Arab Reform Initiative

RED LINES, WHERE TO FIND THEM, AND HOW TO WORK WITH THEM:
CIVIL SOCIETY, THE STATE, AND POLITICAL CHANGE IN MOROCCO

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Cover photo: A group of activist gather to protest against the cost of living, corruption and poor living conditions in front of the parliament building on the occasion of the 12th anniversary of the 20 February Movement in Rabat, Morocco - February 2023. (c) Abu Adem Muhammed - anadoluimages

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Executive summary

Who is included in "civil society" and which function it is supposed to perform – particularly in the realm of political action – remain largely debated (Edwards 2014).[1] On one hand, achieving political change, and democratization in particular, has become an essential element of civil society in non-democratic regimes after the so-called "third wave of democratization" (Ibrahim 2015: 46–47). On the other, the state's increasing control of civil society's space for action has raised attention to the fact that states rely on these spaces to stabilize a given political order (Poppe and Wolff 2017). Even in established democracies, the increasing "politicization" of civil society action has been a key driver of the restrictions on its space for action (as Hummel 2022 showed in the case of Germany, for instance).

In Morocco, the monarchy's posture towards civil society has been ambiguous, to say the least.[2] Beyond the analytical insights that stress the regime's efforts to tame this sector, this paper acknowledges that civil society's growing ability to intervene in the public sphere prompted a redefinition of the monarchy's strategy towards this sector (Sater 2007). In this context, palace-led civil society development initiatives such as the "National Initiative for Human Development" (launched in 2005) not only testify to the importance that the state attributes to this sector of society, but also allow the state to reinforce its control over civil society at the local level (Bergh 2012). With more than 240,000 associations officially registered in Morocco, the government's plan to develop a new official "strategy" for civil society further corroborates the state's strong and continued interest in the structuring and control of civil society's space for action (Wail El Karmouni 2023).[3]

On the other hand, the monarchy's control of civil society is far from established, and it has been subject to recurring challenges. From systematic issues to more punctual problems, bottom-up challenges to the regime have been a constant part of Moroccan politics since even prior to the 1990s "birth" of civil society, as we know it today and the revival of street-level politics in the wake of the Arab Spring. The wide-scale mobilization of the 2017 Rif Hirak movement has questioned those analyses that proclaimed that the regime managed to surf the successive waves of contestation and refocused attention on the claims of the Moroccan street (Mateo Dieste and Feliu 2023). Despite the severe repression of the Rif movements' leaders, a wide constellation of actors continued to seize public spaces to voice their concerns.[4] Amongst them, we can find lawyers, doctors, medical staff, secondary school teachers, and even civil servants of local governments – who act collectively either on the basis of their professional affiliation or within a loose network of associations, labor unions, and more informal coordination bodies.[5] On top of professional categories, there have been broad issue-

2 This paper will mainly refer to the Moroccan state as monarchy to highlight the centrality of this institution in the architecture of the Moroccan state. Such pragmatic choice does not imply that the broader apparatus of authoritarian institutions – commonly known as the *Makhzen* – does not play a role in the consolidation and perpetuation of the monarchy's control over Morocco's political and economic system.

3 The new strategy has been announced in February 2023 but, at the time of writing, it has yet to be adopted and made public.

4 For more information on the prison sentences of Riffian leaders, see Eljechtimi, Ahmed. 2019. "Moroccan Court Upholds Prison Sentences against Rif Protesters". Reuters, 6 April 2019, sec. World. https://www.reuters.com/article/idUSKCN1RI014/.

5 For some examples, please refer to Hatim, H. 2022. "Avocats vs Abdellatif Ouahbi : pourquoi les robes noires sont en colère". Telquel.ma. Accessed 6 May 2024. https://telquel.ma/2023/01/10/avocats-vs-abdellatif-ouahbi-pourquoi-les-robes-noires-sont-en-colere_1789538; Khatla, Kenza. 2024. "Après les infirmiers, les médecins résidents et internes montent au créneau". Médias24, 7 March 2024, sec. Santé. https://medias24.com/2024/03/07/apres-les-infirmiers-les-medecins-residents-et-internes-montent-au-creneau/; Médias24. 2024. "Une grève de trois jours paralyse les collectivités territoriales du Royaume", 25 April 2024, sec. Quoi de neuf. https://medias24.com/2024/04/25/une-greve-de-trois-jours-paralyse-les-collectivites-territoriales-du-royaume/; Jeune Afrique. 2024. "Au Maroc, la colère des enseignants persiste après la réforme de leur statut - Jeune Afrique.com", 5 January 2024. https://www.jeuneafrique.com/1521635/politique/au-maroc-la-colere-des-enseignants-persiste-apres-la-reforme-de-leur-statut/

based mobilizations that united Moroccans across demographics. This is the case of the protest against the management of local water resources that emerged in areas of the country, including Figuig, Zagora, and Ouarzazate.[6] But the clearest examples of contestation of state policies are the protests related to the situation in Palestine, which reached record numbers since the incessant escalation of violence that began in October 2023.[7] Fundamentally, these protests call into question the Moroccan state's policies towards Israel and its overall response to the ongoing conflict – or lack thereof.[8]

Such increasing mobilization did not go unanswered by the regime. Within the broader context of an "escalation of repression",[9] different local and international observers raised concerns about the growing repression of those considered political opponents – including within civil society (see for instance Human Rights Watch 2022). This may not come as a surprise, especially since political parties" inability to achieve change nurtured the impression that civil society was taking up their space as vectors for political transformation (Mouna 2020: 83).

However, much less attention has been paid to how civil society actors navigate their relationship with the state. Given the highly political dimension of

implementing reforms and the state's tight grip on the country's political priorities, this research asks: what can we learn from a decade of mobilization and civil society activism about how progressive reforms can be promoted and enacted in Morocco?

The goal of this research is to understand the key lessons from efforts by progressive civil society actors to bring about change in Morocco.[10] To do so, it focuses both on the interaction of these actors with the state apparatus and on the relative influence of the broader socio-political environment where these interactions are carried out. This question will be unpacked in different stages. First, the research will review the evolution of the state's stance towards civil society. From the early developments of civil society to the progressive liberalization of the sector in the early 1990s, this review aims to understand where the state drew the red lines for civil society's inclusion in the political game.

In doing so, this research will review the policies that regulate the right to assembly for civil society associations, to highlight the porous borders between the actors allowed by the monarchy and its apparatus to participate in the public sphere and the ones that face persistent obstacles. This review will also be the opportunity to present a broad overview of the civil society sector in Morocco. While such an overview can only be illustrative in nature, examining the evolution of civil society and mapping its different components has the central objective of clarifying that civil society is not a homogeneous sector. Not only do civil society actors occupy different roles and perform different functions, but they also bear different relations with state authorities and other segments of society.

Fundamentally, this research will focus on the role of progressive civil society actors and their struggles to bring about change. Different case studies will shed light on the relationship between the actions carried out to promote progressive reforms, the relative positioning of the state towards these initiatives, and

6 Saoury, Younes, and Yassine Toumi. 2024. "Hirak de l'eau : à Figuig, les femmes montent au front". Telquel.ma, 8 March 2024. https://telquel.ma/2024/03/08/hirak-de-leau-a-figuig-les-femmes-montent-au-front_1860758?fbrefresh=4. Kasraoui, Safaa. 2017. "Ouarzazate Court Puts Minors on Probation Over Zagora "Thirst Protests"". Morocco World News (blog). 13 December 2017. https://www.moroccoworldnews.com/2017/12/236287/ouarzazate-court-minors-zagora-thirst-protests. Dahmani, Youssef. 2017. "Pénurie d'eau : Affrontements et arrestations après une manifestation des habitants de Zagora". Yabiladi (blog). 9 October 2017. https://www.yabiladi.com/articles/details/58223/penurie-d-eau-affrontements-arrestations-apres.html.

7 Collas, Aurélie. 2023. "Moroccans Mobilize for Gaza despite the Rapprochement between Rabat and Tel Aviv". Le Monde.Fr, 25 October 2023. https://www.lemonde.fr/en/le-monde-africa/article/2023/10/25/moroccans-mobilize-for-gaza-despite-the-rapprochement-between-rabat-and-tel-aviv_6202517_124.html

8 Brouksy, Omar. 2024. "Maroc. Manifestations populaires et silence royal". Orient XXI (blog). 23 January 2024. https://orientxxi.info/magazine/maroc-manifestations-populaires-et-silence-royal,7010

9 El Hamamouchi, A. 2022. "Escalating Repression in Morocco". Carnegie Endowment for International Peace (blog). Accessed 6 May 2024. https://carnegieendowment.org/sada/87116.

10 This paper employs a heuristic definition of "progressive civil society actors" to enable a broad-spectrum analysis of different actors and their strategies while maintaining the focus on specific values and norms. Such values include human rights, equality, social justice, environmental protection, transparency, good governance and accountability. Besides being defined in opposition to conservative and reactionary actors, progressive civil society actors are also expected to achieve their means through democratic and peaceful means (see Biekart et al. 2023: 12)

the broader socio-political environment in which these actions are carried out. These case studies will both unravel the strategies of these actors and their evolution in time, but they will also be an opportunity to refine our understanding of their theories of change.

This research shows that civil society actors' posture towards the monarchy's red lines largely impacts their strategies and room for maneuver. On one hand, the actors that accept them gain access to formal arenas for participation, including consultative bodies explicitly tasked with the development of progressive reform. This can enable them to add new issues to the public agenda and influence the narrative of the reform against conservative resistance, seeking incremental change. Yet, such institutional participation also precludes them from targeting their criticism to the core of the political game – namely, the monarchy itself. On the other hand, the actors who do not accept the monarchy's red lines are excluded from these spaces and have to showcase their strength by seizing public spaces – both digital and physical. Such exclusion allows them to demand more radical transformations, including on domains otherwise reserved to the monarchy, but it also raises the cost of their engagement.

Crucially, this research demonstrated that trespassing the monarchy's red lines is not an easy task. On top of the fact that civil society's engagement in state-led reforms can contribute to consolidating the monarchy's political pre-eminence, any direct challenge to the monarchy's conduct can be heavily sanctioned. This is not to say that civil society did not manage to affect these red lines, but rather that this process is far from being straightforward. They are susceptible to change due to domestic considerations (such as the need to reaffirm the regime's legitimacy or respond to broad popular demands) as well as from specific externalities (such as the wave of popular protest in 2011 or the 2023-2024 Israeli aggression on Gaza). Although the action of progressive civil society actors seems far from fundamentally changing the structure of Morocco's political system, their persistence and continuous struggle to improve the conditions of Moroccans remains a cause for hope.

Literature review: Morocco's evolving stance towards civil society

Civil society's struggle for emancipation and progressive consolidation

Already in pre-colonial Morocco, the monarchy maintained multi-layered links to the leaders of civil society – at the time, the 'ulema (Sater 2007: 49). On one hand, the 'ulema were instrumental in legitimizing the rule of the Sultan (notably through their allegiance, or bay'a). On the other, they retained the power to withdraw such allegiance when the Sultan was not able to maintain civil order (i.e., threats from colonial powers and/or by not having an army). "Exceptional situations – connected with real security or national integrity concerns" (Sater 2007: 49), rather than religious dissent, were at the core of 'ulema's mobilization against the Sultan. In this context, mobilization was limited to a restricted number of (religious) scholars simply because not enough "ordinary people" were affected by the state's decisions. Given the lack of grass-root administrative structures and clear geographical and social boundaries, the form of the umma, the public, also remained opaque (Sater 2007: 50). By contrast, it is the well-defined power relationship between the Sultan and the 'ulema that produced its identification as Morocco's public sphere at the time.

Since Morocco's independence in 1956, political fragmentation profoundly impacted the development of associations (Sater 2007: 50). As political parties competed to gain (nominal) power, they created associations to attract followers and strengthen their ranks. Parties also tried to extend their influence on independent organizations (like charities, professional or neighborhood associations) through the representation of some of their members in their structures. This fragmentation of political culture endured until the "revival of parliamentary politics" that resulted in the appointment of the Istiqlal government in the 1977

elections. Events such as the Green March and the construction of the Hassan II Mosque represented key unifying moments in Morocco's political culture, embodying a union between the monarchy and the "people's" commitment to fundamental features of national identity – territorial integrity and religion, respectively. While the creation of loyalist associations at the regional level – mostly in the field of development – points towards the state's emerging attention to civil society and a desire to directly manage its affairs, most of civil society still followed partisan dynamics in this period.

Starting from the 1980s, the multiplication of human rights associations and the emancipation of women's rights associations from political parties represent key examples of how civil society actors navigated their relationship with politics and the state. The state repression of the two main Moroccan human rights organizations (the Ligue Marocaine de Droits de l'Homme, LMDH, and the Association Marocaine de Droits Humains, AMDH) due to their political activism obstructed the space for human rights associations (Sater 2007: 54).[11] Because of this obstruction, a group of politically affiliated activists and university teachers explored the idea of creating a new human rights organization that would adopt a strategy to avoid state repression. In 1988, around 40 activists founded the Organisation Marocaine de Droits de l'Homme (OMDH) and framed its struggle for human rights within well-defined borders – as a result of Morocco's cultural and religious tradition, and under the guidance of the monarchy.[12] This resulted in a broader room for maneuver, as testified by the many activities that the OMDH was able to carry out.[13] While the OMDH's effort to "stay out of politics" implied a cooperative attitude towards the state and self-exclusion from the partisan arena, the AMDH in contrast both challenged the legitimacy and rule of the monarchy and collaborated with a broad spectrum of actors (including political parties) on transversal issues (Sater 2007: 55). Thus, the state's differential treatment of these actors is attributed to their different strategies. With time, however, the proximity of the OMDH to the government started

casting doubt on its political independence and reduced its popular base (Kadiri 2017).

During that period, women's rights groups also emancipated themselves from political parties as they deemed that parties were treating women's rights as a social rather than a political issue (Sater 2007: 57). In 1985, the women's section of the Parti du Progrès et du Socialisme separated from the party and founded the Association Démocratique des Femmes au Maroc (ADFM). Not only did political independence represent a means to improve the strategies to achieve the ADFM's goals (notably, the reform of the Moroccan Family Code – or Moudawana), but it also explicitly defined it as a political association (Sater 2007: 58). However, this does not mean that it worked like a political party. Avoiding popular-based mobilization, it functioned as an organization that lobbied for political change through intellectual action, working to reform policies and raise awareness on women's rights specifically and human rights more broadly. Their active participation in national initiatives of gender equality reforms also contributed substantially to consolidate their political role (Sater 2007: 58). Similarly to the strategies of the OMDH, the ADFM's preference for working with intermediaries and in processes sanctioned by the state was also pragmatic: avoiding popular-based mobilization exempted the ADFM from the risk of engaging in a broader contestation of Morocco's political regime (through anti-regime slogans chanted at the protests, for instance) – hence risking repression. Once again, focusing on targeted discursive strategies allowed actors to navigate the limited space available for political participation to achieve their goals.

