

# Reshaping Civil Society in Morocco Boundary Setting, Integration and Consolidation

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## Abstract

This paper looks at the dynamics affecting the development of civil society in Morocco within the context of the European Neighbourhood Policy. It explores cooperation mechanisms in three domains of civil society endeavour – women's rights, human rights and socio-economic rights. In each area, the paper examines the kinds of mechanisms and opportunities emerging for the promotion of civil society, and which forms of action and stances taken by civil society have been encouraged (or otherwise). The paper contends that the development of civil society has triggered different responses by the state and international community. While civil and political rights have preoccupied domestic and international actors, socio-economic rights have long been absent from their agendas. Yet it is argued here that shifting responsibility for issues in the socio-economic domain to civil society is highly problematic under the current circumstances of state building, and poses risks of further ruptures in Moroccan society.

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# RESHAPING CIVIL SOCIETY IN MOROCCO

## BOUNDARY SETTING, INTEGRATION AND CONSOLIDATION

*CEPS WORKING DOCUMENT NO. 323/DECEMBER 2009*

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### Introduction

While Morocco's flourishing and relatively free civil society is a great achievement when compared with other countries in the Maghreb region, it would be mistaken to consider its political transformation 'complete'. During the last 15 years, Morocco has developed a significant and diverse network of civil society organisations (CSOs), which has spurred inquiry into the significance and role of civil society in the country's recent political and societal development (Huber, 2004, 2005; Sater, 2007). Western researchers (Ottaway and Riley, 2006) have been quick to evaluate the status of Moroccan civil society, its weaknesses and strengths, while advocating a reinforcement of the EU's democratisation policies and supporting the advancement of independent civil society as a precondition for genuine democracy and development. What is frequently overlooked in this research is the inconsistent and changing nature of civil society, which is sometimes supportive of and at other times hostile or indifferent to the EU's democratic and often neoliberal-inspired agendas.

The recent debate on the role and importance of civil society activity in the context of the European Neighbourhood Policy (ENP) highlights the need for a strong and vibrant civil society. From the EU's point of view, the degree of independence, efficiency and productivity of civil society are signs of progress, modernisation and democratisation. Yet, this can also imply that civil society is defined according to a static framing of pre-defined values rather than in terms of contextual understandings that reflect the complexity, contentedness or instability of local civil societies. This paper attempts to go beyond restrictive definitions of civil society that downplay the reality that civil society is not always supportive of the EU's policies and is not always in opposition to the state. This paper seeks to demonstrate how the study of civil society can help us to better understand both the logic and incongruity of Morocco's political and social progress.<sup>1</sup>

Morocco's political opening in the 1990s brought to local civil society a new dimension of internationalisation, diversification and professionalism. In theory, the legal frameworks in

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<sup>1</sup> The analysis in this Working Document draws from 40 in-depth, face-to-face interviews conducted with civil society actors, government officials, MEPs and European diplomats in Morocco from April to June in 2009, in the context of two research projects, EUDIMENSIONS and the EFSPS. All interviewees were guaranteed anonymity and confidentiality.

Morocco are conducive to the development of civil society, which has experienced a considerable boom since the late 1980s.<sup>2</sup> In 1979, Morocco ratified the International Pact on Civil and Political Rights, and freedom of association has since become a constitutional right (Kausch, 2008a). In 2002, new legislation was adopted to facilitate the use of foreign funding by Moroccan CSOs (for details see Khakee, 2008). Formal rejection of a legally registered association is rather unusual, unless a CSO publicly challenges the three ‘taboos’: national territorial integrity (particularly with regard to the question of Western Sahara), the primacy of Islam and the legitimacy of the king. Furthermore, international pressure coupled with financial support for CSOs has promoted an agenda focused on political and civic rights (e.g. human rights, women’s rights, freedom of the press and association). Consequently, in a process that could be termed ‘boundary setting’, the state has had to re-regulate state–civil society relations by defining the political spheres assigned to state and civil society actors.

This paper explores three domains of civil society endeavour – women’s rights, human rights and socio-economic rights – that have triggered different responses by the Moroccan state and the international community. More specifically, it investigates cooperation mechanisms and opportunity structures for the promotion of civil society activism that have emerged as a result of the EU’s policies and within the context of the ENP. Three empirical examples are used to illustrate the complex dynamics of state–civil society relations in Morocco and the contradictions inherent to EU policies that seek to promote civil society in that country.

