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# Morocco in Transition: Overcoming the Democratic and Human Rights Legacy of King Hassan II

PATRICIA J. CAMPBELL

## ABSTRACT

Morocco's King Hassan II died on 23 July 1999 and was succeeded by his son Muhammad VI. Much of the media coverage of Hassan II following his death portrayed him as a champion of democracy and human rights in the region. Was this really the case? Was Morocco under Hassan II becoming a more democratic and open society? This paper critically examines King Hassan's legacy, challenges and opportunities it poses for his heir Muhammad VI. The paper also discusses Morocco's prospects for democratic deepening under the new leader.

## INTRODUCTION

On 23 July 1999, the royal palace of the Al'awid dynasty in Rabat, Morocco, announced the death of Hassan II, the 70-year-old monarch who ruled Morocco for 38 years. Since the ill health of the king had been known for years, many Moroccans and others had speculated over what his death and the ascendancy of his son Muhammad would mean for Morocco. It is too early to assess the transition of power in Morocco, but not too soon to reflect upon the record of Hassan II and the challenges facing his successor Muhammad VI. This paper examines with the legacy of King Hassan II in the areas of human rights and democracy and also attempts to assess the prospects for change under his successor Muhammad VI.

Under Hassan's leadership, Morocco played a key role in the Middle East peace process and was a staunch ally of the United States during the Cold War. It remained an ally of the United States in the post-Cold War period, so much so that the king sent troops as part of the Gulf War coalition against Saddam Hussein despite the fierce objections of the Moroccan people. While other Arab nations struggled with the increasing militancy of various Islamist groups, Hassan's Morocco gave the appearance of a stable nation. At his death, most Moroccan and foreign media reports of both Hassan's rule and his legacy were filled with praise for the King's leadership both at home and abroad. Many media accounts of the King's rule, glossed over his iron-fisted rule of Morocco. Instead they focused on the last ten years of his reign portraying him as a protector of human rights and a messenger of democracy.<sup>1</sup>

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It has been argued by the United States and others, that in the last few years of Hassan's rule Morocco was becoming a more democratic and open society.<sup>2</sup> This article questions whether this is the case and evaluates what steps Morocco, under Hassan II, had taken to instill principles of democracy and the protection of civil liberties and human rights in society.

### **GOD, KING AND COUNTRY**

Not unlike Turkey, Morocco has played a special role in the international arena as a border state. Geography and history have made both countries links between east and west. However, Morocco's role is a bit more complicated since it finds itself not only as a bridge between the Arab world and the Western world, but also as a bridge between Black Africa and Arab Africa. Historically, Morocco has had a long connection with sub-Saharan Africa. This includes the Almoravid dynasty's (1073-1147) controlled areas reaching from Andalusia to Senegal. It is from this era that the seeds of the current Western Sahara dispute emerge. The history of slavery, including the use of a sub-Saharan slave army unit by Mawlay Ismail (1672-1727) to subdue the greater Fes region and the Gnawa movement, which originated out of it, demonstrates another connection between Morocco and sub-Saharan Africa. Today Morocco serves as a conduit for many West Africans, on their way to Europe. Increasingly, however, many West Africans are remaining in Morocco. This is adding to Morocco's rich cultural fabric, but is also creating tensions in the troubled economy.

Under Hassan II, Morocco took its role as a bridge nation seriously. Hassan II was adept at playing to many sides. Domestically, he could co-opt members of various parties, squelch dissent, crush enemies, and still be regarded by many as a beloved monarch. On the international front, he could be a trusted Arab mediator in the Middle East conflict, while also gaining the support not only of Morocco's Jewish population, but also of many in the west. He was one of the first Arab leaders to extend an invitation for a visit to an Israeli head of government, Shimon Peres. He also signed an agreement with Mu'ammar al-Qaddafi (later rescinded after the goal of getting Libya to end its support of the POLISARIO was accomplished) while simultaneously courting both the United States and Europe. Hassan II's accomplishments can, in large part, be attributed to his position as the monarch of Morocco and to his position as *amir al-mu'minin* (commander of the faithful). The legitimacy of the Moroccan regime is predicated on the Sharifian principle which suggests Moroccan rulers be direct descendants of the Prophet. This creates what Waltz has called a psychological contract.<sup>3</sup> The relationship between the king and his subjects was often described as paternal. Moreover, the fact that Al'awid kings have been able to claim descent from Muhammad have further endeared them in the hearts of Moroccans.

To be sure, the longevity of the Al'awid dynasty, one of the oldest in the world, contributed to Hassan's prestige as did a series of myths and symbols encouraged and often created by the monarchy to promote its own legitimacy. It was Ahmad al Mansur of the Sa'di dynasty (1548-1641), feeling vulnerable to the powers of both the sufi *shaykhs* (religious leaders) and the *tariqas* (brotherhoods), who seized the Prophet's birthday as a chance to increase the monarch's legitimacy and staged huge celebrations to which only the most important of the kingdom's citizens were invited.<sup>4</sup> This became a tool to help maintain social order and to help publicize the Monarch's lineage from the Prophet and continues to function in this way. The candle parade in Sale marks the Prophet's birthday and includes floats, which use a variety of symbols to illustrate the trinity of the monarch's foundation: God, King and Country. Symbols supporting this idea are found throughout Morocco. Thus, the Prophet's birthday is a political tool to remind the citizens of Morocco not to challenge the integrity of the trinity. By linking himself to God, through the Prophet, the monarch ensures that challenges to his divine right to rule are indeed

challenges to God. Hassan II explained this to a reporter from *Newsweek* to whom he was displaying a gold-plated ceiling which contained a series of names: “Those are the names of my ancestors, every one of them dating back to the Prophet . . . Do you know what that means? That means I have legitimacy. I am both temporal and spiritual ruler of my people.”<sup>5</sup>

Further, the third element, country, has been elevated to this trinity so that no one will challenge Morocco’s territorial integrity, including its illegal seizure and occupation of the Western Sahara. The invasion of Western Sahara was meant to detract attention away from the internal growing dissent over Hassan II’s autocratic rule and symbolizes his attempt at populism. To challenge any of these three tenets invites arrest. This trinity has become so entrenched that even human rights groups within Morocco balk at discussing the Western Sahara as a self-determination or human rights issue.<sup>6</sup> By making any challenge to the tripartite components of the monarch’s ruling strategy not only illegal, but also un-Islamic, the king’s legitimacy to rule is beyond question. Ironically many attribute Morocco’s ability to hold the Islamists at bay, despite the turmoil next door in Algeria,<sup>7</sup> to the king’s position as commander of the faithful. It is this position that enabled the monarchy to retain stature and power under French colonialism (1912-1956) and to emerge as the symbol of nationalism during the struggle for independence. But it is also this position that has operated to stifle virtually all opposition over the years.

