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# **The Reality and Future of Reforms in Morocco 2011-2021: The Question of Authority**

Taoufik Abdessadek

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## **Abstract**

The following paper is a study of Morocco's political experience, which was often described as smooth and reformist in comparison to other more radical and deep-rooted national experiences in the context of the Arab Spring uprisings, be they from the first wave beginning in 2011 (especially Tunisia, Egypt, Syria, and Yemen) or be they from the second wave in 2019 (most notably Sudan and Algeria). Seeking to deconstruct the process of constitutional and political reform in Morocco during the decade-long period between 2011 and the current year 2021, the analysis is centred upon the question of authority, and decision-making processes within the framework of authority. The paper deploys a theoretical framework grounded in the tools of institutional analysis and its intersections with the constitutional approach and elite framing in order to deconstruct the structures of authoritarianism while measuring political change and democratisation. The explanation and interpretation of reform in Morocco is conducted through a methodology that weaves together two approaches, the first of which is based on the 2011 constitution. The second departs from the constitutional framework to explore the historical and political foundations that formed political authority in Morocco and steered its continuities. The study concludes by asserting that the failure to frame reform within the question of authority must be addressed; political authority in Morocco is grounded in multileveled decision-making and in the restoration and turnover of elites. This blind spot towards addressing reform within the context of authority was created by the limitation of reform outputs within a narrow field dominated by the monarchy. In turn, the trajectory of reform was conditioned by practices and beliefs of the political regime and its understanding of the many variables comprising Morocco's current political outlook.

**Keywords:** Reform; Authority; Constitution; Democracy; Morocco

## **Introduction**

The discussion on democracy and strategies for reform and political change in Arab countries continues to raise many debates and controversies far removed from rationality and informed epistemological arguments. Throughout the decade since 2011 leading to the tenth anniversary of the Arab Spring uprisings in the current year 2021, these controversies and debates have only progressively intensified. As a result of the political events and experiences of the Arab Spring, and the failure of most of its uprisings, the hardening of political and ideological positions and

strategies has accelerated alongside an associated downtrend in affirming the importance of academic studies and research.

This political and ideological hardline with its parallel devaluation of scholarly research has compelled some commentators to declare that the Arab Spring is now history, and that the region has moved past this phenomenon. Yet others contend that issues pertinent to the Arab Spring uprisings have actually increased in saliency and urgency, for epistemological and empirical reasons. The Arab Spring uprisings are deeply connected to an important conjunction in the history and reality of contemporary Arab societies. Furthermore, the momentum created by protest and revolutionary movements in the region (resulting in the ouster of rulers and/or a push for reform and/or a reinforcement of authoritarianism) must not be measured in a linear manner. Instead, the Arab Spring should be seen as part of the progression of history, in which revolutionary and counterrevolutionary action coevolve and take us forward.<sup>1</sup>

The subject of our study addresses the case of Morocco: a national experience described as being smooth and reformist in comparison to other national experiences pertinent to the Arab Spring uprisings, which were described more radical and deep-rooted. This encompasses both the first and second wave of the Arab Spring; the former beginning in 2011 and most conspicuously impacting Tunisia, Egypt, Syria, and Yemen, while the latter erupted in 2019, especially in Sudan and Algeria.

The paper seeks to deconstruct the process of constitutional and political reform in Morocco between 2011 and 2021. It focuses on the question of authority, and decision-making processes within the framework of authority. First and foremost, this entails an analysis of the position of the Royal Palace, which is a vital component of authority and the formation of Morocco's political field. This analysis is followed by a study of the aspects of relations and dynamics produced by the 20 February protest movement of 2011 and 2012, in terms of the spheres and roles of government institutions and the role of the reigning Justice and Development Party, being a political party belonging to the Islamist movement that attained authority not only as a result of the votes it received, but also within the context of the regional ascendancy of Islamists to authority, especially in Egypt and Tunisia.

The explanation and interpretation of the state of reform in Morocco is conducted through a methodology that weaves together two approaches. The first approach is based on the 2011 constitution while the second approach departs from constitutionalism to address the historical and political foundations that formed political authority in Morocco and steered its continuities in the country since independence (1956) until the last two decades of King Mohammed VI's rule (1999-2021).