## 1. Conceptualising civil society

Use of the concept of civil society has often been associated with the analysis of opposition to non-democratic states in the Eastern European neighbourhood (Gellner, 1994; Hirsch, 2002). As in the case with the post-communist countries of Central and Eastern Europe, this understanding of civil society and its oppositional role under authoritarian regimes has been prominent with regard to the Mediterranean region. According to this dichotomised view of state and civil society relations, the most persistent voices for change come from civil society. It is assumed that civil society fosters political liberalisation and leads to increased civic participation in the public sphere. At the same time, maintaining an exclusive link between civil society and the democratisation process neglects those CSOs that operate outside this dichotomy. Furthermore, and as discussed below, this interpretation is limited by the omnipresence and vigilance of the state, which has proven skilful at co-opting social movements. A process of political reform has certainly taken place in Morocco, but it would be misleading to attribute the origins of this reform to civil society. Indeed, the democratisation potential of Moroccan civil society is limited. By the same token, it is important to emphasise that Moroccan CSOs have contributed to political transformation but within the clearly defined boundaries of a ‘public sphere’. This incorporates another perspective on civil society, as an arena of argument and deliberation, which equates civil society with the public sphere.

Nevertheless, empirical evidence suggests that the possibility of dialogue within this normative public sphere where “a fair balance of interests can come about only when all concerned have equal right to participation” (Habermas, 1999, p. 72) is rather limited. Large segments of Moroccan society are excluded from the public sphere. Groups that do not accept the status quo imposed by the political elite are shunned by the *makhzenian* structures.<sup>3</sup> For instance, Islamists or extreme left organisations, as well as some Berber and Sahrawi groups are considered anti-

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<sup>2</sup> Although it is impossible to verify the exact number of CSOs, estimates suggest that between 30,000 and 80,000 associations are registered in Morocco.

<sup>3</sup> The name *makhzen* is given to the ruling elites and networks of power surrounding the king.

constitutional for their refusal to recognise the spiritual authority and political legitimacy of the king, or in the specific case of the Sahrawi, for challenging the territorial integrity of the Moroccan monarchy. These politics of exclusion and inequality are diametrically opposed to Habermasian (1999) notions of the public sphere, in which dialogue between the state and civil society is based on mutually accepted ethical principles. The oppressive character of the Moroccan public sphere has important consequences for the actual functioning of civil society. It is argued here that civil society does not always adhere to the principles of 'civility' and 'tolerance', and that it can be subject to political patronage and competition. In addition, there is the question of relations between Moroccan CSOs and major international partners, including the EU. Some Moroccan CSOs have described their relationship with European partners as asymmetric and patronising:

For the EU projects, we are obliged to work with European partners who are also the recipients of grants. Although we have our local experts and expertise on the ground, we also have to use very expensive European experts who have very rarely added value to our work. We have signalled this problem to the EC [European Commission] Delegation in Rabat but all instructions come from Brussels.<sup>4</sup>

Another difficulty with Habermas's somewhat idealistic notion of the public sphere is the elitist nature of Moroccan civil society and its weak social impact. Scholars such as Denoueix and Gateau (1995) have pointed out that many Moroccan CSOs are linked more to the state than to the real concerns of society, which raises the question of whom civil society actually represents. The elite character of mainly urban CSOs and their distance from the reality on the ground has generated widespread scepticism of 'active' or responsible citizenship through community involvement as promulgated by Anglo-Saxon schools of thought. Furthermore, the close involvement of many CSOs in the political and administrative machinery of the government and resulting relationship of 'patronage' seriously limit citizen participation, as pointed out by one Moroccan activist in Rabat:

CSOs of big cities have been generated by the French-speaking, middle-class intellectual elite. They have almost no contact with ordinary Moroccans and their daily problems. This distance creates mistrust among Moroccan people about the goals of civil society and its potential is significantly reduced to high politics.<sup>5</sup>

While 'communitarian' approaches (Etzioni, 1993; Putnam, 1993) can hardly be applied in the case of urban-based CSOs, the grassroots networks of local associations continue to exist in spite of restrictions and their marginalisation from decision-making processes. This communitarian perspective stresses the essential contribution of civil society in promoting community well-being and shaping policies to combat socio-economic deprivation. Some Moroccan scholars who have studied Western concepts of citizenship and autonomous civil society (among them Saaf, 1992) go so far as to argue that Moroccan civil society is not compatible with Western models of civil society. It is not merely an issue of socio-economic or structural difference, but also one of the mentality of a majority of Moroccans and their lack of understanding of notions of active citizenship. The existing structures of clientelism and neopatrimonialism, which have often been dominated by charismatic figures, impede the development of an active and strong civil society (Layachi, 1998). If we look beyond officially registered CSOs, we find extensive networks of grassroots organisations that have emerged spontaneously in rural areas to assist local communities overcome everyday challenges (Roque, 2004).