## DEMOCRACY

For years Hassan II argued that Morocco was an open and democratic society.<sup>8</sup> During all that time, the international community had raised questions about these assertions. The appointment, in February of 1998, of opposition leader Abderrahmane Youssoufi of the Socialist Union for Popular Forces (USFP) as Prime Minister was at first heralded by many as evidence that Morocco not only tolerated opposition, but was in fact a true democracy. There were those who were skeptical.<sup>9</sup> The 1997 elections, which were judged an improvement over earlier elections by international monitoring agencies, may have left the impression that Morocco is moving toward democracy. Thus, international pressure on Morocco to democratize was lessened. However, these recent political developments must be read in the appropriate historical and political contexts.

Hassan’s flirtation with democracy began with the 1962 constitution. Yet, as Bendourou notes about the constitution of 1962 and those that followed it in 1970, 1972, and 1992, each was designed by the king and ratified by popular vote. Each confirms the preeminence of the monarchy and the subordination to it of all other political institutions, whether legislative, executive, or judicial.<sup>10</sup> Under article 19 of the 1962 constitution, the king was designated as the commander of the faithful. The king was to be the spiritual link between his people and God. Thus the king is the final authority for each branch of government as well as for all things religious. Traditionally in Islamic societies almost every aspect of life, political and non-political, is guided by the Ko’ran, the Hadiths and other religious teachings. As a result of article 19, true constitutional monarchy was prevented. The king commented on the idea of a constitutional monarchy for Morocco in 1992:

Islam forbids me from implementing a constitutional monarchy in which I, the king, delegate all my powers and reign without governing . . . I can delegate power, but I do not have the right, on my own initiative, to abstain from my prerogatives, because they are also spiritual.<sup>11</sup>

Instead of a democratic constitutional monarchy, many talk about a Hassanian democracy. This democracy allowed for multiple political parties as long as the king's position as leader of the country and the faith was not questioned.<sup>12</sup> Despite a Hassanian democracy and the public's apparent acceptance of the trinity concept, the Moroccan political scene has been marred by a state of emergency (1965-71), two failed military coups (1971 and 1972), corrupt elections, including vote-buying, rigid patron-client relationships, and administrative interference, media censorship, and the use of deadly force to crush true opposition.<sup>13</sup> One of the most disturbing examples of the regime's intolerance of opposition was the 1965 riots in which hundreds of protesters were killed by government forces.<sup>14</sup> The riots symbolized the growing rift between the monarchy and the opposition who were calling for an end to monarchical rule in Morocco. Opposition to the monarchy has boiled over into other riots as well in 1981, 1984, 1990, 1999, each effectively crushed by the security apparatus.

The monarch's preferred method of dealing with the opposition, however, has been through co-optation rather than naked force. The monarch is the largest landholder in Morocco, although it was illegal to talk about or question the royal family's assets. As such, the Monarch was able to dole out its acres, along with government contracts, to co-opt opposition members into the fold. Being in good graces with the monarch has meant wealth and being out of favor has been dangerous. When co-optation failed, the regime silenced opposition through a variety of techniques including arrests, torture, disappearances and murder.<sup>15</sup> The punishment often extended beyond the dissenter to his/her family, as was demonstrated by the arrest and detention for almost 20 years of General Oufkir's family.<sup>16</sup> General Oufkir allegedly was the man behind the 1972 failed coup attempt in which the king's plane was strafed. Official reports claimed Oufkir committed suicide, but questions remain about the general's death.<sup>17</sup>

The end of the cold war brought many political changes around the world. The failure of communism and the triumph of democracy put pressure on all authoritarian regimes to begin to democratize. To the king's credit, he appeared to recognize the changing tide of the international political scene and understood that his techniques employed to stifle the opposition were becoming internationally unacceptable.

As a result, the government-led *Mouvement de Contestation* (or the questioning of the system) was launched in 1995. This was an attempt by the administration to respond to outside demands for democracy and transparency and resulted in yet another constitution in 1996.<sup>18</sup> This constitution was supported by the former opposition USFP, but was opposed by others including the Islamists and many Berber organizations. Prior to the 1996 constitution and the subsequent 1997 elections, the king's administration had a pattern of interfering with the political parties. This interference included preventing left and center left parties from participating, and arresting their leaders.<sup>19</sup>

The king had tried to keep a close watch on the Islamist organizations and parties within the state as well. His various attacks on them included harassment, censorship and arrests, including time in a psychological hospital for the leader of the main Islamist party, the Justice and Charity Party. The party's leader, Abd al Salam Yacine, was placed under house arrest after getting out of the hospital.<sup>20</sup> One change the *Mouvement de Contestation* brought was that it allowed for a very small role for the Islamists. Moderate Islamists gained 10 MP slots in the 1997 election. The defection in 2000 of two right-wing party members to the Islamic Party for Development and Justice allowed the party to form a parliamentary group in the lower house for the first time.<sup>21</sup>

The 1997 elections which began the new electoral cycle of the 1996 constitution included elections for the lower house of the bicameral legislature, the Majlis an-Nawwab, using a first-past-the-post system whereby the candidate with the most votes win. This contrasts with the proportional representation system, which provides for representation based on the percentage of votes received by each party. The upper house, Majlis al-Mustasharin, is elected by municipalities, trade unions, and professional organizations.<sup>22</sup> The 1997 elections were generally considered an improvement over previous elections, yet there were still questions about its legitimacy, particularly in rural areas where patron-client relationships remained strong. The administrative interference in elections as well as other aspects of a civil society shore up a point made by a leading government critic Hassan Aourid, who believes that the Moroccan administration's true enemy is civil society.<sup>23</sup>

