

## **HUMAN RIGHTS, POLITICAL EXPEDIENCY AND THE WAR ON TERRORISM: IMPLICATIONS FOR MOROCCO**

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Over the course of the last decade, the issue of human rights has become the focus of increasing attention across the developing world. This is almost certainly attributable to the increasing globalisation of the world economy and the overwhelming predominance of the major Western powers, particularly since the dissolution of the Soviet Union in the early 1990s. Without denying that there have been some positive developments with respect to human rights, the actual nature of the globalisation process, as it relates to these developments, is more complex and more tenuous than many observers seem to believe. In effect, I feel that the evidence from most developing countries, suggests that the human rights issue, and, indeed, the whole political liberalisation agenda, has been consistently subject to a principle that might best be described as political expediency. Both Western and regional actors have been quite happy to advance a reform agenda when doing so supports, or at least does not impinge significantly, on important economic and security-related interests. But, when these crucial interests have been threatened, the different actors have almost always responded by downplaying or even reversing this component of the globalisation process. I would further suggest that, in the aftermath of the September 11th terrorist attacks on the United States, it seems highly probable that political liberalisation, and perhaps human rights particularly, will be subordinated to security concerns for the foreseeable future. My purpose in this paper is twofold. First, I wish to make some general observations about how political expediency has helped to shape the globalisation dynamic, particularly with respect to the human rights issue. Second, I will examine how the concept of political expediency is useful for understanding recent developments and the present state of affairs with respect to Morocco. I have chosen Morocco as a case study because it has been deeply engaged in the globalisation process and because the issue of human rights has been a prominent feature of the political discourse there in

recent years, particularly since the accession of Mohammad VI to the throne in July 1999.

## Introduction

Over the course of the last decade, the issue of human rights has become the focus of increasing attention across the developing world. This is almost certainly attributable to the increasing globalisation of the world economy and the overwhelming predominance of the major Western powers, particularly since the dissolution of the Soviet Union in the early 1990s. In the post-Cold War global system, developing countries have found that it is no longer possible to establish healthy trade relations with, and to attract massive development aid from, the major economic powers simply by adopting the appropriate rightist or leftist political stance. On the contrary, countries that wish to be competitive in the global economy have increasingly had to take significant pains to ensure potential aid donors and investors that they have sound economic potential and are politically secure in the long-term.

In effect, the major developed economies, along with powerful non-governmental organisations such as the World Bank, the IMF, Amnesty International and many others, have been able to dictate a global agenda in which development capital, trade, and other prerequisites for effective development have become more and more heavily contingent on economic and political conditions which correspond with Western ideals and standards. While the desired economic liberalisation produces considerable hardship in the short term, and is seen by some to be essentially a necessary prerequisite for the exploitation of the developing world by the more advanced capitalist economies of the West, the political liberalisation is supposed to produce long-term benefits that will significantly improve quality of life across the developing world. In short, it is held that, while Western economic pressure may be self-serving, it is also being used to encourage the gradual evolution of more representative and more accountable government and, in the more immediate term, to secure for the people of the developing world a whole host of basic human rights of the kind that are now largely absent and that people in the West take for granted, such as: freedom of speech and expression;

freedom from arbitrary imprisonment; freedom of religious belief; and freedom of assembly, to name only a few.<sup>1</sup>

The advocates of the globalisation process would argue that some of its potential benefits are already becoming apparent, in practice, in many developing countries. For example, primarily as a result of Western policies, such as predicating development aid on improvements with respect to human rights, the issue of human rights is now at least on the agenda in practically every developing country, improvements are being made in many countries and there has been a proliferation of non-governmental organisations and civil society groups committed to monitoring developments and furthering the cause of increased human rights.<sup>2</sup> To cite one specific example, the European Union, through the Barcelona Process, has integrated an extensive human rights component into its economic relations with Southern Mediterranean countries such as Morocco, Tunisia, Egypt, Israel, Lebanon, etc., and it is claimed that this policy has helped to promote the human rights agenda in these countries.<sup>3</sup>

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<sup>1</sup> For an assessment of the human rights policies of international actors, see the following:

J. Donnelly, "Human Rights and International Organizations: States, Sovereignty, and the International Community", in F. Kratochwil and E. Mansfield (eds.) *International Organization; a Reader*. (New York: Harper Collins, 1994), p. 202-219; J. Donnelly, *Universal Human Rights in Theory and in Practice* (London: Cornell University Press, 1989); T.G. Farer and F. Gaer, "The UN and Human Rights: At the End of the Beginning", in A. Roberts and B. Kingsbury (eds.) *United Nations, Divided World: The UN's Roles in International Relations* (Oxford: Clarendon Press, 1993), 240-296; R. W. McElroy, *Morality and American Foreign Policy: The Role of Ethics in International Affairs* (Princeton: Princeton University Press, 1992); K. Mills, *Human Rights in the Emerging Global Order: A New Sovereignty?* Basingstoke: Macmillan, 1998; K. Sikkink, "The Power of Principled Ideas: Human Rights Policies in the United States and Western Europe", in J. Goldstein and R. O. Keohane (eds.) *Ideas and Foreign Policy: Beliefs, Institutions, and Political Change* (London: Cornell University Press, 1993), pp.139-170; R. Vincent, *Foreign Policy and Human Rights: Issues and Response* (Cambridge: Cambridge University Press, 1986).