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<sup>4</sup> Derived from the author's interview with a local civil society activist, 6 June 2009, Rabat.

<sup>5</sup> Derived from the author's interview with a local civil society activist, 15 June 2009, Rabat.

### 1.1 A question of women's rights: Internationalisation and integration

The feminist movement in Morocco illustrates how elite and communitarian approaches can exacerbate social conflicts instead of reinforcing the civic virtues of trust and cooperation. It also illustrates the ambiguous role of civil society *vis-à-vis* the state, a highly religious Moroccan society and the international community. There are more than 30 women's rights organisations in Morocco. Some of them deal with the political and institutional emancipation of women, others with socio-economic issues such as education and poverty. The Democratic Association of Moroccan Women (Association Démocratique des Femmes du Maroc, ADFM), one of the leading and oldest feminist organisations (founded in 1985), clearly has an elite character with little presence on the ground in local communities. ADFM's main target groups are urban intellectuals; its primary objective is to contribute to broader discussion about women's rights and to promote new legislation based on equal rights between men and women. In contrast, Islamic movements with a different interpretation of women's rights have traditionally been strong in rural areas.

The ADFM, together with other women's rights organisations, has played an important role in advocating and negotiating the reform of Moroccan family law (the *Moudawana*), which has led to clashes and further animosity with Islamist movements. In protest against these proposed reforms, in 2000 the Islamists organised a massive demonstration in Casablanca with more than 300,000 participants – delaying the adoption of the new family code until February 2004. Whereas for the Islamists, the ultimate sources of legal legitimacy are religious texts (sharia), secular women's organisations refer to international law and Morocco's obligations as a signatory to UN conventions on women's rights. As commented by one female Islamist parliamentarian about the *Moudawana*,

[o]ur protest in Casablanca was not religious but political. It was a protest against the interventions of the West in our cultural affairs, against the dictate of how to change *Moudawana*. For us it was once again cultural aggression and humiliation. We were never against the reform of the family code. In fact, sharia is a source for liberation of women, which can go even further than the current family code if the West lets our internal dynamics develop.<sup>6</sup>

Yet some feminist activists have acknowledged the necessity of religion being a primary source for reforming the *Moudawana* in order to avoid the alienation of Muslim society. A former director of the umbrella association Espace Associatif, who is a women's rights activist, explained it this way:

What I learned during my combat for women's rights is that we can reinforce the principles of tolerance and diversity via Islam. In fact, there is no other way. The majority of our society is deeply religious...we need to work through the religious texts and not alienate women [who] are religious and who would see it as an attack on Islam.<sup>7</sup>

At the same time, the process of reforming legislation on family matters needs to be understood within the framework of the state's interests and its involvement. The palace's intervention and the king's religious authority were instrumental in the adoption of a revised *Moudawana* that had been resisted by religious representatives of civil society. The state apparatus has gradually

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<sup>6</sup> Derived from the author's interview with the deputy of the Justice and Development Party, 3 June 2009, Rabat.

<sup>7</sup> Derived from the author's interview with a former director of the Espace Associatif, 29 May 2009, Rabat.

adopted, and at times prompted, the discourses of women's rights groups while shaping the final content of the *Moudawana*. Hence, the success of the reform has been attributed to the palace and a progressive monarch (Mohammed VI). The new code undoubtedly represents a significant step in women's rights in the Arab world. Its implementation, however, has been slow owing to a variety of factors such as a lack of information and awareness among women about the new law and an ineffective judicial system. The *Moudawana* debates also highlighted questions about the application of the universality of women's rights and regional demands for respecting the particularities in Muslim society.

## 1.2 A question of human rights

The very remarkable shift in the state's strategy, from oppression to support and ultimately to the encouragement of certain kinds of CSOs (particularly human rights and women's rights organisations), has brought a new dimension to state–civil society relations. Both domestic and external pressures have prompted the state to change its strategies in dealing with civil society. Some observe that the state's encouragement of civil society is not necessarily a sign of political will and inclusiveness, but is rather a new strategy of the palace to control and contain newly emerging and expanding urban elites.<sup>8</sup> The regime's tolerant approach towards CSOs nonetheless confirms the continuing process of democratisation in the eyes of the EU, and according to some, it has served the king's strategy of marginalising political parties (Willis, 2004).

