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A CHANCE TO REFORM: HOW THE EU CAN SUPPORT DEMOCRATIC EVOLUTION IN MOROCCO

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SUMMARY

While Morocco is usually seen as more stable, more advanced and more democratic than many other countries in North Africa, it too has potential for unrest. Although there is no immediate prospect of a revolution as in Egypt or Tunisia, Moroccans are increasingly frustrated with the country's veneer of democracy. They are now demanding more limits on royal power and an end to corruption and clientelism. In short, they want a king who, as a slogan of the 20th February protest movement puts it, "reigns, but does not govern". This situation presents the EU with a different kind of challenge than those it faces in Egypt or Tunisia.

With its European outlook and its close economic and commercial ties with EU states, Morocco highly values its privileged status within the EU's southern neighbourhood. This brief, based on a research visit by the authors to Rabat in April, argues that the EU should now use the considerable leverage it has to put greater pressure on Morocco to create real democracy. The EU should put its weight behind a more inclusive constitutional commission, engage with youth movements, including Islamists, and offer better trade terms. It is in the EU's interest to push for political reform now rather than react to a Syrian-style crackdown and instability in a few months' time.

There may not have been a revolution in the Kingdom of Morocco, but it has not been left untouched by the "Arab Spring". Like many of its neighbours, Morocco has seen the growth of a protest movement demanding dignity, democracy and an end to corruption. Since 20 February 2011 – the date that gave the alliance of students, left-wing activists and non-parliamentary Islamists leading the protests its name – demonstrations have taken place in several Moroccan cities. The demand for social and political change is likely to continue to grow louder still as the internet, YouTube, Facebook, Twitter and even rap music spread the demonstrators' message to a much wider audience.

This brief is based on a research visit by the authors to Rabat in April to meet with representatives of the Moroccan government and members of political parties; members of the 20th February movement; journalists, academics and civil society; and representatives of key European embassies and the European Union (EU) delegation. The Rabat that the authors saw does not have the feel of a city on the tipping point of political reform on a radical scale: the protest movement has not yet gathered the momentum of its counterparts in Egypt and Tunisia. In particular, few people in Morocco want to overthrow the monarchy: rather, there is a growing domestic call for it to reform. Around the country, protesters are demanding more limits on royal power and an end to corruption and clientelism. In short, they want a king who, as a slogan of the 20th February movement puts it, "reigns, but does not govern".

This situation presents a different kind of challenge to the EU than those it faces in Egypt or Tunisia. Morocco is not a state in post-revolutionary transition, but rather an authoritarian monarchy with the potential for gradual evolution towards constitutional democracy. However, the chess pieces are not yet all in place to realise this potential. Though the protest movement is growing, it does not seem strong enough to threaten King Mohammed VI sufficiently to make him concede significant powers by creating genuinely democratic institutions. For now, the king is playing a tactical game: following the uprisings in Tunisia, Egypt and Libya, he announced a consultation on the constitution in order to be seen as responding to the demands of protesters and thus to shore up the monarchy's legitimacy. But he and his entourage do not seem inclined to make meaningful changes to the power balance in Morocco in the near future.

The Moroccan foreign minister wrote in relation to Egypt and Tunisia that there is "no guarantee" that the "Arab spring" will lead to an "Arab summer" and that a "sobering winter" is an equally likely scenario.¹ But the same could also be said of Morocco. International pressure in support of the domestic protest movement could tip the balance, and push Morocco onto a real road to reform. In particular, Europe's voice counts. With its European outlook and its close economic and commercial ties with EU states, Morocco highly values its privileged status within the EU's southern neighbourhood. If the EU made clear that the future of Morocco's advanced status depended on large strides towards democracy, rather than baby steps on limited areas of human rights as it has accepted so far, the Moroccan government would listen. It is in the EU's interest to push for political reform now rather than react to a Syrian-style crackdown and instability in a few months' time if the king's promises of constitutional reform are not fulfilled, the protest movement surges in anger and the king cracks down violently.

Potential for unrest

It is widely accepted that the revolutions in the Middle East and North Africa in 2011 have been sparked by four factors: unequal economic development; demography; a lack of political freedom; and corruption. While Morocco is usually seen as more stable, more advanced and more democratic than many other countries in North Africa, it too is vulnerable in each of these four areas.

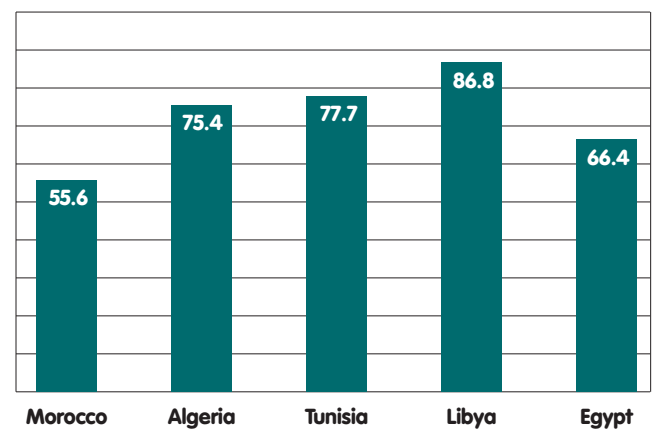
Since independence in 1956, Morocco has enjoyed a close relationship with the EU and the United States, based on strong diplomatic links, trade ties and, more recently, cooperation in the "war on terror". In 2000, Morocco signed an Association Agreement with the EU; in 2004, it became the third state in the region, after Jordan and Israel, to sign a free-trade agreement with the US. But while the middle

class and the elites have benefited from Morocco's increasing international trade, the average Moroccan citizen's quality of life hasn't improved much.

