

14. MOROCCO: SMART AUTHORITARIANISM REFINED

KRISTINA KAUSCH

Contrary to common perception, the prospects for genuine democratisation in Morocco have not significantly improved in recent years. Benefiting from favourable comparison with its more openly repressive neighbours, Morocco has often been hailed as an oasis of liberalism in the otherwise reform-resistant Arab world. Over the last decade, the establishment of democracy as an international norm and the ascension of Mohammed VI to the throne have not led to greater democratisation in Morocco, but to an adaptation of governance strategies to consolidate semi-authoritarian rule. These methods have become increasingly sophisticated and outweigh positive factors that favour democratisation. Political stalemate has been compounded by other negative factors, in particular recent developments in the international environment that have put democracy further on the back burner. As a result, the EU's traction has decreased, and neither the EU nor the US are pushing for a systematic, structural political reform process in Morocco. Indeed, the EU's and the Moroccan regime's interests match: both desire a liberalised but stable Morocco that bears no risks for the ruling elite.

Consolidating authoritarianism through soft power

Morocco's 'upgraded authoritarianism'¹ has aimed at substantial liberalisation in politically non-threatening areas while tight control is kept

¹ Steven Heydemann, *Upgrading Authoritarianism in the Arab World*, Saban Center, Brookings Institution, October 2007.

over the policy areas and political opponents with the potential to meaningfully challenge the current distribution of powers. Selective top-down liberalisation has significantly widened the political space for political parties, civil society and the media, but none of the reforms thus far have touched the powers of the palace.² In today's Morocco, selective liberalisation is slowly advancing, but democratisation has yet to kick-in. Moreover, given that the current piecemeal reforms also serve as a valve to channel and contain domestic and international demands for structural democratisation, the current course of selective liberalisation is likely to further consolidate the position of the incumbent elite.

While the adaptation of governance strategies can be observed in many hybrid regimes, Morocco's case stands out owing to the level of subtle and successful PR with which the regime manages to keep hold of the reins while also selling itself as a vanguard of Arab reform. Unlike some of their authoritarian neighbours, the Moroccan ruling elite (commonly called the 'Makhzen', which is broadly composed of the palace and its wide patronage network) resorts to open coercion and violent repression only very exceptionally. If it does so, it makes sure that measures of coercion are either well covered-up or are accompanied by a powerful public diplomacy that provides an internationally acceptable justification (for example, countering terrorism).

The double reality of the Makhzen's PR is mirrored in the parallel existence of interwoven formal and informal governance structures. The four most powerful ministers are directly appointed by the king. Official ministers are 'backed' by shadow ministers who are the real decision-makers and who originate from the king's inner circle. While government and parliament largely function as technocratic managers of state affairs and providers of legitimacy, the Makhzen maintains control over decisive political decision-making. The illusion of democratisation is maintained by the ruling elite through actions that follow a number of patterns.

A piecemeal approach to the liberalisation of legislation leads to the adoption of laws that are broadly permissive but lack effective safeguards against arbitrary application of the law. Examples of this are almost all the texts dealing with public liberties, such as the associations law, the law on

² See also Marina Ottaway & Meredith Riley, *Morocco: From Top-down Reform to Democratic Transition?*, Carnegie Endowment for International Peace, October 2006.

public assembly and the press code. Laws do not target or question civil liberties as such but always leave enough loopholes for the regime to hamper the activities of dangerous opponents via systematic harassment. The constitution is not a guarantor of the rights of the citizen vis-à-vis the state, but a guarantor of the prerogatives of the palace vis-à-vis the people. Mohammed VI has made clear on numerous occasions that further constitutional reform is not on the agenda.

The co-option of political elites sideline opponents in political parties, civil society, the media and the business sector. In civil society, co-option takes place above all via the creation of political and financial dependencies. A handful of major GONGOs, such as the Foundation Mohammed VI for Solidarity, receive most public NGO funding. At the same time, foreign funding is made difficult, and NGOs are obliged to report the receipt and purpose of any foreign funds. The political party system is weak and highly fragmented. With the exception of the Justice and Development Party (PJD), none of the political forces have the potential to challenge the Makhzen's political dominance. The biggest established parties, Union of the Socialist Forces (USFP) and Istiqlal (Independence), are staid and are having trouble attracting broad constituencies as they have fallen into the trap of powerless government participation. Istiqlal's unexpected gains in the 2007 legislative elections notwithstanding, the inability to meaningfully influence the political course has eroded much of the established parties' credibility.