Most of the king's initiatives have been aimed at improving Morocco's record on human rights. These have resulted in Morocco achieving an image of the most advanced EU neighbour in the Mediterranean and as a 'good student' of Europe. The most important of the king's initiatives has been the formation of the Royal Advisory Council for Human Rights (Conseil Consultatif des Droits de l'Homme, CCDH), later the ministry of human rights (1993) and more recently the establishment of the Equity and Reconciliation Commission (2003). The latest initiative, a truth commission (Instance Équité et Réconciliation, IER), was set up by the monarch and financially supported by the European Commission to examine human rights violations and forced disappearances during the '*années de plomb*' [years of lead].<sup>9</sup> Despite its shortcomings and limited scope for investigation, the IER has been a revolutionary undertaking in the Arab world. It has had significant results in terms of awarding financial compensation, collecting personal testimonies and above all, raising the question of government responsibility for forced disappearances and human rights abuses.

Public funding for CSOs is channelled through the ministry of solidarity, but only a few large NGOs close to the government (government-organised NGOs, 'GONGOS') receive public funds. The most recent example is the Foundation Mohammed V pour la Solidarité, which was set up by the palace and which closely follows the agenda set by the government. Similarly, some international donors often direct their funding to associations established by the state or those associations with close contacts. There is a consensus among the Moroccan CSOs interviewed for this study that EU assistance has a state-centred, top-down character that consequently excludes many local CSOs. Most of the European Commission's funding (i.e. the European Neighbourhood and Partnership Instrument or MEDA funds) is channelled through government bodies, which end up in the same pro-government circles of civil society. The inflexibility of the EU, coupled with its lack of adaptability to local contexts and highly

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<sup>8</sup> It is estimated that more than 50% of Moroccans live in towns.

<sup>9</sup> During the 1960s and 1970s, when the king faced considerable challenges, including *coup d'états*, hundreds of palace opponents disappeared and thousands were imprisoned and tortured.

institutionalised approach are recognised as weaknesses that limit the effective implementation of its programmes and more broadly affect the EU's image in Morocco.

There are two major organisations that shape the discursive realm of political and civic rights and that illustrate the state's different strategies of control and containment of civil society discourses. Both civil society protagonists demonstrate the polemic of autonomy or independence of civil society *vis-à-vis* the state. The first, the Moroccan Organisation for Human Rights (OMDH), stays outside the party-based struggles, accepting the political status quo while addressing the deficiencies of human rights practices. Yet this proclaimed independence from the political structures has been challenged by the OMDH's decision to join the state- and European Commission-sponsored CCDH. The OMDH's cooperation with the regime has launched a new phase of legitimisation and modernisation of the *makhzen* power. The second organisation, the Moroccan Association for Human Rights (AMDH), was established in 1979 by the socialist political party (the Socialist Union of Popular Forces, USPF). The AMDH directly challenges the democratic deficits of the current political system and the centralisation of the monarch's power but within a defined framework of mutual acceptance. Its affiliation with the left, its radical battle for human rights and its demands for changes to the constitution have provoked several confrontations with the state authorities, surveillance and repression of their activities. One member of the AMDH explains the organisation's objectives:

We want to work according to UN principles and international law. Morocco has accepted these international principles and we want to see that they are being implemented. The EU has given Morocco [an] advanced status not because of excellent performance on human rights but because of mutual economic and security interests. Europe itself is violating human rights in the fight against illegal migrants but it continues to represent itself as a carrier of values.<sup>10</sup>

There is agreement among the CSOs that the EU lacks credibility because it appears to be more interested in pursuing its own economic gain (see the section on socio-economic rights below) and securing its interests than seriously promoting human rights. Some human rights activists pointed at the serious repression of human rights after the terrorist attacks in Casablanca in May 2003. Since the Casablanca events, the Moroccan authorities have tightened security measures, often at the expense of human rights, and called for restrictions on the activities of the Moroccan Islamist party (the Justice and Development Party). This security approach has been encouraged, if not initiated, by the EU (particularly some of its member states)<sup>11</sup> and the US. Still, the EU has kept a low profile on its anti-terrorist policies in Morocco. By contrast, the US-led 'war on terrorism' has adversely affected US cooperation with some segments of civil society, although less so with the government. Several associations, among them the AMDH and the National Trade Union of the Moroccan Press (Syndicat national de la presse marocaine, SNPM), have initiated a boycott of US funding, criticising its hegemonic agenda, lack of respect of human rights and the US policy on the Palestinian territories and wider Arab regions. As explained by the president of the SNPM, they have no problems with the EU, which promotes cooperation based on partnership and dialogue, whereas the US seeks to infiltrate domestic affairs through its democracy-promotion programmes.<sup>12</sup> The same actors stress that their refusal

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<sup>10</sup> Derived from the author's interview with a member of the AMDH, 16 June 2009, Rabat.