One of the key Moroccan administrative figures who remained uninterested in democracy was the Interior Minister Driss Basri. He was in charge of the state security apparatus. Over the years, Basri and his vast network of patron-client relationships had proven too formidable to challenge. Despite the prevalence of the opposition USFP in the government, the king would continue to appoint both the Minister of the Interior and the Foreign Minister. Thus there are two political layers in Morocco, one where the actual power lies, and another where the political parties operate. This has created an illusion that has enabled the monarchy to give the impression that multi-party democracy is at work.<sup>24</sup> Retention of the right to appoint the interior and foreign ministers as well as retention of the right for final approval of all cabinet ministers suggests that the recently administered changes, including the *Mouvement de Contestation* and appointment of Youssoufi as Prime Minister, were part of Hassan II's tradition of a democracy shell game. This game has consisted of constitutional reforms, electoral reallocations, and the co-opting of the opposition, all of which continually thwarted any attempt at real reform. So the question now is whether Muhammad VI will initiate an era of real democracy or will he be unwilling or unable to break the cycle of power his father has set in motion?

## ECONOMIC CONSIDERATIONS

A brief note about the economic environment in which Hassan's democracy functioned is relevant to this discussion. Morocco's attempt to democratize was less a result of Hassan II's sudden embrace of democratic principles than part of Morocco's campaign to become a member of the European Union (EU). Morocco submitted its application in July of 1987, but was turned down. Certainly the fact that Morocco is not in Europe played a role in the EU's decision, however the EU's critique of Morocco's application focused on 1) the general lack of democracy; 2) human rights abuses, including torture; 3) detention of political prisoners; 4) the use of the death penalty; and 5) occupation of the Western Sahara.<sup>25</sup> Still, Morocco continues to court Europe and is particularly interested in the Mediterranean Partnership Initiative, which proposes to create a free trade zone, with agricultural products excluded, in the Mediterranean area. The hurdles are many as northern Europe is interested in Moroccan agricultural products but unwilling to invest in the region, instead preferring Eastern Europe. Southern Europe by contrast is less interested in the competition for its products, but more interested in investing in Morocco, particularly investing money from the northern European countries.<sup>26</sup> Additionally, human rights and democratization concerns will figure into any attempt to include Morocco in the Mediterranean Initiative.

Economic integration is viewed by the monarch as key to Morocco's economic development. Morocco's economic problems are many and include a huge foreign debt, a growing population, two-thirds of

whom are under the age of 25, an unemployment rate conservatively estimated at 25 percent, and years of recurring drought. The education system is bursting at the seams in urban areas.<sup>27</sup> Complicating matters, the 1994 census revealed that for the first time in Morocco's history, its urban population outnumbered its rural population.<sup>28</sup> Additionally, the gap between the rich and the poor is increasing and many Moroccans are fleeing to Europe in search of economic opportunities.

Morocco's increasingly desperate economic situation led it to adopt structural adjustment programs (SAP) from international financial institutions. (SAPs refer to loans granted to countries, which come with conditions, or conditionalities. These conditions typically include devaluation of local currency, reduction of government spending, privatization of state-owned enterprises and greater access to domestic markets for foreign corporations). As a result, some prices, such as gasoline, were liberalized and some subsidies were removed, while others were decreased. According to the International Monetary Fund (IMF), total government expenditures on both education and health decreased or remained static while the population continued to grow.<sup>29</sup>

For example, from 1980 to 1990, the share of Morocco's gross domestic product (GDP) going for public consumption decreased from 19 to 17 percent.<sup>30</sup> While privatization efforts did sell off state assets worth \$390 million in 1994, it was questionable whether these efforts would go much further.<sup>31</sup> Given that the royal family is the largest landowner and that the royal family's holding company, *Omnium Nord Africain*, controls so many Moroccan business enterprises, true privatization is unlikely. The tradition of using economic prizes, including land and government contracts, for supporters as well as to co-opt the opposition, has also hampered Morocco's ability to fully implement the SAPs. The black market, which may be as much as 50 percent of Morocco's economy, is estimated to be worth more than \$3 billion annually. The drug trade is estimated to be \$2 billion annually.<sup>32</sup> Both of these have eased the effects of the SAPs somewhat, but they have also proven problematic as foreign investors balk at the government's inability to deal effectively with the black market and drug trade and at their apparent complicity in both. As the economy struggled under the SAP imposed conditions, Hassan II searched for ways to deflect criticism. In an odd twist, despite Hassan II's reluctance to allow opposition, he went on record asking the opposition to share responsibility for the economic and social measures that must be taken as part of the structural adjustment process.<sup>33</sup>

Despite the adjustments to the economy, Morocco's debt did not decline and only a small portion of the urban population benefited and rural folks were certainly worse off due to the administration's inability or unwillingness to muster the necessary resources to deal with recurring droughts.<sup>34</sup> One result of this economic stagnation has been increased illegal migration to Europe via the Straits of Gibraltar.

Migration to Europe has been a way to release the economic and demographic pressures in Morocco, however, it has also proven to be problematic. European businesses desiring cheap immigrant labor have been encouraging the loosening of restrictions on immigration, particularly from North Africa. On the other hand, the success of various right wing anti-immigrant parties in several European countries (including France, Austria and Switzerland) and the increased violence against immigrants in European countries such as France, the favored destination of many Moroccans, has led to an unwillingness by Europeans to welcome continued immigration. Many Moroccan families have relatives in Europe and remittances back to Morocco are playing an increasingly important role in the Moroccan economy. Economic development of Morocco is seen as the key to preventing so much emigration. Each year dozens of Moroccans die attempting to illegally cross the Straits of Gibraltar.

