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The debates on citizenship in Morocco
Social movements and constitutional reform

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INTRODUCTION

The current debates on citizenship in Morocco are taking place in a political context marked by the events of the Arab Spring. How are political, social, legal, and identity-related dimensions of citizenship formulated in the context of a monarchy that has a long continuity in Moroccan history?

A) SUBJECTS AND CITIZENS

The debate on citizenship in the press and within civil society has mainly focused on how to shift from a social system based on heteronomy to an autonomous political community. In the former, the state maintains a relation of quasi-guardianship of its *subjects*, through complex traditional intermediation links. In the second system, the community is formed of equal and active citizens who are aware of the framework of the law passed by elected representatives through regular elections and which expresses the general will. This shift would involve a transformation of the governed from the status of a subject to that of a citizen, i.e., to an active individual who participates in the decision making and the construction of their country. The modern transformation of the state throughout the history of the colonial experience has mainly produced a dual logic of state building: the state remains a traditional interlocutor with the people, while retaining effective power within the old structures in order to transform them.

These debates have taken place in public settings (real and/or virtual), and they continue to seek an **"effective"** citizenship. The adjective "effective" is commonly used among civil society actors, as a necessary aspect in contexts of uncertainty, ambiguity and suspense.[1]

It is noteworthy that the more time passes, the less the term *Ra'aya* (or *Ra'iya*) is used in the official discourse. The notion of "subjects" gradually continues to give ground to the rival concept of "citizens".

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[1] The description of these debates is based on observations made by a research group at CM2S over the course of one year. Several interviews with different actors were also conducted. One author was also involved in the website project of the Consultative Commission for the Revision of the Constitution (CCRC) in April 2011. The website that was prepared for launch was pulled at the last minute by the President of the Commission, under the pressure of protests and online debates that questioned the financial cost of the commission.

Citizenship is a polysemic term that defines the respective rights and duties of both the state and the citizen. It also defines the citizen's means of participation and involvement as a member of a political community. In Morocco, the term is being used differently by different political actors. The state confuses citizenship with concepts of civic duty whereby Moroccans are encouraged by the official media to be 'good' citizens. The term is also used to report on the actions of the "citizen-king". Social actors use the concept of citizenship to question politicians or the Moroccan people. These uses, however, hide the different nature of the links that do exist between the authorities and citizens.

The term "citizen" was coined in a process of modernisation of Moroccan political thought, but its definition has always been vague. It remains the prisoner of a conception of power that disqualifies popular participation in government.[2] In an article about the term's evolution, Azzedine Allam indicates the appearance of "citizens" in various constitutional texts and in the vocabulary of political actors. In political literature up to the twentieth century, the term for citizens was *ra'iya* (subjects), i.e., a sort of herd guided by the Sultan (السلطان), who holds the ultimate power and authority. The people had to pay taxes, refrain from any political action, and accept the power of an authority that was located at the margins of the city. Even the geography of the city did not confer centrality to the places of power, which are located in the periphery, far from the mosque and the souks located in city centres.

In the first Moroccan constitution in 1908, the citizens were collectively referred to as "people"—*shaab* or *umma*—a concept which suggests a community of believers and rights-holders. In the 1930s, the nationalists preferred the term *al watan* (الوطن), which is equivalent to "homeland" or "nation". The term *sha'b* gradually replaced the concept of *umma*, while distinguishing the concept of subjects (*ra'iya*) who are under the authority of the Sultan. This development is important only semantically speaking, because *ra'iya* (which is the opposite of *sha'b*) cannot be conceived of without the existence of a sultan

The Arabic word for "citizen" is *muwatin* (المواطن).[3] It is derived from the verb *Watana*, a very rich term meaning "to settle in a place", with connotations of intimately stamping one's

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environment, getting used to it, and becoming one body with it. Citizens gain their status as part of a larger whole, which is "the people" or "the nation".

