U.S. and the countries of the region should not depend on the "war on terror-peace-oil-human rights" package.

<sup>89</sup> Forum Dignité pour le Droits de l'Homme (Casablanca) denounced the recent abduction of eleven youths close to Islamist circles in the north of the country in a statement dated September 24, 2009.

<sup>90</sup> For example, a bitter editorial piece on August 24, 2009 in Morocco's leading daily paper, *Al Massae*, criticized the submissive behavior of the British government (the Megrahi case) and Swiss government (Hanibal Khadafi) toward the authoritarian regime in Libya.

rights. For example, in the case of Syria, the White House had issued strong statements, with President George W. Bush mentioning the names of Syrian activists condemned to two- or three-year jail sentences.<sup>91</sup> At the same time, neither the State Department nor the White House has taken a position in the case of Moroccan pro-democracy leaders sentenced to twenty-five-year jail sentences, raising doubts about the sincerity of the United States in its promotion of human rights.<sup>92</sup> But there was no statement from Washington.

There is a strong correlation between U.S. pressure for democratization and the foreign policies of states in the Middle East. The more that a given state is perceived as anti-American or anti-Israel, the more that the United States puts pressure on the government, often through harsh rhetoric, to liberalize. In comparing the human rights situation in Saudi Arabia and Syria (prior to the current unrest), and the U.S. responses, one can see that the level of human rights abuses has little to do with U.S. policy. Nearly all non-political individual rights were more respected in Syria than in Saudi Arabia (such as freedom of conscience, equity between men and women, and rights for religious minorities to worship freely in public or private). Yet, when analyzing official U.S. rhetoric, especially at the highest level, the Syrian regime was presented as

the worst dictatorship in the Middle East, which is not the case. A second example was Libya. Since the Libyan government changed its policy toward the United States (specifically by dismantling its weapons of mass destruction and assisting the United States in the “war on terror”) in order to survive after the invasion of Iraq—a country that had a lot in common with Qadhafi’s regime—human rights issues were less frequently applied as a tool of pressure against Libya. As a result, Libya was, to use a Western expression, in a position to be “reintegrated into the international community.” But in reality, the internal human rights situation in Libya had not improved at all.<sup>93</sup>

By focusing the defense of human rights on the most sensitive political and civil rights (freedom of press, freedom of expression, freedom of association, freedom from torture), Western countries, pro-human rights NGOs, and prodemocracy international bodies could prove particularly effective in leading the Arab authoritarian regimes toward political opening and pluralism, because the principle of these rights cannot be contested, even by oppressive regimes. Cultural modernization in Arab states, including in the most traditional societies, has enabled enlightened elements, sometimes even from within the governing regimes, to openly criticize the human rights situation in their own country. If international

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<sup>91</sup> “President Bush Urges Release of Syrian Prisoners of Conscience,” State Department Documents and Publications, December 10, 2005; “Sentencing of Syrian Human Rights Lawyer Anwar al-Bunni,” U.S. Department of State Office of the Spokesman, April 24, 2007; “Syria: Sentencing of Kamal Labwani,” Statement by Sean McCormack, May 10, 2007.

<sup>92</sup> The U.S. government did not take a position when the Saudi human rights activist Abdullah Al Hamid was arrested in 2007, together with Dr. Matrouk al Faleh and Issa Al Hamed, nor when the Libyan journalist Daif al Ghazal was kidnapped on May 21, 2005. Al Ghazal was found dead after two weeks of torture, his body unrecognizable because of wounds and his fingers cut off (undoubtedly because he was a writer). The horrific crime of the Libyan security services provoked widespread indignation among the public in Arab countries. Even Koichiro Matsuura, the soft-spoken Director-General of UNESCO, issued a strong condemnation of the assassination (Available at <<http://beirut.indymedia.org/ar/2005/06/2765.shtml>>.) The Director-General of UNESCO, Koichiro Matsuura, declared: “I condemn the assassination of Daif Al Ghazal. Mr Al Ghazal was a brave and committed journalist who paid for the fundamental human right of freedom of expression with his life. The brutal torture he was made to endure before his death speaks volumes about the moral principles of his killers. Freedom of expression is fundamental to good governance and rule of law, torturing and silencing those who denounce problems does not make the problems go away.” UNESCO Press Release No.2005-68, June 5, 2005, available at <[http://portal.unesco.org/en/ev.php-URL\\_ID=27822&URL\\_DO=DO\\_TOPIC&URL\\_SECTION=201.html](http://portal.unesco.org/en/ev.php-URL_ID=27822&URL_DO=DO_TOPIC&URL_SECTION=201.html)>.

<sup>93</sup> According to Claire Spencer, “...all of North Africa’s leaders, Libya’s Qaddafi included, have been seen to be strong partners in the ‘global war on terror’ launched by the administration of G. W. Bush after the 9/11 attacks. The downside has been a retreat by the US and European governments from raising concerns about human rights and extra-judicial detentions that featured large in their previous policy initiatives towards the region. Allegations of Western complicity in extra-judicial investigations of terror suspects have also weakened the credibility of US and EU positions that urge reforms in these areas.” Claire Spencer, “North Africa: The Hidden Risks to Regional Stability,” Chatham House Briefing Paper, April 2009.

denunciations are consistent and credible, they will likely not arouse a nationalistic backlash in most Arab countries, including Morocco. This approach achieved some success with Morocco during the first half of the 1990s, as the French and American governments agreed that the most egregious human rights violations in Morocco needed to be addressed.