Morocco's per capita GDP is around half that of Tunisia's.² In addition, Morocco has a much poorer rating on a number of development indicators. Morocco is 96th out of 120 in the UNDP Human Poverty Index, and has an illiteracy rate of 45 percent, compared to Egypt's 34 percent, Algeria's 24 percent or Tunisia's 23 percent.³ In fact, Morocco's levels of literacy are lower than those of Sudan, Haiti and Rwanda, though its GDP per capita is two to four times larger.⁴ This lag can only partly be attributed to disappointing economic performance: it is also a result of poor governance and government and, especially, of post-independence politics. In Tunisia, Algeria, Libya and Egypt, independence brought to power Marxists or nationalists who may not have promoted political pluralism but promoted social mobility, popular education, gender equality and wealth redistribution. None of this happened in Morocco because decolonisation resulted in the devolution of power to an absolute monarch. As a result, there was no immediate incentive to create a well-functioning economy and public services to prove his legitimacy to rule.

Figure 1

Literacy rate



Source: United Nations Development Program Report, 2009

¹ Taib Fassi Fihri, "Au Maroc, 'le printemps arabe' n'est pas nouveau", *Le Monde*, 31 March 2011, available at http://www.lemonde.fr/idees/article/2011/03/31/au-maroc-le-printemps-arabe-n-est-pas-nouveau_1501170_3232.html.

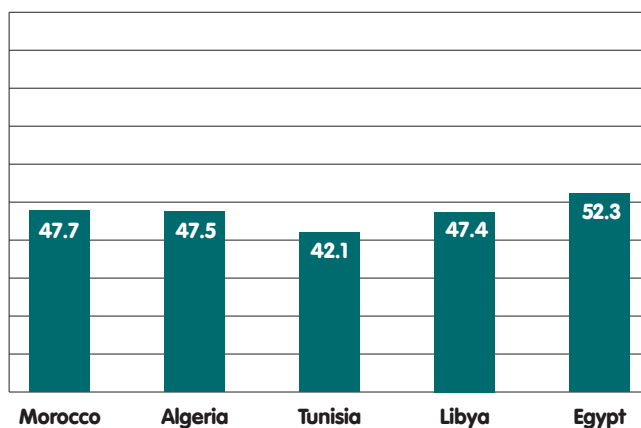
² According to CIA data, Morocco's estimated per capita GDP in 2010 was \$4,900; Tunisia's was \$9,500. See CIA World Factbook, available at <https://www.cia.gov/library/publications/the-world-factbook/geos/mo.html> and <https://www.cia.gov/library/publications/the-world-factbook/geos/ts.html>.

³ UNDP Human Development Indicators. See Silvia Colombo, "Morocco at the Crossroads: Seizing the window of opportunity for sustainable development", MEDPRO Technical Report No.2/April 2011, p.5 (hereafter Colombo, "Morocco at the Crossroads"), available at http://www.iai.it/pdf/mediterraneo/MedPro/MedPro-technical-paper_02.pdf.

⁴ Figures on levels of literacy from United Nations Development Programme Statistics, available at <http://hdr.undp.org/en/statistics/>. Illiteracy can rise to as much as 60.5 percent in rural areas (46 percent for men and 74.5 percent for women). According to the EU, almost 1.5 million children of compulsory school age (6-15) are not in school. See European Neighbourhood and Partnership Instrument, Morocco, 2007-2010 National Indicative Programme, p.7, available at http://ec.europa.eu/world/enp/pdf/country/enpi_nip_morocco_en.pdf.

The Moroccan population is as young as in the other countries in the region, with one-third of the population between 15 and 29 years old and higher levels of youth unemployment than in Tunisia or Egypt.⁵ According to a government report published in 2006, Morocco needed to double the number of new jobs it created each year from 200,000 to 400,000 in order to deal with the country's deficit in terms of human development.⁶ With almost three times as many people entering the job market each year as there are jobs created, the pressures for emigration are huge: one in four graduates does not have a job.⁷ Youth emigration, and the resulting remittances, have become a permanent reality of Moroccan society over the past three decades, with large Moroccan communities in Spain and France, in particular.

Figure 2
Population under the age of 25



Source: Economist Intelligence Unit, 2010

Since King Mohammed VI came to the throne in 1999, there has been some progress in terms of particular human rights. For example, in 2004 a new family code granted women greater marriage and child custody rights, and from 2004 to 2006 an Equity and Reconciliation Commission investigated human rights abuses since independence (under the reign of Hassan II, from 1961 to 1999, thousands of his political opponents were disappeared, tortured and killed). But although this commission has done important work in terms of investigation and reparation, those responsible for abuses have not been prosecuted. Moreover, although arbitrary arrest and torture are less frequent than they used to be, they still take place, particularly on charges of terrorism and in relation to the Western Sahara territory disputed between Morocco and the Sahrawi Arab Democratic Republic. There

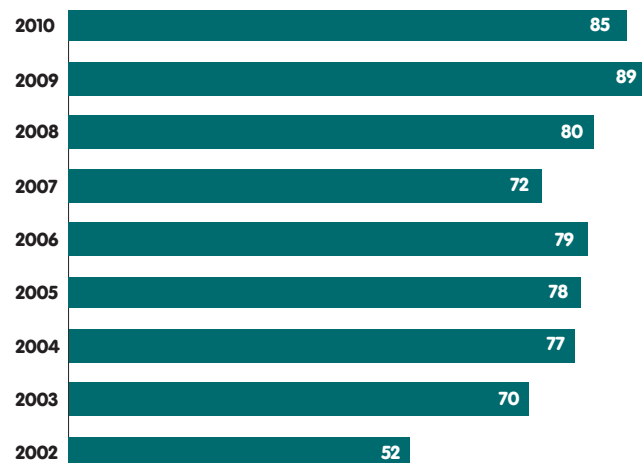
⁵ According to the International Labour Organization, youth unemployment in Morocco (ages 15-34) is at 82 percent. See Institute of International Finance, 2011, "From Tunis to Cairo: An Altered Political Landscape", February 1, 2011, table 2, p.3.

⁶ See "50 Years of Human Development & Prospects for 2025", (an in-depth government-commissioned report to assess Morocco's needs 50 years after independence) available at <http://www.rdh50.ma/fr/index.asp>.

⁷ Lise Storm, *Democratization in Morocco: The political elite and struggles for power in the post-independence state* (Routledge, 2007).

are de facto limitations on freedom of expression, particularly when media outlets and civil society organisations cross the line of criticising the monarchy too closely.