Some authors, often from the left, believe that unity cannot be achieved without citizenship rights. Some of them insist on citizenship—and on the rights and values which constitute its essence—as the only political instrument and cultural strategy capable of sustaining the unity of the nation. Conversely, official discourse emphasizes the centrality of the monarchy as a guarantor: the symbol and embodiment of the unity of Morocco and Moroccans. Thus the philosopher and politician Mohammed Boubakri states that "the national 'texture' (*naseej*) is threatened by dislocation, due to the rise of sectarianism and tribalism (here Boubakri almost certainly means the radical faction of the Amazigh movement): "[...] As long as the authorities refuse citizenship, the country will know neither stability nor progress. [...] Only those nations based on citizenship are stable and immune against collapse."[4]

The nature of the relationship between the governor and the governed must be understood at the crossroads of a modern conception of citizenship, and the uses of so-called "traditional" social intermediation that continue to govern the relationship between the administration and the administered. At the top of this pyramid is the king: Commander of the Faithful, the Head of State, and *primus inter pares* in the networks of the notables.

However, it would be wrong to consider that the monarchy is rigid on the traditional register of politics. It does not merely reproduce a political discourse based on conservatism and bonds of submission. In fact, it uses the "sultanic" tradition—including rituals and ancient symbols of allegiance, like the ceremony of *Bay'ah* (a ceremony of declaring allegiance to the king, which includes elected officials and senior officers of the army)—while at the same time making use of the modern citizenship register, to the point that the official discourse sometimes uses the term "citizen-king". An example of this mixture of registers, both in political actions and in images and symbols, was given to mark the passing of the new constitution in July 2011: for the first time in his reign, King Mohammed VI put a ballot, two weeks after expressing support for the text he had proposed in a speech to the nation. Here then, it is noteworthy that Hassan II also did the same. In fact, he voted for the referendum but

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[4] Akhbar Alyaoum (Casablanca), 30/9/2014, No. 1486, p. 13

not for the local or legislative elections because, implicitly speaking, he cannot choose among his subjects.

During 2013 and 2014, the sovereign appeared on social media wearing casual clothes. These pictures of the *Alawit* ruler, in an image of a "simple citizen" in a globalised society and in which no protocols of hierarchy appear, have often been taken abroad. They often appear on the Facebook pages of young Moroccans, precisely through the same media that served as a discussion platform for the protest movements demanding radical reforms in 2011. Such images serve as a counterpoint against the "official" pictures reproduced by the national media, of borrowed traditions, hand kissing or other protocols: all those symbols of the distance that a sovereign is expected to maintain from his people.

The notion of citizenship first appeared in the discourse of official institutions in the 1990s. It was seen as a discursive indicator of reconciliation between Hassan II's power, and the nationalist opposition and/or the left wing. It also reflected the growing influence of the international institutions' language regarding the reform of the state.[5] The organisations of "civil society" were not only seen as beneficiaries of a policy, but also as state partners in achieving the goals of its public policies. This change in perspective has come with an associative dynamism known for decades in the country, and it has changed the relations between administration and citizens without the state entering properly into a political dialogue with those associations. It was confined to a technical and selective dialogue in the service of the state's development ambitions. Nevertheless, it establishes the logical construction of public policies based on people's observed or expressed needs. It thereby exceeds the pre-associative logic of belonging (tribe, clan, family), which is much more strongly rooted in territorial and civic logic.

Since the early 1980s, national social actors (mainly human rights associations) have not hesitated to express political demands in which they articulate different aspects of an ideal Moroccan citizenship. The main demands centred on the question of citizens' civil and political rights, on the issue of national identity, on gender equality, on the need for transparency in the actions of the state, on the need to end impunity, and lately on individual

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[5] Mohamed Tozy, "La société civile entre transition démocratique et consolidation autoritaire: le cas du Maroc", in Anna Pozzo et Jean Pierre Luisard, *Les sociétés civiles dans le monde musulman*, 2011, La découverte/TAP

rights. The most radical demands required that "the people" should be declared as the sole source of legitimacy. Moreover, once the constitution was adopted in July, some activists pointed out that the constitutional text drawn up by a commission appointed by the king does not mention the term "people" even once. In some sectors of the opposition, the concept of "the people" is used as the antithesis of "the monarchy". Moreover, during the events of the 20 February Movement, when those who were considered *baltagia* (usually marginalized people who are mobilized by the local authorities against a protest) were taunting protesters, repeating the slogan "Long live the king!" or "Long live Mohammed VI!", the latter retorted by shouting "Long live the people!".[6]

At this level of analysis, it would be wise in the following pages to go over the different essential aspects to which the debate on citizenship in Morocco is bound, while recalling the historical value of each of these debates and the actors who animate them. We will also take into consideration what the constitution voted on by Moroccans on 1 July 2011 stated regarding these points, and what the positions of social actors are in relation to the perspectives of the new constitution adopted in the political context of the Arab Spring. Various social movements, NGOs and political parties have brought up these discussions in the context of the constitutional reform that the country experienced in July 2011.