<sup>2</sup> K. Mills, *op.cit.*, Janusz Symonides, "Globalization and Human Rights" *Mediterranean Journal of Human Rights*, Vol. 4 (Double Issue), 145-163.

<sup>3</sup> See Laura Feliu, "Human Rights and the Barcelona Process", in Fulvio Attinà and Stelios Stavridis (eds), *The Barcelona Process and Euro-Mediterranean Issues From Stuttgart to Marseille*, (Milan: Università di Catania), 2001, pp.67-95; "The European Union and Human Rights in the World", *Bulletin of the European Union*, Supplement 3, 1995. Luxembourg, 1996; R. Hollis, "Europe and the Middle East: Power by

However, without denying that there have been some positive developments with respect to human rights, I will argue in the course of this paper, that the actual nature of the globalisation process, as it relates to these developments, is more complex and more tenuous than many Western governments and Western scholars seem to believe. In effect, I feel that the evidence from most developing countries, at least those in the MENA region, suggests that the human rights issue, and, indeed, the whole political liberalisation agenda, has been consistently subject to a principle which might best be described as political expediency. That is to say, both Western and regional actors have been quite happy to advance a reform agenda when doing so supports, or at least does not impinge significantly, on important economic and security-related interests, but, when these crucial interests have been threatened, the different actors have almost always responded by downplaying or even reversing this component of the globalisation process. I would further suggest that, in the aftermath of the September 11th terrorist attacks on the United States, it seems highly probable that political liberalisation, and perhaps human rights particularly, will be subordinated to security concerns for the foreseeable future.

My purpose in this paper is twofold. First, I wish to make some general observations about how political expediency has helped to shape the globalisation dynamic, particularly with respect to the human rights issue. Second, I will examine how the concept of political expediency is useful for understanding recent developments and the present state of affairs with respect to one country in the MENA region. I have chosen Morocco as a case study because it has been deeply engaged in the globalisation process and because the issue of human rights has been a prominent feature of the political discourse there in recent years, particularly since the accession of Mohammad VI to the throne in July 1999.<sup>4</sup>

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Stealth?" *International Affairs* 73, no.1 (1997), 15-29. Also see E. Murphy, "Human Rights in Tunisia: Dilemmas for the European Union" (in this edition of the *Mediterranean Journal of Human Rights*).

<sup>4</sup> T.P. Najem, *Human Rights Development in Morocco: A New Era? Mediterranean Journal of Human Rights*, 4 (Double Issue), 87-103.

The paper is divided into three sections. In Section One, I will explain the concept of political expediency as it relates to the globalisation process, and consider, in general terms, how a complex of political, ideological, economic and security interests have structured a pattern wherein both major global actors and regional actors in the MENA context sometimes promote and sometimes curtail human rights reforms in accordance with prevailing circumstances. In Section Two, I will proceed to consider the more specific interests which have shaped the way that the human rights agenda has been pursued with respect to Morocco. Finally, in Section Three, I will look at a considerable number of recent developments relating to human rights in Morocco in order to help demonstrate the way that the regime, with qualified Western acquiescence, has selectively endorsed and restricted human rights as part of an overall strategy to secure its long-term interest in maintaining power.

## **1. General Observations on Human Rights and Political Expediency**

### *1.1 Political Expediency and Global Actors*

The concept of political expediency, as it relates to the promotion of human rights in the developing world, is strongly interwoven with tensions that are intrinsic to the larger globalisation process. It must be recognised that the globalisation process is primarily driven by economic imperatives and this fact necessarily has important implications with respect to any political programme which is enacted as part of the process. Major world governments, and Western economic policy makers and scholars have tended to emphasise that the necessary economic liberalisation is likely to be most beneficial for developing countries if it is accompanied by the sort of political liberalisation which would promote a broadly Western ethos of rule of law, freedom of decision-making, and broad-based political stability with in built checks and balances and moderated interaction among competing interest groups. Consequently, there has been a conventional assumption

that economic globalisation and democratisation are not incompatible, but actually go hand in hand.<sup>5</sup>

However, this perspective overlooks the existence of a real tension between the economic aims of globalisation and its stated political aims. In short, political change in a society, if it is too rapid or too violent, can disrupt the stability of a society to the extent that it is difficult, if not impossible, to have favourable economic relations with that society for a considerable period of time. Therefore, it would be more accurate to say that economic globalisation and political liberalisation go hand in hand only if the political liberalisation can be carefully managed to ensure enough stability in a society that profitable economic interaction is possible. Global powers may be sincerely committed to democratisation and improvements with respect to human rights on humanitarian and ideological grounds, but their principal economic interests dictate that these changes must take place in the context of gradual social evolution rather than rapid and disruptive revolution.<sup>6</sup>

A closely related point, which is at least as significant as the economic implications of potential instability, is the threat to both global economic interests and global security interests that is posed by opening up political processes in developing countries where the primary opposition elements are apparently anti-Western, anti-globalisation, and perhaps even anti-democratic. Whatever the faults of the existing governments in the MENA region may be, they are generally pro-Western and somewhat favourably disposed to the globalisation process. The principal elements of opposition in most of these countries are Islamist, anti-Western and staunch opponents of globalisation. Obviously, if the political liberalisation emanating from the globalisation process effectively serves only to open the political process to these elements, the policy becomes self-defeating from the Western point of view.