The same pattern of co-opting emerging elites and sidelining resistant opponents can be observed in the media. Broadcasting media – the only outlets with nationwide coverage in a country with very remote areas and over 50% illiteracy – is dominated and in large part owned by the Makhzen. Print media, which reach a limited middle class readership in Rabat and Casablanca, are substantially freer, but the handful of truly independent outlets are engaged in a constant struggle with the Makhzen for survival as they are slowly being suffocated through decreasing advertisements, paper shortages, technical problems, legal persecution of individual journalists and other measures of harassment. The internet, and in particular the emerging blogger scene, is far less controllable. A number of recent telling incidents, such as a temporal government ban on YouTube or the penalising of bloggers and facebook-activists with high fines and prison sentences (before being pardoned by royal decree), show how the regime is struggling to adapt its usual PR strategy to a medium that is not easy to control unnoticed.

In spite of Morocco's reputation of holding relatively 'clean' elections, the subtle management of political contestation is a basic pillar in the Makhzen's hold on power. With international attention largely focused on the day of the polls, fraud on the actual day of election is the exception. Instead, most of the Makhzen's electoral engineering happens in the run-up to the elections. Gerrymandering, vote-buying, changes to the electoral code and other technical adjustments are among the measures taken to ensure that the outcome is as desired. The experience of the 2007 elections is likely to have taught the ruling elite a number of lessons. As calls for a strengthening of the powers of parliament and the prime minister from political parties have become stronger, the palace's interest in raising its profile in parliament has increased.

In early 2008, Fouad Ali al Himma, former class-mate and close confidant of the King, suddenly declared his intention to run as an independent candidate in the September 2008 legislative elections. As a member of parliament he has since engaged in intensive activity to rally other MPs around him in a new parliamentary caucus, the "Movement for All Democrats", and eventually founded a new party, "Authenticity and Modernity" (PAM). An independent paper called the group around Himma "an alliance of ex-gauchos with the neo-Makhzen".³ The PJD was explicitly excluded from joining both the new parliamentary group and the new party. The PAM has attempted to portray the moderate Islamist party as reactionary and anti-democratic. The name 'Authenticity and Modernity' displays an attempt to take the wind out of the Islamists' sails by drawing on two of their main stated virtues. Thus, the ruling establishment's attempt to position itself as the only viable alternative to Islamist rule, has become institutionalised. Having avoided PJD participation in government by a whisker, the palace is pulling out all the stops to regain power over the parliament before the next legislative elections in 2013.

Among opposition parties, the PJD is currently the most likely to push for democratisation. While the radical but non-violent Islamist movement Al Adl wal Ihsane (Justice and Charity) is the most popular and most deeply rooted Islamist movement, and is often considered Morocco's

³ Samir Achehbar, "Touche pas à mon parti", *Tel Quel* (http://www.telquel-online.com./341/maroc4_341.shtml - accessed 11 November 2008).

true opposition because of its open rejection of the monarchy, it is currently outlawed and does not even seek to participate in the political process. The PJD, by contrast, has in recent years been able to consolidate its reputation not only as an acceptable Islamist party but also as an internally democratic, transparent and relatively untainted one. It has also published a party programme that has no traces of an Islamist state.

Paradoxically, the Makhzen's hostile posture towards Islamist movements appears to have contributed to the moderation of the PJD's religiously founded demands - a fact that Justice and Charity and even some of the PJD's base condemn as a first step towards co-option. While the PJD's ultimate behaviour in power - like that of any untested party - is not foreseeable, most international observers agree that a PJD participation in government would likely be a plus for democracy.⁴ In the current constitutional and legal framework, however, the Makhzen can prevent this from happening as it sees fit. Some in the PJD feel it might be a more promising option for the party to remain in opposition until it can be sure that the legal framework, backed up by an independent judiciary, would actually allow meaningful influence. The PJD leadership is aware that it could make a much stronger case for substantial reforms if it were able to enter into a parliamentary alliance with one of the well-established parties, and has therefore (so far unsuccessfully) been seeking a rapprochement with the UFSP. Yet as the party of the king's crony, PAM is trying to rally all secular forces in parliament around it, apparently with the aim of isolating the PJD, the stakes for the latter party are running high.

The instrumentalisation of international interests for domestic repression is a major feature of the Makhzen's public diplomacy. Western interests such as countering terrorism or reducing migration are purposefully being played on in order to sanction authoritarian control. The counter-terrorism law adopted in the aftermath of the 2003 Casablanca bombings has given the government an almost unlimited legal margin to limit the human rights and basic civil liberties of any citizen. The still widespread Western fears of an Islamist government in Morocco, however

⁴ For an account of the PJD's parliamentary record, see Amr Hamzawy, *Party for Justice and Development in Morocco: Participation and its Discontents*, Carnegie Endowment for International Peace, July 2008.

moderate, are being played on in order to obtain tacit approval for clampdowns, arrests, or more subtle measures of containment.

While most of the tactics described are not new and indeed were used in King Hassan II's time and before, their subtlety in times of increasing pressure for democratisation is no coincidence. It shows how the Moroccan ruling elite has been able to skilfully adapt its governance strategies to the requirements of a new era by extending and refining its authoritarian soft power tool box. Yet Western policy-makers still tend to take the Moroccan PR lines of gradualism at face value, and have yet to adapt their policies.