<sup>11</sup> For instance, the UK increasingly focuses on anti-radicalisation activities linked to countering terrorism. Derived from the author's interview with British diplomats, 24 June 2009, Rabat.

<sup>12</sup> Derived from the author's interview with the president of the SNPM, 9 June 2009, Rabat.

of US funding<sup>13</sup> is not solely based on ideological grounds; rather, they simply state that terrorism and radicalisation are phenomena imported from outside, which do not reflect Moroccan realities. Yet many other CSOs, particularly in the field of development and economic assistance, have no objections to American funding, arguing that there is no political interference in their activities.

The control that political parties exercise over civil society brings another important ingredient to the study of the dynamics of civil society. It is not uncommon for civil society activists to be members of political parties or appointed members of local councils, giving rise to the risk of political manipulation. Thus, CSOs often become known through the activities of their leaders, who use their affiliation with civil society for personal enrichment or political activities. This ‘personnalism’ reinforces mistrust and suspicion on the part of Moroccans *vis-à-vis* civil society actors. As regards the CSO leadership, civil society activists have emphasised the need to open up CSOs in terms of institutionalisation and professionalisation in order to transcend charismatic leadership structures. This political affiliation of CSOs does not necessarily undermine their independence, however. In the case of human rights, the incorporation of CSOs in state-initiated structures has enabled civil society to influence the agenda from within. In other areas such as women’s rights, association with political parties can be counterproductive because the objectives can go against the interests of political parties and vice versa. While cooperation with state authorities is necessary and desirable, it is important for civil society to be aware of the dangers of co-option and corruption.

The creation of the above-mentioned institutions illustrates the state’s strategy of appropriation and institutionalisation of human rights discourses instead of their straightforward suppression – an approach that is also characteristic of its Maghreb neighbours (Algeria and Tunisia). The allocation of public space to civil society actors by the Moroccan state has additionally been a consequence of the gradual modernisation of the state and the building of a certain kind of pluralism and modern political institutions similar to the Western model. In this context, the EU has been instrumental in supporting political transformation and integrating Morocco into a European system of governance, albeit in very selective and sometimes contradictory ways. Drawing on a Foucauldian genealogy of the modern state (Foucault, 2004), the shift in the power logic from the visible and direct defence of territory to more subtle and de-territorialised forms of controlling population is reflected in contemporary discourses and practices regarding the development of Moroccan civil society. This process of “upgrading and diversifying mechanisms of control” needs to be understood in the context of Morocco’s gradual integration of European elements of governance and EU norms, which goes beyond the official system of state power. Although the principles of national territorial integrity and control over territory continue to be central to the identity of the Moroccan state, the *makhzen* is adopting new forms of political power. These include the containment of civil society, codification of their activities and appropriation of their discourses.

### 1.3 A question of socio-economic rights

The emphasis on civil and political rights does not necessarily reflect the main concerns of the majority of Moroccan families suffering from poor health and education systems, illiteracy and high rates of unemployment.<sup>14</sup> The long neglected and deteriorating socio-economic issues have

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<sup>13</sup> The anti-terrorist and anti-radicalisation strategies and programmes of the British government have been subjected to the same criticism.

<sup>14</sup> The illiteracy rate reaches 60.5% in rural areas. Unemployment stands at 18.4% in the towns and 32.7% among the youth (source: European Commission, *European Neighbourhood Partnership Instrument*,

provoked questions about the state's obligation to provide basic socio-economic rights to its citizens. The reluctance or relative inability of the Moroccan state to assume its societal responsibilities and its socially integrating role puts pressure on civil society to become social welfare providers. Furthermore, a lack of economic dynamism means that the private sector is unable to meet many of the fundamental and basic needs of the population.

The importance of socio-economic CSOs has increased rapidly in recent years, often in response to the state's inability to deal with the socio-economic problems of Moroccan citizens. Similarly, the education, employment and health sectors have not been a priority for the EU since economic liberalisation, and lately security, tend to dominate the EU–Morocco agenda.<sup>15</sup> As pointed out by one civil society activist, “the state finds it convenient to delegate rather unpopular tasks to the civil society sector, arguing that it goes beyond its capacity. It has been a useful tool to attract foreign financial aid.”<sup>16</sup>

There are two kinds of the ‘development’ associations. The first group are Islamic charity organisations, which have been important providers of many basic services for a long time, particularly to marginalised communities outside the major urban centres and to groups affected by poverty and social exclusion. For instance, Roque (2004) points to the remarkable voluntary health associations that seek to compensate for the absence of the state in the health care. Most of them are excluded from Western financial assistance and some refuse foreign aid. The vast majority of them operate without an overall support structure and are highly reliant on citizen participation and activism. Their efficiency, volunteer base and strong grassroots links have been considered a new threat to the state, but they are a product of the state's ignorance and deficiency in addressing the socio-economic problems facing Moroccan society.