Figure 3
Morocco's rising corruption perception



Source: Transparency International, 2010

There is also widespread corruption: Morocco placed 85th in the Transparency International Corruption Index for 2010 – well below Tunisia and Jordan.⁸ To make matters worse, Mohammed VI has, like ousted presidents Zine al-Abidine Ben Ali in Tunisia and Hosni Mubarak in Egypt, amassed an incredible fortune. In fact, the 47-year-old king, who acceded to the throne pledging to be the "king of the poor", is now the seventh richest monarch in the world, with a personal fortune estimated to be around \$2.5 billion – bigger than that of the emirs of oil-rich Kuwait or Qatar.⁹ But while he has invested in infrastructure projects such as tramlines in Rabat and Casablanca and a high-speed rail link, 80 percent of Moroccans struggle to survive. This puts Morocco in 119th position in the "Struggling Index" – three places below Egypt before the revolution.¹⁰

Morocco's privileged status

From across the Mediterranean, the EU has chosen to focus on the positive developments under Mohammed VI, such as the Equity and Reconciliation Commission, and the veneer of democracy in the country. Political parties from left and right regularly rotate in power following elections that, by the standards of the region, are relatively free (though not necessarily fair). Morocco also has a civil society and an urban

⁸ Transparency International Corruption Perceptions Index 2010, available at http://www.transparency.org/policy_research/surveys_indices/cpi/2010/results.

⁹ Tatiana Serafin, "The World's Richest Royals", *Forbes*, 17 June 2009, available at <http://www.forbes.com/2009/06/17/monarchs-wealth-scandal-business-billionaires-richest-royals.html>.

¹⁰ Gallup Global Wellbeing Survey, Gallup World Poll, 2005-2009, available at http://www.geographic.org/country_ranks/global_wellbeing_index_2010_country_ranks.html.

middle class that is educated and Europhile. With important limits and exceptions in areas such as media freedom, basic freedoms – such as association and demonstration – are broadly respected. The internet in particular allows for relatively free debate.¹¹ While some Islamist groups have been kept out of the public space, those Islamists willing to recognise the monarchy's claim to religious leadership have been legalised, sit in parliament and have thus started to be socialised into parliamentary politics. These developments undoubtedly do represent progress towards a more stable society than the post-independence era prior to Mohammed VI, which was characterised by fierce repression of political dissidents and social unrest, a series of failed coups d'état attempts by the army, including plots to assassinate Hassan II, and a war in the Western Sahara that left the state coffers empty.

Morocco has also been helped by the fact that its performance on political reform was thrown into relief by that of its neighbouring states. Compared to the more authoritarian Tunisia under Ben Ali and the more problematic and less EU-dependent Libya and Algeria, Morocco had a milder political regime, more apparent political pluralism and a greater appetite for reform. In many ways, the country has turned its back on the rest of North Africa, an attitude symbolised by the closure of the border with Algeria.

In light of these surface-level efforts by the monarchy to present Morocco as being on a path towards democracy, the EU awarded Morocco “advanced status” within the European Neighbourhood Policy and has cultivated it as a key partner. By taking limited steps which satisfied the EU's box-ticking approach to promoting political reform in the neighbourhood, and cooperating with the EU and the US on key issues such as migration and counter-terrorism, Morocco thus attained a kind of privileged position, perceived as the only state in the region that was able to offer both stability and (albeit limited) democracy.

This endorsement by the EU is crucial to Morocco for several reasons. Firstly, it is lucrative – in 2009, Morocco received €205 million in development aid from the European Commission, more than any other state in the region. Secondly, it provides the prestige of greater political engagement – in March 2010, Morocco became the first North African country to hold a summit with the EU. Thirdly, and perhaps most crucially of all, this special relationship is also the foundation for trade. In 2009, 62 percent of Morocco's total exports went to the EU, and around 59 percent of Morocco's imports were from the EU.¹² These benefits of closer ties with the EU have enabled the Moroccan elite to hold their country up as a model for the region, contributing to the legitimacy of the regime.

Europe continues to enjoy quite significant prestige – and therefore leverage – among the Moroccan population more generally, parts of which see themselves as more southern European than North African. Morocco, like Tunisia, looks to Europe and sees its future as being closely tied to it. As a result, cooperation on immigration is another centrepiece of the EU-Morocco relationship. Over two million people of Moroccan descent currently live in Western Europe, mainly in France and Spain, and there are also significant communities in Belgium, Germany, Italy and the Netherlands. The Moroccan government is very keen to keep legal migration routes open and accessible – not least because the money immigrants send back is important to the Moroccan economy. In fact, 9.3 percent of the Moroccan population are emigrants, and Morocco's inward remittance flows amounted to \$6.2 billion in 2009 (Morocco's GDP is around \$154 billion).¹³ In order to protect this mobility, the Moroccan government has therefore cooperated with the European Commission and member states in trying to prevent inflows of illegal migration, both from Morocco and from other parts of Africa. Negotiations on a readmission agreement began in September 2000 and are ongoing.

Thus, although Morocco no longer aspires to EU membership, with the bitter memories of the rejection of its application to join the then-European Communities in 1987 still present in many of the elites' minds, the EU still plays an important role, with particularly close ties among the country's middle and political classes. Many political and civil-society actors think of “Europeanisation” as a powerful tool to trigger domestic reform and compensate for the lack of domestic will for deep reform among the political elites. EU standards are widely accepted, and considered legitimate yardsticks with which to assess the depth and adequacy of political, economic or social reform.

All these aspects of the EU-Morocco relationship add up to a certain level of potential for the EU to insist on political reform in Morocco, should it choose to. In this sense, Morocco is currently sensitive to pressure from the outside. Added to this, there is now a palpable fear in Rabat about the possibility that Tunisia and Egypt's revolutions might deprive Morocco of its privileged status and divert funding towards the countries showing greater promise of genuine reform, exposing Morocco's efforts as only going skin deep. This provides the EU with a limited window to encourage Morocco to turn this fear to good use and earn its right to advanced status through a genuine effort at deeper political opening.

¹¹ See, for example, <http://www.reforme.ma/en> for a lively debate on constitutional reform.
¹² “Morocco's Trade with Main Partners 2009”, European Commission, DG Trade, 11 March 2011, based on IMF 2009 data, available at http://trade.ec.europa.eu/doclib/docs/2006/september/tradoc_113421.pdf.