International environment: Democracy on the back burner

The 2007 legislative elections with their all-time-low turnout and high percentage of protest votes have displayed the increasing distrust of the Moroccan electorate towards political parties and government institutions. Yet polls confirm that although disillusion with public institutions and the electoral process is high, support for enhanced political participation, civil liberties, equal opportunities and the rule of law remains strong. Under the current precarious socio-economic conditions, however, the appeal of democracy is taking a back seat to development and employment. If anything, this trend is likely to be reinforced by the harsh impact of the global financial crisis, which is likely further to weaken Morocco's feeble economy.

At the time of writing, the nature and scope of the impact of the crisis are still hard to grasp. Its longer-term impact is, however, likely to substantially aggravate the already rampant structural unemployment, the huge socio-economic inequalities, and migration. Domestic pressure on the Moroccan government might result in riots over poverty, prices and unemployment, as seen in Egypt and other countries in the region over recent years. This may give a new sense of urgency to structural domestic reform, at least in the economic sphere. However, the economic downswing, greater protectionism and the expected slump in economic activities of non-competitive economies such as Morocco, are likely to strengthen the authoritarian status quo.

As regards Morocco's international partners, the urgent need for a concerted response to the crisis has already shifted EU and US priorities and will further limit their inclination to exert pressure on the Moroccan government. US President Obama's first steps in the Mediterranean suggest that he will choose an approach of quiet diplomacy and

partnership rather than of conditionality and public pressure, and is thus unlikely to seek a qualitative shift in Morocco's reform process. Moreover, given the Obama administration's priority in the Mediterranean to cut the Gordian knot in the region's hotspots (Israeli-Palestinian conflict, Iranian nuclear proliferation, Syria's diplomatic integration), it will not run the risk of destabilising its most reliable ally.

The rise of political Islam in the MENA during recent years has further cemented Western support for the region's semi-authoritarian regimes. Even a moderate player such as the PJD, which in recent years has gone a long way to present itself to Western policy-makers as an acceptable and trustworthy political interlocutor, is struggling to make itself heard. Against the background of Hamas' 2006 electoral victory, European governments are still reluctant to engage with, let alone support, Islamist movements, including moderate political parties such as the PJD. The increasingly nuanced picture of political Islam has not yet trickled through to European electorates. Accordingly, the failure of the PJD to secure its participation in government in the 2007 legislative elections provoked a sigh of relief in Europe. The prospect of even a moderate, reform-oriented Islamist-led government ruling on the other side of the Strait of Gibraltar nurtures popular fears that too often still equate Islamism with terrorism. European politicians, whose views on Islamist political actors are often not nuanced, are reluctant to provide any support to a genuine reform process that may end up replacing the authoritarian but predictable Moroccan government with an Islamist rule perceived as a potential threat.

Europe and the 'advanced status'

Morocco's keen interest in further integration with the EU and its persistent demand to obtain 'advanced status' in its relations with the EU under the European Neighbourhood Policy (ENP) has given the EU substantial additional leverage over the Moroccan government. At the same time, the Makhzen's interest in keeping up an international image as the vanguard of Arab reform, and the outlook for raising its international profile by being singled out as the EU's closest partner in the Mediterranean, are important pull-factors. In October 2008, Morocco was the first ENP partner state to be

granted advanced status.⁵ The increased leverage, however, has not been meaningfully employed by the EU to tie the advanced level of partnership to deeper, systemic democratisation.

European democracy promotion activities in Morocco largely echo the regime's logic of slow and gradual change. This might be a reasonable approach if an incremental process were in place instead of occasional pieces of tame liberalisation in carefully chosen areas at the discretion of His Majesty. In light of the current distribution of powers in Morocco, the EU's hopes for 'gradualism' appear unrealistic. In recent years, the European willingness to push Moroccan reform beyond a certain level has further decreased.

In order to effectively support domestic demands for genuine democratisation, the EU would have to tie enhanced incentives to enhanced demands for a deeper and more systematic process of political reform. There is a possibility that the smart authoritarian PR discourse may in the long run turn into a self-made trap for the Makhzen, as its formal commitment to democratisation opens up a range of diplomatic options to hold the regime accountable to its commitments. Advantage should be taken of this and other weak spots in the Makhzen's double-edged discourse. But it should be done systematically and in a way that goes beyond the Commission's occasional mention of the international treaties to which Morocco is a signatory. At the moment, however, pressures and incentives for both the EU and the Moroccan government to take the country beyond a minimum level of democratic liberalisation are limited.

⁵ EU-Moroccan Association Council, "Document conjoint UE-Maroc sur le renforcement des relations bilaterales/Statut Avancé" (<http://www.delmar.ec.europa.eu/fr/communiqués/pdf/20090303.pdf>).