The study deploys a theoretical framework that seeks to be consistent with the concepts pertinent to reform and constitutionalism, such as the rule of law and institutions. This requires the study of a broader field, and the particular contexts within which each of these concepts unfolds. In other words, the multifaceted concept of the 'state'<sup>2</sup> must be explored. There must also be a discussion on the structure of authority in undemocratic societies and the resilience of authoritarianism, be it under one leader and political party, or in the context of elections and a

multiplicity of parties.<sup>3</sup> This study also departs from the concept of reform as ‘a non-radical change or development in political governance or social relations based on the practice of power or in conjunction with it’.<sup>4</sup>

The paper begins by outlining a brief theoretical framework followed by four major subsections. First, a literature review is presented, which includes the theoretical frameworks of several authors in relation to the question of political reform in Morocco over the last three decades. Second, the contemporary situation of reform since 2011 and its connection to the question of authority is discussed, particularly in regards to the coalescing of authority under the King. Third, the roles of government institutions are presented along with the multiple ways in which these roles intersect with the will of the voters on the one hand, and the will of the authoritarian government on the other. The paper concludes by presenting its perspective on the road ahead for genuine reform in Morocco.

### **Theoretical Framework**

Authoritarian rule associated with an electoral process and multi-party base leads to an important question, the answer of which has long been sought, and continues to be sought, by many scholars, especially in regards to the Arab region. The question is: Why do undemocratic rulers govern through democratic institutions, such as representative institutions and political parties?

The answer to this question, according to American political scientist Jennifer Gandhi, is that these institutions function as an umbrella protecting the dictatorship from true representative democracy that may have the potential to challenge its authoritarian rule. Part of the problem, the argument goes, lies in the exceptionally inventive means through which dictatorships organise the practice of authority in the presence of nominally democratic institutions, including parliaments and political parties. Gandhi, who is aware of the importance of these institutions and their functions nevertheless contends that this understanding of such institutions as inherently democratic becomes meaningless within the new institutionalism paradigm. According to this approach, institutions do not emerge haphazardly but are instead created intentionally to support the aims of political actors. Such aims for which institutions are created include solving specific problems that hinder efficiency, deepening and supporting distributive functions, staying in power, or achieving other ends or interests.<sup>5</sup> American economist Douglass North, one of the founders of institutional theory in the twentieth century, believes that institutions should be considered as the rules of the game in any society, regardless of whether they were formed under democratic or undemocratic contexts. Understanding these rules obviously contributes to understanding the political, social, and economic dynamics of societal interactions. Thus, institutional change determines the way societies evolve over time.<sup>6</sup>

The importance of institutional analysis in understanding reforms in Morocco and the question of authority intersects with two main approaches in interpretation and framing. The first focuses on the constitutional approach in reading political transformations and transitions from authoritarianism towards democracy, which emerged forcefully as a result of the Arab Spring

uprisings and widening popular demands to legalise and monitor the authorities of rulers and those responsible for managing public affairs. This enabled some countries in the region to draft new constitutions while allowing others to introduce reforms and amendments to existing constitutions.<sup>7</sup> Developments in the constitutional approach<sup>8</sup> have contributed to the contemporary conceptualisation of the constitution as consisting of two parallel frameworks. The first is vertical; it controls the relationship between members of society and the state as a foundation for the exercise of governance. The second is horizontal, aiming to regulate and give confidence to members of societies, in regards to both their relations among each other and their relations with various civil and political organisations, which are sometimes in conflict.<sup>9</sup>

As for the second framework, it is the elites' approach, demonstrating the elites' ability to take control of societal structures, understand the nature of political systems, to transform and to be open to others as partners<sup>10</sup> in building a societal project and achieving the aspirations of people of the same nation. In the broadest sense, elites are 'all individuals who occupy positions of authority. They have the right to issue decisions, or they have influence and wealth, which allows them to influence the direction of public policy.'<sup>11</sup> Any political system throughout history, whether it is subject to the authority of an individual or group, cannot exercise authority over components of state and society, build alliances, or form regional and international blocs without the participation of political and economic elites, as well as intellectual and cultural elites.<sup>12</sup>

### **Literature Review of Dominant Perspectives on Reform in Morocco**

Political reform and democratic transition in Morocco are no simple matter given the plethora of research and writings on the subject, from which one can discern the difficulty in comprehending and deconstructing the structure of Morocco's political system and its modes of interaction. Moroccan society has been a well-known field of study over the past decades, with several prominent theories emerging, from Khaldunia (the philosophy of Ibn Khaldun) to contemporary national political thought, all the way to the Marxist theory of historical materialism and post-colonial sociology.<sup>13</sup> Morocco's political experience in regards to the processes of reform and democratisation has also been subjected to the analyses and interpretations of several theses; most notably, the controversial thesis of American researcher John Waterbury, which departs from his analysis regarding societal pluralism punctuated by ever-fluctuating alliances that reach the point of contradiction. This renders the process of democratic transition a stalemate despite the ongoing transformations on the surface.<sup>14</sup>