The role of the drug trade in providing at least some economic development has not been missed by either the Europeans or the United States. The United States has been less concerned about the drug trade in Morocco and has given a wink and nod to Morocco regarding its alleged eradication programs. A drive along the main roads through the Rif areas allows the casual observer plenty of views of both large and small marijuana fields. Thus, United States-Moroccan realpolitik dictates drug policy.<sup>35</sup> By trying to both initiate democratic reforms and to liberalize its economy, the Moroccan monarchy has placed its population and its own survival in a precarious position. Removing or reducing the limited social safety net while allowing citizens to increasingly voice their opinions proves to be a difficult balance. With such a young population facing high unemployment rates and so little hope for a better future, many youths are in need of an outlet for expressing their frustrations. These frustrations are unlikely to be accommodated by the increasingly gerontocratic nature of most of the political parties in Morocco. While many Moroccans have fled to Europe, those who cannot flee are becoming increasingly politicized. Graduates with no job prospects have begun to form associations and have increasingly found appeal in the rhetoric of Islamists.<sup>36</sup> Therefore, true democracy that would allow for participation of all parties worries some leaders. Fear of an Algerian-type uprising such as that led by the Islamic Salvation Front (FIS) looms heavy on their minds. To some, democracy equals anarchy.<sup>37</sup> The danger according to Sivan is that the attempt at liberalization by burdening the excluded has unintentionally fueled radical Islamism . . . Now more than ever, the state-security apparatus has become the ultimate guarantee of the regime's survival.<sup>38</sup>

## HUMAN RIGHTS

One measure of Hassan's success at democratizing is Morocco's human rights record.<sup>39</sup> While the country's human rights record had improved in the years preceding Hassan's death, there were still many areas of concern.<sup>40</sup> Despite strong United States-Moroccan relations, the United States Department of State *Country Report for 1998* pointed out Morocco's questionable human rights record. It noted some improvement under the Youssoufi government, but also expressed concern over the use of torture and abuse of detainees by security forces, harsh prison conditions, illegal detention, faulty judicial procedural processes, a judiciary corrupted by the interior ministry, media censorship, restriction of demonstrations and child labor. Other areas of concern included restrictions on freedom of speech, assembly, association, religion and movement, discrimination against women and the underreporting and under-investigating of domestic violence against women. And while there had been three years of no new cases of government-forced disappearances prior to 1998, there still were hundreds of unsolved cases dating back some twenty years. Some of the citizens who had been released were still being harassed by the security apparatus.<sup>41</sup>

Moroccan human rights groups struggled to both publicize the government's abuses and to put pressure on the administration of Hassan II to improve its human rights record. However, over the years, these human rights organizations have only had limited success. The impotence of domestic human rights organizations derives, in part, from their close ties to the various political parties in Morocco.<sup>42</sup> One of the first human rights organizations, the *Association Marocaine des Droits de l'Homme* (AMDF), 1972, was linked with left wing political parties, and since the political left were themselves targets of the regime, the organization had very little room for maneuver. The emergence of a right wing affiliated human rights organization, *Ligue Marocaine des Droits de l'Homme* (LMDH), strained the legitimacy of the human rights movement because of the organization's unwillingness to denounce regime attacks



on members of the left. The legitimacy of both organizations was questionable given their initial unwillingness to deal with domestic issues, preferring instead to only issue communiqués about the plight of the Palestinians. Their unwillingness to question the occupation of the Western Sahara, to demand information on the disappeared Saharawis, and to fully articulate the human rights issues of women, raised questions about their own commitment to human rights as well as to their legitimacy.

Later, as the organizations became bolder, the unwillingness of Moroccan media to release any communiqués from the human rights groups about domestic human rights issues hindered the organizations' effectiveness.<sup>43</sup> In addition to being hurt by their connections to various political parties, internal human rights groups have struggled with the repressive environment in which they have tried to operate. One of the first independent human rights organization, the *Organisation Marocaine des Droits de l'Homme* (OMHD) emerged on the scene and their presence, along with Hassan II's attempt at recovering Morocco's image after its invasion of the Western Sahara, contributed to the 1979 ratification of both human rights covenants (the *International Covenant on Civil and Political Rights* and the *International Covenant on Economic, Social and Cultural Rights* 1966), a significant though minor step. The question remained, however, whether the monarch really would protect the human rights to which he had just committed his nation. The answer turned out to be negative. In an attempt to be sure no group or movement remained outside his control for too long, the king established the *Concile Consultative des Droits l'Homme* (CCDH). The CCDH was to act as an advisor to the king on human rights; but more importantly, its role was to appease criticism from the outside by demonstrating the king's dedication to human rights.<sup>44</sup>

Morocco's relationship with various external human rights organizations over the years was strained at best. The role of outside human rights groups and international pressure regarding Morocco's human rights record has been critical for the advancement of the human rights agenda in Morocco. Human rights groups such as Amnesty International (AI) had worked diligently to gain access to information about Morocco's political prisoners and those who had disappeared. Hassan's well-reported battles with AI left Morocco bruised on the world stage. The king's refusal to admit the existence of the notorious Tazmamart prison caused the regime much embarrassment when AI released its report about the abuses that had been occurring there. Later, the regime let it be known that the prison was closed and the king commented, "That chapter is closed. It was; it is no more."<sup>45</sup> In response to international pressure, apparently spurred on by AI, the regime released hundreds of political prisoners despite the king's repeated statements denying their existence. In 1993, as a result of the international pressure, Morocco ratified the *Convention on the Elimination of All forms of Discrimination Against Women*, the *Convention Against Torture and Other Cruel, or Inhuman or Degrading Treatment*, the *Convention on the Rights of the Child* and the *Convention on the Rights of Migrants*, albeit with substantial reservations.<sup>46</sup>

Additionally, the preamble to the 1996 constitution expressed Morocco's unreserved commitment to human rights 'as universally recognized.' Despite these recent improvements, AI noted in 1999 in an open letter to the King that there had been no accountability for those who had disappeared, including hundreds in the Western Sahara, and no investigations had been conducted into the torture and deaths of persons while in custody. Also, in 1999, AI noted that torture continued, as did the illegal detention of political prisoners. AI has called for those responsible to be brought to justice and the victims compensated.<sup>47</sup>

The positive changes that occurred in the last years of Hassan's II's rule included the release of roughly 95 percent of all political prisoners, the signing of international human rights conventions, the acceptance of internationally promulgated human rights norms in the constitution and a rise in consciousness about human rights among Moroccans. There remained however, important officials, Basri, for example, who viewed the human rights movement as a threat to the state. For those in the human rights movement, exacting justice on those responsible for past human rights abuses continued to be an area of concern as did resolution of cases of the disappeared. This promised to be particularly difficult given that most of the perpetrators of human rights abuses remained in power.