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11 The fact that the LMDH emerged from the Istiqlal Party, and the AMDH from the Socialist Union of Popular Forces, prompted both organizations to raise highly political demands.

12 OMDH: A travers ses communiqués et déclarations. Mai 1988–Mars 1991 (Casablanca: Editions Maghrébines, 1991), p. 7.

13 These include publishing communiqués and manifestos, petitioning for the release of political prisoners and demanding legal reform.

FROM CULTURE TO POLITICS: THE ADVENT OF AMAZIGH ACTIVISM

This frame provides another fundamental example of how precursors in the civil society sector managed to articulate a political proposal and influence the public sphere.* Although an Amazigh identity was clearly recognized during French colonial rule, the Arab nature of Morocco became one of the crucial pillars of statehood after Morocco's independence in 1956. Subsequently, classical Arabic became the language spoken on TV and radio, taught in schools and universities – often at the expense of Amazigh culture and language(s). This prompted the creation of Amazigh associations that focused on the preservation of their cultural heritage: the Association Marocaine de Recherche et d'Echange Culturel (Moroccan Association for Research and Cultural Exchange, AMREC) was founded in 1968, followed by the association Al Intilaqa Attaqafia (Cultural Revival) and the Association Nouvelle Pour la Culture et les Arts Populaires (New Association for Popular Culture and Arts, ANCAP) in 1978. The fact that none of these actors mentions the term "Amazigh" is not anodyne, since explicit mentions of cultural differentiation could be considered against state policy at the time.

Unlike human rights and women's issues, the unique feature of Amazigh activism is that no political party managed to articulate its demands effectively – and in particular the demand for the recognition of Amazigh languages. Even when the Mouvement Populaire (Popular Movement, MP) was created as the state's attempt to deal with the Amazigh issue, it never advocated effectively for their interest and was considered completely out of touch with Amazigh cultural associations. After years of repression, the increasingly open climate for activism (proved by the growing margin of action for actors such as the OMDH) led a group of six Amazigh associations to articulate their demands in the "Charter of Agadir" (signed on 5 August 1991). The Charter denounced the marginalization that the Amazigh culture and identity suffered since independence and presented clear revendications related to its integration into Moroccan society. In this context, the lack of any kind of formal political representation led the Amazigh associations to occupy the political space that was increasingly available to shape the emerging public sphere.

 This account is mostly based on Sater (2007: 61–63).

The "birth" of Civil Society: Increasing Influence on National Priorities

Following this initial period where human rights and women's associations started playing an increasingly prominent role in Morocco's political life, the progressive consolidation of the civil society sector that started in the 1990s marked this period as the "birth" of civil society (Vairel 2014: 71). Such consolidation was supported by two co-existing dynamics: on the one hand, the profound changes in the political context that started in the 1990s led to a redefinition of the relationship between the monarchy and Moroccan society while, on the other, various sectors of society started capitalizing on the success of the "precursors" described in the previous section and started developing single-issues associations.

First, the process of political opening (commonly referred to as "alternance") was initiated by the monarchy with the goal of addressing the legitimacy crisis that the regime was facing. As Sater summarizes it:

> "The December 1990 uprising in Fes, an anticipated referendum on Morocco's territorial claim over the Western Sahara, the popular demonstrations during the Gulf War in spring 1991, during which the Islamists illustrated their enormous capacity to rally support, all illustrated the need for Hassan II to re-establish control over the domestic political sphere." (Sater 2007: 87)

Therefore, the process of political liberalization aimed at including the main opposition parties (until then formally excluded) in the formal political game with the aim of appeasing societal tensions. This process materialized in two successive constitutional reforms (in 1992 and 1996) that widened the prerogatives of parliament while maintaining the monarchy's position at the core of political processes.[14] However,

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14 Although opposition parties (and the Socialist Union of Moroccan Forces [USFP] in particular) remained wary of joining a government that was under the strict control of the monarchy (Mohsen-Finan 2013: 110–11), they ended up endorsing the 1996 Constitutional reform since it allowed the party winning the elections to form the government. In turn, the *alternance* could be considered fulfilled when USFP"s own Abderrahmane Youssoufi

the increased diversification of civil society strategies in the 1980s already prompted the state to change its posture towards this sector. Since the early 1990s, the state started creating "integrating councils" (such as the Conseil Consultatif de Droits de l'Homme, CCDH, in 1990 and the Cellule Intégration de la Femme au Développement, CIFD, in 1993) aimed at fostering public participation in national debates. Yet, being under the prerogative of the state, these bodies only integrated voices that did not challenge the hegemony of the monarchy. While this may not seem different from the creation of loyalist associations, these councils represented a significant change in the state's strategy. Specifically, they embodied "[an] effort to create a national consensus on the basis of pre-defined monarchical prerogatives" (Sater 2007: 80). In this sense, they signaled the state's increasing interest to develop a broad consensus, rather than imposing it. This consensus-building process contributes to reducing the fragmentation of Moroccan society, while it remains contained in an arena controlled by the state. Even if it were possible to express disagreement about the current situation, the participation of associations in the political game became increasingly dependent on the acceptance of such "pre-defined monarchical prerogatives". Ultimately, forfeiting the challenges to the state's hegemony in Morocco's political game is consolidated as the pre-condition to participate in state-led reforms.

Even though, as implied in the quote above, this process remained within the framework of re-establishing the monarchy's central control over the country's political processes, the alternance contributed to developing activists' perception that they could voice their concerns (Vairel 2014: 84).[15] Moreover, this process was also accompanied by broader changes in Morocco's political environment – including the abandonment of coercive practices of political repression (such as abductions, torture, and extrajudicial executions) and the increasing recognition of human rights as a public issue. This climate prompted the creation of many associations

that shared the features of the actors described in the previous section – i.e., their focus on a specific issue and a limited challenge to the monarchy's hegemony. Amongst them, we find actors such as the Moroccan Association of Unemployed Graduates (founded in 1991), which tackles the issue of young graduates in economic distress; Alternatives (founded in 1995), which promotes an intellectual reflection on Morocco's political landscape; and Transparency Maroc (founded in 1996), which focuses on a transversal fight of corruption in Morocco's society.[16]

All these associations exemplify an increasing engagement of Moroccan citizens in the public sphere, as they contributed to the development and definition of Morocco's (political) priorities in their specific field of action. In doing so, they encountered variable resistance from the state, mostly depending on the challenges they were posing. For instance, Alternatives had no issues in being recognized by the state since they directed their criticism to partisan elites, and did not attempt to develop a mass movement to sustain their revendications. The case of Transparency Maroc is different, as they did not receive official recognition until 1998 given the challenge they posed to the vested interest of the regime (Sater 2007: 92). The Moroccan Association of Unemployed Graduates provides another example: their reliance on mass, street-level mobilization came at a substantial cost,[17] but it also allowed them to put the issue of youth unemployment on the government's agenda and meet with key government officials (including the president of the Parliament, the Minister of Works, and even the Ministry of Interior) to present their grievances (Leveau, et al. 1996: 90).

At the same time, the increasing participation in the definition of Morocco's societal priorities was not limited to newly created associations. In this matter, the General Confederation of Moroccan Enterprises (CGEM) is a case in point. Founded in 1933, it was perceived and acted as a "loyalist" organization for most of its history and was often criticized for its total dependence on the central power and its lack of representativity (Catusse 2000). The situation changed between 1994 and 1996, as a result of the new leadership's impetus for a radical "restructuring" of the organization and in reaction to the "sanitation

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became Prime Minister in 1998 – becoming the "opposition's first Prime Minister" (Abouzzohour 2020b).

15 Notably, the alternance consolidated the monarchy's praxis of nominating the so-called "*ministres de souveraineté*" (in English, "ministries of sovereignty"), who are directly appointed and accountable to the king. They include the Ministry of Interior, of Foreign Affairs, of Justice, and of Religious Endowment and Islamic Affairs.

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16 For a broader description of these actors see Sater (2007, 89-97).

17 In 1998 only, 400 of its members were arrested during its sit-in and marches (Rachik 2016: 95).

campaign" led by the state to fight corruption (Catusse 2014). The latter was launched in 1995 after a World Bank report highlighted the appalling state of Morocco's economy and the persistence of corruption as an entrenched feature of Morocco's economic and political life. In these circumstances, such a "sanitation campaign" did not target specific violators; rather, it was a moment of confrontation between the state and "economic actors considered too powerful and potentially dissident" (Mohsen-Finan 2013: 111).[18] The CGEM became the defender of such economic actors against this unjust campaign (Roussillon and Ferrié 2018: 15) and accused its perpetrators of aimlessly damaging the economy.[19] Signed in June 1996 by the Ministry of Interior and the president of the CGEM, the "gentlemen's agreement" that concluded the sanitation campaign consolidated the new role of the CGEM in the political sphere. Although this process transformed the CGEM into a structured lobbying organization that participated in the production of public policies, it has been progressively re-integrated under the umbrella of the regime – starting with the election of Moulay Hafid El Alami at its helm in 2006 (Catusse 2014).

While the increased activism within civil society represents the recognition that citizens also have a role in shaping the country's political processes, such activism also reflects the realization that criticism of the state is possible when it does not compete with its hegemony and is formally "outside" of the political – i.e., partisan – sphere (Roussillon and Ferrié 2018). Yet, controversial state actions (and the "sanitation campaign" in particular) prompted a re-positioning of civil society actors, allowing them to gain legitimacy and increasingly challenging its practices. This does not mean that the state relinquished its prerogative to intervene on topics that were increasingly taken up by civil society. The topical example is the 1998 decision of the CCDH that aimed at providing a definitive solution to the problem of the regime's past human rights violations and, as Vairel argues, amounted to "the invention and imposition of an

official truth on the matter" (2014: 95). In sum, the political and economic development of the 1990s laid the groundwork for a new system of state-(civil) society relations in Morocco, where the state allowed increasing presence of civic actors in the public sphere while maintaining its usual condition: the absence of challenges to its (central) role.

Civil society under Mohammed VI: a chantier de règne

The coronation of Mohammed VI (1999) marked another turning point in state-(civil) society relations, setting the ground for the dynamics that still characterize present-day Morocco. Although Mohammed VI's tenure features elements of both change and continuity with the past, his investiture represented a turning point because the new monarch took an active role in shaping civil society's involvement in public affairs. This section will describe this active role, as well as its direct and indirect outcomes, through two co-existing tendencies: the active support to associations embodied in the National Human Development Initiative (INDH) and the leading role of the monarchy in shaping participation in progressive reforms (the 2004 reform of the Moudawana and the 2011 Constitutional reform will be taken as examples). Ultimately, this section will show that civil society became a chantier de règne – i.e., a large-scale and long-term project that contributes to the monarch's legacy.[20]

The launch of the INDH in 2005 represents a tipping point in the monarchy's stance towards the civil society sector. Formally framed as a strategy to bring about economic growth for the most disadvantaged through human development (de Miras 2007), the project addressed key thematic priorities that include fighting poverty in rural areas and social exclusion in urban areas, reducing precarity, as well as fostering improved access to basic infrastructure and economic integration of youth.[21] Practically

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18 The growing power of economic actors is a direct result of the privatization campaigns started in the 1980s after the structural adjustment programs demanded by international finance institutions. Simply put, this privatization campaign substantially reduced the central state's reach in the economic sector.

19 The pinnacle of this confrontation can be identified in an exchange where Driss Basri (former Minister of Interior, in charge of the campaign) and Abderrahim Lahjouji (former president of the CGEM) reciprocally shared direct accusations. See Sater (2007: 111–12).

20 Although this term has been employed to describe the INDH, it is not commonly used to connote the monarchy's stance towards civil society. It is mostly used to refer to large-scale development projects such as the development of the Tanger Med port area, or the generalization of social security (for instance, see "FT 2023" 2023).

21 For further descriptive information on the stated priority of the program, please refer to: https://www.maroc.ma/fr/content/indh

speaking, it has been deployed through the state-sponsoring of development projects carried out by formally established local associations – either selected through a participatory approach or a competitive call for projects. A 2013 report by the Social, Economic, and Environmental Council (CESE) states that almost 23.000 projects had been financed through this instrument since its inception (Conseil Economique Social et Environmental 2013). The fact that only formally established associations could receive INDH funds led to an exponential increase in their creation. An analysis of the non-profit sector published by the governmental Haut Commissariat au Plan (HCP) indicates that 40% of all the active associations in 2007 were created between 2005 and 2007 (HCP 2011). To further prove this trend, a review of the first phase of the program indicated that 60% of the associations that implemented INDH projects were created after 2005 (INDH 2011).

However, this exponential growth of Morocco's civil society sector needs to be nuanced. As a starting point, the CESE report mentioned above also stressed that the quality of citizens' participation raised serious doubts (2013: 29). It also called out the issue of the sustainability of these projects, mentioning that their duration in time is often compromised (Conseil Economique Social et Environmental 2013: 33). Moreover, Bergh (2012) noted that the bulk of the decision-making power remained in the hands of local representatives of the Ministry of Interior – thereby debilitating the role of elected officials and hence reinforcing clientelist networks. Similarly, El Mnasfi (2013) argued that the INDH did contribute to the transformation of the relationship between citizens and the state, but it did so by fostering co-optation and depoliticization of this sector. Simply put, associations focused more on developing and implementing projects (often in collaboration with the state) rather than exercising pressure and demanding accountability. Although this initiative granted an opportunity for "outsiders" to enter the political sphere, it also entailed the reproduction of norms and control mechanisms to ensure that power hierarchies are reinforced (Berriane 2015). Fundamentally, the main contribution of the INDH in the shaping of state-(civil) society relations is that it allowed the state to assume a "participatory style" in executing its functions, thereby transforming "participation" into a keyword of Moroccan politics (Bono 2010b). In doing so, it caused the disconnection of citizens' participation from its underlying socio-political revendications by promoting civil society engagement as a technical process (Bono 2010a: 41).