B) The rights and duties of citizens: The state of the debate

1) Civil and political rights: strong social movements rooted in the experience of political repression

The issue of human rights is undoubtedly the one that has produced the most debate in Morocco, and it is also the one driving the formation of a new relationship with the state. The human rights violations recognised by the state, during the period known as "The Years of Lead", have generated intense discussion.

Recently, the head of the government himself—Abdelilah Benkirane—openly stated in an interview with an international TV channel[7] that "Morocco is not a paradise of human rights"

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[6] Result of participant observation in events organised in Rabat on February 20, March 20, April 24, May 15 and June 6, 2011 (Maâti Monjib)

[7] Interviewed by France 24, December 2013

and that "there is room for improvement yet to be achieved in this field". The issue of respecting civil and political rights has been structured into three clear types of demand since the early 1980s:

1. To stop the police forces' violence against citizens;

2. To strengthen the legal framework to protect citizens' fundamental rights, by aligning the national standards with international reference texts; and

3. To fight against impunity and adapt institutions in ways that would ensure the respect of civil and political rights.

2) Activism to guarantee citizens' rights and institutional reform

The state of the debate on human rights before the events of the Arab Spring in 2011 shows that there were some independent associations able to hold a dialogue with the state outlining clear demands (in particular, calling for constitutional reform).
Since the fall of Zine el Abidine Ben Ali's regime in Tunisia, the demand for constitutional reform had been clearly supported by the Facebook platform "Young Moroccans want a dialogue with the king". Following this, one of the most unifying slogans of the 20 February 2011 street protests was "the people want a new constitution". The protest movement also helped resume the struggle for the goals of human rights activism. After some hesitation, the response of the regime was to move towards the option of constitutional reform. On 9 March 2011, King Mohammed VI announced a constitutional reform, in which he listed different sections, one of which was dedicated to ensuring that human rights would be respected. One of the first measures the regime took in 2011 was to officialise the National Council for Human Rights (CNDH in the French acronym), which was once a mere advisory board. The new Council is closer to meeting the so-called Paris Principles. Two former human rights activists were appointed by the king as heads of the CNDH: Driss El Yazami as president, and Mohamed Sebbar, former leader of the Forum for Truth and Justice, as general secretary. Meanwhile, the Moroccan government has been attempting to tap into the history of its dialogue with human rights organizations, in order to highlight the earliest signs of its reformist inclinations. It has recruited those individuals that will enable it to fulfil its reforms in time through a constitutional body, yet—and this is one of the ambiguities picked up by

some activists from the social movements—it also seeks to achieve through these men the credibility that it had previously been seeking within the international community.

Despite all the announcements and assurances of the regime in March 2011 (in particular, the release of dozens of Islamist prisoners), and the consecration of the "democratic option" in the new constitution, not all pro-democracy activists were convinced. The debate on the reforms and their consideration of human rights can be read as a final divisive theme within the pro-democracy movement in its reports to the state. In other words, can the regime be reformed to genuinely respect the citizens' civil and political rights? While some associations defend the option of investing in the internal structures of the state machine, others distrust the regime and support an aggressive posture remaining outside of the state.

Thus, since 2011, the debate on civil and political rights has been taking place on the basis of the credibility of the new political pact proposed through the constitution of July 2011. Some associations regularly record the violation of civil and political rights as it relates to two specific themes: that of the detention of political activists, and that of freedom of expression and the press.

C) THE CONSTITUTIONAL REFORM AND THE REVIVAL OF THE DEBATE ON CITIZENSHIP

On 29 July 2011, Morocco adopted a new constitution.[8] It was welcomed by the majority of political society and considered by some actors of civil society as a step towards achieving "effective citizenship", in that it recognizes, for the first time, the diversity and plurality of the Moroccan identity (in its Islamic, Arab, Amazigh and Sahara-Hassani, as well as its African, Andalusian, Jewish and Mediterranean tributaries). It establishes a broad set of fundamental rights and freedoms: civil and political rights relating to citizenship and the rule of law (the right to life, the right to security, the right to access information, the presumption of innocence, and the freedom of the press); and social rights (the right to decent housing, coverage and medical care, the right to social protection, vocational training, and physical and artistic education, and the right to have access to water and a healthy environment, etc.) (Article 31). Furthermore, the new constitution included decrees relating to the requirements

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[8] Since independence in 1956, Morocco has had two constitutions (1962 and 2011) and many constitutional amendments, of which the most important were held in 1970, 1972, 1992 and 1996.

of good governance and the ethics of public action. It raised the level of the parliament's prerogatives and capacities, and it constitutionalized the opposition.