¹³ *Migration and Remittances Fact Book 2011*, Second Edition, The World Bank, available at <http://siteresources.worldbank.org/INTLAC/Resources/Factbook2011-Ebook.pdf>, pp. 3, 6.

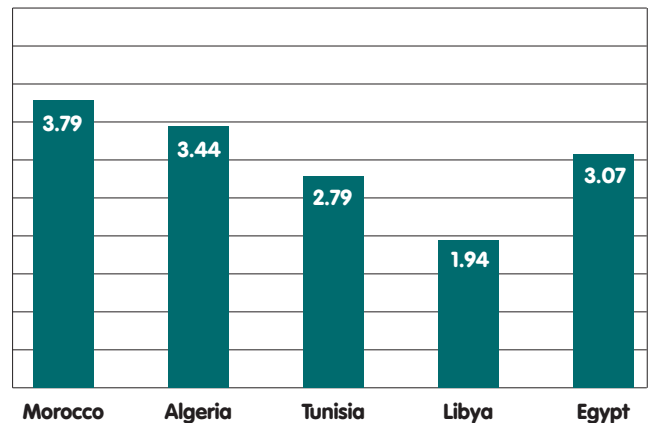
¹⁴ Reporters Without Borders, “Royal pardon for Internet user, condemned to three years of jail for creating spoof Facebook profile for prince”, 19 March 2008, available at <http://en.rsf.org/morocco-royal-pardon-for-internet-user-19-03-2008,25900.html>.

Beneath the veneer of reform

In January 2008, a 26-year-old computer technician called Fouad Mourtada created a fake Facebook profile of Prince Moulay Rachid of Morocco. He was quickly arrested and, a month later, sentenced to three years in prison for infringing the law on the sacrality of the royal house, which is guaranteed by Article 23 of the constitution. Mourtada was released 43 days later on a royal pardon in response to international outrage at the sentence.¹⁴ However, the case showed that, in Morocco, the monarchy is untouchable. For years, discussing or questioning the affairs of the king in the media has been an absolute taboo. Those who dared touch the king could be exiled, imprisoned or fined at best.¹⁵ In recent years, several independent journalists have been imprisoned, forced into exile or severely fined.¹⁶ In 2010, two newspapers that did criticise the king were fined and closed down.

Despite the Moroccan government's efforts to present itself to the outside world as reformist, the political system – which is centred on the king – is far from the constitutional monarchy that it claims to be. The king has strong executive powers and dominates political life: he names the prime minister and the cabinet and can dismiss either at any time; can dissolve parliament; can pass decrees or veto laws approved by parliament; heads the armed forces and presides over the Supreme Council of the Judiciary which appoints all judges. Morocco does have a limited multi-party system; holds regular elections which are relatively free; has alternating governments; and the parties that win the most votes at the election are invited to head the government. But while elections lead to changes of government, the winning parties do not really govern. They run the administration, but ministers have much less power than the king's counsellors. In short, political parties are in government but not in power.

Figure 4
Democracy index



Source: Economist Intelligence Unit, 2010

Admittedly, the Moroccan system is clearly more diffuse and open than the consolidated single-party rule of Ben Ali in Tunisia or Mubarak in Egypt. But while it has allowed the population to let off political steam, it has also discredited political parties, which have been co-opted by the system through perks and posts, and by the right of judicial immunity granted to members of parliament. Moroccans feel that they vote for alternative parties but do not get alternative governments. As a result, there is now increasing apathy, low election turnout and anti-makhzen (establishment) frustration. As one interlocutor put it, “our parties pursue posts, not power, since only one person – the king – has power in this country”. To many Moroccans, the country seems to be ruled by a shadow government of the king's advisors rather than by ministers.

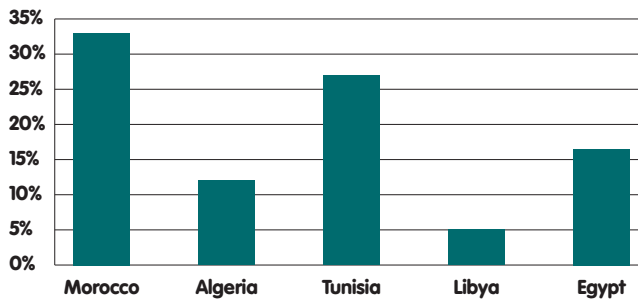
As an institution, the monarchy remains genuinely popular. The royal house is over 300 years old and claims to descend from the Prophet Muhammad, and the king is “Amir Al-Muminin” – Commander of the Faithful. Mohammed VI also remains popular. The king has announced a series of high-profile investments that project an image of economic and social progress such as a 23 percent increase in education spending since 2008 to meet UN Millennium Development Goals, and the Tangier port, which is estimated to be one of top three in the entire region by 2015.¹⁷ A member of the governing Istiklal party says: “His Majesty initiates and launches all the big projects, such as motorways or high-speed rail. He always brings the good news. But while the king is given credit for achievements, failures are blamed on the government. That's a problem.”

¹⁵ See, for example, Human Rights Watch Annual Report 2003, available at <http://www.hrw.org/legacy/wr2k3/>.

¹⁶ See Reporters Without Borders, “Advances and reverses for press freedom during King Mohammed's first decade”, 22 July 2009, available at <http://en.rsf.org/morocco-advances-and-reverses-for-press-22-07-2009,33950.html>.

¹⁷ See Colombo, “Morocco at the Crossroads”, pp. 3, 6.

Figure 5
Percentage of population online



Source: World Bank, 2008

Mohammed VI has skilfully consolidated and extended his political power by appealing to different constituencies within Morocco. He has led the modernisation of Morocco, for example by increasing the country's openness to tourists (the number of tourists in Morocco rose from 2.2 million in 2002 to 8 million in 2008), developing free trade with the EU and expanding rights for women.¹⁸ This has guaranteed the support of the urban middle classes and the political elites within Morocco, but also, importantly, the support of the EU and the United States.