This generalized attempt to "reconstruct" the state's relations with local civil society is not the only paradigm that informs the state's approach towards this sector during the reign of Mohammed VI. Especially in the wake of increasing social contestation, the monarchy has been able to take the lead in reforms in a way that both quenched the demands for change and avoided any real challenge to its hegemony. As a starting point, the 2004 reform of the Moudawana represents the topical example of the regime's capacity to seize the opportunity of increasing social pressure to reaffirm its role at the core of the political game. In parallel to the growing pressure of feminist associations to reform the Family Code (and the ADFM, in particular),[22] Islamist movements were also exerting increasing pressure on the government to uphold traditional religious values. This growing pressure coalesced after the alternance government proposal of a "National Action Plan for the Integration of Women in Development" in 1999. Calling for a reform of the Moudawana, this plan was supported by feminist associations and fiercely opposed by Islamist movements (Ouali 2008). This fracture was reflected in the organization of two parallel marches on 12 March 2000 – one in Rabat to support the reform, and the other in Casablanca to oppose it. Called by the two biggest Islamist organizations (the Justice and Development Party [PJD] and Al-Adl Wa Al-Ihssane [Justice and Spirituality, or AWI]), the march organized in Casablanca represented a show of force that made clear that they were "a force to be reckoned with".[23]

In the wake of the pressures coming from both Islamist and feminist movements, Mohammed VI announced the reform of the Moudawana in October 2003 – framing it both as a natural prerogative of the monarch due to its role of "Commander of the Faithful", and as a key step in the process of Morocco's democratization (Mohsen-Finan 2013: 113). Approved in January 2004, this reform managed to provide (at least partial) satisfaction to the demands of feminist organizations while also avoiding the opposition of Islamist members of parliament. The former recognized the important advances of the

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22 More details about the ADFM"s advocacy for the reform of the *Moudawana* will be detailed in the case study on their activism.

23 See Garçon, José. 2000. "Les islamistes défilent à Casablanca, les «modernistes» à Rabat." Libération, 13 March 2000. https://www.liberation.fr/planete/2000/03/13/les-islamistes-defilent-a-casablanca-les-modernistes-a-rabat-au-maroc-les-femmes-reveillent-la-rue-l_318528/.

text (including the right to self-guardianship, divorce, and child custody) and shifted the focus on the actual implementation of the new provisions (Sadiqi 2010), while the latter could not argue against the new provisions without implicitly questioning the king's religious authority.[24]

Similarly to the control it exercised on the reform of the Moudawana, how the monarchy managed the 2011 constitutional reform provides further insight into its capacity to shape its relationship with civil society. The 20th February Movement (20F) started as a quite limited initiative, mainly composed of youth not necessarily associated with political parties, but quickly gained the support of established actors representing different ideologies (ranging from leftist parties to Islamist organizations, labor unions, and human rights organizations) united under the banner of "democracy, end of corruption and clientelism" (Mohsen-Finan 2013: 118). Although it did not directly demand the end of its rule, the regime's reaction was prompt: on 9 March 2011, the king delivered a speech where he announced the creation of a consultative commission to draft a new constitutional text.[25] While such a commission had to remain within the boundaries established by the monarch,[26] it also differed substantially from previous reforms because it was composed of a broad range of experts who were supposed to represent Moroccan society (Mohsen-Finan 2013: 119). Further, the commission approached the reform by dedicating most of the process to consultations with different societal stakeholders: it organized sessions of oral and written questions, followed by a debate, with all political parties and labor unions; it also received written questions and contributions by civil society actors (188 associations).[27]

In spite of the resistance of opposition actors and the 20F, who criticized the conservative composition of the commission and its proximity to the palace (Bendourou 2012), the draft text was announced by the king on 17 June 2011. Crucially, the king's announcement clarified that the new text "had been elaborated in perfect communion with the driving forces of the nation"[28] – alluding to society's involvement in (and implicit support for) the process. Moreover, scheduling the referendum to validate the text on 1 July allowed little to no time for the (dis-) organized opposition to coalesce its position to stand against this reform (Benchemsi 2012). The text was also modified five days after the referendum, and even the political parties that supported the new text recognized important irregularities in the voting process (Abdelmoumni 2013). If the case of the 2004 reform of the Moudawana showed the regime's ability to seize social pressure to enact reforms that avoid questioning its role at the core of the political system, the case of the 2011 constitutional reform showed that the same goal could be achieved by developing a participatory process that legitimizes the process while defusing the most radical demands for change. Indeed, the separation of power claimed by the 20F and its supporters remained only theoretical and the text further consolidated the position of the monarchy at the core of Morocco's political system (Bendourou 2012). As the November 2011 elections normalized the political context, the cost of sustaining the mobilization against the reform outweighed the potential benefits of continuing the opposition (Casani 2020: 1192).

This literature review showed that the Moroccan state was able to draw and change the red lines for civil society's participation in political processes depending on the perceived challenges to its legitimacy, but always ensuring that its hegemony was not put into question. While civil society actors disentangled from political parties and started gaining an increasing role in Morocco's public sphere, they also avoided direct challenges to the monarchy's

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24 Crucially, the king presented the reform by linking its eleven key points to eleven verses of the Coran (Mohsen-Finan 2013: 113), hence showing the compatibility of the reform with Islam. In parallel, the legal shortcomings of this reform (such as the failure to completely abolish polygamy, the unilateral repudiation of the wife or the discrimination in inheritance rules) is also attributed to an explicit reading of Coran's verses (Sadiqi 2010).

25 For the full speech, please refer to: https://www.maroc.ma/fr/discours-royaux/texte-int%C3%A9gral-du-discours-adress%C3%A9-par-sm-le-roi-la-nation (in French).

26 Abdelaziz Lamghari Moubarrad "Partie I: La Commission Consultative de Révision de la Constitution dans l'ouvre d'élaboration de la Constitution Marocaine de 2011: Problématique des Travaux préparatoires" IACL-AIDC Blog (5 October 2018) https://blog-iacl-aidc.org/blog/2018/10/7/partie-i-la-commission-consultative-de-rvision-de-la-constitution-dans-luvre-dlaboration-de-la-constitution-marocaine-de-2011-problmatique-des-travaux-prpparatoires

27 Interview with a member of the consultative commission, Rabat, 13.12.2018

28 For the full speech, please refer to: https://www.maroc.ma/fr/discours-royaux/annonce-des-r%C3%A9formes-constitutionnelles-texte-int%C3%A9gral-du-discours-adress%C3%A9-par-sm-le (in French).

WHAT SPACE FOR ISLAMIST MOVEMENTS IN MOROCCO'S CIVIC AND POLITICAL SOCIETY?
Comparing the the Justice and Development Party (PJD) and Al-Adl Wa Al-Ihssane (AWI), as well as the state's stance towards them

This frame aims at providing key clarifications on the different room for maneuver that the two biggest Islamist movements in Morocco had, as well as on the regime's differential stance towards them. The PJD started its activity as an illegal organization that, thanks to its progressive recognition of the role and prerogatives of the monarchy, gained official recognition as a political party and later increased its representation in the political system (Sater 2007: 100–101). Although it behaved as one of the main opposition parties since its access to parliament in 1997 and continued to seize the streets as a mass movement to achieve its goal, its strategy consisted in showing a moderate image and balancing its demands to maintain a place in formal political arenas. While this strategy enables the PJD to access influential political roles to advance its agenda, its accession to institutional politics also represents a process of co-optation that allows the monarchy to sustain its claims of political liberalization (Macías-Amoretti 2015: 339). Contrarily, AWI has faced enduring repression precisely because it does not accept the consensus on the central role of the monarchy in Morocco's political system and actively challenges its hegemony (Sater 2007: 103). Notably, the theoretical work of Abdessalam Yassine – AWI's founder – develops an ideological opposition based on Islamic moral values that directly questions the monarch's divine right to govern as "Commander of the Faithful" (Macías-Amoretti 2015: 340–41). Such refusal is the main reason why they could not become an official political party and actively compete during the elections. Despite their unrecognized status, they still manage to voice their political demands through the occupation of public spaces. Later, keeping away from the formal political game became a strategic choice to discredit the electoral process and its legitimation of the political system guaranteed by the monarchy (Sater 2007: 104).

Even though the PJD's moderate stance was an essential step for its access to the formal political game, its official recognition also reflected Hassan II's will to open the political system in preparation for the alternance. Incidentally, this process also created competition amongst Islamist movements and allowed the PJD to gain support at the expense of AWI's popular base (Casani 2020: 1190). However, the PJD's participation in the formal political game did not always shield it from state repression. For instance, the 2003 Casablanca bombings entailed a substantial increase in the pressure over them: despite not being linked with radical Islamism, the PJD feared its arbitrary dissolution and had to assume a "low profile" that cost them many votes in the 2003 local elections (Mohsen-Finan 2013: 113). Indeed, the "anti-terrorism" law that was promulgated in the wake of the attack became a tool to exert pressure on Islamist groups – proving that "it's not easy to be an Islamist activist in Morocco" (Vairel 2014: 91).

hegemony to be able to voice their demands while avoiding state repression. As argued by Dalmasso, this strategy represented "[a] rational choice which took the opportunities that the authoritarian regime offered into account" (2012: 229). Indeed, the regime actively worked to create the opportunities that shaped the civil society sector: it led societal reforms in a way that both satisfied progressive movements and defused conservative resistance (case of the 2004 reform of the Moudawana); it incentivized the creation of associations that could carry out development projects at the local level while nurturing a relationship of dependence to the central state (case of the INDH); and it leveraged the broad participation of civil society to legitimize it without relinquishing decision-making power (case of the 2011 constitutional reform). Ultimately, the cyclical dynamic of inclusion and exclusion that alternated moments of relative openness and (targeted) repression remains the defining feature of state-(civil) society relations in Morocco.

Reviewing the civil society sector in Morocco

This section aims to provide a review of the civil society sector in Morocco, clarifying the legal framework in which it operates, attempting to gauge its size, and discussing its composition. Such a review is a particularly challenging task since one's definition of civil society profoundly influences the actors that may be included in the review. Some of these differences are already evident from the different denominations used in the (academic and development) literature, such as civil society organizations, community-based organizations, and non-governmental organizations. Not only do these different definitions imply the inclusion/exclusion of a broad spectrum of actors (such as media organizations, labor unions, religious congregations, etc.), but they all subsume a specific relationship with the state and other sectors of society. Crucially, normative definitions of civil society risk limiting our assessment to the "civil society we would like to see, rather than acknowledging its great diversity and its internal contradictions" (Biekart and Fowler 2023: 31). Edwards (2014) reminds us that on top of such normative understanding of civil society as "the good society", common approaches understand it as "associational life" (i.e., the sum of existing organizations) and as a public sphere.[29]

For pragmatic purposes, this review will focus on civil society as the sum of associations formally registered in Morocco. Such a pragmatic approach is deemed necessary to take stock of the legal framework in which it operates and to try to assess the size of this sector. However, this does not mean neglecting civil society's role as a public sphere (as implied in the discussion of the different historical phases of the previous section) or, following Gramscian approaches, its potential to act as a counter-hegemonic force in relation to the state (which is central to answer the core question of this research). Indeed, this review will not use a clear-cut definition of civil society; rather, it will employ an inclusive and expansive approach throughout this section to highlight the diversity of this sector. It

will start by reviewing the legal framework in which "associations" operate. This will include both the evolutions of the legal framework that regulates the creation of associations and the advances of the 2011 Constitution. This will also be the opportunity to highlight the obstacles to establishing associations and how that may affect specific groups – implicitly broadening our perspective on this sector. Then, this section will compile the (limited) data available to give an impression of the proportion of the civil society sector in Morocco. It will be an opportunity to focus on both the exponential multiplication of formal associations and the persisting obstacles to providing a clearer picture of civil society's size. Finally, it will compare different typologies employed in studies of civil society in Morocco. Highlighting the similarities and differences between the different approaches provides an opportunity to shed light on where the attention has focused so far and stress the key points of contention in defining Moroccan civil society.

Legal framework for civil society in Morocco

The right to form associations has been generalized with Dahir no. 1376-58- on public liberties (issued in 1958).[30] This decree defines an association as an "agreement by which two or more persons pool their knowledge or activity in a permanent manner for a purpose other than sharing profits", defining the process through which they can be formally established and the boundaries of their action. Despite the broad definition, this right remained quite limited at this stage and left broad discretion to public authorities to regulate it as the Ministry of Interior had to approve the meetings that founded associations and held the power to dissolve them if they suspected that the association might "disturb the public order". This allowed state authorities at the time to conduct investigations and tighten control over potential dissidents. This was especially the case of Islamist and leftist underground opponents to the central power, who lacked the opportunity to organize politically and found refuge in associations. Furthermore, sanctions (including up to two years of imprisonment) remained for those who worked as an association without official recognition, those who continued to work as an association after its

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29 For a concise but complete discussion of the evolution of civil society's conceptualizations, please refer to Biekart, Kontinen, and Millstein (2023: 10–17).

30 This account is largely based on the review of Bergh (2017: 70–73).

dissolution by public powers, and even for those who facilitated the meeting of those actors.

After intense lobbying, this decree was amended to reduce the scope of the state's control on this right, while maintaining a "softer" oversight. The ensuing Law on Associations (Law no. 7500-, issued in October 2002) still regulates the creation of associations at the time of writing.[31] Under this framework, citizens can hold the founding assembly of their associations without previous permission from the Ministry of Interior and its local representative (the caïd) has to deliver a provisional récépissé (i.e., a signed and stamped receipt) until a court declaration formalized the creation (to be issued within 60 days after the récépissé). Even if the court delayed its formalization, the récépissé holds legal value and allows the association to operate lawfully. Moreover, sanctions are reduced, and associations can be dissolved only by court decision. However, the heavy sanctions mentioned above remain a key obstacle. Furthermore, the fees for the legalization of the associations' documents may still be particularly problematic for citizens in more vulnerable socio-economic conditions (and for the ones in rural areas in particular, given their limited resources). Finally, the caïd continues to exercise substantial control on behalf of the Ministry of Interior, overseeing all administrative declarations and bearing the authority to grant permission for public gatherings.

Despite the limitations described in the section above, the 2011 Constitutional reform also formalized key guarantees that relate to civil society, its rights, and its involvement in the country's political processes.[32] Fundamentally, the freedom of assembly and association is formalized in Article 12, which reads as follows:

"The associations of civil society and the non-governmental organizations are constituted and exercise their activities in all freedom, within respect for the Constitution and for the law.