The constitution also officialized new mechanisms to allow citizens to act collectively or individually to assert their rights. The term used by some lawyers to describe these processes is "citizenism". In this capacity, we can recognise four legal devices: law and the right to present motions in legislative matters (Art. 14); the right to submit petitions to public authorities (Art. 15); the fact that "the Constitutional Court is competent to take cognisance of a pleading [exception] of unconstitutionality raised in the course of a process, when it is maintained by one of the parties that the law on which the issue of the litigation depends, infringes the rights and freedoms guaranteed by the Constitution" (Art. 133); and the right to present petitions with a view of demanding the inclusion [inscription] in the Council's agenda (Art. 139). As they are great deal in the constitution, organic laws should be adopted to establish the terms of practical application of these different devices.

For the Moroccan state, as well as for many political parties, this constitutional reform went along with the other "major projects" of building the rule of law, which had begun with the advent of the new reign in 1999. It was presented as if it had already been listed in the state's political agenda (i.e., the need to adapt the 1996 Constitution in line with decentralisation). Nevertheless, the social movements also lay a claim to this reform, as it would not have been possible without the "pressure" from the street.

Note that this constitutional process occurred in the wake of the "Arab Spring" events. On 20 February 2011, either 37,000 (according to the Ministry of Interior) or between 150,000 and 200,000 (according to the initiators of the movement, various blogs and independent sources) demonstrators took to the streets in a hundred cities across the kingdom. The call for the protest was initiated via social networks at the instigation of the February 20 movement (M20F). This heterogeneous movement consisted of young people from different political tendencies: "cyber-activists"—for the most part, independent—as well as members of associations or historically established political factions (leftists, Islamists of the Justice and Spirituality Association[9], etc.). The demands of the demonstrators were concentrated

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[9] The association *Al Adl wal Ihssan* (Justice and Spirituality) is an Islamist movement formally unrecognised yet tolerated by the authorities.

variously around the end of despotism and corruption ("The people want the fall of despotism and corruption" was the most chanted slogan); the reform of the constitution; the dissolution of parliament; the dismissal of the government; the independence of the judiciary branch and the separation of powers; or the transition to a parliamentary monarchy. They also denounced the repression and denial of citizenship and legal processes.

On 9 March 2011, after 18 days of protests, the king made a speech in which he announced his will to reform the constitution and set up a Consultative Committee for the Revision of the Constitution (CCRC). Its mission was to audition the various political and social actors in the Moroccan political scene and to prepare a draft of a new constitution. Much controversy accompanied this process: the youth of the M20F and some activists demanded an elected Constituent Assembly, while refusing any constitution crafted by a committee of experts and members of the king's entourage.

On 17 June, the king presented a draft of the new constitution, redesigned by his team of consultants and a political commission. From one side, a referendum campaign was mobilized by the authorities in favour of a "Yes" vote (mosques' imams received official texts calling them to vote in favour of the constitution, which they were required to read during Friday speeches). On the other side, there was an M20F-led mobilization against the new constitution, in which they called to boycott the referendum. According to official figures, the constitution was widely adopted in the polls on 1 July 2011 (98.5% "Yes").

Following this, early elections were held on 25 November 2011, and the Party of Justice and Development (PJD), a moderate Islamist party, emerged as the leading party (although they were far from gaining an absolute majority). This opened up a new political scene and highlighted some real issues, in that elected representatives now formed a sort of "second constituency" (Tozy, 2011). There were so many organic laws outlined under the Constitution which had to be passed by the new parliament; these were related to the accuracy of the prerogatives and the operating modes of the main institutions. However, most importantly, the politicians and their parties would "have to decide on the major issues that [were] involved [in] the implementation of the Constitution: for example, the relationship between religion and politics, the independence of the judicial branch, the role of [the] head of government, and parity in positions of responsibility […]" (Tozy, 2011).