In turn, Moroccan anthropologist Abdellah Hammoudi in his seminal book, *Master and Disciple: The Cultural Foundations of Moroccan Authoritarianism*, presented a theory on political authority in Morocco regarding the methods through which despotism is renewed. According to Hammoudi, political authority is represented solely through the King, preventing the emergence of institutions or actors that challenge or curb the monarchy's authority. In one of his most detailed expositions on authoritarianism in the book, the sixth chapter titled 'Authoritarian regimes: Morocco, Algeria and Egypt' Hammoudi explains that the Moroccan regime acquired its

distinctive features in the decade between 1960 and 1970, during a time period that witnessed the spread and consolidation of robust authoritarian governing structures in countries throughout the Arab region. These structures were concentrated in two basic forms: republics dominated by charismatic leaders backed by the military establishment and co-opted parties, or monarchies that controlled social pluralism thanks to armed force. In both cases, activities were based upon coalitions of weakened political parties or upon alliances between groupings or sects, and powerful bureaucracies without partisan affiliations ran economic programs. Elected bodies - if any - are deprived of power.<sup>15</sup>

The same viewpoint related to the problem of authoritarianism was the subject of research by Moroccan philosopher Muhammed Abed Al-Jabri and Tunisian politician and sociologist Abdelbaki Hermassi. When Al-Jabri delved into the possibility of reforming the Makhzen (feudal or medieval) state, he concluded that the royal institution constitutes the core of the Makhzen state, rendering it one of remaining the types of medieval state.<sup>16</sup> The Makhzen state is one in which the royal institution plays a pivotal role in political life, with the King as the sole source of all authority. This state still draws upon the historical experience of Islamic rule and the caliphate, exemplified by the Ottoman system of governance under the Sultan, which was centred around the royal will unbound by any other institution.<sup>17</sup>

In Hermassi's deconstruction of the state structure in Morocco - specifically referring to Morocco, Tunisia and Algeria - he concluded that there are three distinct features of these three states' structures despite their unique constitutional systems and ideological orientations. First, the individual leader or ruler occupies a unique place, whether he is president or king. The ruler is autocratic in all Maghreb (North African) countries and all of aspects of the state - elites, representation and effectiveness - are linked to the ruler's pre-eminence. The second feature is the selective recruitment and co-optation of political elites on the basis of loyalty over competence. The third feature revolves around the nature of elections, which often take the form of a referendum. The referendum is a method that serves to legitimate or endorse decisions made by the ruler and the elites of the regime.<sup>18</sup>

In contrast to the aforementioned theories, which all question or doubt the feasibility of political reform and democratisation in Morocco, there are other intellectuals that see indications of the potential for democratic transformation in the country, especially Abdallah Saaf and Mohamed Al-Tozi, two Moroccan political scientists. This perspective contends that as a result of modernisation trajectories in Morocco, democratisation is achievable despite manifestations of conservatism<sup>19</sup> that remain ingrained in political life. In the end, modernisation will push towards the building of democracy, even if the process is gradual or requires a prolonged period of time.<sup>20</sup>

### **The 2011 Reforms and the Question of Authority**

In 2011, Morocco witnessed protests led by the 20 February movement, which featured slogans against corruption and tyranny while calling for a new and democratic constitution. The Palace responded with an interactive approach, proposing constitutional reform in a speech by the King

as head of state on 9 March 2011. A royal advisory committee was formed a day later, on 10 March, tasked with reviewing the Kingdom's constitution enacted in 1996. This constitutional reform was used to organise early legislative elections on 25 November 2011, which witnessed – for the first time in the political history of Morocco- the participation of Islamists<sup>21</sup> in government.<sup>22</sup> This brings us to an important change in the Moroccan experience in the context of the Arab Spring uprisings and the roles of Islamic movements and parties.<sup>23</sup>