They may not be dissolved or suspended by the public powers, except by virtue of a decision of justice.

The associations interested in public matters and the non-governmental organizations contribute, within the framework of participative democracy, to the enactment, implementation, and evaluation of the decisions and the initiatives [projets] of the elected institutions and of the public powers. These institutions and powers must organize this contribution in accordance with the conditions and modalities established by the law.

The organization and functioning of the associations and the non-governmental organizations must conform to democratic principles."

On top of constitutionalizing the provision that associations could only be dissolved through a court decision, this article prompts the possibility of civil society's engagement in public policy-making processes. On one hand, civil society is recognized as a partner of elected institutions and public powers, and, on the other, these actors are bound to sustain civil society's engagement in these processes. The "framework of participatory democracy" mentioned in Article 12 refers to both direct and indirect measures that allow civil society's participation in policy-making. The right to present legislative motions (Article 14) to parliament and petitions (at the national level following Article 15, and at the local level following Article 139) can be identified among the direct measures of inclusion, while the indirect measure refers to a broader call to account for citizens" and civil society's participation in the policy process. This includes the creation of a Consultative Council for Youth and the Associative Action (Article 33), as well as the obligation to engage in a "participatory process" to design and evaluate the development action plans of local governments (as foreseen by Organic Law no. 11114- [regions], Organic Law no. 11214- [provinces and prefectures], and Organic Law no. 11314- [municipalities]). Between 2013 and 2014, the ministry in charge of parliamentary and civil society relations organized a "National Dialogue on Civil Society" with the goal of co-designing the implementation of the measures of the 2011 Constitution with civil society actors, also developing a "National Charter on Participatory Democracy".[33]

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31 A minor revision in 2009 (*dahir* 1-09-39, February 2009) erased the obligation to present the founders" criminal records when creating the association, giving the power to public powers to investigate (and obtain their criminal records) if willing to do so. A draft law to review this framework circulated in 2013, but did not advance any further in the legislative process.

32 For all reference to the articles of the 2011 Constitution, please refer to: https://constituteproject.org/constitution/Morocco_2011

33 See MAP, "*Le Dialogue national sur la société civile, une initiative qui confirme l'exception marocaine en matière de démocratie participative*", 23 November 2013. https://maroc.ma/fr/actualites/le-dialogue-national-sur-la-societe-civile-une-initiative-qui-confirme-lexception

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RED LINES, WHERE TO FIND THEM, AND HOW TO WORK WITH THEM:
Civil society, the state, and political change in Morocco

Even though the constitutional reform prompted cautious optimism as a step towards "effective citizenship" (Ait Mous et al. 2015), the implementation of the rights granted by the 2011 Constitution raised doubts from its inception (Bendourou 2012). For instance, substantial obstacles remain to the exercise of the right to petition both at the national and the local level (see Colin 2023a and 2023b, respectively). Furthermore, the "National Dialogue on Civil Society" did not yield any concrete outcome, and the Consultative Council mentioned above has yet to be created. At the local level, the "participatory" component of the development and evaluation of local action plans proved to be mostly cosmetic and fully dependent on local governments" disposition and initiative.[34]

The formal guarantees to the freedom of associations also fail to be systematically respected – as shown by many empirical examples. First, some organizations are still flat-out repressed. That is the case of AWI, which is still not recognized by the state despite its organizational development, its rooting throughout Morocco, and the extended popular support it enjoys. As discussed above, the reason for their lack of recognition lies in the challenge they pose to the monarchy's hegemony and, specifically, their open criticism of the monarchy's lack of democratic conduct. Second, the deliverance of the récipissé has been instrumentalized in many instances to exert pressure on specific associations. A 2018 report by the International Federation for Human Rights (FIDH) mentioned that a plethora of associations faced unjustified delays and rejections in the deliverance (or renewal) of their récipissé – including the Moroccan Association for Investigative Journalism (AMJI), the Association for Digital Rights (AND), the local branch of Freedom Now, the Maghrebi Coordination of Human Rights Organizations (CMODH), ATTAC Maroc and the AMDH (FIDH 2018: 7). This repression is not limited to actors that openly criticize the regime. For instance, that has also been the experience of a group of youth that formed a local environmental

movement (named the "Green Youth Movement", based in Tangiers) which focuses on the defense of the environment and fosters "green education". They first requested association status in August 2018, but they received the récipissé only in April 2021, after multiple reminders and pleas to the administrative tribunal and the local representatives of the Ministry of Interior. When discussing the reasons for this delay, one of the members of this group mentioned that "civil servants are very wary of engaged youth […] with our name, they thought that we were going to recreate the 20F!".[35] Third, the instrumentalization of the legal framework extends to the prohibition of associations" activities and access to public spaces.[36] According to the same report, public authorities prohibited at least 125 of AMDH's activities between 2014 and 2017 (FIDH 2018: 10). Another telling example of the limitation on associations" access to public spaces is the systematic ban of Racines' Oppressed Theatre plays on racism in Morocco.[37] Racines is also the only association that has been dissolved by a highly controversial court decision: after hosting an episode of a YouTube-based talk show where some of the participants openly criticized the monarchy's failure to ensure accountability, as well as the increasing repression and spreading corruption, the administrative court of Casablanca ruled that it operated "outside its prerogatives".[38] Fourth, and last, the freedom of association is denied to all those organizations that cannot directly interact with the state due to the nature of their activity.

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34 This could be assessed during a consultancy mission carried out by the author for the evaluation of the project "*Appui à la consolidation de la dynamique de participation démocratique au niveau municipal, provincial, régional et national, pour contribuer à la réduction des inégalités socio-économiques au Maroc*" (Oxfam-MPDL). Conducted during the first half of 2022, this mission included a fieldwork that covered the region of Tangier-Tétouan-Al Hoceima and the Oriental and aimed at assessing the involvement of civil society in local participatory processes. The results of this study have not been published.

35 Interview with a member of the movement. Tangiers, 17/01/2024.

36 These limitations happen despite the fact that freedom of reunion and assembly is also guaranteed by art. 29 of the 2011 Constitution.

37 Based in Casablanca, Racines focuses on the promotion of progressive cultural policies. For more information on the ban, see Sbiti, Soufiane. 2015. "La représentation de la pièce de théâtre «B7al B7al» interdite à Fès". Telquel.ma, 3 August 2015. https://telquel.ma/2015/08/03/fes-piece-theatre-interdite-troisieme-fois_1458179.

38 For more information, see: "Court Has Ordered Moroccan Cultural Group Racines to Be Dissolved". 2019. Amnesty International (blog). 18 January 2019. https://www.amnesty.org/en/latest/news/2019/01/morocco-abandon-attempts-to-dissolve-cultural-group/; Colin, Francesco. 2019. "Stato vs. società civile in Marocco: strategie di controllo". Mondopoli (blog). 7 May 2019. http://www.mondopoli.it/2019/05/07/stato-vs-societa-civile-in-marocco-strategie-di-controllo/. (English version: http://www.mondopoli.it/wp-content/uploads/2019/05/State-vs-society-Colin.pdf)

For instance, this is the case of associations that defend LGBTQ+ rights, which cannot receive official recognition since homosexuality is still criminalized under Morocco's Penal Code. Some organizations still manage to tackle, although indirectly, these issues by diverting their activism to adjacent issues – such as individual liberties, gender-based violence, and the fight against all forms of discrimination. Plus, the lack of legal status does not imply that LGBTQ+ organizations and movements are inactive; on the contrary, they managed to achieve increased visibility and autonomy during the last decade.[39] However, the recent refusal to recognize the "Moroccan Outlaws" movement as an association (which focuses on the decriminalization of extra-marital relations, also punished by Morocco's Penal Code) shows that civil society's activism on these issues remains particularly challenging.[40]

Measuring Moroccan civil society

Despite those limitations, a growing number of associations have been established in Morocco. However, having a clear idea of how many is not an easy task. Disaggregated official data on the civil society sector is not available, but it has been possible to compile secondary sources until 2019. After that, the only sources available are oral estimates provided by government officials and the press. Despite the scarce data, the table below compiles the information available from different sources to gauge the size of the sector.

Evolution of registered associations (1958 – 2023)	
Year	Number of associations
1958 – 1968	2,223
1969 – 1979	5,281
1980 – 1990	10,733
1991 – 2003	29,833
2004 – 2007	38,500[41]
2007	44,711[42]
2012	90,000[43]
2013	100,000[44]
2014	116,836[45]
2016	130,000[46]
2019	210,000[47]

39 For more information, see: Sanae A. 2024. "Emergence, Resilience, and Tensions: A Decade of LGBTQ Activism in Morocco". Arab Reform Initiative. https://www.arab-reform.net/publication/emergence-resilience-and-tensions-a-decade-of-lgbtq-activism-in-morocco/

40 Médias24. 2023. "La justice refuse de reconnaître l'Association Collectif 490", 17 December 2023. https://medias24.com/2023/12/17/la-justice-refuse-de-reconnaitre-lassociation-collectif-490/.

41 The data until 2007 has been extrapolated from Berriane, Yasmine. 2013. "Essor et Valorisation Des Associations Locales". In Femme, Associations, et Politique à Casablanca, 452. Rabat: Centre Jacques-Berque. https://doi.org/10.4000/books.cjb.363. This work quotes sources from the General Secretariat of the Government.

42 HCP. 2011. "Enquête Nationale Auprès Des Institutions Sans But Lucratif (ISBL) (Exercice 2007)". Rabat: Haut Commissariat au Plan. https://www.hcp.ma/file/230865.

43 El Hachimi, Mohammed. 2014. "Société Civile et Démocratisation Au Maroc. Le Grand Malentendu". Papers IEMed, June. https://www.iemed.org/publication/societe-civile-et-democratisation-au-maroc-le-grand-malentendu/.

44 MAP. 2013. "Le Dialogue national sur la société civile, une initiative qui confirme l'exception marocaine en matière de démocratie participative". Maroc.ma (blog). 25 November 2013. https://www.maroc.ma/fr/actualites/le-dialogue-national-sur-la-societe-civile-une-initiative-qui-confirme-lexception.

45 El Majhad, Sara El. 2014. "Maroc: Explosion associative". Aujourd'hui le Maroc (blog). 28 December 2014. https://aujourdhui.ma/societe/maroc-explosion-associative-115474.

46 OCDE. 2023. Examens de l'OCDE sur la gouvernance publique : Maroc, pour une administration résiliente au service des citoyens. https://doi.org/10.1787/1a0272c0-fr.

47 HCP. 2023. "Enquête Nationale Auprès Des Institutions Sans But Lucratif (ISBL) (Exercice 2019)". Rabat: Haut Commissariat au Plan. https://www.jms2020.hcp.ma/assets/fiches_fr/2.SE/18.Enqu%C3%AAte%20sur%20les%20Institutions%20Sans%20But%20Lucratif%20-%20ISBL%202019.pdf

2020	220,000[48]
2022	236,000[49]
2023	240,000[50]

The main observation on the evolution of registered associations is that their number has grown exponentially throughout the history of Morocco, with key moments of distinct acceleration. As explained in the literature review, two of those moments are the period of political liberalization during the 1990s and the launch of the INDH in 2005. An official review of the associations created until 2007 shows that 80% of them were created between 1997 and 2007, and 40% of them between 2005 and 2007 alone (HCP 2011). However, a more recent official review shows that the rhythm of development of associations also surged after 2011, with 54% of the associations recorded in 2019 founded after 2011 (HCP 2023). The above table shows this trend clearly, with the two strongest moments of growth registered around 2012 and between 2016 and 2019. Although such sustained expansion may be at odds with the reports of an increasing "return to authoritarianism" starting between 2013 – 2014 (Maati Monjib 2015), it is highly likely that the bulk of associations created in this period are not necessarily the ones that may face such repression. As the latest official data available shows, most of these associations focus on "Culture, Sport and Leisure" (31%), "Development and Housing" (28%) and "Education and Research" (14%) and hence may be considered akin to the local development associations created to implement INDH projects; the fact that only a little more than 1% of associations focus on "Law, Citizens and Consumers' Rights, and Politics" also points towards the fact that established associations may not be the preferred organizational form for politically active civil society (HCP 2023).

The development of a proper understanding of the size of the civil society sector is further complicated by the conflict between sources. Take the year 2007 as an example: a source from the General Secretariat of the Government indicates that 38,500 were active in that year, while Morocco's official statistical institution (HCP) estimates the number at 44,771. The same could be said for the year 2012, where sources quoting an official report of the ministry in charge of parliamentary and civil society relations talk about 90,000 associations, while a CIVICUS report published just the year before mentions numbers between 30,000 and 50,000 associations – quoting sources from the General Secretariat of the Government and a civil society organization, respectively. The same report highlights that this lack of clarity is not only related to the absence of open official sources but also to substantial differences in the definition of civil society and its implications in terms of the inclusion/exclusion of actors (Akesbi 2011: 20). Another problem that further complicates any realistic estimation of the actual size of the sector is the imprecise number of "empty shells", that is, inactive associations. This phenomenon can be assessed by looking at the 2019 official estimation of the sector, which indicates that 187,834 associations are considered to be active out of the 210,000 reviewed (HCP 2023). Moreover, some associations may be created to fulfill a specific objective (such as the reception of funding) and become inactive immediately thereafter. The proliferation of government programs that only allow formally established associations to apply for funding, which has been exacerbated by the INDH, has led to a situation in which "even very small rural villages of 1000 inhabitants [have] up to three or four of such associations" (Bergh 2012: 414).

If understanding the number of existing civil society organizations is challenging, having a clear idea of how many citizens are engaged in them is practically impossible. Once again, only limited data is available from secondary sources and it varies widely, ranging from 7.4% (National Values Survey 20042005-) to 11.3% (World Value Survey 2005) for the same year of reference (Akesbi 2011). Although data on civil society engagement peaked at 17% in official evaluations of the first phase of the INDH (20052010-), recent survey data from the Moroccan Institute for Policy Analysis provides a more modest appraisal: in the surveys conducted in the framework of the Trust Index project between 2020 and 2023, respondents that said they

48 "220.000 associations enregistrées en 2020 au Maroc". n.d. LaQuotidienne (blog). Accessed 7 January 2024. https://laquotidienne.ma/article/infos-societe/220-000-associations-enregistrees-en-2020-au-maroc.

49 Gadi, Abdelhadi. 2022. "Tissu associatif : Une galaxie en mutation". La Vie éco (blog). 19 November 2022. https://www.lavieeco.com/influences/societe/tissu-associatif-une-galaxie-en-mutation/.