At the same time, however, the king has supported conservative religious policies, which has allowed him to retain the support of more traditional Islamic – and even Islamist – groups. Abdelillah Benkirane, leader of the Party of Justice and Development, an Islamist party that is shunned by all other political actors, says that “we are against the system but not the king. His role as commander of the faithful should be preserved”. The crown has, as a local journalist puts it, “a double legitimacy: it constantly alternates between showing its modern face and then its Islamic face”.

In addition to being “commander of the faithful” and the de facto head of government, the king and his entourage are also the most important business actors in the country, controlling a large swathe of businesses with an estimated value of €6 billion.¹⁹ These include banking, real estate, insurance, food processing, mining and distribution businesses.²⁰ Although Morocco's political system might have been more pluralist than Tunisia's or Egypt's, it nevertheless reproduces the model of convergence of economic power, cronyism and rent-seeking around the palace that is so common elsewhere in the Middle East.

¹⁸ Tourism figures from Riad Reviews, <http://www.riadreviews.com/resources/tourism-statistics/visitors-to-morocco-over-time.html>.

¹⁹ For a detailed account of the king's businesses, see the Moroccan journal *Kantara*, No. 5, April 2011, pp. 54–59.

²⁰ See Aida Alami, “Morocco King's Investment Fund to Give Up Major Company Stakes”, *Bloomberg*, 22 April 2011, available at <http://www.bloomberg.com/news/2011-04-22/morocco-king-s-investment-fund-to-give-up-major-company-stakes.html>; “US embassy cables: Moroccan businessman reveals royal corruption, reveals US cable”, *The Guardian*, 6 December 2010, available at <http://www.guardian.co.uk/world/us-embassy-cables-documents/239525>.

²¹ Abdellatif Serroukh, “Rachid Nini Arrested... Again”, *Almaghariba.com*, 29 April 2011, available at <http://www.almaghariba.com/news/307-rachidniniarrested>.

The protest movement and the government's response

Since the toppling of Ben Ali in Tunisia, a cautious debate about the power and role of the king has begun. Newspapers still do not venture into discussing specific business ventures, but they do question whether the king, his family and his advisers should be as involved in business as they are. This criticism is not without its risks: on 29 April, Rachid Nini, the editor of the Casablanca-based newspaper *Al Massae*, an outspoken critic of corruption and an advocate of greater political freedom, was arrested. His trial began on 2 May. In an official statement, an appeals court in Casablanca said that the charges included posing a threat to national security and were based on a number of articles that Nini had written which were deemed “harshly critical of governmental institutions”.²¹

The demand for political reform in Morocco is led by the 20th February movement, which is made up of student activists, the more radical parts of the left, and the non-parliamentary Islamist movement Jama'at al-Adl wal-Ihsan (Justice and Spirituality). Inspired by revolutions in neighbouring countries, it has used the internet, activist networks and innovative forms of protests reminiscent of revolutions in Eastern Europe – for example, handing roses to policemen and organising mass blood donations to show loyalty to the country – to mobilise people. Though they come from diverse parts of the political spectrum, the protesters are united around the slogans of democracy, dignity and justice for the Moroccan people. The leaders of the movement argue that this will sustain them until the government begins to make meaningful concessions.

However, for now, they are staying away from the question of whether sufficient reform is possible if the king remains on the throne. “We do not feel represented by the existing political parties”, said Nizar Bennamate, a member of the 20th February movement. “We want a monarchy like in Holland. For now we are asking for reforms, not the ousting of the king.” Unlike its counterparts in Egypt, Tunisia, Libya, Algeria and Yemen, this is a movement that has no real hate figures to rally around. It has a clearer idea of what it is for than whom it is against: the now-familiar cry of “dégagé” (“get out”) has no one in Morocco to attach itself to. The king himself retains broad popular support, and although photos of some of his close advisers have found their way onto protest banners, they are not really well enough known to incite much resentment. Some protestors in the large demonstrations on 20 February and 20 March even resorted to recycling anti-Mubarak and Ben Ali banners for want of a better unifying call.

²² For the full text of the speech, see <http://moroccansforchange.wordpress.com/2011/03/09/king-mohamed-vi-speech-3911-full-text-feb20-khitab/>.

²³ Ignacio Cembrero, “El rey de Marruecos indulta a 148 presos de conciencia”, *El País*, 14 April 2011, available at http://www.elpais.com/articulo/internacional/rey/Marruecos/indulta/148/presos/conciencia/elpepuint/20110414elpepuint_8/Tes.

The protests have forced Morocco's elites to make limited concessions. In a speech on 9 March, the king called for "new, comprehensive reforms . . . as part of the continuing interaction with all of the nation's stakeholders".²² On 14 April, he pardoned 148 prisoners of conscience and reduced the sentences of another 42 – a measure for which Moroccan human rights groups had long called.²³ He also set up a committee to consult widely and review the constitution, which will report in June 2011. However, there is some scepticism about this committee, whose members have been directly appointed, thus sidelining parliament, and which will have limited time and will be able to deal with a limited range of issues. After taking submissions, it will draft proposals that will be put to a referendum, in which the people will be expected to vote in line with the king. To the 20th February movement, the process appears to represent yet another attempt to co-opt the main parties, undermine the demands of the opposition, delegitimise street protests and change as little as possible in the functioning of the political system.

The announcement of the process of constitutional reform does seem to have bought the monarchy some time. For now, the 20th February movement is keeping the pot of unrest simmering rather than increasing the pressure. However, the government is attempting to placate the protest movement with the same recipe that has worked in their relations with the EU: an appearance of major concessions, with little substance: in a meeting in the justice ministry in early April, officials brushed aside the deafening noise from a demonstration outside the building as "business as usual" for Morocco, which has always known strikes and public meetings. This approach appears to ignore the fact that there are significant changes underway in Moroccan political society that are moving the situation beyond "business as usual". For example, the leadership of two of the key establishment parties – the Justice and Development Party (PJD) and the Socialist Union of Popular Forces (USFP) – are under strong pressure from their ranks to join the 20th February movement.²⁴ The "defection" of these two parties from the monarchy's camp would have wide-reaching consequences.