The constitutional framework for the process of institutional building and decision-making has always been raised in discussions on comparative global experiences in regards to democratic transition and evaluating the state's performance and its institutions.<sup>24</sup> The importance of constitutional theory is underscored in Morocco's contemporary history and the building of the modern state. Since the country's independence in 1956. Morocco has undergone six constitutional phases featuring a certain amount of precedence and conflict, beginning with the founding constitution of 1962, and passing through the amendments during the years 1970, 1972, 1992, and 1996, and concluding with the constitutional reform of 2011. This constitutionalist trajectory follows historical developments within the context of the political struggle between the monarchy and the forces of society and its elites, demanding reform and democracy in the exercise of governance along with the assumption of responsibility.<sup>25</sup>

#### ***The monarchy within and outside the constitutional framework***

In order to analyse the components of the King's authority, be they through constitutional means or those stemming from the historical and political contexts in which authority is built and maintained, a two-way path will be drawn. The first reads the authority and powers of the royal institution from a renewed perspective based on the literature of constitutionalism.<sup>26</sup> This calls for analysing the institution within the framework of Morocco's transition from the rule of an absolute monarchy towards a constitutional monarchy, in which all its authorities - including religious ones - are subject to the balance of power and the political struggle within society. These authorities are also subject to the controls and restrictions of the constitutional experience in Morocco, since the Kingdom's first constitution in 1962 after its independence, until the current constitution of 2011. The second path, which can be called traditionalism, is based on the 'Caliphate rulings' of Muslim rulers and sultans, resulting from the absence of the term 'constitution' in Islamic thought. In traditionalism, the unity of authority is the nature of a political system based upon religious foundations with the aim of building or strengthening the political system's legitimacy. According to this perspective, the secular or temporal political authority of the King cannot be separated from his religious and spiritual authority, which requires the King to promote the interests of his subjects while retaining absolute power.<sup>27</sup>

#### ***The King's position within the constitutional framework***

The centrality of the monarchy within the constitutional framework is reflected in the magnitude of the authorities granted to it by the constitution of 2011. This is both in civil and executive terms, as the King is the Head of State and its Supreme Representative (Article 41). From the religious

perspective, the constitution establishes the authorities of the King as Commander of the Faithful and guardian of religion, and Guarantor of the free exercise of beliefs (Article 41).

Reading the constitution from a legalist perspective shows that the King has a set of authorities, covering normal or exceptional circumstances. These authorities are stipulated throughout the constitution in several articles and their provisions, and the rules are explicit and implicit. Most of the King's ordinary authorities are stipulated in Chapter III of the constitution under the title 'Monarchy.'<sup>28</sup> It is clear in the text that the constitution allows the monarchy institution to dominate all other institutions, and to combine all authorities on the basis of the King's accumulated leadership positions.<sup>29</sup> The King is the head of the Council of Ministers (Article 48), presides over the Superior Council of the Judicial Power (Article 56), presides over the Superior Council of Security (Article 54), and presides over the Supreme Scientific Council (Article 41). The King appoints half of the members of the Constitutional Court and its President (Article 130), and the King appoints five notable persons to the Superior Council of the Judicial Power while assuming its presidency (articles 56 and 115).

The King's effective exercise of the executive authority's jurisdiction extended its impact to the legislative institution, through his ability to direct legislative work and its oversight functions, directly and indirectly. The King can address the nation and parliament, and his speech is read before both chambers of parliament - the Assembly of Representatives and the Assembly of Councillors. The King's speech cannot be the subject of any discussion within both chambers (Article 52). He also has the right to request both chambers of parliament to present a new reading of every bill or proposal of law in his speech; this reading cannot be rejected (Article 95).

The judiciary is another institution of great importance. The 2011 constitution addressed the judiciary's authority in Article 107: 'The judicial power is independent of the legislative authority and of the executive power. The King is the guarantor of the independence of the judicial power.' Many questions remain unanswered regarding the issue of judicial independence. As long as the judiciary is presided over by the King and he appoints five members of its Superior Council and approves by decree the appointment of the rest of the members (articles 56, 57, 115). This is on the grounds that the King, as previously mentioned, is considered Head of the State by virtue of the constitution (Article 42). The King is also the person who holds genuine authority, implemented through the Council of Ministers over which he presides. Strategic orientations of overall state policy are formulated in the Council of Ministers while the role of the government institution is limited to discussing policy proposals in the Council of Government, before presenting them to the Council of Ministers (articles 49 and 92).