### SPECIFIC RECOMMENDATIONS FOR EFFECTING CHANGE IN MOROCCO

The following are recommendations for the international community and NGOs looking to promote reform in Morocco:

- The international community and global civil society organizations dedicated to democracy promotion would be more effective if they collaborated with Islamist parties and organizations in the same way that they collaborate with secular organizations. The only criterion that should prevent NGOs from working with Islamist parties is if the Islamist parties espouse violence. Cooperating with a range of groups, including those Islamist organizations that profess their faith in democracy, would earn the NGOs the respect and appreciation of a majority of the public.
- Moreover, international actors should communicate directly with specialized parliamentary commissions and the prime

minister's office, rather than informal representatives of the Makhzen, as has been the case. Communication with Morocco should be based on the principle that the Moroccan polity is organized by law and not controlled by the Makhzen, the Ministry of Interior, and the intelligence services.

- The international community would have a better understanding of the Moroccan political system if it took into account the fact that some media outlets close to the regime, especially Francophone newspapers such as *Le Matin du Sahara* and *Aujourd'hui le Maroc*, as well as the 2M TV news channel, primarily target the international, rather than domestic, audience. The regime takes international political factors at least as seriously as domestic factors. As a result, state-controlled media outlets try to discredit dissent in an attempt to prevent it from attracting international sympathy. Many of the state-controlled media's attacks against dissidents focus—often without evidence—on their supposed personal immorality, their sympathy of terrorist organizations, or their supposed anti-Semitic views.<sup>94</sup>

### CONCLUSION

There has been some progress in terms of political reform in Morocco over the past twenty years. But, while state-society relations during the 1990s

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<sup>94</sup> Ali Lmrabet, an independent liberal journalist, criticized the king in his satirical paper *Demain*. He was accused of anti-Semitism by the pro-regime media. In May 2003 he was sentenced to four years in prison for disrespecting the king. Lmrabet was the first journalist from the Maghreb to interview an Israeli prime minister and to meet Benjamin Netanyahu. The regime had banned advertisements for the issue in which this interview was published. In June 2009, Chekib El-Khiari, a young activist from Northern Morocco, leader of the Rif Association for Human Rights, and an anti-drug militant, was condemned to a three-year jail sentence for his activities. He was accused of having accepted money from an international organization and of having opened a bank account abroad. These accusations were actions that were not necessarily illegal. The government's only aim was to raise international and domestic doubts of El-Khiari and his actions. The Association for the Right to Being Entitled to a Fair Trial (ADALA) claimed that the young activist had been arrested and condemned due to his "numerous declarations to domestic and foreign media, and accusations of government officials to be involved in drug traffic or to lack zeal fighting against it at European meetings." See <<http://www.yabiladi.com/forum/chakib-khayari-condamne-trois-prison-2-3192693-3224835.html>>. In a March 29, 2009 declaration, Amnesty International stated that Chekib El-Khiari was "detained only for his declarations against corruption and his action in favour of human rights."

and 2000s have become less violent and relatively more equal, and local government has become more responsive, the essential element of democratization—a government that is accountable to its people—has not come to fruition. Indeed, while the relationship between the state and civil society groups progressed in ways frequently associated with democratization, there has been no fundamental change in the distribution of power among the institutions of government.

As several states in the region are undergoing democratic transformations of their own, Morocco's principal political need for the next decade is to pass from the phase of liberalization, which has had a great effect of decreasing tensions in the country, to the phase of democratization. As argued, Morocco should undertake measures that expand the political space and reform the Constitution so that power is

given to elected institutions and the cabinet, rather than the monarchy. The development of a broad cross-ideological, pro-democracy alliance among opposition groups in Morocco will be instrumental to this goal. International cooperation, focusing on the systematic defense of basic human rights in Morocco, and the reform of the education system and the judiciary will be essential to support this domestic movement for genuine democratization.

As the Obama administration reevaluates its policies in the region in light of the revolutions sweeping the Arab world, it should increase attention on promoting reform in Morocco. Maintaining a clear and consistent stand, and articulating the need for Morocco to respect the human rights and freedoms of its people, would enable the administration to play a constructive role in reforming Morocco's political system.

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The Saban Center for Middle East Policy was established on May 13, 2002 with an inaugural address by His Majesty King Abdullah II of Jordan. The creation of the Saban Center reflects the Brookings Institution's commitment to expand dramatically its research and analysis of Middle East policy issues at a time when the region has come to dominate the U.S. foreign policy agenda.

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The center's foundation was made possible by a generous grant from Haim and Cheryl Saban of Los Angeles. Ambassador Martin S. Indyk, Vice President of Foreign Policy at Brookings, was the founding Director of the Saban Center. Kenneth M. Pollack is the center's Director. Daniel Byman is the center's Director of Research. Within the Saban Center is a core group of Middle East experts who conduct original research and develop innovative programs to promote a better understanding of the

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