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<sup>5</sup> For a discussion of this, see the first chapter of T.P.Najem and M. Hetherington (eds.) *Good Governance in the Oil Monarchies* (Curzon, 2002).

<sup>6</sup> See the following publication for a variance of arguments dealing with this issue. H. Hakimian (ed.) *The State and Global Change* (ed.) (Curzon 2001). As well, see E. Murphy, *Economic and Political Change in Tunisia* (Macmillan, 1999) for a look at some of the contradictions in economic and political liberalisation.

For these reasons, the major global actors have found it necessary to tread a very fine line with respect to promoting political liberalisation and human rights as part of the globalisation process. While it is expedient to promote reforms for a number of reasons, it is always essential to insure that the reforms do not run out of control and jeopardise vital economic and security-related interests. Broadly speaking, the political expediency of human rights reform rests on two interests: 1) the possibility that improvements in human rights may have certain benefits in terms of making developing economies more compatible with developed economies; and 2) the fact that the human rights agenda serves to provide an ideological justification for some of the more exploitative aspects of the globalisation process. Both of these interests can be formidable, especially when developed economies are strong, when a given developing country is reasonably stable and when there are no compelling security reasons to tighten control of a given political system. However, if these circumstances do not hold, then a liberalising agenda becomes inexpedient and global actors tend to downplay their emphasis on human rights improvements, or even, in extreme circumstances, to encourage developing countries to use any and all available means to actively suppress opposition elements.<sup>7</sup>

It is probably worth noting at this point that the September 11th terrorist attacks on the United States, coupled with the global economic downturn that the attacks exacerbated, have led to a global climate that is much less certain than that of the past decade or so. There are two schools of thought about the implications of this state of affairs with respect to the continuing promotion of human rights in the developing world. The first school of thought holds that increasing political liberalisation and human rights should be vigorously encouraged in order to provide an alternative, in the context of developing societies, to ideological extremists like the Islamist terror movements. The rationale underlying this is the assumption that these movements have only been able to attract

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<sup>7</sup> For a discussion of this in the Algerian context, see Annette Jünemann "Support for Democracy or Fear of Islamism. Europe and Algeria" in Kai Hafez (Ed), *The Islamic World and the West: An Introduction to Political Cultures and International Relations*, (Boston: Brill, 2000).

mass support because the governments of societies in the MENA region are so oppressive and so closed at present that people have no viable alternative opposition which they can support in order to address their grievances. The second school of thought holds that the only way to promote security in the long term is to provide strong support for existing pro-Western regimes, and to focus on eliminating extremist elements and hostile regimes that support them. The indications, at present, are that the second school of thought has become dominant with respect to defining the foreign policies of most of the major global actors. Hence, it seems highly probable that the promotion of political liberalisation and improvements in human rights will be a very low priority for the foreseeable future.<sup>8</sup>

### *1.2 Political Expediency and Regional Actors*

In the context of the MENA region, political expediency relates to the promotion of human rights on two distinct levels: 1) a given regime's interaction with the international community; and 2) a regime's ability to defend its dominant position within the domestic setting. With respect to the first level, the expediency of promoting a certain amount of political liberalisation and human rights reform is fairly easy to understand. Policies that are in line with apparent global preference help to create a favourable international profile for the regime, to attract foreign aid and investment, to promote trade relations and political and economic partnerships, etc. Conversely, a refusal to initiate reforms can hurt the regime's standing in the international community and can make it difficult not only to pursue economic development but also to meet important foreign policy objectives.

With respect to the second level, the expediency of a reform agenda is more complex. Generally speaking, it must be assumed that existing regimes have a strong interest in defending their dominant position in the domestic setting to the greatest possible extent. Obviously, truly substantive human rights reforms would significantly lessen their coercive capabilities both with respect to

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<sup>8</sup> Indeed, at the time of writing, governments in the MENA region have increased their crackdown on Islamist (as well as non-Islamist) movements.



dealing with potential opposition elements and with respect to generating an atmosphere in which people are reluctant to openly question or challenge regime policy. It must be observed that, for this reason, most MENA regimes have been very careful, on the whole, to introduce human rights reforms in a selective and conditional fashion. However, there is considerable domestic political expediency attached to introducing tentative human rights reforms.<sup>9</sup> There are at least four ways in which existing regimes stand to derive some benefit from a reform agenda.

The first potential benefit is ideological. Introducing human rights reforms helps the regime to bolster its legitimacy by distinguishing itself from past abuses and oppressive policies. Thus, a regime with a reform agenda is able to represent itself as progressive and to present to the public at least the possibility that future, and perhaps more substantive, reforms are possible within the existing system.

A second way that introducing human rights reforms can be domestically useful for the existing regime is that the concentration of public attention on this area can sometimes serve as a distraction from, or compensation for, problems in other areas, perhaps most especially in the economic sphere. Many of the regimes in the MENA region have chronic economic problems such as recessions or low growth rates, mounting debt, unemployment, an inability to sustain traditional subsidies, etc., etc. The reform agenda both distracts from these problems and gives people at least some reason to feel good about the direction their society seems to be moving in.

The third potential benefit of human rights reforms is closely related to the second benefit, and has to do with reducing tension in the society by allowing a sort of controlled venting of public dissatisfaction. Reforms which allow for greater freedom of expression, some freedom of assembly and demonstration, etc., can help to ease tendencies towards more dramatic and damaging forms of opposition to the regime.