In the decade that has passed since the enactment of Morocco's current constitution in 2011, it has become clear that in practice, the constitutional path to democratic transition did not have any tangible impact upon the distribution of authority, power, and strategic decision-making in the country, given the constitution's endorsement of the King's hegemony over all other institutions and actors.<sup>30</sup> The 2011 constitution also failed to effect democratic change in the state's relationship with society, despite the document's inclusion of numerous new provisions and requirements, especially related to the principles and rules governing political activity.<sup>31</sup> Most



notable in this regard are the following: the removal of the King's sanctified status, the opening of wider spheres for rights and freedoms, and the establishment of the constitutionality of institutions and councils working on civil issues such as governance, the Moroccan diaspora, competition and transparency, youth, the environment, communication, and other matters.<sup>32</sup>

### ***The King's position outside the constitutional framework***

There is an urgent demand for reform in regards to the government of Morocco's structure and the monarchy's position within that structure. These issues were the foci of the conflict between opposition political parties and the monarchy that had marked the nearly four-decade rule of King Hassan II (1961-1999). Demands for reform initially waned during the reign of the current monarch King Mohammed VI, whose reign has also witnessed widening protests related to price hikes and chronic problems in the country's health and education systems. Nevertheless, since 2011, there has been a robust re-emergence of the rhetoric of political and constitutional reform with the 20 February protest movement.<sup>33</sup>

The central role of the royal institution within Morocco's political system cannot be isolated from other contexts not directly linked to the constitution, which were historically formed on political, economic, social and religious foundations. These non-constitutional contexts coalesced to establish a system of government based on the coexistence of two political fields. The first is closed; it does not allow competition with the King in making major or strategic decisions internally and externally. The second is open to participation and competition between parties, allowing them to gain access to decision-making positions and manage minimum public policies in economic, social and cultural affairs.<sup>34</sup> Margins are left open for opposition political forces to exercise free opinion and expression, as well for the independence of civil society, without passing the red line drawn by the traditional Makhzan state.

The Makhzan state runs parallel to modern state institutions, including the government, parliament and elected councils at the regional and provincial levels.<sup>35</sup> The relationship between the authorities and the state apparatus, with its traditional Makhzan organisation and apparent deployment of components of the modern state, evokes the Greek-French philosopher Nicos Poulantzas' definition of the state. 'The state has a dual nature: the first expresses the classes and their struggles, and it is the bourgeois state that controls political power, while the second is a purely technical state with social functions, whose mission is to manage sectors such as health, education, transportation, and culture.' In this, he considered that the first state is a special state or a state above the state.<sup>36</sup>

Morocco's political future is contingent upon the level of trust attainable regarding the feasibility of constitutional reform and the rule of law today, under conditions of broadening constitutional rule. Thus, a deconstruction of the foundations of authority in Morocco is imperative, including the historical and ideological justifications utilised by political authorities to exercise their will and promote their interests over those of the individuals comprising the nation's public. Reform occurs within the context of the changing perspectives of state actors, particularly

in regards to their conceptualisation of the role of institutions and the constitutional contract with society.<sup>37</sup>

### **Convergence and Contradiction Between Democratic and Authoritarian Wills**

In the decade following the constitutional reforms of 2011, the government institution of Morocco has become marginalised in practice, with the Justice and Development Party leading the government under two administrations; the first under prime minister Abdelilah Benkirane (2011-2016) and the second and current one, coming to an end soon, is under prime minister Saadeddine Othmani (2016-2021). This marginalisation in practice renders it important, in terms of reading the situation, to analyse the structural aspects of society, especially those related to the elites' approach and the functionality of political parties. This includes the manifestations of convergence and contradiction between democratic and authoritarian wills and interests, and their impact on the structure and re-structuring or reform of Morocco's political system.

#### ***The experiment of Islamists in government***

The government under prime minister Abdelilah Benkirane was the first experiment of Islamist participation in national governance, or rather, the participation of those Islamists who accepted curbed political inclusion within the framework of the rules and limitations imposed by Morocco's political system.<sup>38</sup> The Justice and Development Party of Benkirane ascended to government leadership after the early legislative elections on 25 November 2011, and was a political outcome of the regime's handling of the 20 February 2011 protests within the wider context of the Arab Spring uprisings.<sup>39</sup>

The Islamists' experience in government was consistent with the regime's desire to manage the political stage. Furthermore, it represented an opportunity to test the agenda of the Justice and Development Party and its perception of political action. This Islamist agenda, as it has transpired, is based upon gradualism and accumulation in its interactions with foci of authority and decision-making, as opposed to conflict and rupture. Such agenda is defined in the party's literature, namely its proposal of reform in the framework of stability defined by a certain extent of cooperation with opponents representing various political forces and movements, without resorting to exclusion and isolation.<sup>40</sup>