## WOMEN

Morocco, like many Islamic countries is wrestling with the challenges of modernity in the context of religious and cultural dictates. Nowhere is this more evident than in the struggle over issues of gender, specifically what role women should play in society and how best to integrate their concerns with the policies which govern the state. Certainly any discussion of human rights and democracy in Morocco must include a discussion of the status of one-half of its population, its women.

In Morocco, women are subject to secular law as well as religious law under the *Mudawwanah*, the Personal Status Code. The Moroccan government has fought off all Islamist attempts at influencing policy, except where it concerns women, instead allowing the *ulama* (Muslim religious leaders) enormous say over the fate of women. Moroccan human rights groups have been relatively silent on the issue of women's rights. While these groups have demanded a civil society with political equality, they have not challenged the dual legal system that women are forced to endure.<sup>48</sup>

Many in Morocco, including academics, religious and political leaders, have tried to dismiss feminism as a Western or imperialist ideology, but as Naciri notes, this divests the women's movement of all legitimacy because this discourse implies that the demands made by the movement are not among the preoccupations of the overwhelming majority of women.<sup>49</sup> The women's movement in Morocco can be divided into two phases: the first was focused on literacy and social assistance for women and children, and the second, developed in the mid-1980s, focused on the re-evaluation of women's identity and status in society.<sup>50</sup> These are issues relevant to all women and the movement is driven by Moroccan women who want change, not exclusion. The concerns raised by the women's groups are more in line with Islamic teachings, especially those emerging out of Islam's golden age, than current *ulama* (Muslim religious leaders) are willing to admit.<sup>51</sup>

Moroccan women are increasingly organized in efforts to advocate their concerns. Recent changes are both evident and subtle. The visible changes include the increased activity since 1985 of women's organizations. The same year saw the opening of the first shelter for battered women. There now are three such shelters in Morocco where both psychological and legal advice is dispensed. The shelters are overwhelmed as women from every class in Moroccan society show up for assistance. Although the shelters have faced very little resistance, they have received no government funding.<sup>52</sup> The biggest problem facing women, according to Miadi, a leading activist and Islamic legal expert, is illiteracy. According to UNICEF, in 2000 illiteracy rates for males fifteen and older was 38.1 percent while for females it was 63.9 percent. This problem is furthered by the disparity in access to education for girls. Women's rate of primary and secondary school attendance is abysmal. Yet, women represent the majority of graduates from institutions of higher education.<sup>53</sup> Increasingly, Moroccan society is relying on women to keep its economic sectors viable. Yet these same women face a variety of discriminatory

practices which hinder their full participation in economic and political life. Male religious authorities have argued that limiting women's access to public life protects women by protecting the traditional notions of segregated gender roles.<sup>54</sup> Perhaps a more fruitful way to assist women would be to demand equal pay for women and acceptable working conditions.

Hassan II recognized women's key role in the political arena when he said that it was women and intellectuals (apparently mutually exclusive categories) who were the bulwarks against the spread of the Islamist movement in Morocco.<sup>55</sup> Yet their acceptance in public life in Morocco remains dictated by the rules established by the men in power. As women increasingly enter into the public arena through the job market, changes are bound to occur. Some of these already are underway. Increasingly, women are putting off marriage until after the age of thirty, and as one young Moroccan woman told the author, "I have a job, a car, a house. What do I need a man around for, to tell me what to do?" In addition to delaying marriage, Morocco's divorce rate is a staggering fifty percent.<sup>56</sup> Also, it is no longer only men who are fleeing for the economic opportunities of Europe, women too have been emigrating. Their experiences abroad will no doubt alter their perceptions of their own culture, as will continued exposure to the world beyond Morocco's borders. The desire for this within Morocco is symbolized by the ubiquitous satellite dish, which offers Moroccan women a glimpse of the possibilities. These types of quiet changes do not usually make the front pages of the local press, but no doubt will have a long-term impact on Moroccan society. If Morocco becomes a democratic society with women continuing to outnumber men in voting, the new king will have to respond to the growing gender divide in Moroccan society.

## **THE WESTERN SAHARA**

Again, no discussion of human rights and democracy in Morocco would be complete without a discussion of the Western Sahara. One point of contention between Hassan II and the international community had been the fate of the Western Sahara. As Spain (1973-74) prepared its former colony, Spanish Sahara, for independence, Hassan II was gearing up to take control of the phosphate-rich land. Despite having earlier advocated Saharan independence, the King sought international adjudication of Morocco's claim to the land.<sup>57</sup> The International Court of Justice, while acknowledging a historic connection between Morocco and Mauritania (another country making claims upon the Sahara), found that neither should have sovereignty over the area. The indigenous Saharawi population's demand for self-determination, via the political organization POLISARIO, was thwarted by Morocco.

Despite the International Court of Justice's ruling, Hassan II invaded the Western Sahara in 1975 in what the King called the Green March. Bringing more than 350,000 people including the military with him, the king occupied the area. Morocco's continued occupation is in violation of the court's ruling and United Nations General Assembly Resolutions. Even the Organization of Africa Unity (OAU), an organization not known for taking very controversial stands, expressed its displeasure with Morocco's actions by allowing the POLISARIO membership. Morocco's reaction was to withdraw from the organization.

Settlement negotiations are underway, but major stumbling blocks have yet to be removed. There is an agreement on the need for a referendum, but one key unsettled issue is who will be allowed to participate in that referendum. The 1991 ceasefire between the POLISARIO and Morocco has been monitored by the United Nations Mission for the Referendum in Western Saharan (MINURSO).