To counter the societal force of Islamic associations, the state has launched a strategy of establishing a second group of development CSOs and introducing new initiatives (Huber, 2004). Some CSOs (among them the Association Marocaine de Solidarité et de Développement or AMSED, and the Association Marocaine d'Appui à la Promotion de la Petite Entreprise or AMAPPE) have assumed responsibility for socio-economic matters such as health care, support of basic urban services, poverty reduction and education. Many of the social welfare providers are set up by local councils or governmental bodies. This empowerment of civil society in the area of development has been received positively by the international donor community, which in turn funds the majority of such CSOs. The external funding is welcomed, encouraged and supervised by the state authorities. For instance, the National Initiative for Human Development established by the king has immediately attracted international funding, including European Commission allocations, and it continues to be closely monitored by the state authorities.

Environmentalist groups have also been taking on the state's role and responsibilities for protection of the environment. Like many other socio-economic CSOs, these groups are funded on a project basis by international donors. Instead of putting pressure on the state or on the EU and its member states, environmental issues are sporadically addressed by local and international CSOs. The opening up of the Moroccan economy, with few obligations or regulations for foreign investors, can bring short-term benefits, but – as some local activists and researchers point out – it entails consequences for the environment, and in the longer term, for tourism.

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*Morocco Strategy Paper, 2007-2013*, Brussels, 2007 (retrieved from [http://ec.europa.eu/world/enp/pdf/country/enpi\\_csp\\_morocco\\_en.pdf](http://ec.europa.eu/world/enp/pdf/country/enpi_csp_morocco_en.pdf)).

<sup>15</sup> See European Commission, EU–Morocco Action Plan, Brussels, 2004a (retrieved from [http://ec.europa.eu/world/enp/pdf/action\\_plans/morocco\\_enp\\_ap\\_final\\_en.pdf](http://ec.europa.eu/world/enp/pdf/action_plans/morocco_enp_ap_final_en.pdf)).

<sup>16</sup> Derived from the author's interview with a researcher at the Mohammed V University, 10 April 2009.

Meanwhile, new initiatives and new discourses are emerging to quieten those voices calling for social justice. While the state has been able to incorporate the discourses and practices of civil and political rights into the public sphere, student unions and associations of the unemployed remain beyond the state's direct sphere of influence. Their radical strategy of street politics and demands for better living conditions are more difficult for the state to contain. The student unions and associations of the unemployed have been subjected to repression and their street-based activities<sup>17</sup> have incited several clashes with the state authorities. One activist and a member of the student association explained their stance:

We want the state to take responsibility for creating jobs and ensuring a basic social security system. How can we talk about human rights if the basic services are absent from the state policy? It is not only the Moroccan state that is to blame but also international organisations and the EU for its liberalisation policies.<sup>18</sup>

These concerns have also been voiced by some Moroccan activists who, in their assessment of the ENP, have stated that its weakness lies precisely in the emphasis placed on its political and economic content, while its social content is seriously deficient. Others have criticised the eurocentrism of the free trade agreement (FTA) and discontent over the US–Morocco FTA ratified in 2005. Crombois (2005) points out that the FTA with the US has mobilised Moroccan civil society including the media. Whereas political parties often remain silent on foreign policy, civil society has organised sit-in protests in front of the parliament and petitions against unequal and harmful FTAs. The FTA envisaged by the EU would privilege industrial sectors in which the EU is competitive while downplaying the role of agricultural trade, traditionally of great importance to Morocco. Conspicuously, the EU's emerging geopolitical strategy in Morocco is heavily influenced by economic agendas and the management of the negative 'externalities' of market expansion.

There is very little critical reflection among CSOs (including academics, journalists or activists) about the ramifications of a common market, which would include all the goods covered by the sectors where the south is competitive, i.e. essentially the agricultural sector. Such a market presupposes a very significant supporting policy, which the EU is not ready to offer. One of the reasons for this lack of evaluation is the indoctrination of liberalisation and modernisation discourses among Moroccan elites, who have profited from deepening relations with Europe. Another factor is that political and civil rights have occupied a central place in civil society agendas for a long time at the expense of economic and social issues.