The stakes of the two sides – the royal institution and the Islamists elected to the representative institution - differed at this stage. For the royal establishment, the 25 November 2011 legislative elections were the next step towards the constitutional reform of July 2011. The elections served to control and arrange the political situation internally, in order to overcome the challenges imposed by the 20 February protest movement, which was unprecedented in its scope, actions, and the nature of its demands. The monarchy's strategy at this stage was aimed at absorbing the anger of the street, through the inclusion of an opposition party possessing reformist discourse and popular credibility.<sup>41</sup> On the Islamist side, the Justice and Development Party saw its newly sanctioned political participation and authority as an opening to gain the confidence of the royal

institution and to dispel the concerns of political and economic decision-making centres about the party's societal project.<sup>42</sup> It thus asserted itself as a civil political party that does not deviate from the ideology and philosophy of the state, which is based on modernity in terms of rights and freedoms, liberal economics, and the King's leadership of the faithful within the religious framework.<sup>43</sup>

Indeed, the relationship between the Islamist movement and the ruling regime in Morocco differs from the confrontational relationship between Islamist movements and ruling regimes elsewhere in the region, notably in Tunisia and Egypt,<sup>44</sup> especially in regards to the experience of the moderate Justice and Development Party. Since its break with the radical ideological orientations of the Moroccan Islamic Youth,<sup>45</sup> the leadership of the Justice and Development party has declared its acceptance of the rules of political participation within the bounds of the current system of monarchical governance to which the party is subordinate.<sup>46</sup> Within this same framework, the Islamists had to overcome concerns regarding the party's ability to govern and exercise authority without making too many concessions and falling into the abyss of dependency, which would in turn undermine the Islamist party's popular support.<sup>47</sup>

Such concerns, especially about appeasing the monarchy and operating within the state's parameters, often compelled the Justice and Development party to align itself against the forces and movements calling for democracy. An anti-democratic position was taken by the government of former prime minister Abdelilah Benkirane; who had repeatedly expressed pro-state sentiments since the early days of the 20 February protest movement, claiming that he and his party 'came to save the state and secure its stability in the face of the protesting street.'<sup>48</sup>

### ***What role for the government in decision-making?***

It is common to compare the experience of the currently ruling Justice and Development Party since its 2011 electoral victory to that of the formerly ruling Socialist Union of Popular Forces under the government of Abderrahmane Youssoufi, who held the post of prime minister from 1998 until 2002. To be of value, such comparison must take into account the distinct internal and external contexts in which the two parties operated, as well as the different stakes and political goals that influenced – in both instances - the acceptance of power-sharing on the part of the opposition parties and on the part of the Moroccan royal institution.<sup>49</sup>

The predominant question that such a comparison seeks to answer is whether the Islamist experiment will be relegated to the same fate as that of the socialist experiment. The ostensibly mutual sharing of power and authority represented formerly by the inclusion of the socialist party and represented currently by the Islamist party were both supposed to have put the country on the path of democratisation and political pluralism. Nevertheless, such progress in regards to democratic transition did not occur under the Socialist Union of Popular Forces. The King appointed Driss Jettou as prime minister after the 2002 legislative elections – an election that was won by the Socialist Union. Jettou is a technocrat and does not belong to any political party.<sup>50</sup>

Perhaps the outcomes of the Justice and Development party's political power-sharing and objectives reflect the view that the Islamists' fate will indeed be similar to the fate of the socialists.

The party's first experiment in government under prime minister Abdelilah Benkirane completed its legal mandate in 2016; today, we are months away from the end of the party's second term in government, under the leadership of prime minister Saadeddine Othmani (2016-2021). When contextualising the Islamists' governing experiment within the framework of the new constitutional reforms of 2011, it is difficult to register any genuine political achievements or reforms, especially related to the government's ability to exercise authority in true partnership with the royal institution. The monarchy maintained possession of real or tangible power and authority, by virtue of the constitution and the political system's strength, and also by virtue of monarchy's well-established influence in running the government and overseeing its powers as an executive authority. The majority of the state's strategic projects and plans are in the hands of the King and his advisors. Even the authorities granted by the constitution to the representative government have been limited and curtailed in one way or another. Several ministries, such as the Ministry of Interior and the Ministry of Endowments and Islamic Affairs, have been withdrawn from the oversight and authority of the government under the prime minister, together with the distancing of several ministers from the decisions of the former prime minister.<sup>51</sup>