MINURSO has undertaken the task of identifying eligible participants for the referendum. The identification procedure provided for an appeal process. While the identification stage has been completed, the appeal process has stalled. Hassan II had argued that all Western Saharans be allowed to participate, including those who participated in or were descendants of those involved in the Green March. Additional debate has centered around the question of who among the Saharawis should be able to participate in the referendum. Many Saharawis have fled to neighboring countries since Morocco's invasion, while others have gone to Europe. Hassan II had argued that those Saharawis should not be eligible to participate in the referendum. When Hassan II died, the Western Sahara issue was still unresolved.

## MUHAMMAD VI

The new monarch, therefore, has a full plate of challenges before him. In addition to attempting to fill his father's shoes and presiding over a developing country, Muhammad VI must demonstrate his skill at balancing the increasing demands for democratization and human rights protection with the established old guard's desire to maintain the status quo. Add to all of this, the referendum issue for the Western Sahara and Algeria's continued civil strife, and it becomes clear that the young monarch has little time to settle into the job.

Democratic political culture does not easily emerge out of a society socialized in the ways of monarchical rule. This raises certain questions. Can Morocco sustain a civil society? And will the monarchy be willing to both foster and allow its growth? More subtly, will the monarch be able to restrain the powers of the Minister of the Interior and will the USFP, itself just getting used to the reins of power, be willing to allow the kind of opposition necessary for a civil society? As Sivan notes, the obstacles to democracy are many and include the general acceptance of authority in Islam tradition.<sup>58</sup> School children are taught, for example, not to question their teachers, and memorization over critical thinking dominates pedagogy. The experience with democracy in Algeria has frightened many of the Moroccan ruling elite and has led to the perception that democracy equals anarchy. Also, the austere measures Morocco has implemented have only served to undermine people's faith in the system.<sup>59</sup> Muhammad VI is aware of the international pressure on Morocco to democratize and has said that:

“Morocco has a lot to do in terms of democracy. The daily practice of democracy evolves over time. Trying to apply a Western democratic system to countries of the Maghreb, the Middle East or the Gulf would be a mistake.... I have a lot of respect for counties where the practice of democracy is highly developed. I think however, that each country has to have its own specific features of democracy”.<sup>60</sup>

What those specific features may be for Morocco is unclear. Regarding human rights, the new monarch is not off to an auspicious start. Muhammad VI allowed monitors to visit the notorious Tazmamart prison and has promised compensation for some of its victims. Toward that end, a commission has been set up to decide on issues of compensation for past victims of torture and kidnapping at the hands of the government.<sup>61</sup> The commission's focus is on compensation rather than pursuing justice. The question of how Sahrawi's disappearances will be handled remains. Muhammad VI has released Yacine from house arrest and allowed some political exiles to return home. Yet, he faces an uphill battle, despite promises to improve Morocco's human rights record. The generals now control all intelligence, foreign and domestic, and his security forces have worked to thwart his attempts to improve Morocco's human

rights record.<sup>62</sup> In December of 2000, peaceful demonstrators were beaten and arrested. Those arrested included Abderrahmane Benameur and other prominent members of the Moroccan Human Rights Association. Of his arrest Benameur said “[A]s everybody could see, the makhzen (the secretive royal court hierarchy believed to be behind most major decisions in Morocco) has returned to its old habits and repressive behavior.”<sup>63</sup> With regard to human rights the King has said, “[I]t would be wrong to say that Morocco has made a great leap forward.”<sup>64</sup>

Initially human rights activists were cautiously optimistic about Muhammad’s rule, but recently they have expressed serious concerns about the presence of the old guard. Despite the replacement of Interior Minister Driss Basri in late 1999, many human rights activists are still concerned about the old guard’s influence. The present agenda of human rights organizations includes: reforming legislation, creation an independent judiciary, and human rights violations in connection to political prisoners which include kidnappings, torture, access to political rights, and passports, and extending freedom of expression.<sup>65</sup> The issue of rights for women, however, is not on their agenda. And despite rhetoric from the ruling Socialist party, women have been left out of government debate. According to the *La Ligue Democratique pour les Droits de la Femme* (the Democratic League for Women’s Rights, the LDDF) the Prime Minister omitted the plan of ‘Action for the Integration of Women in Development’ from the agenda of the Council of Ministers meeting on 28 October 1999. Unsurprisingly, much opposition has come from the Minister of Islamic Affairs.<sup>66</sup> Women’s development is a much-neglected aspect of Moroccan society and human rights groups and failure to address this issue will continue to threaten their own legitimacy.

Positive signs in Muhammad’s short reign include the accord reached between the Democratic Association of the Women of Morocco (ADF) and the government.<sup>67</sup> In addition, the new King has spoken about allowing women to preach in Morocco’s mosques and has appointed Aicha Belarbi ambassador to the EU, making her only the second woman ambassador.<sup>68</sup> In fact, for the September 2002 elections, the election law was changed to ensure that thirty seats in Parliament would be reserved for women. While reserving seats for women in the legislature has become a bit of a global trend, Morocco became the first Arab nation to set aside so many seats for women.<sup>69</sup> However Muhammad VI has not addressed the situation of child abuse and slavery, a worsening situation. In 1999, there were an estimated 10,000 homeless children in Casablanca alone. Tens of thousands of children are forced to work as prostitutes. The incidents of parents selling their children, particularly the girls, as servants has been increasing along with cases of sexual and physical abuse.<sup>70</sup>

How much pressure domestic human rights organizations will be able to apply is questionable because of state restraints and internal problems within the organizations. These problems include a close affiliation with political parties and a top-heavy leadership. According to one insider, the organizations themselves need to both democratize and to modernize.<sup>71</sup> With regard to the question of democratization, many Moroccans are optimistic that the reforms initiated by Hassan II and the continued international pressure will make democratization all but inevitable in Morocco. The key, many argue, is education.