50 Wail El Karmouni, Ghassan. 2023. "Une nouvelle stratégie pour la société civile lancée prochainement". Médias24 (blog). 11 February 2023. https://medias24.com/2023/02/11/une-nouvelle-strategie-pour-la-societe-civile-lancee-prochainement/.

are part of an association fluctuate between 6% to 8%.[51]

Typologies of civil society actors: comparing four examples

To give a better idea of the actors that compose this sector, this section will compare four examples of civil society typologies: two official reviews of the sector conducted by the Higher Planning Commission in Morocco (HCP) in 2011 and 2023, and the CIVICUS Civil Society Index (CSI), which contains a standardized categorization employed in all CIVICUS surveys on civil society and the typology developed by the Advisory Committee that supported the development of the CIVICUS study in Morocco. The table below summarizes the different categories employed by these typologies:

Comparing typologies of civil society reviews in Morocco			
HCP Survey 2011	*HCP Survey 2023*	*CSI Survey*	*CSI Advisory Committee*
Culture, sport, and leisure	Culture, sport, and leisure	Development	Human rights and advocacy
Education and Research	Education and research	Human rights	Development and services
Health, social services, philanthropy, and promotion of volunteering	Health	Organizations related to a place of worship	Education and culture
Environment	Social services, philanthropy, and promotion of volunteering	Sport and leisure	Church or religious organizations
Development and housing	Environment	Education and culture	Social movements
Law, citizens and consumers' rights, and politics	Development and housing	Labor unions	Religious brotherhoods (*zawayat*)

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51 For the official estimates in INDH"s evaluations, see (2012: 414). MIPA"s rates have been extrapolated directly from raw survey data.

Religion	Law, citizens, and consumers' rights, and politics	Political parties	Private media
Economic and professional associations	Congregation and religious associations	Environment	Professional associations
International activities	Economic and professional associations, labor unions	Professional associations	Foundations
	Other	Humanitarian or charity	
		Consumer associations	

As a starting point, some types of actors are consistently considered part of civil society in Morocco. It is the case of actors focusing on education and culture, professional associations, as well as actors focusing on development.[52] Religious organizations are also present across the board, although with substantial variations: from the broad category of "Religion" in the 2011 HCP Survey, which is later refined as "Congregations and Religious Associations", to the more precise distinction between "Churches or Religious Organizations" and "Religious Brotherhoods" in the CSI Advisory Committee's typology. Further, the presence of both "Organizations related to a Place of Worship" and "Humanitarian or Charity" in the CSI Survey raises the question of potential overlap between categories – especially given the role of Islamic charities in providing social and charitable services in a Muslim-majority country such as Morocco. It is also interesting to note that the CSI Advisory Committee is the only actor mentioning "Private Media" as a category, thereby supporting a broader understanding of civil society as a public sphere. Similarly, political parties are included in the categories outlined by the CSI Survey, but not in the CSI Advisory Committee. These examples are a case in point of the wide differences between various categorizations and their potential impact on how we appreciate the civil society sector.

A notable absence from the HCP Survey is the category of "Human Rights", which may be subsumed in the (broader) category of "Law, Citizens and Consumers' Rights, and Politics". However, it is the category of politics that raises the most questions. The three typologies vary between a fleeting mention in a broader category in the HCP Survey, a clear reference to "Political parties" (and "Labor unions") in the CSI Survey, to no explicit mention of politics in the CSI Advisory Committee typology. The latter group explained that the inclusion of political parties in Morocco's typology could be problematic due to the relation of proximity that most of them have with the state (Akesbi 2011: 20).[53] Although they explicitly linked civil society with democratic development in Morocco, they also argue for "refusing elements that are linked to the political sphere and that would not respect democratic principles" (Akesbi 2011: 19). Yet, this does not mean that politics is absent in the CSI Advisory Committee interpretation of civil society. Specifically, both the category of "Advocacy" and of "Social Movements" may be considered inherently political given the nature of their activities – i.e., the support of a specific cause, proposal, or demand for change. Moreover, the fact that the category of advocacy is conflated with the one of human rights speaks volumes about the role that human rights organizations had in Morocco's political landscape. The fact that some of the CSI Advisory Committee members wanted to classify AWI as a political organization instead of a religious one (Akesbi 2011: 19) further proves that there is a great sensibility to the potential political influence of civil society actors. Yet, the paradox remains: on one hand, political action has been discredited by political parties' connivance with the state's non-democratic practices while, on

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52 A minor difference is that development is associated with providing housing in the case of the HCP and with service delivery in the eyes of CIVICUS Advisory Committee.

53 As an extension of this reasoning, CSI Advisory Committee did not consider labor unions as part of civil society due to their proximity with political parties (Akesbi 2011: 19).

the other, the increasingly negative reputation of political parties led citizens to put their hopes in civil society as the "engine for democracy" (Touhtou 2014: 23). If Moroccan civil society's potential to advance towards democracy is recognized, democracy seems to be placed outside the realm of politics.

The evolving tactics of civil society actors: case studies

This section discusses the evolving strategies of civil society actors in Morocco to outline the possible pathways for progressive change. It seeks to capitalize on the longstanding experience of key actors of the Moroccan civil society in the context of specific reforms to draw some lessons about pathways promoting reforms by civil society in Morocco. On the one hand, this discussion will identify the reasons that lead to changes in their strategies; on the other, it will focus on the impact of such changes on the outcomes of their action. In total, four case studies will be compared. These cases have been selected through purposeful sampling, as "information-rich cases to study, cases that by their nature and substance will illuminate the inquiry question being investigated" (Patton 2015: 265). Specifically, the selection of cases falls within the analytical framework outlined in the project "Civil Society Activism in the Middle East – Lessons from a Decade of Mobilization under Authoritarianism".[54] Looking at the intersection between the stance of the state and the position of hegemonic cultural norms in relation to a specific issue, civil society is expected to bring about change in four possible ways (summarized in the table below).

	Regime supports	Regime opposes
Hegemonic culture supports	Going with the grain	Conservative coalition
Hegemonic culture opposes	Top-down reform	"Mission impossible"

Three of the four cases explored in this research fall within this categorization. The first case will study the trajectory of the Association Démocratique des Femmes au Maroc (ADFM) and their strategy to influence two reforms of the Moroccan Family Code (Moudawana) – in 2004 and the current revision (2023/2024). This case belongs to the category of "top-down reform", where the regime shapes the reform process and progressive elites have to decide whether to participate. While the reform of the Moudawana engages a plethora of progressive civil society actors, the broad resistance from Islamist movements (inside and outside the institutional political scene) and from different sectors of society (especially at the rural level) puts the hegemonic culture against this process. Therefore, this case will prompt a reflection on the differential impact of the state's posture towards civil society's involvement in the process and the evolutions in the broader socio-political environment.

The second case analyses civil society's involvement in the development and adoption of the Access to Information Law in Morocco (henceforth, Law no. 31-13). Since the reform process was driven by the state, and widely accepted by Moroccan society as a whole, this case falls within the category of "going with the grain". It will examine the opportunities and challenges of engaging in a state-driven process of reform by looking at the coalitions formed to participate in this reform, their action in time, and their influence on the process of reform itself (including its implementation).

The third case looks at the evolving relationship between Islamist and human rights activists; in particular, between Al-Adl Wa Al-Ihssane (Justice and Spirituality, or AWI) and the Moroccan Association for Human Rights (AMDH). Focusing on the conditions that allow these actors to collaborate, while challenging the state's reforms, and to promote

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54 For more information about the project and the theoretical framework, please refer to: https://doi.org/10.1093/oso/9780198882411.003.0002.

bottom-up change, this case falls within the category of "conservative coalition" – namely a coalition between human rights activists with conservative elements of society to push against state opposition. These two organizations represent a particularly fertile case study due to the cross-ideological nature of their collaboration, but also because they are considered to be the two organizations with the biggest mobilization potential.

The fourth, and last, case study reflects on the 2018 consumer boycott that targeted large companies linked to political elites. Although this case does not exactly fall within the category of "Mission impossible" because it did not entice opposition from the hegemonic culture, its distributed and horizontal features prevent it from fitting in the "conservative coalition". Regardless, its exceptional rate of participation makes it a compelling case to analyze.[55] As a movement that was sustained without definite leadership, this case will provide the opportunity to assess the relevance of a solid organizational structure, or the lack thereof, for civil society's capacity to bring about change.

In terms of methods, the data below has been collected through 15 semi-structured interviews[56] with members of civil society organizations, activists, journalists, and experts (from both academia and international organizations). Moreover, complementary data has been gathered by reviewing the published and unpublished literature available, as well as the information available in the media.

Case 1: The ADFM and the Moudawana: same actor, same reform, different times

The reform of the Moudawana has been a core revendication of Moroccan feminist movements since their early days. As anticipated in the literature review above, this has been the case for the ADFM, whose advocacy for such a reform has had a prominent position in public debates, especially in 2004 and 202324-. Therefore, its continued attention to this topic in the successive reforms can provide key insights into how civil society actors navigate their relationship with the state in an evolving political space.

The experience of ADFM activism for the reform of the Moudawana is not one of demands that are systematically accepted by the regime, but rather one of granular changes that focus on the process and capitalizing on past achievements. The changes in the process of reform are most significant in the earlier phases of activism. The movement to change the Moudawana gained considerable momentum in 1992, after the "one million signatures" campaign – a petition led by the Union for Female Action (UAF) that directly targeted the reform of the Family Code (Deiana 2009).[57] As the pressure exerted through this petition was stirring conservative backlash from religious groups, Hassan II sought to end societal tension by taking the lead in the process. Leveraging his religious legitimacy, he placed himself as the grantor of the reform and established a royally appointed commission to engage with civil society and produce recommendations for the Family Code (al-Ahnaf 1994). The consultative process was far from inclusive, and the reform finally proclaimed in 1993 did not meet the expectations of the activists.[58] However, it contributed to the "de-sacralization" of the reform, showing not only that change was possible, but also that civil society should play a part in

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55 A survey estimated a 57% participation rate, mostly by citizens belonging to the middle class. See Le Point. 2018. "Au Maroc, un boycott relance le débat sur les liens entre politique et business", 26 May 2018. https://www.lepoint.fr/economie/au-maroc-un-boycott-relance-le-debat-sur-les-liens-entre-politique-et-business-26-05-2018-2221534_28.php.

56 After being informed of the goal and scope of the research, all interviewees provided their oral informed consent to participate in the process.

57 Addressed to the king and members of Parliament, equality between spouses, the abolition of matrimonial guardianship and the abolition of polygamy were amongst the main demands of the petition.

58 The two major feminist organizations of the time, the ADFM and the *Union de l'Action Féminine*, UAF, were the most notable absences.

the process (Rhiwi 2004). The alternance government of 1998 put the status of women in Moroccan society back at the core of its priorities, launching the "National Plan of Action for the Integration of Women in the Economy" (1999) under pressure from the ADFM and the growing feminist movement. Tasked to review the juridical status of women as well, some of its proposals (such as the increase of the marriage age, the abolition of tutelage, civil divorce, and the regulation of polygamy) caused firm opposition from religious organizations. The massive parallel marches organized in March 2000 by the ADFM and other feminist organizations in support of the National Plan, and AWI and PJD activists against it, testify to the depth of this cleavage in Morocco's civil society. These competing pressures led the government to a stalemate, which resulted in the abandonment of the National Plan. In this context, the monarchy decided again to play the part of the arbiter and Mohammed VI tasked a new commission for a comprehensive reform in a 2001 royal speech. The creation of another royally appointed commission triggered hope in the feminist movement for two reasons: first, it overcame the National Plan and was perceived to be a more direct exchange between civil society and the state; second, its members were increasingly diverse. Although the majority of the 2001 commissions were religious scholars ('ulema), it also included prominent academic figures and legal scholars that nuanced the centrality of the religious dimension of the reform (Tobich 2008: 60).[59]

This new phase in the struggle for women's rights in Morocco led to the creation of the "Printemps de l'Égalité" ("Women's Spring") – a network of 27 women's associations aiming to consolidate their contribution to the reform. On one hand, they focused on re-engaging the public on the reform by sharing all-too-common stories about the dramatic situation of Moroccan women, arguing that "no one could remain indifferent" (Rhiwi 2004: 34). On the other, they also engaged actively with political actors. This strategy included an active call to political parties to clarify their vision for women in Morocco's society, the publication of memorandums on specific issues and a systematic revision of a draft text of the reform elaborated by the consultative commission, and a

plethora of actions in the public space – ensuring "a real political presence" of the movement (Rhiwi 2004: 35). The text of the new reform was announced by Mohammed VI in a royal speech in 2003 and was officially promulgated in 2004. This reform did not generate a homogenous reaction: it was met with great excitement by some, with international observers defining it as "one of the most progressive in the Arab world" (Castillejo and Tilley 2015: 15), while other sectors of society remained wary of its limited scope and even more challenging implementation (Eisenberg 2011; Murgue 2011). The two points on which there is more agreement are that the reform remained substantially anchored in the values of Islam and Muslim identity (Bras 2007), and that women's organizations had a key role in the process (Wuerth 2005).

The ADFM raised attention to these challenges since the inception of the 2004 reform, but the 2011 Constitution widened the gap between the legal framework and the situation on the ground.[60] Moreover, the combination of highly mediatized incidents involving the violation of women's rights and the ongoing degradation of women's social and economic situation brought the debates on the reform of the Moudawana back to the front stage.[61] By July 2021, it was clear that "a reform is necessary", as said in the title of an editorial piece by the francophone weekly TelQuel, relaying the voice of activists and politicians alike.[62] The government seemed responsive to this issue, as Minister of Justice Abdellatif Ouahbi announced the preparation of a reform project as early as November 2021.[63] As

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59 Yet, only three members of this commission were women. They were Rahma Bourika (president of the Hassan II University in Mohammedia), Zohr Horr (president of the court in Aïn Chok, Casablanca) and Nezha Kessous (professor in the Medicine faculty in the University of Casablanca).

60 Interview with two members of the ADFM, 1 November 2023 (online).

61 The declining economic situation is best exemplified by a CESE report that indicate a decrease of 3% in women's activity rate between 2000 and 2013. See Lamlili, Nadia. 2016. "Maroc : le deuxième âge de la Moudawana - Jeune Afrique. com". JeuneAfrique.com, 17 March 2016. https://www.jeuneafrique.com/mag/307563/societe/maroc-deuxieme-age-de-moudawana/.