The duality of the executive authority between the King and the prime minister-led government, with its difficulty in managing responsibilities for political and administrative decision-making, is a result of the royal institution's governing pre-eminence over or above all other authorities along with the denial of the administrative capacity of the King's decisions and interventions in public policies.<sup>52</sup> This intervention takes several forms, including letters, instructions, or even decisions concerning appointments to positions of authority, as well as exemptions in many public institutions and facilities.<sup>53</sup> This has elevated the issue of linking authority to accountability as a guiding principle for the management of public affairs, confined to its administrative and organisational levels. What is meant here is that the institutions and entities affiliated under the authority of the elected government and its prime minister should operate without prejudice or interference from the higher level of authority represented by the Council of Ministers, which responsible for making strategic decisions in the country. The Council is headed by the king, in accordance with Article 49 of the constitution.

Moreover, this imbalance in the distribution of authorities, their lack of independence, and the failure to link authority with accountability in Morocco was largely reflected in the negative political evaluations of the government's work, especially in regards to the performance and cost-effectiveness of public services. The absence of accountability for decision-making, and the marginalisation of elected institutions such as the government and parliament, was manifested in part by the public's lack of confidence in institutions such as the government, parliament, political parties, and the judiciary. This distrust, which was especially pronounced among the youth, correlated with a bolstered trust in other institutions such as the army and security services.<sup>54</sup>

The failure to enact genuine political reform and reform's dependency on the political and societal balances particular to each governing phase is the result of two fundamental factors. The first factor is the marginal nature of constitutional reforms and the limited roles of the elected government and the other elected institutions within the framework of Morocco's political system.

The problem lies outside of the sphere of the constitutional concept; as in practice, the constitution is controlled by entities and institutions far removed from the principles of democratic and electoral selection and governance.<sup>55</sup> The second fundamental factor hindering reform in Morocco is the highly personalised nature of the state, with its authoritarian ideology preventing reform despite clear attempts.<sup>56</sup> So as such, the political environment in Morocco remains - according to Mohammed Nouredine Affaya, a professor of philosophy at Mohammed V University - an environment in which the symbolic dimension is intertwined with the concerns of the temporal stage, and where the weight of history intersects with the active forces and wills of the current time, especially the forces of rationality and modernity. Thus, the reality of Moroccan politics appears stagnant on the surface, yet below the surface it is complex, profound, and shifting with modern realities.<sup>57</sup>

The reluctance to enact reforms and adopt consistent and solid policies departing from Morocco's semi-authoritarian methods of governance has been evident in recent years, as is indicated by reports of international institutions and organisations concerned with democracy and respect for human rights.<sup>58</sup> The 'Democracy Index 2020' report of the Economic Intelligence Unit of *The Economist* magazine is one such report which measures the level of democracy in countries according to indicators including political pluralism, electoral participation, the performance and work of governments, and the diffusion of political culture and civil liberties.

In the year 2020, Morocco ranked 96<sup>th</sup> out of the 167 countries included in the report, with an average of 5.04 points out of ten. In comparison, the countries of the Maghreb region ranked as follows (according to ranking/points): Tunisia 59<sup>th</sup>/6.29, Algeria 115<sup>th</sup>/3.77, Mauritania 112<sup>th</sup>/3.92, and Libya 157<sup>th</sup>/1.95.<sup>59</sup> The political stalemate and faltering of democratisation in Morocco is also indicated by the data collected by the German foundation Bertelsmann Stiftung in 2020. The foundation issues annual reports monitoring states' performance in terms of indicators of economic and political transformation, and the application of governance. Morocco was awarded 5.71 points out of ten in terms of economic status and a score of 4.4 for governance, while the average ratio was 3.68. Morocco ranked 104 out of 137 countries with regard to indicators of political transformation. The index is based on a set of indicative factors, such as political participation and the rule of law, in addition to institutional stability and the role of policies in ensuring social integration.<sup>60</sup>