The M20F, which had called for an election boycott, seemed out of breath after the election. It underwent a significant amputation when one of its main components, namely the Islamist Justice and Spirituality Association, left the movement. Even if the M20F continued to show up every Sunday, denouncing injustice, it did not seem able to develop a new consensus for deeper political demands. Its heterogeneity forced it to adopt a minimalist platform while postponing the issue of social choice to an uncertain future. A year later, the M20F invited a mixed appraisal; for its followers, it was behind all these reforms, and for its critics, it was gradually crumbling away. On the occasion of its first anniversary, it organised a sit-in in Rabat with 1000 attendees. However, in Casablanca, the number of protesters did not exceed 100 people.

The reform of the constitution and the early elections that Morocco experienced were held peacefully. This fitted with the political expectations of some of the demonstrators, who generally did not want to challenge the regime openly or to cause any serious break with the regime. The repression of the social movements had been moderated, and the demands of the demonstrators remained, in general (as part of the reform claims), in pursuit of better governance and not a radical change of regime. It was a context of protest, not a revolution. Morocco did not fit into the revolutionary configuration of the "Arab Spring", but it did benefit from and enjoy the political opportunities offered by the "Spring" as a way of amplifying its claims.

There is a kind of historical awareness (*historicité*) characterising the speeches of the actors involved. Thus these processes have revived the public debate about citizenship, which began in the 1990s. The term was then widely overused and its uses multiplied in connection with the process of the "democratisation" of the country and the attempts of the regime to moderate its authoritarian practices. The category of "citizenship" was claimed and used by both the state and civil society. This situation was brought about by the political openness and the various political reforms initiated by the state, by changes in society (especially the demographic and urban transitions), and by the international actors involved in other countries' social policy-making, through advocating "good governance", "decentralisation", "a participatory approach", "gender mainstreaming", etc. These "reforms", initiated by the Moroccan state or driven by these foreign organisations, created a kind of "citizen space". Moreover, the decline and/or weakening of "traditional" actors (e.g., political parties and

trade unions) has led to the emergence of new "civil society" actors, encouraged by the atmosphere of political openness and by the calls—along with the significant funding—of international organisations to expand the space of political competition, and thereby to adopt good governance and a participatory approach. The number of new players has increased and their demands have diversified. The concept of citizenship has become a "label", instrumentalized by different actors and for various purposes; it is used in the names of many of these actors (e.g., the Citizens' Forces party, the Amazigh Network for Citizenship, the Citizenship Forum, the Assembly of Citizens, Morocco, and even The High School of Commercial and Citizens Studies) as well as being used in the concepts of corporate citizenship, civic universities, circles of citizenship, etc.

The drafting of the constitution was an opportune moment to reflect and debate on fundamental questions, which have revealed not only political but also social and cultural tensions regarding the foundation and collective operation of the state and society. It was a moment of negotiation and renegotiation, requiring compromises in order to clarify what determines the political link between rulers and citizens, and between citizens themselves.

Let's consider a few examples of these debates, their content, and the constitutional responses to various claims:

1) Women and citizenship, equality and parity

Debates about women's citizenship began at least three decades ago in Morocco. The previous constitution limited equality between men and women in terms of political rights (Article 8), and the right to access public services and employment under the same conditions (Article 12). During the 2011 constitutional process, feminist NGOs and other human rights groups demanded the constitutionalisation of effective gender equality in relation to all rights.

Among the arguments presented was the statement in the preamble of the old Constitution affirming "Morocco's commitment to human rights as they are universally recognised", which evokes equality as a fundamental principle enshrined in the Universal Declaration of Human Rights in 1948. In 1979, the issue of gender equality was detailed in the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), which was ratified by Morocco in 1993 (with explanatory statements and reserves). Article 2 of this states that the

registration of the constitutional States Parties is required. Several precedents were also highlighted at the domestic level: namely, the Family Code (2004), the recommendations of the Equity and Reconciliation Commission, and the conclusions of the Report of the Fiftieth Anniversary of the Independence of the Country, which stressed the need to promote equality between men and women in all areas. However, none of these initiatives have the same weight as the constitutionalization of gender equality; only the supreme law can guarantee the future obligation to institutionalise the systematic practice of this principle in all economic, legal, political and cultural domains (Nouzha Guessous, 13/4/2011).