The coming months will be the test of whether the speed and extent of the elite concessions are sufficient to satisfy the demands of the protest movement, which has now seen in neighbouring countries how quickly change can come. But the opposition to the monarchy does not at the moment seem strong enough, without international support, to force the king to accept far-reaching reform. If the committee on constitutional reform comes back in June with very limited proposals, and no real attempt to create genuine democratic institutions (for example, a parliament with real legislative powers and a judiciary that is not appointed by a council chaired by the king), the situation in Morocco could become more volatile.

In particular, if the 20th February movement feels that the goodwill that it showed towards the process of constitutional reform has been betrayed, far greater numbers might come out onto the streets. In the absence of timely international pressure to push the Moroccan government towards a more progressive response, a crackdown could also be possible in response. As the ongoing trial of Rachid Nini shows, the regime is prepared to accept the protest movement while it does not appear threatening. While it feels it is able to control how far and how fast reform moves, there are limits to what it will accept. If the EU does not engage now to underline the need to make progress towards genuine democracy, it could face a far more difficult decision of when and how to respond to a crackdown – as it currently faces in Libya and Syria.

The EU: divided, indifferent and short-termist

As outlined above, the EU and its member states have not only political and commercial influence in Morocco, but also significant soft-power potential. But this soft power is there because of what Europe is, not because of what the European Union *does*. Like elsewhere in North Africa to date, the EU has failed to use its leverage and presence in Morocco to promote better governance and democracy. In fact, the west's anti-terrorist agenda that followed 9/11 relieved many of the more cooperative regimes of the pressure they had been under to democratise.²⁵ Morocco was rated "partly free" by Freedom House in 2010, but was on a downward trend because of the increasing concentration of power in the hands of the king and his elites.

Overall, the EU has generally failed to engage with the forces most likely to challenge the Moroccan government – the youth and the Islamists. Even though they are relevant forces for political development in Morocco and are keen to speak to member states in the hope of making their views heard, most EU embassies are not in contact with them. The two member states that matter most in Morocco are Spain and France, which are the main sources of investment, trade, and tourism, and which have the biggest Moroccan communities abroad. However, because of their close economic and strategic ties to Morocco, France and Spain are also the strongest advocates within the EU for greater and unconditional EU assistance to Morocco regardless of its human rights record.

The Moroccan monarchy has played its cards skilfully in these relationships, building up confidence with France and Spain, including through efforts to manage illegal immigration (both from Morocco and from sub-Saharan Africa) and being particularly tough on Islamic terrorism movements at home through controversial anti-terror laws. (However,

²⁴ Three MPs, Mustafa Ramid, Lahbib Chobani and Abdelali Hamieddine, resigned from the PJD's executive committee following the decision by the party's secretary general, Abdellillah Benkirane, not to publicly endorse the protests of the 20th February movement. See *Kantara*, No. 5, April 2011, p. 36.

²⁵ Abdallah Saaf, director of the Centre d'Etudes et des Recherches en Sciences Sociales, writes: "While the EU is admired for enjoying all the things which the people in the region want (democracy, prosperity, the rule of law, social justice, secularity, etc.), its commitment to promote those values in the region is formal, incoherent, and dominated by double standards. Whenever there is a need to prioritise, the EU prefers to choose short-term stability and security over democracy". (Authors' translation.) See *Kantara*, 2011, No.5, p.10..

the Moroccan government is still struggling to cope with this complex challenge, as illustrated by the Marrakech bombing on 28 April, in which 16 people died.) In return for these services, Paris and Madrid have been willing to indulge Morocco's occupation and annexation of the Western Sahara territory, as well as its reluctance to hold a free and fair referendum, as UN resolutions repeatedly demand. US and French support have also helped Rabat to stop the UN monitoring mission in Western Sahara (MINURSO) being granted a mandate to monitor human rights.

As the ex-colonial power, officially, close diplomatic, cultural and linguistic ties govern the relationship between Paris and Rabat. The Moroccan community in France represents a significant social force, which, at least in part, Nicolas Sarkozy was responding to in his appointment of Rachida Dati (who is of Moroccan origin) as a minister in his first government. But at least as strong are the business links between the two countries, with many French companies operating in Morocco and many functions, such as call centres, now outsourced there. As a result, acting as a challenge to the Moroccan government on the need for political reform is a long way down France's list of priorities in its relationship with Morocco, with the need for a firm partnership and a stable business environment playing the trump card.

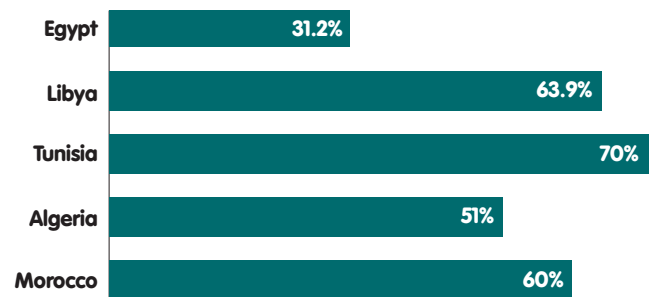
Morocco has also been able to carefully manage a turbulent relationship with Spain that includes sensitive issues such as the ports of Ceuta and Melilla (which are on Moroccan territory but under Spanish sovereignty) and the sympathies of the Spanish public with the Sahrawi people. In fact, because of its need to maintain friendly bilateral relations with its close neighbour because of the importance to Spain of Morocco's cooperation on migration and trade, Madrid has become one of Rabat's main advocates within the EU institutions.

However, it would be unfair to lay all the guilt at the door of France and Spain, because other member states have happily outsourced EU policy to them. Less interested member states such as Germany and the UK, who have the clout within the EU to do so, were also guilty by virtue of having failed to push for collective support of political reform in Morocco. This lack of interest in Morocco among northern member states extended beyond governments, with few media organisations sending reporters to Rabat or following political developments very closely until this year. In Rabat, there is very little sense that the birth of the European External Action Service (EEAS) at the end of 2010 has brought, or will bring, any change to the way that they or their government interacts with the EU – either in terms of a brokering of common positions (member state embassies and the EU delegation appear to keep each other well informed but do not really coordinate) or in terms of whose voice matters.