Finally, the fourth reason that regimes might find it useful to introduce reforms is that doing so allows them to exercise a degree of control over the reform process. It should be remembered that, in the era of globalised communications and increasing worldwide

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<sup>9</sup> T.P.Najem and M. Hetherington (eds.) *op.cit.*; T.P. Najem, *op.cit.*

education, the principles of basic human rights have a wider trans-cultural currency than ever before. Whether or not MENA regimes are genuinely interested in pursuing human rights reforms, there are forces within as well as outside their societies that are pushing for changes. By ostensibly taking the initiative on the human rights issue, the regimes are able to weigh into the human rights debate, establish the parameters of the reform process and help to define the institutional and organisational frameworks through which the reforms are implemented and monitored.

## 2. Human Rights and Political Expediency in the Moroccan Context

Although the introduction of human rights reforms was an issue under King Hassan II (1961-1999) particularly during the latter years of his reign,<sup>10</sup> a developed human rights agenda did not become a significant feature of the Moroccan political context until very recently. Indeed, just a few years ago, the regime was heavily criticised for its human rights record by a number of international commentators. For example, in an article in *Middle East International* in the summer of 1997, Reinhold Leenders outlined the recent history of Morocco's human rights violations, including the torture and execution of political prisoners and the "disappearance" of about 600 political opponents. He also commented on the brutal treatment being given to members of the growing *Association des Chomeurs Diplomes* (Association of Unemployed Graduates).<sup>11</sup> In June of 1997, the Geneva-based International Labour Organisation placed Morocco in the suspect company of Burma, Iran, Nigeria and Sudan for violating fundamental international labour standards and interfering in union activities.<sup>12</sup> The renowned novelist, and long-time resident of Tangiers, Paul Bowles observed: "You never know who's listening. Everyone's

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<sup>10</sup> This was largely in response to European pressure. See Paul J. Magnarella, *Middle East and North Africa: Governance, Democratization, and Human Rights*. (Aldershot: Ashgate, 1999).

<sup>11</sup> Brian Edwards, "The Obscure Language of Survival" *One World News Service* 9/29/97.

<sup>12</sup> *Ibid.*

suspected of being a spy. It's a police state, and very heavily policed, rather like Iran under the Shah."<sup>13</sup>

However, since the death of Hassan II and the accession of his son, Mohammad VI, in July of 1999, human rights have become a very important and highly visible subject in Morocco. The Moroccan government has been quite vocal about the issue, both in the domestic forum and internationally, and, almost certainly in keeping with the regime's wishes, a number of positive developments have received considerable attention from the international media. Among a considerable number of other initiatives that might be cited, the regime has made efforts: to extend the range of personal freedoms and to consolidate the rule of law; to amend press laws to allow greater freedom; to release political prisoners, allow the return of exiles and compensate the families of victims of past repression; to introduce measures designed to educate the population about human rights and to foster the development of a culture of human rights; and to establish co-operative relationships with international human rights organisations and host international human rights conferences.<sup>14</sup>

While the new King's reform agenda has been encouraged and warmly received by major global governments, aid organisations and international human rights advocates, two major problems must be recognised. The first is that the nature and scope of the reforms introduced have been carefully limited. A number of very significant issues are clearly not on the reform agenda, and, indeed, are not even open to discussion. Above all, the dominant role of the monarchy is not subject to question or challenge of any kind in the media or, indeed, in any context. Other issues which are strictly outside the sphere of permissible criticism include the continuing dispute over the Western Sahara and the regime's handling of Morocco's Islamist opposition. In addition, there are a number of other areas, such as open criticism of government ministers and the introduction of women's rights, in which reform has been strictly limited. The second problem is that, although there was considerable movement with respect to improving the human rights situation for the first year or

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<sup>13</sup> *Ibid.*

<sup>14</sup> The regime has also gone out of its way to publicise these improvements.

so of Mohammad's reign, this period was followed by a significant crackdown on human rights activists and media elements that the regime perceived to have exceeded its carefully defined boundaries of acceptable criticism.<sup>15</sup>

Given these two important problems, it is clear that one must examine carefully exactly what the regime's motives and objectives really were with respect to introducing the human rights reform agenda. I would argue that considering how the different aspects of political expediency correspond to the implementation of the reform process is the best way to understand recent human rights developments in Morocco. On the basis of what has and has not happened over the course of the last few years, it seems highly probable that the reform agenda was introduced not because the regime is genuinely committed to real and extensive improvements, but rather, because the regime perceived a number of compelling potential benefits to be gained from pursuing it— benefits which, far from contributing to liberalisation of the political process, would actually allow the monarchy to solidify its dominant position. To the extent that the policy has become inexpedient, that is, when it has resulted in any significant threats or challenges to the interests that the regime introduced the policy to protect, the reforms have been either curtailed or reversed outright.

I will now proceed to identify the key interests that I feel contributed strongly to the genesis of the Moroccan regime's human rights reform policy. As I explained in Section One, in the course of looking at more general interests which have made it periodically expedient to introduce human rights reforms in MENA countries, these key interests emanate both from the international community and from the domestic setting.