According to one human rights activist, human rights will not improve without the eradication of poverty and the promotion of social justice, both of which are vital to democracy and the protection of human rights.<sup>72</sup> Since his predecessor made no real attempt to deal with these issues, it remains to be seen how the new king will respond to these challenges.

The education sector is in serious trouble, particularly in rural areas. School attendance in rural areas is less than half that of urban areas, where school attendance is already low.<sup>73</sup> Illiteracy was a problem when Morocco became independent and continues to be widespread. Despite a 1963 law making primary education compulsory, there is no mechanism for its enforcement.<sup>74</sup> At the level of higher education there is a 50 percent dropout rate. Despite the low numbers of women in the primary and secondary levels, they tend to outnumber the males in higher education due to the low rate of male retention. While higher education is relatively free, getting into a college or university is very difficult because there are not enough slots for those applying. The curriculum in higher education is rigid. It tracks the students based on high school courses and does not employ an interdisciplinary curriculum. This rigidity in part explains the draw of the increasing number of private schools. There are forty in Casablanca alone. Many of these are adopting a Western approach to higher education and focus more on interdisciplinary training and on courses such as computers and management. However, tuition is unaffordable for the majority, and there currently exists no accreditation system for private schools to regulate quality.<sup>75</sup> Additionally, many students are pushing for more English language instruction as many believe the ability to speak English will become increasingly important if Morocco is to be a significant player in the arena of global capitalism. This has met with some resistance as French has traditionally been the language of instruction for higher education.

The new king has said that education and unemployment are key to his long term strategy for Morocco, but he was circumspect about how, for example, the new scholarships for deserving poor students to attend higher educational institutions would be funded. Regarding fiscal policies, he has spoken about the need for the government to be more prudent with public funds and urged Moroccans to pay their taxes in order to fund the treasury.<sup>76</sup> The king has set up a special fund to which citizens can donate money that will be used for poverty programs. This has met with very little success as middle class Moroccans struggle under difficult economic times.

Political liberalization, such as it has been, has gone hand in hand with economic liberalization. Many economic questions loom large on the horizon including Morocco's continued struggle with SAPs, the worldwide drop in phosphate prices (a major Moroccan export), ongoing droughts which have devastated parts of the rural economy, the emigration and resulting brain drain of Moroccans to Europe (the phrase many Moroccans use to sum up this situation is to call itself Spain's Mexico), the black market and drug trafficking. Additionally, Morocco's occupation of the Western Sahara remains an economic and political handicap. The occupation of the Western Sahara has cost Morocco more than \$2 billion, with billions more having been spent on twenty years of warfare against the POLISARIO.<sup>77</sup> Since 1975, Morocco has spent roughly \$1 million per day on the Western Sahara.<sup>78</sup>

Attempts to settle the referendum issue under the new king have not been successful. The United Nations continues to monitor the situation through MINURSO and has extended its mandate until 28 November 2001. The groundwork for undermining recent attempts at a solution seems to be underway. The July 2000 referendum was postponed as both sides continued to disagree over identification of eligible voters. In 1999, the Moroccan Foreign Minister said that thousands of eligible Moroccan votes have been left out of the pre-2000 referendum census. The Saharawis, too, argue that 48,000 of them have been left out as well.<sup>79</sup> Given Morocco's economic investment and its emotional connection to the Western Sahara, few doubt the outcome of the referendum. The only remaining question will then be what cost Morocco is willing to pay for its continued retention of the Western Sahara.

## CONCLUSION

Morocco's attempt to overcome the human rights record of Hassan II, under his more liberal minded son will not be easy. While Hassan II was an adept politician and a player in the international arena, his success at maintaining relative stability in Morocco and his ability to thwart various challenges to his rule must be measured against the cost society was asked to bear for his accomplishments. With regard to observing human rights and instituting democracy, Hassan II moved reluctantly toward both, bowing to international pressure when expedient and ruling with an iron fist when he deemed necessary.

Will the recent economic reforms work? According to Barkey, if the benefits accruing to ruling elites outweigh the costs in terms of diminished control over economic and political decisions, then the reforms will work.<sup>80</sup> In addition to the many elites whose appetites need satiating, there are many exiles returning home in hopes that Muhammad VI's rule will provide an opportunity to rejoin the political elite. The ruling elite also includes the military from whose ranks came two coup attempts. They too have a vested interest in the gains made in the Western Sahara, and it is to them that the king would turn for civil order should the need arise. Thus the military bears watching.<sup>81</sup>

What then do we make of Barkey's statement? There is very little in Morocco's history to suggest that the ruling elite will accept a loss of control over economic and political decisions. The past history of SAPs in other countries suggests that the elite will be the main economic beneficiary and this may very well work to undermine the commitment of the regime to both democracy and human rights' protection. The international community's response to Morocco's actions will also be worth watching. Whatever may happen in Morocco, it is likely it will continue to be an ally of the United States.

The Clinton administration's devotion to the country was not without precedent. The United States has its oldest peace treaty (1787) with Morocco. Aside from Egypt, the largest recipient in Africa or Arab countries of United States aid has been Morocco. In return, Morocco has allowed the United States Navy to use its port facilities and has granted the United States Air Force refueling, overflight, and landing rights. This relationship extends to the area of intelligence and communications. Moroccan and United States authorities have worked closely together to monitor anti-Western or destabilizing regimes in Africa.<sup>82</sup> Additionally, Morocco produces key resources, has been a useful negotiator in the Middle East peace talks, was an ally with the United States during Iraq's invasion of Kuwait, and is seen by many in Washington as a bulwark against Islamists. Given the events of September 11<sup>th</sup> 2001, this is an even more important relationship for Washington. Morocco's European neighbors must pay close attention to events in Morocco as anti-immigrant sentiment is rising in those countries receiving the bulk of Morocco's emigrés. Morocco's economic development is seen as the key to halting the flow of Moroccans into Europe.

Regionally, an opportunity has opened with the death of Hassan II for Morocco to improve its relationship with Algeria. Their joint border has been closed since 1994. This relationship with Algeria may well be contingent upon the outcome of the Western Sahara referendum. The settlement of the Western Sahara will impact Morocco's relationships with not only Algeria and the United Nations, but also with the Organization of African Unity (OAU), from which Morocco has been estranged since the organization's acceptance of the POLISARIO as the legitimate representatives of the Saharawis.