62 Chraibi, S, and S Hadri. 2021. "Code de la famille : pourquoi une réforme de la Moudawana est nécessaire". Telquel.ma, 18 July 2021. https://telquel.ma/2022/08/01/code-de-la-famille-pourquoi-une-reforme-est-necessaire_1726052?fbrefresh=1.

63 Machloukh, Anass. 2021. "Abdellatif Ouahbi prépare une réforme du Code de la famille et du Code pénal". L'Opinion Maroc - Actualité et Infos au Maroc et dans le monde., 2 November 2021. https://www.lopinion.ma/Abdellatif-Ouahbi-prepare-une-reforme-du-Code-de-la-famille-et-du-Code-penal_a20362.html.

the governmental revision was proving slow and ineffective, the monarchy jumped again at the helm of this project during the royal speech on 30 July 2022. In it, Mohammed VI cited the Moudawana and the 2011 Constitution as two major reforms that are devoted to gender equality, developed thanks to "his" impetus. Although other parts of this speech are linked to a rights-based discourse, the king clarified the broader framework of the reform later in the text, imposing consistency with "Islamic Law and the specificities of Moroccan society".[64] The framework laid out in this speech was further developed in a letter to the head of government in September 2023, where the king stressed the need to engage in a collective and inclusive effort that involved all relevant state institutions, elected and not, as well as societal stakeholders.[65] Practically speaking, this translated into the common practice of creating a new commission tasked with the revision of the text and, in parallel, the launch of a broad consultation process for political and civil society actors. The composition of the consultative commission was significantly different from the previous one, including mostly legal scholars and actors with experience in the judiciary. After six months of consultations, it submitted its recommendations to the king on 30 March 2024.[66] At the time of writing, the final decisions on this text are yet to be delivered.

During this period of reform, the ADFM and most of Morocco's feminist movements also employed trusted strategies. As described by a current member of the ADFM, the "tradition" is that women's rights associations come together when the palace launches the reform process with the main goal of presenting a unified memorandum that voices their concerns.[67] While this strategy allows the 31 women's associations and networks that participate in this initiative to establish their collective demands, each association remains independent in its own work and priorities. For instance, the ADFM published regular communiqués to outline its specific demands – which include calls for the broad harmonization of the Moudawana with the 2011 Constitution as well as more precise revindications, such as the abolition of Article 400 and guaranteeing women's financial autonomy.[68] Moreover, the ADFM considers the composition of the 202324- consultative commission itself a result of their advocacy for reform in this sector. Composed by "people of the law" (meaning the Ministry of Justice and the Superior Council of Judiciary Power) and societal stakeholders (like the CNDH and the Ministry of Solidarity, Social Insertion and Family) alongside religious scholars, such an "institutional" commission represents a gradual shift towards a more progressive text.[69] More broadly, the reform process as a whole is perceived to be an opportunity to advocate for progressive change.

Fundamentally, the different context created new opportunities. Current debates can touch upon issues that remained sacred in the 2004 reform (such as heritage and underage marriage), and the 2011 Constitution shifted the arguments toward the state's responsibility to ensure parity and guarantee both social and economic rights. At the same time, the ADFM's experience demonstrated that their work is not finished now that the king will have to deliberate on the reform. On the contrary, they are waiting for the reform proposal to land in parliament to lobby parliamentary groups to further amend the text in line with their revendications. Beyond more targeted advocacy, the ADFM knows well that the main obstacle to the success of any reform remains in the implementation. Hence, they also foresee engaging in future training and raising awareness initiatives that fill the gap necessary to make this reform work.

In sum, the ADFM's strategy builds upon their longstanding experience in the sector, while remaining attentive to the present-day context. Although

64 The full text of the speech is available at: "Discours du Trône: le Roi confiant dans l'accomplissement, cette année, de la généralisation de la couverture médicale". 1 August 2023. Le 360 (blog). https://fr.le360.ma/politique/discours-du-trone-le-roi-confiant-dans-laccomplissement-cette-annee-de-la-generalisation-de-la-264504/.

65 Masbah, Mohammed, Hajar Idrissi, and Rachid Aourraz. 2023. "Moroccan Family Code Reform: Achievements, Challenges, and Future Directions for Gender Equality". MIPA Institute 26 December 2023. https://mipa.institute/en/10807.

66 Aublac, A. 2024. "Au Maroc, dernière ligne droite pour le projet de réforme du code de la famille", Le Monde, 11 April 2024. https://www.lemonde.fr/afrique/article/2024/04/11/au-maroc-derniere-ligne-droite-pour-le-projet-de-reforme-du-code-de-la-famille_6227243_3212.html.

67 Interview with two members of the ADFM, 1 November 2023 (online).

68 Art. 400 allows the tribunals to relate to Maliki doctrine to fill legal vacuums. The communiqués are available in the ADFM's Facebook page: https://www.facebook.com/adfmcasa

69 Interview with a member of the ADFM, 12 January 2024 (online).

their inclusion in the reform process depends on their recognition of the king's sole prerogative to guide this initiative, they strive to actively steer the conversation towards a more progressive vision of women in Moroccan society. They do so individually, but also within broader coalitions that consolidate women's voice in these processes. Their strategy also capitalizes on their knowledge of the situation on the ground and, in particular, on the socio-economic obstacles that may potentially limit the impact of the new reform. Crucially, they position themselves strategically in relation to the position of the state on this reform. The king's capacity to ensure that the reform of the Family Code retains its religious dimension is central to the regime's legitimacy. His role as "Commander of the Faithful" allows him to exercise both political and religious power – creating a potential tension between decisions taken for the good of the community of believers and the ones in the strict application of religious teachings (Tobich 2008: 55–56). Hence, it is not surprising that the position of the monarchy is under severe scrutiny. Islamist movements have been very vocal in this framework, as the religious dimension of this reform provided a wide platform to advocate for more "conservative" change. When they interpret the regime's proposals as being at odds with Islamic law, they may raise a serious challenge.[70] Therefore, state institutions are expected to engage in a balancing act that will meet the expectations of progressive sectors of civil society, while minimizing conservative backlash. In this context, the ADFM does not really elaborate on the religious prerogatives of the king, focusing its framing of the reform only on the basis of the monarchy's political legitimacy. In parallel, it challenges the "conservative" opposition raised by Islamist movements by stressing the need to uphold the politico-juridical improvements achieved so far. Even if the result of the current round of advocacy will not be clear until the presentation of the reviewed text of the Moudawana, the space created by this reform process prompted a well-known effervescence of Morocco's civil society. The consolidation of new currents within feminist movements and the growing intergenerational dialogue are cases in point.[71]

Case 2: Advocating for open access to information: going with the grain, but where exactly?

Promulgated in 2018, Law no. 3113- achieved two parallel objectives: it operationalized Article 27 of the 2011 Constitution, which establishes the right of Moroccan citizens to access information; and it allowed Morocco to access the Open Government Partnership Initiative (OGP).[72] While the inclusion of the right to access information in the 2011 Constitution is the product of the longstanding demands by civil society actors for transparency in the management of public services (Plateforme pour le Droit d'Accès à l'Information 2018), Morocco's willingness to participate in the OGP represented a key incentive for this process. Therefore, progressive civil society actors had the chance to engage in a conversation with the state on how to implement this reform without societal resistance. This section explores civil society's inclusion in this process, with the goal of outlining the outcomes of its advocacy on the text of the law as well as the evolution of its tactics once the text was promulgated.

Civil society actors such as Transparency Maroc advocated for the development of such a law as early as 2006 (Transparency Maroc 2013). From the outset, Transparency Maroc's actions to promote citizens' access to information have focused on developing an "advocacy platform" to coordinate civil society's efforts for such a legal reform (Naji 2010). The demands for legal reform were far from abstract and comprised the inclusion of this right in the Constitution as well as a draft law developed by civil society actors (Akesbi 2018). However, the process to institutionalize the right to access information gained momentum

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[70] This can be testified by the impact of the "parallel protest" organized by AWI and PJD activists which showed their mobilization potential to oppose the first attempts at reform (March 2000).

[71] Bobin. 2024. "Au Maroc, une nouvelle génération de militantes féministes s'empare du débat sur le code de la famille". Le Monde.fr, 5 March 2024. https://www.lemonde.fr/afrique/

article/2024/03/05/au-maroc-une-nouvelle-scene-feministe-s-empare-du-debat-sur-le-code-de-la-famille_6220263_3212.html.

[72] Launched in September 2011, this initiative aims at securing concrete commitments from national and sub-national governments to promote open government, citizens" engagement, transparency and to fight corruption. For more information, see: https://www.opengovpartnership.org/members/morocco/

only in the wave of the Arab Spring (Shalaby and Bergh 2020). In this context, Article 27 of the 2011 Constitution established access to information as a fundamental right of citizens and legal residents and clarified that a dedicated law was going to define the actual scope of this right.[73] Even though a national debate on the right to access information started in 2010, the requirement of having a specific access to information law demanded by Article 27 became the core of civil society's revendication on this topic. The Moroccan government also had a key interest in this piece of legislation. Specifically, the promulgation of a law regulating access to information provided Morocco with the missing point necessary to fulfill the criteria to access the OGP initiative (OECD 2015). Indeed, the development of this law followed a long legislative process that was marked by the active participation of civil society.

This experience bears key similarities and differences to the previous case. On the one hand, the main civil society actors interested in advocating for a progressive access to information law engaged in a collective platform to consolidate their efforts. The Moroccan Network for the Right to Access Information (REMDI) was formed in 2013 to gain strength vis-à-vis the executive.[74] It focused on three main revendications: adopt a law that allows citizens to exercise their right to access information as established in the Constitution, mainstream the principle of proactive publication, and include a clear description of the procedures to exercise this right (Akesbi 2018: 40). These revendications were articulated in frequent memorandums and communiqués, often quoting international best practices and standards, as well as through the organization of multiple seminars and conferences on this topic. On the other hand, the reform process did not entail an ad hoc commission tasked with managing civil society participation. Rather, it followed the legislative process that any other project law must endure: a first proposal submitted to parliament by the government, and then multiple rounds of parliamentary debates and correlated amendments. While this process is more open, and

hence may allow civil society to intervene in multiple stages, it does not rely on the premise that societal participation will be an important part. Rather, civil society will have to carve out its place in the process, navigating the complexities of the parliamentary institution and being often confronted with a fragmented partisan scene. Fully leaning in to this context, the REMDI engaged in a systematic review of the different project laws circulating in parliament. From the preliminary versions discussed by the government to the latest amendments debated by political parties, this legislative marathon focused on the vagueness of the exceptions to access information. On top of the common concerns over the limitations on the scope of this right and the important room for maneuver left to public authorities, it also stressed that the institution to be tasked with ensuring the respect of the right needed to be fully independent.[75] This back-and-forth with the parliament continued until March 2018, when the promulgation of Law no. 31.13 culminated in more than four years of intense lobbying.

Despite being celebrated as an important success, the members of the REMDI were far from satisfied with the text of Law no. 31.13. Their impression was that most of the inputs provided by civil society actors were seized to further restrict the right to access information, especially by fine-tuning the causes for exception and creating important barriers for proactive publication. Tellingly, one of its members dubbed it "the law on the non-access to information".[76] At the same time, some of its members argued that the role of the REMDI also needed to change: the critical analysis of the text was relevant while it was being developed, but now they had to focus on the "best implementation possible" of the text.[77] In spite of these intentions, the REMDI seemed to have exhausted its functions. A former member mentioned "a harmony deficit that negatively affected its governance and survival" and ultimately made this network idle since the end of 2019.[78] The inclusion of former REMDI members in the Commission on the Right to Access Information

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73 For the full text of the article, please refer to: https://constituteproject.org/constitution/Morocco_2011?lang=en#s134

74 The members include the Moroccan Association for Investigative Journalism, the Moroccan Association of the Regional Press, Alternatives Morocco, ADALA, the Moroccan Network for the Defense of Public Property, and Transparency Maroc.

75 For a detailed review of the different amendments, please refer to the comprehensive work of Akesbi (2018).

76 Interview with civil society actor (Transparency Maroc), 16 November 2023.

77 Personal communication during a closed meeting of the Heinrich Böll Foundation Rabat on access to information. 16 February 2018.

78 Personal communication via email. 3 January 2024.

(CDAI) is also perceived as a successful co-optation from the regime.[79]

This does not mean that Moroccan civil society stopped working on these issues. Some actors went back to working on the subject in the framework of their broader mission: this is the case of Transparency Maroc, which refocused its advocacy on the nexus between access to information and corruption. At the same time, new actors also emerged and started focusing on the implementation of this reform. Associations such as SimSim-Participation Citoyenne or Tafra took the implementation of this project to the core of their mission and devised innovative ways to work on this topic. For instance, SimSim developed training to build citizens' capacities to exercise this right and worked on a platform that allowed citizens to automate the process of submitting requests to access information.[80] They also tested the implementation of Law no. 31.13 – from administrations' responsiveness to the appeal procedure to the commission tasked to supervise the exercise of this right –, sharing their results with decision-makers and the general public. Making more information available was also at the core of Tafra's action, which monitors closely the quantity and quality of information published by Moroccan institutions.[81] Perhaps unsurprisingly, both experiences reveal important delays in the implementation (especially in relation to the proactive publication of information) and a systematic disregard for citizens" exercise of this right made possible by the vague definitions and large exceptions contained in the law. In short, although some problems with the legislative framework remain, these experiences showed that a generalized lack of accountability is the biggest challenge to the realization of this right (Colin 2024: 51–53).