The active influence of the international community undoubtedly played a quite considerable role in shaping the Moroccan reform agenda. Morocco's long-term economic interests are strongly tied to development assistance from and increasing trade relations with the European Union, a fact which has given the Europeans considerable ability to pressure Morocco into introducing both

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<sup>15</sup> In particular, criticism against the individual minister's led to the banning of newspapers.

economic and political reforms. Through the Barcelona Process, the European Union has established at least the principle that increased trade relations and development aid should be linked with improvements in human rights, the application of rule of law, and other democratic reforms. The extent to which this principle has actually been applied in practice is unclear, but the fact that major potential economic partners had expressed and documented such preferences clearly provided motivation for the Moroccan regime to introduce a reform agenda. This was especially the case given Morocco's need to ensure that its competitors in the Southern Mediterranean region (particularly Tunisia) would not be able to gain a significant advantage in future relations by being more responsive to European concerns.<sup>16</sup>

Within the domestic context, the regime stood to derive considerable benefits in all four of the areas I identified in Section One. From an ideological perspective, the establishment of human rights as an important priority certainly helped Mohammad VI to move out of his father's shadow, to add to the popular legitimacy of his regime, and to represent himself on the international stage as one of a new young generation of dynamic, progressive Arab leaders. In addition, the ostensible change in the ideological orientation of the regime from one of a religiously and patrimonially-based authoritarianism to something gradually approaching a more responsive constitutional monarchy had a number of more tangible political benefits in terms of helping the monarch to clear out his father's old guard and replace them with his own favoured personnel. To look at the most significant of many possible examples, it might be observed that the dismissal of Driss Basri from the Interior Ministry, which greatly encouraged many supporters of the human rights agenda, was almost certainly not solely motivated by his association with repressive policies implemented under Hassan II. In effect, the fact that Basri's dismissal contributed to the King's image as a human rights advocate was probably an added bonus of a political move that he would likely have considered desirable in any case, in order to eliminate a potential rival and to secure his

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<sup>16</sup> See: Laura Feliu, *op.cit.*; R. Hollis, *op.cit.*; E. Murphy, *op.cit.*

own dominant position in the Moroccan political system from a very early stage in his reign.<sup>17</sup>

Another advantage of the new monarch's emphasis on human rights is that it has undoubtedly helped to distract from some of Morocco's ongoing problems, particularly the struggling economy. At the time of Mohammad VI's accession to the throne, the economy was in the midst of a continuing recession, exacerbated by a two year drought that had a devastating effect on Morocco's important agricultural sector. More generally, the Moroccan economy has a number of long-term problems associated with chronic debt and the demanding imperatives of structural adjustment. While progress in resolving these difficulties has been tentative at best, it has been useful for the regime to be able to highlight human rights as an area where the country clearly does seem to making significant strides.<sup>18</sup>

With respect to allowing limited freedom of expression as a way of easing political tension in the society, it should be recognised that this has been a longstanding feature of the Moroccan political context. Even under Hassan II, it should be noted that Morocco had a very active press, which, judged by Middle Eastern standards, was reasonably independent of government control, as long as certain critical topics were avoided. Upon taking power, Mohammad VI made a point of expressing a desire to create a broader scope for free expression in Moroccan society, but, as I will explain in the next section, what this amounted to in practice was effectively a careful extension of the number of areas about which the regime is prepared to tolerate some articulation of popular grievances.

Finally, the human rights policy was also probably a necessary response to the development within Morocco of a considerable concern about human rights issues among some segments of the general population. This is partly a result of the more passive impact of globalisation, that is, the transmission of Western cultural values

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<sup>17</sup> The sacking of the much feared Minister of the Interior, was much commented on in the Moroccan media.

<sup>18</sup> The Moroccan economy is still largely dependent on agriculture, where nearly half the populations is still employed, thereby leaving the economy extremely vulnerable to drought conditions.

into the Moroccan context. This transmission has inevitably followed in the wake of greater economic integration, but, to an even greater extent, it almost certainly related to the late twentieth century revolution in electronic communications. Unlike a number of other developing countries in the Arab and Islamic worlds, satellite communications and the Internet have not been significantly restricted in Morocco, and this has undoubtedly had a great impact on popular values and expectations. The growing calls among segments of the population for greater rights in some areas is also probably related to developments more indigenous to the Moroccan context. Greater political awareness is a classic feature of societies that have been pursuing the kind of educational and economic development agendas that have been features of Moroccan policy for some time now. In any case, however one accounts for the origin of the increasing awareness of, and concern about, human rights issues, this is clearly a development that the Moroccan government had to respond to in some way. It might be observed that, given the current international circumstances outlined above (i.e., with respect to the importance of improving Morocco's international profile and image in order to attract aid and investment, to develop trade relations, etc.) a policy of greater accommodation in this area was probably a more viable option than the forceful coercive policy that might have been adopted in other circumstances. In addition, it should be recognised that the regime stood to benefit from taking the initiative in promoting human rights reforms, rather than opposing them. By becoming engaged in the process, the regime has been able, to a great extent, to dictate the nature and scope of the reforms, and has also been able to exert considerable influence in terms of shaping the institutional and organisational frameworks through which the reforms have been implemented and monitored.

### **3. Recent Human Rights Developments in Morocco**

In the course of this section, I will look at recent developments relating to human rights in Morocco in order to provide some sense of the purposively limited nature and extent of the reforms undertaken in six areas: 1) the political process and rule of law; 2) freedom of expression and the press; 3) political prisoners, exiles and the Islamist opposition; 4) human rights education; 5) contact and co-operation with international human rights organisations; and

6) women's rights. Essentially, it should be clear that most of the regime's initiatives in these areas have been self-serving and very much in keeping with the interests corresponding to the principle of political expediency that I outlined in Section Two.