The demand for equality has not been adopted by all political parties. Some parties, including the PJD and the Istiqlal, consider the adoption of equality between women and men, in terms of sharing inheritance, to go against the Koranic rules. They have argued that "it is not possible to enshrine the equality of men and women in civil rights, because of the 'national fundamental drawn from our religion' argument, [which has also been used] in opposition to the inclusion of the primacy of international law on human rights over national legislation, which is the rule in all States of Law" (Guessous, 13/4/2011).

For feminist NGOs, the reason for the opposition to the constitutionalization of equality is the fear that it could jeopardise the current rules of inheritance.[10]

To counter this opposition, women's NGOs have organised several initiatives during the constitutional review process; for example, the ADFM organized demonstrations in Rabat and Casablanca on the occasion of May 1, 2011, to raise awareness of the "constitutionalization of effective equality between women and men in all rights".

The constitutional response to these claims was widely welcomed. The coalition of NGOs considered most of their proposals to be adequately expressed throughout the review process, and taken into account in the final text of the constitution.

In this way, the constitutional text came to use the term "citizen" for the first time. Article 19 of the new Constitution clearly states the consecration of equality:

> Men and women [should] enjoy, in equality, the rights and freedoms of civil, political, economic, social, cultural and environmental character, enounced in this Title and in the other provisions of the

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[10] Succession in Morocco is governed by the Fifth and Sixth Books of Act 70-03 of the Family Code, which remains largely inspired by Islamic law.

Constitution, as well as in the international conventions and pacts duly ratified by Morocco and this, with respect for the provisions of the Constitution, of the "constants" (fundamental values) and of the laws of the Kingdom. (Art. 19)

The early elections of November 2011, and the formation of the government that followed, have brought the issue of women's citizenship into public debate. Indeed, the government prior to the redesign of 2013 included only one woman (a Member of the Islamist party, the PJD) alongside 30 men. Since then, numerous debates and events (even in the parliament) have reiterated a demand for the implementation of gender equality as laid down in the supreme law. According to Amina Lotfi, a militant feminist from an NGO: "The process of democratization of our country will be long. It requires a lot of energy and sacrifice. This is why we should never give up" (Amina Lotfi, June 2011).

2) Religion, politics and citizenship

"The constitution is not the Supreme Quran of citizenship?"
(Moha Arehal, Amazigh activist, 2005)

The debates on religion have occurred mainly with regard to the incendiary issue of identity between the "Islamists" and the "modernists". We had access to three versions of the constitution, which could be found in the Internet. Some people saw it as a way for the authorities to be able to "test" the society's reaction towards some of the more "innovative" aspects in the draft of the constitution; others have interpreted it as a way to deviate from the essential debate on topics such as the separation of powers and sharing (i.e., embarrassing questions concerning the monarchy). Rumours circulated that the future constitution would state that "Islam remains the state's religion, but the freedom of belief is guaranteed by law." The first draft relativised the role of religion and spoke of Morocco as a "Muslim country" and the Moroccan state as "marital status".

The Islamists and conservatives who were close to the regime warned against any attack on the Islamic identity of the Moroccan state, while the "modernists" highlighted the need for a new constitution that would guarantee freedom of conscience and belief.
Furthermore, this debate was wholly rejected by other intellectuals and activists who saw it as an excuse to avoid the "real debate", which—according to them—concerned the

prerogatives of the monarchy, the redistribution of power via consolidating the role of parliament and of government, and the reform of justice, etc.

The appearances of PJD members in the media, and their threats of voting "No" in the referendum if the importance of religion were weakened in the constitution, may have contributed to the preserving of the religious nature of the Moroccan political system. The monarchy also could not accommodate a secular constitution, not only because the king is the "Commander of the Faithful", but also because Islam is considered his regime's main source of legitimacy.

3) The issue of language: the challenges of the officialisation of the Amazigh language[11]

The demands for the constitutional recognition of the Amazigh date back to 1991. Actors within the Amazigh movement felt that only the recognition of the Amazigh identity, culture and language by the supreme law of the country could guarantee their protection. This claim was ignored until the protests of 20 February took place. It was only then that the king, in his speech of 9 March, explicitly mentioned the issue of the Amazigh language in connection with the country's plural identity, and the fact that it would be considered in the constitutional review. That speech, in fact, facilitated the consensus on the issue of the language's officialisation.