The divided, indifferent and short-term approach that member states have taken in Morocco means that the EU's soft power with those forces that oppose the government is no longer unconditional: the EU has some ground to make

up. Civil-society organisations pushing for political reform in Morocco feel a certain bitterness that their cause was ignored by those who had the power to support it until the Arab Spring of 2011 in Tunisia and Egypt showed that it might be worth backing. A 20th February movement activist told us that "speaking to French diplomats about democracy is like speaking to China or Cuba". This reinforces the idea that, although the EU and its member states – especially those that are constitutional monarchies – still have soft power, it is beginning to fray around the edges.

Figure 6
Percentage of trade with EU 27



Source: European Commission, DG Trade, 2010

With its huge market just on the other side of the Mediterranean, the EU has considerable influence as a powerful economic actor. To achieve sustainable economic growth and job creation that could support human development in Morocco over the longer term, countries like Morocco and Tunisia need trade opportunities more than anything else. Yet, what France and Spain want to offer is mainly aid rather than trade in agricultural goods.²⁶ The southern member states might have very good political relations with North Africa and are pushing for more EU financial aid to the region. But they are most opposed to substantial trade liberalisation in the goods that matter most, such as olive oil or tomatoes, since this would compete with what they themselves produce.

This is short sighted. Ironically, given that southern member states are most affected by immigration from the North African region, this protectionist attitude is also further contributing in the longer term to migratory pressures on the EU. The diminished possibility for access to the EU as an export market for agricultural products decreases the potential for economic growth (and job creation) in the southern neighbourhood and is at least partly responsible for the huge prosperity gap between the southern and northern shores of the Mediterranean – further fuelling the incentive for young unemployed people to leave the country. Northern member states do not compete with Morocco in exports

²⁶ Carl Dawson, *EU Integration with North Africa: Trade Negotiations and Democracy Deficits in Morocco* (Tauris, 2009).

and could therefore be more supportive of Morocco's trade interests than the southern states. However, to date, they have not chosen to push very strongly for greater market access in EU policy towards North Africa.

While the corridors in Brussels buzz with talk of the need for a greater democratic push in the neighbourhood, the need for greater conditionality and a "more help for more reforms" approach in the future, things look very different on both the northern and southern shores of the Mediterranean.²⁷ There is little trace in the southern EU member states of a shift towards greater conditionality. In fact, in response to the revolutions in Tunisia and Egypt, a number of southern member states, led by France and Spain, requested a shift in EU aid funding from the east to the south, irrespective of the state of democracy there.²⁸ As a southern EU diplomat in Rabat said: "If we did not impose conditionality on Morocco before, how can we do it now that things are moving in the right direction?"

So, despite many public statements by EU leaders – from northern states, southern states and the EU institutions – expressing aspiration to bring about a sea change in policy towards North Africa, the EU remains a long way from being able to make a political offer that is genuinely new – not least because of the different interests driving member states' bilateral relations. Rather than pretending that these bilateral relationships do not exist, member states should agree on a common set of principles to guide their relations, which should include supporting long-term stability and the political reform necessary to achieve this.

Securing the democracy dividend in Morocco ²⁹

In the 2003, the EU declared that: "The best protection for our security is a world of well-governed democratic states. Spreading good governance, supporting social and political reform, dealing with corruption and abuse of power, establishing the rule of law and protecting human rights are the best means of strengthening the international order".³⁰ With this statement, the EU acknowledged that achieving its own security required investing in democracy, open economies and inclusive societies in its neighbourhood. But the EU has completely failed to do that in Morocco – or, for that matter, anywhere elsewhere in the Middle East and North

Africa. Thus the link between security, democracy and human development was broken in the minds of policymakers.³¹ Now, Morocco and the EU have an opportunity to get it right and to restore this link.

For the EU, the stakes are clear: if Morocco becomes less stable, this will impact directly on EU member states – whether in the form of increased illegal immigration, energy-supply disruptions or political pressure from Moroccan diaspora communities within Europe. Concern about these potential implications among European governments should not be allowed to lead to short-term policies, but rather an implementation of "more for more" in return for real progress against the international standards of democracy and human rights. For too long, the EU has rewarded Morocco very richly, for progress on limited areas of human rights that was actually very thin, because it was at least doing better than its neighbours and acting as a relatively reliable security partner in the region. The competition for status as the "most committed to the path of democracy" has become much fiercer in North Africa in 2011, and the EU should work with this by rewarding genuine progress against international standards, not accepting rhetoric about reform from regimes who intend to do no such thing.

In the case of Morocco, given the EU's potential to influence, and the growing political voice of the protest movement in Morocco, a consistent approach of this sort could be the critical factor in moving it, without revolution, from being a stable authoritarian monarchy with a veneer of liberalisation to a stable state that is genuinely on a gradual path to democracy. A democratic Morocco would help to shore up the spread of political reform in the North African region and provide an example of a reformed monarchy to Jordan and elsewhere, and there is no reason to believe that it would be less open to cooperation with the EU given Europe's soft power and the advantages of market access that Europe has to offer Morocco. However, the longer the EU stands back from supporting change in Morocco, the harder it will be to make up ground with the emerging reform movement.

Pushing for democratic reform

The period between now and the constitutional commission's report in June will be a testing one for Morocco. The government will have to maintain a delicate balance to convince the protest movement that it is genuinely contemplating change while working out just how much ground it is willing to give. Online and in the streets, the debate on the constitution is heating up, and it will be crucial for the stability of the country that the constitutional commission's proposals do not underestimate the growing desire for political reform that instils genuine powers in a legitimate parliamentary system.

²⁷ On the Brussels approach see, for example, "A Partnership for Democracy and Shared Prosperity with the Southern Mediterranean", European Commission High Representative of the Union for Foreign Affairs and Security Policy, Joint Communication, 8 March 2011, available at http://ec.europa.eu/commission_2010-2014/fule/docs/news/joint_communication-a_partnership_for_democracy_and_shared_prosperity_with_south_med_en.pdf.

²⁸ See, for example, "Action de l'Union européenne en direction du voisinage Sud", French Ministry of Foreign and European Affairs, 14 February 2011, available at http://www.diplomatie.gouv.fr/fr/IMG/pdf/11-02-17_Non-papier_Action_de_l_Union_europeenne_en_direction_du_voisinage_Sud.pdf.