While it followed "the grain", civil society's engagement with this reform did not seem to have produced the desired results. Not only the issues they raised regarding the legislative framework were not taken into account, but the implementation of the law remained weak despite their support. For

these reasons, the March 2023 joint announcement of the CDAI and the Ministry for the Digital Transition and Reform of the Administration of an agreement to review Law no 31.13 was taken with a pinch of salt. This skepticism is clear in the words of a civil society actor highly involved in the advocacy campaigns to improve the access to information law, which reminded that "there are many things that can be improved, but we don't have many expectations for the new reform since they [authorities] didn't apply the previous law".[82] Although the only agreement reached so far relates to the methodology for the reform (which, at the time of writing, remains unclear), the lack of any serious attempt to implement the current legislative framework taints the hope for a new reform. Moreover, it does not seem that this review of Law no. 31.13 will be based on a formal policy evaluation, or whether it will rely on the vast experience of civil society actors in this field. It may seem promising that the joint communication that announced the reform mentioned the need to associate civil society actors, but the experience with the existing law demonstrates that the outcome of this process is far from guaranteed. However, two other variables changed. First, the more explicit inclusion of civil society in this process may yield unexpected outcomes. Being also tasked with developing recommendations to reform the law, the CDAI may play a central role in the coordination of the civil society's input. This is especially relevant for recommendations on which civil society actors and the members of the CDAI may be aligned, such as the need to develop a fully empowered and independent institution that supervises the implementation of this right. Further, the increased framing of civil society participation does not preclude the option to exert pressure during parliamentary debates. Second, the civil society actors that will engage in this new reform of the Law to Access Information will be able to capitalize on past experiences. These include both the extensive experience of the REMDI and its members, which has also been largely disseminated in grey literature and mainstream media, as well as the results of those initiatives that sought to test the implementation of this law. These experiences can influence both the substance of advocacy and the strategies that will be employed in this new phase of reform. Notably, the interaction between established actors (such as Transparency Maroc and Alternatives)

79 "La loi relative au droit d'accès à l'information sera révisée". 23 December 2023. Le Desk. http://www.ledesk.ma/encontinu/la-loi-relative-au-dacces-a-linformation-sera-revisee/.

80 For more information, see: https://article27.ma

81 The SMIIG-Data project started off monitoring local governments but was extended to the Parliament in 2023-2024. For more information, see https://tafra.ma/

82 "La loi relative au droit d'accès à l'information sera révisée". 23 December 2023. Le Desk. http://www.ledesk.ma/encontinu/la-loi-relative-au-dacces-a-linformation-sera-revisee/.

with "newer" players (like SimSim and Tafra) will have to be at the center of attention.

Case 3: Cross-ideological coalitions within civil society: progressive change against the state?

This case looks at the evolving relationship between Islamists and human rights activists, especially the instances of collaboration to challenge the state's reforms or to promote bottom-up change. In particular, it will look at the relationship between Al-Adl Wa Al-Ihssane (Justice and Spirituality, or AWI) and the Moroccan Association for Human Rights (AMDH). The goal of this case is to highlight the conditions that made different collaborations possible, their results, as well as the causes of separation. It will focus on two topical moments (the 2011 Arab Spring and the 2021 "Moroccan Front for Supporting Palestine and Against Normalization"), while referring to other examples of their collaboration (or lack thereof) to nuance the analysis.

First of all, it is important to stress that the collaboration between Islamists and human rights activists is a quite recent phenomenon. Generally speaking, Islamist movements in Morocco moved from an outright rejection to a cautious normalization and institutionalization of human rights principles – especially so during their experience in the 2011 government (Wazif 2018). Specifically, Moroccan Islamists started calling for respect for political rights and freedoms in the wake of the growing repression they faced from the regime during the 1980s and 1990s. They continued to leverage human rights selectively from the late 1990s to the 2011 Arab Spring, drawing a line when they perceived that human rights were at odds with "the logic of religious and cultural specificity" (Wazif 2018: 22).[83] Regardless, the AMDH did not refrain from assisting Islamist activists subject to human rights abuses. It cooperated with them based on the principle of universality of human rights and showed solidarity in multiple instances of repression. The repression campaign that followed

the 2003 Casablanca bombings, the 2017 arbitrary dismissal of civil servants that were members of AWI, and the house arrests imposed on the members of the movement in 2019 are common examples (Casani 2020: 1195).

Although an explicit human rights angle is a necessary condition for collaboration, this does not necessarily translate into cohesive coalitions. On the contrary, the AMDH rejects a formal direct collaboration with Islamist movements due to their divergent perspective on key issues, such as the death penalty and gender equality.[84] Even if this translates into the AMDH's refusal to participate in AWI's meetings and bilateral coalitions, their collaboration is possible when there is a third party that coordinates the action. This is especially the case of transversal networks of civil society actors, where the AMDH does not oppose collaboration with Islamist movements; simply put, "if they are also present, we [members of the AMDH] are not against it".[85] Similarly, AWI prefers to maintain some distance, pointing out that the instances of collaboration do not imply coordination; rather, they should be interpreted as "joint participation in conferences and demonstrations for a cause affecting [them] all" (Casani 2020: 1195). This implies that most of the coalitions between these actors are issue-based, focusing on a specific objective that they both want to pursue, with the framing of the collaboration standing out as the most important element.[86]

The case of the 20F sheds light on important details of the conditions that allow AWI and the AMDH to collaborate. The 20F came to represent Moroccans' mobilization during the 2011 Arab Spring, involving a plethora of actors that coordinated their opposition to the regime. It encompassed a wide spectrum of political sensibilities – ranging from leftist movements and parties to human rights and Amazigh associations, and religious movements. The AMDH and AWI were both involved in this movement, although with different roles and objectives. The AMDH played a pioneering role, coordinating the first protests in front of the Egyptian and Tunisian embassies as early as January 2011. It is from its office in Rabat that some of the first activists decided to

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83 Islamists" movements stance on the reform of the Moudawana is the topical example.

84 The divergence on these issues also caused the lack of coherence within other networks of Islamists and human rights activists, such as the "Moroccan Coalition for Human Rights" (Wazif 2018).

85 Interview with civil society actor, 5/01/2024 (Rabat).

86 Interview with civil society actor, 5/01/2024 (Rabat).

CROSS-IDEOLOGICAL COALITIONS OUTSIDE CIVIL SOCIETY: THE EXAMPLE OF LEFTIST AND ISLAMIST PARTIES

The challenges of cross-ideological coalitions in Morocco can be exemplified by the 2009 alliance of leftist and Islamist parties. The coalition, named "National Front for Democracy", between the Socialist Union of Popular Forces (USFP, leftists) and the PJD had the goal of containing the growing influence of the regime-backed Authenticity and Modernity Party (PAM, founded in 2007). Created mostly to contain Islamists' electoral success, the PAM co-opted rural elites to swell their ranks before the 2009 local elections, substantially eroding the social base of leftist parties (Buehler 2018: 63–75). As the name implies, the parties within the "National Front for Democracy" considered the PAM's attempt to consolidate the regime's control over the political system as a dire threat to Morocco's democratic potential (Buehler 2018: 94–95). Hence, the need to safeguard the democratic transition became the frame that made their alliance possible. The relative success of the coalition during the 2009 elections was thwarted by the PAM's increasing efforts to co-opt members of the leftist USFP. In particular, the position of the USFP changed after the PAM promised its leader (Driss Lachgar) a ministerial position. In turn, the USFP broke its alliance with the PJD and declared that it could ally with any democratic party for the 2011 elections – excluding Islamists as "antidemocratic 'dark forces'" (Buehler 2015: 97). This case shows that after finding a common objective, Islamists and leftists managed to create a frame for a collaboration that reached meaningful results. At the same time, the state's enduring efforts to assert its control over the political field resulted in a break of this front that is hard to overcome. When Abdelilah Benkirane's PJD won the post-Arab Spring elections in 2011, it sought an alliance with the USFP arguing that "an alliance based on the seriousness in work is more important than agreement in ideologies", but Lachgar responded that it was not possible due to the parties' "different ideologies and policy programs" (Buehler 2018: 169–170). Ultimately, this case shows that opposition actors will overcome ideological differences only if there is a clear reason to do so. How they undertake this endeavor, and the response of the regime are equally important.

create a platform to coordinate their actions and call for a nationwide mobilization (Beauchesne 2019). As the 20F took shape, the AMDH consolidated its role as a centerpiece in the organizational structure thanks to its widespread penetration in the territory (Baylocq and Granci 2012). It also contributed substantial human and logistical resources, sustaining the socialization of activists within the movement (Bennani-Chraïbi and Jeghllaly 2012). The main contribution of AWI has been the mobilization of its wide popular base, which endured for 10 months after the beginning of the movement. Their relationship was mutually beneficial, as the 20F was leveraging the Islamists' power in numbers, while they were benefiting from the media attention generated by the movement (Casani 2020: 1192). Crucially, AWI seized the opportunity of the 20F to disseminate its notion of a "civic state" (dawla madaniya) and move away from the project of an Islamic state that alienated Morocco's progressive actors (Crétois 2013). At the same time, AWI's members were expected to keep a low profile, without "imposing [their] visibility on the movement" and avoiding to give the regime an opportunity to "weaken the movement by accusing [them] of benefiting from the wave of mobilization by throwing the country into chaos" (Baylocq and Granci 2012: 50). Moreover, there are some nuances in broader framing of the 20F as well. Although AWI shared the "anti-authoritarian" focus of the 20F, hence making its participation possible, the ideological basis for their participation remained profoundly religious. As explained by Nadia Yassine, daughter of the charismatic founder of AWI, the core of their criticism of the regime lays the incompatibility of an authoritarian monarchy with the principles of Islam. In turn, their engagement with actors of different ideologies represents a sign of "political maturity of the democratic forces embedded in the social tissue of the country", made possible by the "primary and concrete objectives, a clear common ground" that needed to evolve in a broader debate on the societal project of the 20F (Baylocq and Granci 2012: 47–48).

Despite the ideological debates that developed within the 20F, AWI's abrupt separation from the movement in December 2011 is often attributed to the persistent cleavages between its different currents – which manifested both in the debates about the nature of the post-revolution political regime and in the diverging slogans of the groups taking part in the protests (Naimi 2015: 14). However, the "official" ideological motives of the separation need to be nuanced by the larger context of the 20F's loss of impetus that followed the proclamation of a new Constitution in July and the general election in November, creating a situation where the cost-benefit

analysis was not in favor of a continued engagement on the streets (Casani 2020: 1192). Indeed, Morocco invested great efforts in the management of the 20F: public declarations relayed that the 20F was not going to be repressed like the social movements in the other Arab countries, bringing forth the idea of a "Moroccan exception" where democratic movements are the norm (Bennani-Chraïbi and Jeghllaly 2012: 880). The regime-led constitutional reform represents the best example of this attempt to keep the lid on democratic change, as the monarchy managed to maintain its place at the core of Morocco's political game while promising limited democratic reforms. The election of the first PJD-led government in the aftermath of the 2011 election consolidated the impression that Morocco successfully surfed the democratic wave (Dalmasso 2012). Nonetheless, the 20F restructured the political field by dividing democratic, "anti-makhzen"[87] forces, on one side, and the forces co-opted by the regime, on the other.[88] The position on the 2011 Constitution represented a new separating line between political forces.[89] Over time, the dissatisfaction with the reforms promised by the 2011 Constitution continued to create opportunities for actors of different ideological beliefs to come together and discuss how to bridge the differences between secular and religious movements (Maati Monjib 2015).

Historically speaking, the support for the Palestinian cause represented another common ground for religious and secular movements. While the position of the monarchy has been ambiguous, formally maintaining an "unconditional support of the Palestinian cause" while engaging in informal contact with Israel, Moroccans continuously showed their solidarity with Palestinians.[90] Under Hassan II, political parties remained capable of criticizing the regime's position and influencing its stance on cooperation with Israel depending on the situation in Palestine (Abadi 2000: 49–50). This continued during the earlier years of the reign of Mohammed VI when, for instance, the liaison office opened after the Oslo Accords was closed due to the start of the Second Intifada (Laskier 2004). However, the voices of religious and secular movements were not always in unison. On the contrary, the Palestinian cause often represented an opportunity to impose a framing of the issue that depends on the ideological reference of the specific movement (Bennani-Chraïbi 2008). The differences between the ideological frameworks of the groups involved may also limit the efficacy and durability of the action on the street. As an example, members of the AMDH had to abandon different pro-Palestine demonstrations during the Second Intifada because members of AWI started chanting antisemitic slogans.[91]

The situation drastically changed with the 2020 tripartite normalization agreement between Morocco, Israel, and the United States – when the US recognized Morocco's sovereignty over the Western Sahara in exchange for the establishment of diplomatic relations between Morocco and Israel (Abouzzohour 2020a; Fakir 2022). While most political parties closed ranks with the regime and applauded the deal,[92] the normalization agreement also provided a new common ground for civil society actors to come together to voice their concerns. Not only the large majority of Moroccans opposed the normalization agreement, but different civil society actors manifested their explicit disagreement – including historical actors such as the Boycott, Divestment, Sanctions movement in Morocco (BDS Maroc) and the Moroccan Academic and Cultural Boycott of Israel (Casani and Colin 2023). Amongst civil society's initiatives, the "Moroccan Front for

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87 The term *makhzen*, deriving from the word warehouse, originally refers from the underlying power structure of the Monarchy's power in Morocco. In the current political debates, it is often employed as a catch-all term that englobes all the actors that contribute to the consolidation of the monarchy's hegemony.

88 Interview with civil society actor, 5/01/2024 (Rabat). See also Crétois (2013).

89 Interview with researcher, 25/10/2023 (Online).

90 See for instance: Benargane, Yassine. 2016. "Histoire : Retour sur le soutien du Maroc à la cause palestinienne". Yabiladi (blog). 28 November 2016. https://www.yabiladi.com/articles/details/48799/histoire-retour-soutien-maroc-cause.html; Monjib, Maâti. 2017. "Maroc – Palestine, une histoire d'amour". Zamane, 8 December 2017. https://zamane.ma/maroc-palestine-

une-histoire-damour-2/.

91 Interview with civil society actor, 5/01/2024 (Rabat).

92 The stance of political parties is best exemplified by the behavior of the PJD: Saad-Eddine El Othmani, the head of the government at the time, signed the agreement only four months after declaring that Morocco would not normalize its relationship with Israel; the signing provoked a crisis within the social base of the party, prompting the PJD to call for an emergency congress where they clarified that they applauded the US" recognition of the Moroccan plan for the Western Sahara while maintaining their "unwavering" support to the Palestinians cause (Desrues and Kirhlani 2022).

Supporting Palestine and Against Normalization" (hereinafter, Front) stands out for two reasons. First, it included a wide spectrum of institutional and extra-institutional actors of different ideological references – including both the AMDH and AWI amongst other secular and religious movements. Second, it reframed the contestation from an international issue to a domestic one: the active role of the regime in the normalization agreement opened a field of contestation in national politics, also reinforcing the cleavage between pro-palace and opposition actors (Casani and Colin 2023: 14–15).