Only a few organisations – among them the 'leftist' (i.e. the AMDH) and Islamists movements – openly challenge this consensus about the inability of the state to deal with socio-economic development and environmental issues. The best known of these is also one of the most active and most repressed Islamist non-violent movements – the Justice and Benevolence association (Al Adl wal Ihssane, AWI). AWI, which falls into the category of opposition, is challenging not only the monarchy but also the Western ideology of the promotion of 'free' markets. The group has been declared illegal, their activities are prohibited and its members are occasionally arrested. Despite prohibition and surveillance by the Moroccan authorities, this membership-based group continues to operate and even gain in popularity (Zeghal, 2008). Nadja Yassine, an AWI militant and the daughter of its charismatic leader Sheik Yassine, explains the dangers of what she calls "savage capitalism":

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<sup>17</sup> Masses of unemployed students demonstrate almost daily in front of the parliament in Rabat.

<sup>18</sup> Derived from the author's conversations with participants of daily protests in front of the national parliament in Rabat, June 2009.

Morocco has no more choice. So it is [no longer] a question if we want to liberalise our economy but rather under what conditions we want to open our economy. It is not true that Islam is against liberalisation. We are against the current form of liberalism, which cannot address the dangers to the environment and which doesn't deal with poverty. It is not Islam as a religion that is a threat to the West but our protest against Western exploitation and unregulated investment.<sup>19</sup>

In this context, the EU is reluctant to engage with Islamist movements because of their mobilising power within Moroccan society and because of their open criticism and rejection of current EU (and EU member state) policies – seen as a form of economic and cultural hegemony. These movements are among the very few actors in Morocco that openly criticise the US FTA and the EU for its patronising approach to cooperation while urging dialogue with Muslim societies.

Shifting responsibility for providing basic services and for economic development to the civil society domain is a very risky business. It creates a paradoxical situation in which civil society becomes an instrument for legitimising the government's policy of economic liberalisation. In circumstances where the state and international institutions, among them the EU, are ultimately the driving force behind liberalisation processes, it is hard to imagine that civil society can play a significant role in addressing the causes of socio-economic deprivation within Moroccan society. It also raises questions about the accountability of development initiatives in which the state (or international institutions) acts as the initiator and civil society as the implementing agent. Another difficulty is that since the palace owns a large share of the Moroccan economy, it is therefore hypocritical, at the very least, to expect that civil society can resolve economic issues.

## 2. Re-framing civil society through the ENP

Cooperation between Morocco and the EU is conditioned on a complex geopolitical situation. This Maghreb state (along with Algeria and Tunisia) finds itself both 'included' and 'excluded' from greater cooperation with the EU. France, Spain and Italy have been the principal protagonists in developing bilateral relations for a number of reasons. The urgency of developing a cooperation agenda with Morocco results partly from the very close economic dependency of the Maghreb on the EU, geographic proximity and strong post-colonial ties with France and Spain.

Increased regional trade and investment, a general goal of the ENP, is seen as a mechanism for combating poverty and thus reducing pressure on the EU to accommodate immigrants from the region. Indeed, pressures originating from undocumented migration and illicit trade have highlighted the sensitivity of the EU's southern borders and become a priority issue in EU–Moroccan relations. Morocco, under increasing strain as a transit country for migrants from deeper Africa, seeks enhanced financial and technical assistance from the EU for upgrading border controls and its security apparatus in general.<sup>20</sup> As mentioned above, the focus on security in the ENP and the buffering logic of the EU has not only had negative impacts on human rights but has also imposed new priorities on civil society. At the same time, the EU is demanding 'shared responsibility' for combating illegal cross-border activities and 'common

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<sup>19</sup> Derived from the author's interview with Nadja Yassine (on 5 June 2009 in Rabat), who agreed to be quoted as part of this research.

<sup>20</sup> In 2000–04, the European Commission allocated €40 million to Morocco for migration management and border control (source: European Commission, *Euro-Med Partnership, National Indicative Programme for Morocco, 2002-2004*, Brussels, 2001).

security threats'. Hence, new EU funding is available for migration projects. This approach, however, is viewed as problematic by some and not conducive to the promotion of human rights. As explained by a representative of GADEM<sup>21</sup> (a Moroccan, anti-racist CSO protecting the rights of migrants and foreigners),

[w]e were approached by several international organisations, mainly Italians, to cooperate on anti-migration projects, basically to stop and prevent people from moving to Europe. This goes against the most fundamental right, which is freedom to move. In our view, it is not the responsibility of civil society to serve the interests of the EU and its member states. Our job is to help and protect those who suffer from the EU's anti-migration and security policies.