Muhammad VI's limited political experience has only begun to be tested. At present, there is little evidence to suggest that Muhammad VI will govern much differently than his father, but certainly the challenges he faces may force a rethinking of the palace's traditional approach to ruling.

## NOTES

1. See for example, the *New York Times*, 29 July 1999, p. 1, *The Boston Globe*, 29 July 1999, p. A17, *The Daily Telegraph* (London) July 26, 1999, p. 23, *L'opinion* (Morocco) 26 July 1999.
2. See for example, the *United States Department of State Country Report on Human Rights Practices-Morocco*, 1998, found at [http://www.state.gov/www/global/human\\_rights/1998\\_hrp\\_report](http://www.state.gov/www/global/human_rights/1998_hrp_report)
3. Waltz, Susan. *Human Rights and Reform: Changing the Face of North African Politics*. Berkeley, CA: University of California Press, 1995.
4. Ibid.
5. Gupte, Pranay. The Blood of the Prophet Found at [http://www.newsweek.com/nw-srv/printed/int/wa/ov3705\\_1.htm](http://www.newsweek.com/nw-srv/printed/int/wa/ov3705_1.htm). 1999.
6. Nouaydi, Abdelazia July 1999. Member of the Moroccan Organization for Human Rights. Personal communication.
7. Algeria's movement toward democracy was thwarted when polling indicated that the Islamic Salvation Front (FIS) would likely win December 1991 elections. To prevent this, the Algerian military took control of the government and a state of civil war followed which has left over 20,000 dead.
8. This paper does not attempt to address the question of what is the proper definition of democracy, but rather employs a definition of democracy which looks at elections, government institutions, government interference in free association and party independence, and government response to opposition.
9. Joffe, George. The Moroccan Political System after the Elections. *Mediterranean Politics* 3 (3), 1998, pp. 106-125.
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15. See Amnesty International Reports and United States Department of State, Country Reports, 1998, *United State Department of State Country Report: Morocco 1998*. Washington, DC: Department of State, 1998, for examples.



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16. For more information and a personal account of the Oufkir family's relationship with the King, please see Malaka Oufkir's autobiography *Stolen Lives: Twenty years in a Desert Prison*, 2001, New York: Talk Miramax/Hyperion.
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  21. Panafrican News Agency. Islamic Party Creates Parliamentary Group. 11 October 1999.
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  23. Aourid, Hassan. An Introduction to Moroccan Politics. Paper presented at the Moroccan-American Commission for Educational and Cultural Exchange, 26 June 1999.
  24. Nouaydi 1999.
  25. Dawson, Carl. The Social and Economic Development of Morocco. Paper presented at the University of Pittsburgh, 21 June 1999.
  26. Ibid.
  27. Of Morocco's 2.5 million girls of primary school age, over half live in rural areas. Yet a mere 27% of rural girls are enrolled in primary school. Additionally, only half of rural boys are enrolled while in urban areas enrollment rates are over 90%. These rural and urban inequities especially affect rural women and girls whose illiteracy rate is 89%. (1994 Moroccan census.) USAID statistics found at <http://usembassy-morocco.org.ma/Services/usaid/educat.htm>
  28. Gregory 1999.
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  30. Sivan, Emmanuel. Constraints and Opportunities in the Arab World. *Journal of Democracy* 8 (2), 1997, pp. 103-113.
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  34. Brand, Laurie A. *Women, the State, and Political Liberalization: Middle Eastern and North African Experiences*. New York, NY: Columbia University Press, 1998.
  35. In personal communications with the author, a U.S. embassy official acknowledged the enormous economic role of the drug trade in Morocco. When asked about how this squares with U.S. official drug policy, the official retreated and said he had not seen any drugs in Morocco.
  36. Ibid.
  37. Sivan 1997 p.113.

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38. Ibid.
39. For a more detailed discussion of the relationship between human rights and democracy please see *Democratization and the Protection of Human Rights: Challenges and Contradictions*, Patricia J. Campbell and Kathleen Mahoney-Norris, eds. Praeger Publishers, 1998.
40. For the purposes of this paper, human rights refers to civil and political rights. For more information regarding this, please see the *International Covenant on Civil and Political Rights*, 1966.
41. United States Department of State, Country Reports, 1998,. *United State Department of State Country Report: Morocco 1998*. Washington, DC: Department of State, 1998.
42. Nouadyi 1999 and Waltz 1995.
43. Waltz 1995.
44. Nouaydi 1999.
45. Waltz 1995, p. 212.
46. Ibid.
47. Amnesty International. Open Letter to his Majesty King Mohammed VI of Morocco, August 8. Found at [http://www.africanews...Morocco/stories/19990804\\_feat1.html](http://www.africanews...Morocco/stories/19990804_feat1.html), 1999.
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49. Naciri 1998.
50. Naciri 1998, p. 7.
51. The golden age refers to a 400-year period beginning in the mid-9th century when Islamic culture began to emerge as a dominant force in learning and the arts. Women's conditions improved in many countries as Islam spread across the Middle East, North Africa and Asia.
52. Zineb Miadi, Former director of center for battered women and expert on Islamic law. Interviewed 30 July 1999.
53. It is worth noting here that a very tiny portion of Moroccans attend post-secondary educational institutions. Entrance exams are difficult. This helps keep the number of qualified students attending university to a minimum, thus preventing an overburdened higher education system.
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55. Naciri 1998, p. 18.
56. Brand 1998.
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58. Sivan 1997.
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  67. *British Broadcasting Corporation Summary of World Broadcasts* Morocco, Amnesty International Sign Cooperation Agreement. 12 December 2000.
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  69. Newshour with Jim Lehrer, September 2002, found at [http://www.pbs.org/newshour/bb/africa/july-dec02/morocco\\_09-24.html](http://www.pbs.org/newshour/bb/africa/july-dec02/morocco_09-24.html)
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