The debate on this issue generally was polarised around two major trends: the first advocated the inclusion of the Amazigh language as a national language, while the second advocated its officialisation.
The first version of the constitutional text presented by the CCRC to the king made considerable progress concerning the status of Amazigh; it stated that the "Arabic and Amazigh languages are the two official languages of Morocco". Yet in the final text submitted to the referendum, after consulting with the king's adviser, Mostafa Mouattassim, and political parties, this sentence was mitigated. The press reported that the Istiqlal Party and the Justice

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[11] In this paragraph, I resume discussion of debates that I have already described in the article, "The challenges of the Amazigh in Morocco", published in *Confluences Méditerranée*, No. 78, Summer 2011, pp. 121–131.

and Development Party (PJD) were behind the pressure that led to this. Both parties are perceived by Amazigh activists to be conservative parties when it comes to this issue.[12]

The final constitutional text, adopted after the referendum of 1 July 2011, recognized the Amazigh language, but with this officialization emptied of any substance. Two separate paragraphs were devoted to each language, stating the following:

> Arabic remains the official language of the *S*tate. The *S*tate works to protect and develop the Arabic language and to promote its use.
>
> [...]

> - Similarly, Amazigh is an official language of the *S*tate, as it is a common heritage to all Moroccans without exception. An organic law which defines the implementation process of the official nature of this language, and the terms of its integration into the teaching and priority areas of public life, in order to enable it to fulfil its function of futures official language. (Art 5)

Thus, for the officialization of Amazigh to be effective, it would have to wait until an organic law is passed. (As of 2015, it is not yet passed.)

The reaction of Amazigh activists and intellectuals was varied: some hailed it as a considerable achievement after years of struggle and claims[13], while others criticized the configuration of the text and claimed that it could be subject to different interpretations. They

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[12] Meryam Demnati (researcher at IRCAM and founder member of the Amazigh Observatory for Rights and Freedoms) has said about this: "Originally, the first version of the constitution given to the King contained one sentence: 'The two official languages of Morocco are: Arabic and Tamazight.' At the last stage of the drafting of the constitution, two reactionary conservative parties—(...) the Istiqlal party (Arabist) and part of the PJD (Islamist)—pressured to introduce legal tricks to torpedo the claims of the democratic forces of the country and disfigure the constitution once and for all." In the interview: http://amazigh.blog.lemonde.fr/2011/06/29/nouvelle-constitution-au-maroc-les-arabistes-amazighophobes-n%E2%80%99abandonneront-pas-la-partie/ (accessed 14 August 2011).

[13] For example, Ahmed Assid (an Amazigh activist and researcher at IRCAM) has said, "It has been more than 48 years that we've been fighting for the constitutional integration of the Amazigh! It is a historical achievement!". Similarly, Ahmed Boukous (Director of the IRCAM) said, "From a socio-psychological perspective, this is a reconciliation with the Amazigh culture obscured and oppressed for centuries, especially since Independence and the Arabisation". Cited by Amanda Capon, "The time of Amazigh", *Portail Sud Maroc*, No. 103, July 15, 2011: http://www.portailsudmaroc.com/articles.php?ida=211 (accessed 14 August 2011).

argued that a constitutional text must be clear and precise. The Amazigh Observatory for Rights and Freedoms[14], in a statement dated 17 June 2011, was explicit in this regard:

> Stating the officialization of Arabic and Amazigh in two separate paragraphs suggests that there is, definitely, a hierarchical relationship between a first official language, Arabic, and a second, Amazigh. Language is closely related to identity, the idea with which we emerge; unfortunately, the new constitution divides Moroccans into two distinct categories: first-class citizens and second-class citizens. (Ait Mous, 2011: 130—131)

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[14] The full text of the press release: http://www.marocamazigh.com/?p=958 (accessed 14 August 2011).

The various actors involved in these recent debates in Morocco agree on one point: the constitution is a valuable document that represents some progress, but it is yet to be implemented. The road to attaining ideal principles of citizenship, and putting human rights, freedoms and their implementation into practice, is still long. The main mission of the current parliament, which is a "constituent legislature", is to produce organic laws. This is to "conduct what is called *tanzeel*" (literally "bring down"): in reality, that is to say, "to interpret a text that offers a number of readings, as well as archaic modernist reading".[15] Meanwhile the protests and debates continue to rage in the public sphere, concerning the compromises required between different views in order to finally achieve "effective citizenship".

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[15] Jeune Afrique, Interview with Tozy, 2011.