### **The Prospects and Future of Reform**

Over the last two decades and under the rule of the current king Mohammed VI, the national climate of widespread public mistrust in politics has taken a different direction - diverting from the general trend of opposing the regime and its policies during the reign of King Hassan II. There has been a retreat in the revolutionary and ideological tendencies and trends prevalent during King Hassan II's reign, which targeted and contested the legitimacy of authority and the political system. In their place, ideologies and visions rooted in scepticism have emerged in relation to the political authority's discourses on reform and institution building. Yet nevertheless, these emergent

ideologies and visions - to a great extent – trust the royal institution and consider it a solid basis for stability. This is because the monarchy is the only institution with the capabilities to address pertinent issues; it has the authority to solve problems or enact solutions. Furthermore, the monarchy remains the dominant actor in directing political events and realities, especially in regards to decision-making and institutions, in addition to shaping the balance of social and political forces.<sup>61</sup>

The Moroccan people have become increasingly discontent with the inability of the political system to effect change and reform through the channel of electoral legitimacy and the principle of free choice. Thus, broad segments of public opinion have become uninterested in the fate of the government and parliament, while increasingly calling for boycotts of the electoral process.<sup>62</sup> Such disenchantment and even opposition to democratic processes such as elections will remain the reality in Morocco so long as these processes do not fulfil their functional roles as they do in democratic political systems, roles that include elevating the people's voices and interests so that the popular will becomes a primary factor in decision-making. The Moroccan people's voices and their aspirations remain unheard by those in power because decision-making remains confined within the corridors of unelected institutions.

Morocco's current societal transformations and the people's new perceptions of political action in order to defend their interests and aspirations are evidenced by the successive and uninterrupted protest movements throughout Morocco, most notably the Hirak protest movement beginning in the Al-Rif region of northern Morocco in 2016. There have also been protest movements in marginalised cities and towns, such as Jerada, Zagora, and others in eastern and southeast Morocco from 2018 to 2020. Such protests are a manifestation of a deep societal crisis, fuelled by the failures of the state's development projects and public policies.<sup>63</sup>

On one level, the Moroccan political authority has been able to control and manage the wave of the Arab Spring uprisings and popular demands for democratic change, at relatively low cost to itself and within the minimal limits of constitutional and political reform. Yet this does not indicate that the dynamism of Moroccan society, and the Moroccan people's desire to live free and dignified lives, can be extinguished through political manoeuvrings and repression. The people's movements and demands are constantly gaining in strength and scope, and the cost of reform is much less than the cost of continuing to avoid or reject reform. Certainly, the second renewed wave of protests in 2019, and the people's ability to either topple or significantly challenge governments and government authorities – as exemplified by Sudan, Algeria, Iraq and Lebanon - attests to the reality that regardless of the political system's resistance to change, there will always be change initiated from society and the people. Nothing – even the most entrenched political systems and authorities – can remain constant.<sup>64</sup>

## **Conclusion**

This study has focused on understanding the foundations of authority in Morocco by analysing the processes and relationships behind decision-making and the management of political affairs,

especially in the context of political and social developments in the region, the outcomes of which remain unclear. These socio-political developments include potential paths or transitions to democracy and the rule of law, in which the citizenry would be given primacy. The obstacles remaining in these paths are exemplified throughout the region, whether in Egypt, Libya, Yemen, Syria, or Lebanon. Even in countries that have had some success in the transitional phase, such as Tunisia, Sudan and Algeria, uncertainty predominates.

This study shows that political reform has been attempted in Morocco during the reign of King Mohammed VI, even before the renewal and consolidation of reforms at the constitutional level, including during the protests of the Arab Spring uprisings, with the emergence of the 20 February protest movement in 2011. Yet above all, this study shows that these reforms have not constituted a change in the genuine levers of authority and decision-making in the country. While reforms have resulted in wider participation for parties representing broader segments of Moroccan society, this participation remains curbed within the limits of the royal institution's authority in order to ensure continuity and the stability of the status quo, including by renewing the authority of state elites. Thus, reform only occurs when in line with the desires, perceptions, and interests of genuine holders of authority current political system, whom above all is the King.

Due to this study's primary focus on Morocco's political experience, it may not reflect the extent of the state's efforts in introducing reforms at the level of individual and collective rights and freedoms in the years before 2016 – the year that marked the beginning of the Hirak protest movement in the northern Rif region. By the same token, the study perhaps does not account for the level of public distrust in what is viewed as a declining political system beset with setbacks. The reforms enacted thus far have not dispelled the people's fear of the country's return to a past burdened with violations of rights and freedoms. Thus, the current level of reform is unlikely to satisfy the aspirations and hopes of current generations of Moroccans. This is especially true given that Moroccan society possesses the opportunity and potential to bring about genuine reform and political change, granted that the political will and a desire to break from authoritarianism is also present.

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