### 3.1 *The Political Process and the Rule of Law*

It should be observed briefly that there were a considerable number of positive developments over the last few years of King Hassan's reign with respect to the easing of censorship and the opening of the political process generally. In 1998, for the first time, the monarch allowed the opposition parties to form a government under the leadership of Abderrahmane Yousoufi, leader of the socialist party and one-time human rights attorney. Under the new political arrangement, termed *alternance*, the monarch and his allies agreed to form a partnership with respect to governing Morocco.<sup>19</sup> I think it is important to note in this context that many observers of the Moroccan scene tend to view the *alternance* arrangement with a degree of cynicism. The existence of an "opposition" government had the advantage of allowing the monarchy to disassociate itself from responsibility for some of Morocco's ongoing problems, particularly in the economic sphere. Of course, behind the scenes, the monarchy remained the dominant partner in the government, controlling all of the key ministries, including the interior ministry, and defining the major points of policy. However, the traditional opposition elements were allocated a number of important ministries, and were allowed to pursue their own policies so long as these were not greatly contrary to wishes of the King or his more powerful allies. These policies included some progress on the development of human rights, such as an easing of censorship, the release of political prisoners and some measures taken to improve the plight of workers.

After the accession of Mohammad VI, these policies were continued, and a number of further significant developments occurred that seemed likely to improve human rights in the country. To begin with, even before his accession, the new King made an effort to develop an identity as a man concerned with humanitarian

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<sup>19</sup> For details about this system, see Remy Leveau, "Morocco at a Crossroads" *Mediterranean Politics*.



issues, particularly the plight of Morocco's poor. Upon ascending to the throne, he immediately made a point of including the human rights issue as a very important component of his agenda, stressing it in his first speech from the throne. Some measures were taken very quickly to reinforce the impression that this was considered a highly serious priority. For example, the King established an independent commission to deal with the compensation of the families of victims of past repression. A further development, and probably one of very great significance, was the King's decision to sack the long-time Interior Minister, Driss Basri, a widely despised figure strongly associated with excessive repression during Hassan's reign. Basri was long considered the second most powerful figure in Morocco after the King, and, in fact, many people consider him to be the true architect of the political repression Moroccans have experienced over the past quarter of a century. Suffice it to say, his departure was met with great enthusiasm by many observers of the Moroccan scene. The sacking seems to have been initiated as part of the new King's general desire to make a clean break with the excesses of the past and to demonstrate, both to the Moroccan people, and to outsiders, that he is committed to developing human rights in Morocco.

The government's Human Rights Minister, Mohammad Aujjar, has gone as far as claiming publicly that the changes could be described as a "white revolution" and that they were being conducted on a new concept of "authority at the service of the people" which has been developed by the sovereign.<sup>20</sup> These claims certainly exaggerated both the real scope of the changes and the extent of the government's commitment to substantive change, but a public statement of this kind once again served to highlight the change of direction initiated by the King, and to portray him as a progressive and modernising ruler, both to his people and to the outside world.

### *3.2 Freedom of Expression and the Press*

As I noted previously, Morocco has traditionally had a very active and somewhat unrestricted press by Middle Eastern standards, albeit

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<sup>20</sup> Arabic News 6/28/00.

this was always subject to the condition that certain critical topics were avoided. Mohammad VI, upon acceding to the throne, expressed his desire to allow for greater freedom of expression, particularly with respect to the Moroccan press, and there are indications that at least some measures were taken to revise the press laws in accordance with this objective. For example, the Journalists' Protection Committee indicated that the accession of King Mohammad had a positive impact on freedom of the press, noting that the King had taken measures to broaden the easing of censorship initiated under his father in 1998. The general climate of openness allowed the Moroccan press to report on a range of sensitive issues such as joblessness, human rights, and, to some extent, corruption.<sup>21</sup> Early in the summer of 2000, in a discussion with members of the Arab journalists' union in Cairo, the Communication Minister, Larbi Messari, gave assurances that press laws in Morocco would soon be revised to cancel prison penalties for crimes related to publishing, and to shift some of the authority concerning press oversight from the executive to the judiciary. He indicated that the revised laws were being drafted and would be sent to Parliament once the cabinet approved them, and also suggested that further legislation allowing for privately run television and radio stations was being developed.

However, the extent of positive developments in this area should not be exaggerated. Journalists have continued, on the whole, to avoid reporting on subjects that might be embarrassing to the government, and a whole range of issues, including criticism of the monarchy, the Western Sahara, and Moroccan Islamism are still classifiable as forbidden areas. Partly, this is a result of a long-standing cultural practice of self-censorship, which is not likely to disappear anytime in the near future, and partly it is the result of active measures taken by the government to clamp down on reporting in some areas. For example, in May 2000, the international press watch-dog RSF (*Reporters Sans Frontieres*) launched an appeal directly to the King about lack of press freedoms, citing the censorship of seven Moroccan and foreign newspapers, and the treatment of two journalists who were threatened with prison sentences and forbidden to practice their profession (the latter penalty apparently

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<sup>21</sup> Arabic News 6/9/00.