The EU has found common ground with the state but less so with civil society. As viewed by Moroccan civil society, the ENP is essentially a form of development aid that is compensating for the disappearance of trading preferences while promoting economic transition. Instead of fostering principles of tolerance and civility, CSOs are being coerced to become agents and guardians of Western interests of economic hegemony.

The guiding principle behind the ENP is recognition that if the EU wants to become a credible actor in the southern Mediterranean, then the promotion of democracy and stable societies in the region will require a more active role on the part of the EU. It will necessitate a dialogue in which not only economic development (e.g. the creation of a free trade area) but also broader political and cultural aspects are prioritised.

As a result, the problem of reconciling inclusionary partnership policies with exclusionary security policies is perhaps particularly pronounced in EU–Moroccan relations. Notably, there appears to be little interaction between the principal actors involved in the ENP and the CSOs.

Among the challenges facing Moroccan CSOs are the strong resistance to shifts from grassroots-based to professional organisations and the need to maintain independence through avoiding (over)dependency on EU funding. Although foreign funding is vital for the survival of a large number of CSOs, there is a general awareness of the associated risks and the possible negative effects of dependency on external funding. Some have described the risks in terms of becoming a “project business”, whereby NGOs have to adapt to the requirements of a funder's calls for proposals instead of focusing on their own domestic agenda. Others have spoken about the technical difficulties involved in managing projects when reporting and proposal writing becomes a priority above fieldwork. Nevertheless, there was no consensus about the professionalisation and internationalisation of civil society. Nefissa (2001) points out that the professionalisation of NGOs can substitute their preoccupations with charity, solidarity and development. The EU's top-down, ‘one-size-fits-all’ approach is not conducive to the advancement of a vibrant and diverse civil society. A lack of coordination among international donors as well as among governmental agencies leads to the duplication of activities or the adoption of different strategies that are not always compatible. Most public and international funding is received on a project basis, which has several consequences. The limited funding of human resources and office costs leads to a situation wherein some NGO activists must handle several jobs while others have political functions. A Western model of full-time professional occupations is not yet established, which according to some NGO representatives constitutes a significant hindrance to the emergence of a strong and professional civil society.

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<sup>21</sup> GADEM refers to the Groupe antiraciste accompagnement et de défense des étrangers et migrants. Derived from the author's interview with GADEM, 13 January 2008, Rabat.

### 3. Concluding remarks

Morocco's strategy of intensifying and deepening its relations with the EU has resulted in the state's adoption of civil society discourse and in the state allowing and sometimes even encouraging the activities of certain CSOs. Nonetheless, the assumption that civil society is integral to the state and therefore lacking the potential for change or confrontation is analytically reductive. While some CSOs are more directly governed by the *makhzen*, others have to fight for official recognition.

When new voices emerge, the state seeks to establish new institutions and new advisory councils to the king, and it adopts new regulations and legislation. The creation of institutions such as the CCDH, the IER or the National Initiative for Human Development by the palace is, for instance, one route towards taking control of new civil society discourses. This rather reactionary and defensive characteristic of the Moroccan state confirms that civil society is a force that can shape, albeit sometimes accidentally, the structures of cooperation.

As this paper has shown, the change in the domestic climate has been conducive to the protection of human rights but less so to the protection of the socio-economic rights of Moroccans. The creation of associations, particularly in the field of human rights and women's rights, remains a middle-class phenomenon, whereas development associations have traditionally been based in the community. Elitism is another feature of civil society, whereby the main concerns of many influential organisations are broadly out of touch with those of the population as a whole. Put differently, social services respond to the vital needs of the majority of the population whereas civic and political rights do not yet correspond with the realities on the ground.

The state tries to position itself as an interface and coordinator. Facing new challenges, the state is rebuilding its domination through civil society. The state's strategy of co-option and division has resulted in rivalries, competition and splits among CSOs. Some CSOs assume correcting and controlling functions *vis-à-vis* the state, while others take on service provision and advisory roles. As such, Moroccan civil society is highly fragmented and is lacking the clear leadership structures that could provide CSOs working in different areas with a politically forceful critical mass.

At the same time, civil society has been hijacked by the security and trade concerns of the EU and the *makzen*. One source of dissatisfaction is the perception that economic and security agendas are seen to focus primarily on a rather one-sided notion of free trade and on controlling illegal immigration, marginalising the very socio-political elements that EU discourse so vocally promotes (e.g. democratic progress, sustainable development and human rights).

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