²⁹ The authors are grateful to Gonzalo Escribano for this concept. See Gonzalo Escribano, "Political and economic change in the Arab World: implication for Spain", *Elcano Royal Institute for International Affairs Bulletin*, No. 85, no. 2001, pp-4-11.

³⁰ "A secure Europe in a better world – a European Security Strategy", Council of the European Union, 12 December 2003, available at <http://www.consilium.europa.eu/uedocs/cmsUpload/78367.pdf>.

³¹ The authors are grateful to Ana Palacio for this point. See Ana Palacio, "Upheaval in the Arab World: A (close) Call for the European Union", *Europe's World*, Issue 18, Summer 2011, pp. 106-108.

As Morocco engages in its constitutional reform process, it is time for the EU to deliver on the vision it outlined back in 2003. While the temptation for the king is to give a semblance of reform without genuine change, the EU and its member states should put their weight behind a more inclusive constitutional commission with far-reaching recommendations for reform. They should make it clear that they expect the proposals to lead to independent, accountable democratic institutions – parliament, executive, judiciary and free media – rather than a further attempt to fake liberalisation, and that Morocco’s relationship with the EU will be conditional on its democratic progress.

To achieve a meaningful conditionality in its relationship with Morocco, rather than pretending that important bilateral relationships, such as those that France and Spain have with Morocco, do not exist, EU member states should agree a common set of principles to guide their bilateral relations, which should include supporting long-term stability and the political reform necessary to achieve this.

The EU could offer Morocco the support of the European Commission for Democracy through Law (the Venice Commission), the Council of Europe’s advisory body on constitutional matters. This would ensure that the recommendations from the initial, domestic phase of consultation on the constitution are elaborated to ensure that accountable democratic institutions are constructed. A key focus of this support for political reform should be on the impact on the daily life of Moroccan citizens; fighting corruption and freedom of the press are therefore critical. The EU could go further and make cooperation with the Venice Commission a pre-requisite for participation in the European Commission’s proposal for a new “Partnership for Democracy and Shared Prosperity” with its southern neighbourhood.³²

Engaging with the protest movement

The EU and its member states should also use this immediate period to engage with the youth movements in Morocco, including the Islamists. Simple things such as the visible presence of embassy staff as observers at demonstrations leave a strong impression that Europe has not forgotten about Morocco. The EU could set up an exchange programme, modelled on the US International Leadership Visitors Programme, by identifying and getting to know leaders of the activist movement in Morocco and facilitating exchange with young political leaders in Europe, particularly those from diaspora and Muslim communities who play crucial roles in the democratic process in Europe.

Helping improve socio-economic performance

In the longer term, support for the process of political reform also means more structural support to deal with the longer-term causes of unrest. Morocco currently participates in the EU’s Generalised System of Preferences (GSP) scheme, giving it preferential trade tariffs for products it exports to the EU.³³ But it is time for the EU to move on and offer the most reformist of its southern neighbours Asymmetric Trade Preferences in those trade products which are insufficiently covered through GSP or the Free Trade Agreement with Morocco. Unilateral Asymmetric Trade Preferences were previously offered to the countries of the Western Balkans and Moldova, and helped boost trade with the EU in these countries. Now it is time to offer the same to countries that make most advances towards democracy in the southern neighbourhood as well as a step towards the longer-term ambition of a free-trade area that a number of European leaders have been advocating.³⁴

The European Commission put forward a new agriculture and fisheries agreement in December 2010 which is currently being debated by the European Parliament. If ratified, this agreement will contribute towards the integration of production and distribution of EU and Moroccan agricultural products, an important step towards less restricted access to European markets for agricultural goods that Morocco has long been calling for. The EU should move ahead with this initiative.

As in Tunisia, it will be important as part of a wider European contribution to prosperity in North Africa to encourage student exchanges between the two continents. However, in the case of Morocco, poor quality of education is a critical issue at all levels from primary to university and professional training. Exchange programmes should therefore be complemented by a strong focus on rural and female schooling and literacy in development spending and European volunteer programmes such as Voluntary Service Overseas (VSO) and other programmes for school leavers on gap years, in coordination with US development efforts. European business associations could also be encouraged to participate in exchanges, and to offer professional training in Morocco as part of international corporate social responsibility programmes.

Finally, and particularly in the wake of the Marrakech bombing at the end of April, high-profile support should be given to rebuilding the security of, and confidence in, Morocco’s tourist industry. Given the importance of this industry to Morocco, European tour operators could support the branding of Morocco as responsible tourism, with a voluntary contribution to local development projects,

³² “A Partnership for Democracy and Shared Prosperity with the Southern Mediterranean”, European Commission High Representative of the Union for Foreign Affairs and Security Policy, Joint Communication, 8 March 2011, available at http://ec.europa.eu/commission_2010-2014/file/docs/news/joint_communication-a_partnership_for_democracy_and_shared_prosperity_with_south_med_en.pdf.

³³ The EU’s Generalised System of Preferences (GSP) is a trade arrangement through which the EU provides preferential access to the EU market to 176 developing countries and territories in the form of reduced tariffs for their goods when entering the EU market.

³⁴ For example, British foreign secretary William Hague has said that “the EU should offer [Arab Spring countries] broad and deep economic integration, leading to a free-trade area and eventually a customs union, progressively covering goods, agriculture and services, as well as the improvement of conditions for investment.” See Andrew Rettman, “UK champions own diplomacy over EU ‘action service’”, *EU Observer*, 5 May 2011, available at <http://euobserver.com/24/32271>.

especially literacy projects, being suggested to those considering travel there in 2011.

Surrounded by the excitement and promise of change of the Arab Spring, Morocco is a state with a fighting chance to achieve a gradual transition to democracy. But, to do this, it needs international pressure on the monarchy to reform, and international support to the civil society pushing for this reform. If the EU chooses to support this path to reform, it could restore the broken link between security and democracy in its policy towards the neighbourhood. This could be done at relatively low cost to Europe, and with clear benefits for both sides.

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