being a first in Moroccan history). There have been a number of specific incidents that have indicated that the Moroccan government is still prepared to pounce on any press elements who report on areas that they deem to be off-limits. To cite only a few of many possible examples: On 5 February 2000, two French-language weeklies were seized by police for having reproduced, partially or wholly, the text of a memorandum from the controversial Islamist leader Sheikh Abdelssalam Yassine, which was highly critical of the former monarch. On 15 February 2000, an issue of *Jeune Afrique-L'Intelligent* was banned for containing text from a dissident Moroccan intellectual who questioned the capacity of King Mohammad to bring about real reforms and to punish those who violated human rights under the reign of his father. On 15 April 2000, the weeklies *Le Journal* and *Assahifa*, both printed in France, were forbidden entry into Morocco because the previous issue of *Le Journal* had published an interview with the president of the Western Saharan Polisario Front. A number of subsequent editions of *Le Journal*, *Assahifa*, and other newspapers have been banned for political reasons.<sup>22</sup>

### 3.3 *Political Prisoners, Exiles and the Islamist Opposition*

One area where there have undoubtedly been a considerable number of significant developments involves the release of prominent political prisoners, decisions concerning the return of political exiles, and, probably most significantly, the establishment of an independent commission to compensate the past victims of arbitrary imprisonment and/or their families. With respect to the release of political prisoners, there were obviously developments of considerable significance. Between his accession to the throne in July of 1999 and March of 2000, King Mohammad released some 10,000 prisoners all tolled. Concerning the return of some political exiles, there were two particularly significant developments. The first was the announcement in late 1999 that the prominent Marxist-Leninist dissident Abraham Serfaty would be allowed to return to Morocco. The second was the announcement that the family of Mehdi Ben Barka would be allowed to return. Ben Barka

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<sup>22</sup> RSF (Reporters Sans Frontieres) 4/16/00.

was an opponent of Hassan II's rule who disappeared in mysterious circumstances in 1965, amid widespread speculation that the regime had him captured and executed.<sup>23</sup>

Another significant development in this area involved one of Mohammad VI's very first actions as King, the setting up of an independent commission for compensating the past victims and/or families of arbitrary imprisonment by the regime. From its inception in August of 1999 until the last deadline for receiving complaints in January of 2000, the commission handled nearly six thousand complaints related to political events, trades union cases and financial compensation for persons secretly detained or killed for their political views since Moroccan independence in 1956. Early reports indicated that 68 cases had been settled, with compensations that ranged between \$100,000 and \$250,000 for each claimant, coming to a total of around \$14 million. Regarding the subject of missing persons the non-governmental Moroccan Human Rights Organisation issued a statement indicating that they were encouraged by the monarch's frank admission and candid treatment concerning the history of abuse in this area, but observed that the independent commission suffers from a number of shortcomings, and does not, in itself, constitute an adequate policy for redressing the long-standing problems relating to political detentions, etc.<sup>24</sup>

In addition to all of these developments, it is important to examine the regime's policy with respect to its Islamist opposition. One of the most significant early developments of Mohammad VI's reign was the release in the spring of 2000, of the Islamist leader, Sheikh Yassine, who had been under house arrest for ten years. At the time this was perceived by many human rights advocates as being quite important, in terms of demonstrating the government's commitment to its prisoner release policy, due to the fact that Yassine has for some time been the most vocal critic of the regime and has called for the creation of an Islamic state in Morocco. Despite Yassine's release, his Islamist movement, *Al Adl Wal Ihsan*, remained illegal and the regime continued to monitor both Yassine and his supporters very closely, making it clear that no significant anti-regime activity would

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<sup>23</sup> Arabia On Line 02/06/00; Arabic News 05/18/00.

<sup>24</sup> Arabic News 06/22/00.

be tolerated. This point was pressed home starting on 10 December 2000, when the security forces arrested hundreds of the members and supporters of the Islamist movement in response to demonstrations in Rabat, Casablanca and other major cities calling for the legalisation of *Al Adl Wal Ihsan* and the lifting of a ban on its publications. Four members of Yassine's family, including his daughter Nadia, were among those arrested.

It should probably be noted, at this point, that, in the aftermath of the September 11th attacks on the United States, there is likely to be very little Western criticism of any further repressive measures the regime wishes to take against Islamist opposition elements for the foreseeable future. Indeed, any moderation on the part of the regime in the current circumstances is more likely to emanate from its own concern about alienating mass segments of the population that are broadly sympathetic to the Islamist cause. Ironically, it could conceivably be the case that the regime's Western partners will urge it to take greater repressive measures in this area than it would otherwise be willing to consider.

### 3.4 *Human Rights Education*

I already mentioned in the introductory section that a seminar on human rights in Cairo in the middle of October 2000, praised Morocco for the steps that the government has taken to introduce education on human rights into the schools. The policy this referred to was an ambitious project which targeted 5.5 million pupils in Moroccan primary and secondary schools over four years from 2001 to 2005. A pilot project was implemented in some schools, while the government took steps to begin training sessions for 4,000 teachers and education executives. A parallel initiative was introduced to eliminate racial and sexist stereotypes from school textbooks. The Moroccan government is ostensibly committed not only to the promotion of human rights education in the short and long-terms, but also to the long-term creation of a human rights culture in Morocco. Obviously, it remains to be seen just how feasible such a goal is given Morocco's existing cultural and political circumstances.<sup>25</sup>

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<sup>25</sup> Arabic News 10/17/00; Arabic News 9/11/00.

### 3.5 *Contacts and Co-operation with International Human Rights Organisations*

In order to help promote the development of human rights in Morocco, and to publicly demonstrate the regime's concern and commitment in this area, the government worked very hard over the first year of Mohammad VI's reign to establish contacts and co-operative links with a number of international human rights organisations, and it either sent representative to attend, or offered to host, a significant number of human rights conferences and meetings. I will briefly cite a few of the more prominent examples. To begin with a Mediterranean conference on human rights was held in Rabat at the end of October 2000, and co-sponsored by the Moroccan government and the North-South Centre of the European Council. The conference included a number of high-profile participants, including the former Portuguese president, Mario Soares and former Spanish premier Philippe Gonzales. Previously, in August 2000, Prime Minister Youssefi received a delegation from the Human Rights Watch to discuss womens' rights. In July 2000, the Moroccan Human Rights Ministry and the Swedish Human Rights Institute of Raul Willingbourg discussed co-operation in matters dealing with human rights promotion and training. Another important event, was the International Workshop on Human Rights in Geneva in March 2000, in which the UN High Commissioner for Human Rights, the former Irish president, Mary Robinson, praised Morocco's progress in the development of human rights. In addition, the Human Rights International Federation announced that it was considering holding its 34th World Congress in Morocco, in recognition of the recent progress being made by the regime. Finally, Amnesty International held a youth forum for the promotion of human rights awareness in Morocco over the summer of 2000.<sup>26</sup>

Over the past year, however, the regime's relationships with international human rights advocates have come under increasing strain as the result of a number of perceived abuses, including, perhaps most significantly, steps taken to limit the activities of both domestic and international human rights organisations. To cite the

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<sup>26</sup> Arabic News 07/08/00; 06/15/00; 03/24/00;03/23/00.

most significant example, thirty-six human rights advocates associated with the Moroccan Association of Human Rights (AMDH) were arrested at the end of last year for planning a gathering outside parliament calling for justice for victims of human rights violations. Despite vigorous protests from the Amnesty International and Human Rights Watch organisations, the regime has retained custody of the advocates and if a Moroccan appeal court does not overturn their conviction on charges of arranging an illegal demonstration, they face fines and an imminent jail sentence. Amnesty International recently released the following statement: "The beating by the security forces of dozens of people and the arrest of dozens more during demonstrations organised by human rights activists and political associations represent a serious affront to freedom of expression in Morocco." The statement added: "The Moroccan authorities were publicly calling on all sectors of society to work towards an improvement of the human rights situation in the country. The authorities need to match those words with actions."<sup>27</sup>

### 3.6 *Womens' Rights*

One of the more controversial aspects of the Moroccan government's drive to develop human rights in Morocco concerned the proposed introduction of legislation to give women more rights, particularly in areas traditionally governed by Islamic family law. For example, the proposed legislation would ban polygamy, would raise the minimum legal age of marriage from 14 to 18, would allow women half their husband's wealth in the event of divorce or death, and would put the right to divorce in the hands of a judge rather than the husband. Obviously, all of these measures would be considered fairly minimal by Western standards, but in Morocco they immediately drew a great deal of criticism, particularly from Muslim theologians who argued that the plan would be against Islamic law. At one point, the Islamic movement was able to rally as many as 500,000 people for a mass demonstration in Casablanca against the proposed legislation. It is highly probably that the issue

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<sup>27</sup> See the most recent reports on Morocco by Amnesty International and Human Rights Watch.

was being used as a pretext by the Islamists in order to demonstrate their potential influence over popular opinion to the government. The rally was timed to coincide with a government-organised rally staged in Rabat in support the womens' reform legislation, and this rally attracted only 40,000 supporters.

The regime's handling of this issue is interesting, because, of course, a considerable component of the Moroccan monarchy's traditional legitimacy is derived from the King's putative role as defender of the Islamic faith. With respect to women's issues, Mohammad VI managed to stay above the fray by letting the socialist government and the conservative elements argue the matter. Particularly in the context of the West's new war on terrorism (or more specifically on Islamic terrorism as many Muslims see it), it is certainly worth considering that it may prove more difficult for the King to detach himself from other issues which pertain to intense cleavages between the Western and Islamic cultural and political contexts.

## **Conclusion**

In the course of this paper I have attempted to examine how a principle that might best be described as political expediency has helped to shape: 1) the policies of major Western countries and international organisations; and 2) the policies of regional actors in the MENA context, as these relate to the human rights reforms which have come to be widely viewed as a beneficial corollary of the globalisation process. In essence, I have argued that both major global actors and regional actors have tended to advance a reform agenda so long as it supported, or at least did not interfere with, their own political imperatives. When such vital interests have been challenged, the various actors have tended to downplay, or even reverse, their support for the reform process. After explaining the concept of political expediency as it relates to human rights reforms, and making some general observations about the role that political expediency has played in the globalisation dynamic, I proceeded to examine how these factors have affected the process of human rights reform in a single MENA country: Morocco.

In Section One, I considered how a complex of political, ideological, economic and security interests have structured a pattern wherein both major global actors and regional actors in the MENA context



sometimes promote and sometimes curtail human rights reforms in accordance with prevailing circumstances. In Section Two, I proceeded to consider the more specific interests which have shaped the way that the human rights agenda has been pursued in the Moroccan context. Finally, in Section Three, I cited a considerable number of recent developments relating to human rights in Morocco in order to help demonstrate the way that the regime, with qualified Western acquiescence, has selectively endorsed and restricted human rights as part of an overall strategy to secure its long-term interest in maintaining power.