Within the Front, AMDH and AWI continue to play their traditional roles: the AMDH provides the overall organizational structure and local-level dissemination, while AWI contributes by mobilizing its wide social base to fill the streets.[93] The role of AWI was partially sidelined because of the regime's instrumentalization of COVID-19 regulations to limit access to public spaces.[94] However, the escalation which started in October 2023 fueled an unprecedented intensification of street-level mobilization.[95] Within this context, AWI leveraged its presence in physical and digital spaces to continue rallying against the regime, while striving to impose itself as the "only option available" in the Islamist field by winning over disappointed PJD supporters (Brouksy 2024). Indeed, the PJD's participation in the normalization agreement was one of the reasons for the creation of the Front which was set up as a way to keep a distance from the "National Front for Palestine", the network of actors that coordinated pro-Palestinian action until then and included, amongst others, the AMDH, AWI, and the PJD.[96] Even if the creation of the Front and the exclusion of the

PJD represent a consolidation of the anti-makhzen/pro-regime cleavage, this does not mean that contact between these organizations stopped. Generally speaking, individual engagement in the activities of both networks is possible; the line is drawn at institutional collaboration and coordination between the movements involved in these networks, where formal separations need to be upheld.[97] The fact that such formal separation is a strategic choice is reaffirmed by the proximity of these actors in the context of other debates. For instance, the position of AWI on the 2023-2024 reform of the Moudawana is largely aligned with the one of the Unity and Reform Movement (MUR, the ideological branch of the PJD), but they keep maintaining a formal separation in order to present themselves as the alternative to the co-opted political Islam.[98] But in the context of present-day mobilizations and the ongoing Nakba, both the AMDH and AWI direct their attention to the deterioration in Palestine and the responsibility of the Moroccan government in this situation – apparently keeping ideological differences in check.[99] The normalization agreement, and the prominent role of the regime within it, provided a clear objective for cross-ideological collaboration. The question remains as to whether such collaboration will lay the ground for new instances of joint action – especially within the framework of progressive reforms against the state.

Case 4: The 2018 boycott: progressive change without organization?

This last case looks at the 2018 boycott movement against three major companies to denounce the chronic corruption and injustice in the system. Unlike the previous cases, the 2018 boycott cannot nurture the reflections on the strategy of civil society actors due to its lack of leadership. However, the "spontaneous"

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93 Interview with civil society actor, 5/01/2024 (Rabat).

94 I personally testified to the crowded demonstration that celebrated the signature of the agreement in December 2020, while the protests against it were curtailed under the pretext of safeguarding public health. See Khettou, Khadija. 2021. "Le Groupe d'action national pour la Palestine rejette toute normalisation avec Israël". Hespress, 20 May 2021. https://fr.hespress.com/205724-le-groupe-daction-national-pour-la-palestine-rejette-toute-normalisation-avec-israel.html.

95 The first protests in mid-October 2023 are estimated at hundreds of thousands of participants. See for instance: El Yadari, Issam. 2023. "L'étau se resserre sur Gaza, une grande marche de solidarité organisée à Rabat". Le Desk, 16 October 2023. https://ledesk.ma/2023/10/16/letau-se-resserre-sur-gaza-une-grande-marche-de-solidarite-organisee-a-rabat/.

96 Interview with civil society actor, 5/01/2024 (Rabat).

97 As an example, the central bureau of the "National Front for Palestine" still includes members of the AMDH, but they do not represent their organization; rather, they participate as members of Morocco's civil society. Interview with civil society actor, 5/01/2024 (Rabat).

98 Personal communication with journalist, 3/06/2024 (Istanbul).

99 Personal communication with journalist, 27/04/2024 (Rabat).

nature of this movement represents an opportunity to reflect on how it evolved and generated public adhesion, while also seeking to understand the implications of the lack of an organizational structure and leadership for its results. At the same time, the response of the state and the other stakeholders involved can provide important insights into their strategy to respond to civil society activism outside the frame of an organized movement.

This episode of bottom-up mobilization is developed against an ambivalent backdrop. After the waning of the 20F and the firm repression of the Hirak in the Rif region, it seemed that no one could challenge the hegemony of the regime. At the same time, the context was rife with reasons that favored large-scale mobilization. Citizens' deteriorating socio-economic conditions, the endurance of cronies, and corruption prompted growing anger, dissatisfaction, and distrust in public institutions (Masbah et al. 2020). These problems were enhanced by a five-month-long governmental blockage in 2017, which ended with the king's nomination of Saad-Eddine El Othmani.[100] The blockage reinforced the impression of the "uselessness" of political institutions, and El Othmani's lack of communication and engagement with the public further tainted the image of the government.[101] Finally, the usual spike in prices that precedes the months of Ramadan sustained the decision of a large part of Moroccan society to boycott. Starting from a post published on social media on 20 April 2018 on a page that was not associated with any political party or organization, the boycott targeted three companies: Ifriquia, which produces petroleum and related products; Sidi Ali, which produces bottled water; and Danone, the French enterprise that produces dairy products.[102]

Boycotting symbolic staple foods and services, this protest targeted first and foremost the high cost of living and aimed at sending a broader message to the country's political elites.

The message to political elites is embodied precisely in the choice of the companies: they share both a substantial share in the market in their respective fields and a close connection with the regime. For instance, Ifriquia belongs to Aziz Akhannouch, the powerful Minister of Agriculture at the time, Head of Government since September 2021, and is overall considered one of the politicians closer to the king. Ifriquia was also at the center of a 2015 parliamentary inquiry that revealed a 17 billion MAD excess profit of the main oil providers after the liberalization of fuel prices.[103] Sidi Ali also belonged to a notable businesswoman, namely Meryem Bensalah-Chaqroun, who was president of the CGEM and is also considered very close to the regime. And Danone, although being the only foreign enterprise involved, controlled around 60% of the market of dairy and was accused of speculating around the month of Ramadan. In stark contrast, citizens steered clear of entities such as the royal holding Al Mada and the Office Cherifien de Phosphates even though both are heavily intertwined with the state's economic apparatus. Overall, Moroccans remained wary of holding the king directly responsible for the situation, and the scarce criticism was largely confined to social media. Nonetheless, it was clear that these companies represented the "closest target available" to manifest resentment towards the core of the political system.[104]

Turning to the outcomes of the boycott, some clarifications are due. At the political level, the first impression may be limited to the dismissal of some key figures in the government and other window-dressing solutions such as reducing Akhannouch's

100 Berkani, Mohammed. 2017. "Le Maroc tient (enfin) son gouvernement après plus de 5 mois de blocage". Franceinfo, 27 March 2017. https://www.francetvinfo.fr/monde/afrique/maroc/le-maroc-tient-enfin-son-gouvernement-apres-plus-de-5-mois-de-blocage_3057915.html.

101 Interview with civil society actor, 31 October 2023 (telephone).

102 Masiky, Hassan. 2018. "Boycott Campaign: Moroccans Fed up with Current Political and Business Leadership". 17 May 2018. https://www.moroccoworldnews.com/2018/05/246558/boycott-moroccans-business-leadership. The post that started the boycott was published by an anonymous page ("Wavo") and quickly relayed by a plethora of profiles and pages. For more information, see Ismaili, Ghita. "Aux origines de la campagne de boycott de Sidi Ali, Centrale Danone et Afriquia". Telquel.

ma, 26 April 2018. https://telquel.ma/2018/04/26/aux-origines-de-la-campagne-de-boycott-de-sidi-ali-centrale-danone-et-afriquia_1592569?fbrefresh=6.

103 Berrada. 2018. "Maroc : le Parlement rend public un rapport sur les prix des carburants sur fond de boycott commercial - Jeune Afrique.com". JeuneAfrique.com, 17 May 2018. https://www.jeuneafrique.com/560340/economie-entreprises/maroc-le-parlement-rend-public-un-rapport-sur-les-prix-des-carburants-sur-fond-de-boycott-commercial/.

104 Interview with civil society actor, 31 October 2023 (telephone).

presence at royal events.[105] The boycott was not welcomed by political elites, which generally demonstrated disagreement towards this strategy for political change.[106] The rumors concerning the alleged role of AWI in fueling the boycott represent another attempt to discredit this movement.[107] Actually, AWI's institutional engagement remained limited to sporadic statements of individual members. Since their calls for mass mobilization were frequently used as a vector to showcase their mobilization capacities and (political) potential, AWI's involvement may have been deterred by the challenges of acknowledging the size of an online mobilization.[108] At the economic level, the lack of information on the revenues of these companies complicates the task of assessing the impact of citizens' actions. Danone reported losing around 40% of its revenues during the second and third quarters of 2018, while Sidi Ali lost 88% of its revenues in the first quarter of 2018, and no information is available on the sales of Ifriquia during the boycott.[109] Beyond that, Danone was the only company that took immediate action. It also organized a PR campaign that was focused on restoring confidence in the brand and hearing the concerns of both consumers and producers.[110] A testimony to the consultative meetings described how they were carefully designed to engage in a genuine exchange with target populations. However, citizens who participated rarely voiced concerns

about the actual targets of the boycott; rather, they expressed the need to be heard and articulated their dissatisfaction with the broader socio-economic situation.[111] Ifriquia and Sidi Ali did not remain idle; both established foundations to fund specific civil society projects in line with their corporate mission.

In the case of the boycott, the lack of an organizational structure tends to be interpreted as a limitation to its potential for action. Yet, the groups, pages, and networks promoting the boycott that mushroomed out of that first publication in April 2018 quickly turned into cafés refusing their deliveries of Sidi Ali because no customer wanted it with their coffee – making the boycott part of the daily experience of most Moroccans. The main incentive was the possibility of participating as a "consumer", exercising one's free choice without being identified as part of a political activity. The relative "cloak of anonymity" provided by online participation further empowered citizens to join the movement.[112] However, the lifespan of this movement was cut short by the imprisonment of key opinion leaders, such as journalist Taoukif Bouachrine and Souleiman Raissouni, who also played a part in the articulation of the boycott's demands into clear political objectives.[113] Ultimately, the potential for longer-term change was substantially limited by the fact that no political actor raised to the challenge of relaying the demands of the boycott.[114]

Finally, this vacuum was filled by the state, which launched a comprehensive reform plan dubbed the "New Development Model" (NMD) with the objective of redefining the social contract and understanding how to regain citizens' trust. The plan followed familiar steps, starting with the nomination of an ad hoc commission, moving onto a wide-scale consultative campaign that sought to include "all" Moroccans, and then landing on an all-inclusive report presented to the monarchy – which will take the final decision of what will be done. As expected,

105 These outcomes need to be further put into perspective after Akhannouch's landslide victory in the 2021 elections.

106 The government-led PR campaign that menaced to criminalize online calls to follow the movement is the topical example of such opposition.

107 As examples, see: Bouhrara, Imane. 2019. "Le boycott d'avril 2018, une campagne orchestrée ?" 28 October 2019. https://ecoactu.ma/le-boycott-davril-2018-une-campagne-orchestree/; Vigneron, Daniel. 2019. "Maroc : une campagne de boycott qui cachait une offensive islamiste". La Tribune (blog). 20 September 2019. https://www.latribune.fr/opinions/tribunes/maroc-une-campagne-de-boycott-qui-cachait-une-offensive-islamiste-828493.html.

108 Interview with researcher, 25/10/2023 (Online).

109 The information related to Sidi Ali's sales are limited to that quarter. Ollivier, Théa. 2018. "Au Maroc, un boycott surprise contre la vie chère". Libération, 5 June 2018. https://www.liberation.fr/planete/2018/06/05/au-maroc-un-boycott-surprise-contre-la-vie-chere_1656798/.

110 Maussion, Estelle. 2019. "Le boycott de Danone au Maroc, une bonne leçon sur la gestion de crise". Slate.fr (blog). 8 January 2019. https://www.slate.fr/story/171975/economie-danone-maroc-boycott-gestion-de-crise-communication.

111 Interview with civil society actor, 02/11/2023 (Online).

112 Personal communication with journalist (meeting in Rabat), 28/04/2024.

113 Interview with civil society actor, 31 October 2023 (telephone).

114 The manifesto signed by 74 civil society actors that called for a response to citizens" revendications represents the only exception. See Chaudier, Julie. "Boycott : 74 membres de la société civile publient un manifeste". Yabiladi, 14 June 2018. https://www.yabiladi.com/articles/details/66021/boycott-membres-societe-civile-publient.html.

the NMD was never implemented as such, but it had a profound impact on the political scene. Crucially, the fact that it was presented only six months prior to the 2021 legislative and local elections transformed the NMD into the de facto model of electoral programs: all parties were aware of the fact that the NMD set in stone the main development priorities for the future.[115]

Conclusion

Reviewing civil society activism through different moments of Morocco's history and in the context of four specific case studies showed that the monarchy's position at the core of the political game still influences substantially the opportunities for progressive reform. Indeed, such centrality translates into a series of red lines, more or less visible depending on the issues at stake, that progressive civil society actors have to navigate depending on their objective and relative margin of maneuver. In this context, discussing the ebb and flow of state-(civil) society relations in Morocco becomes an opportunity not only to show where those red lines lie, but how they evolved in time and what was the role of progressive civil society actors in these processes.

Chief amongst the red lines is the institution of the monarchy in itself and its wide executive prerogatives. These include both the establishment of the country's strategic priorities – in domestic and foreign policy[116] – and the ultimate arbitration of disputes between different sectors of society. Furthermore, the current system of state-(civil) society relations is built on extensive experience in selectively responding to the demands of civil society and granting relatively progressive reforms depending on the perceived threats to the legitimacy and continuation of the monarchy. This was the case of the growing societal pressure during the 1990s, in the last years of Hassan II, as well as of the bottom-up revendications in the early 2000s, at the beginning of Mohammed VI's reign. It was also the case in

2011, where the monarchy managed to quell the most radical demands for change and maintain its role at the core of the political system by managing the timing of political reforms and the inclusion/exclusion of specific actors – thereby minimizing the challenges to its hegemony. In parallel, the religious legitimacy of the monarchy also represents another line not to cross. Going further, the monarch's role as "Commander of the Faithful" enables him to extend his influence over a broad spectrum of aspects of Moroccan's everyday life. The reforms of the Moudawana are the clearest example, where the king's management of the process is expected to ensure its compatibility with Islam.

Yet, the existence of red lines does not imply that civil society actors did not have a key role in shaping progressive reforms. On the contrary, progressive civil society actors fundamentally contributed by raising societal pressure for change and shaped the public discourse that sustained the growing openness of Morocco's political system. This was especially clear in the 1990s when civil society actors strengthened their role as partners of public policy-making by putting different issues on the agenda (such as human rights and gender equality, but also youth employment and transparency). As the monarchy consolidated its methodology to associate civil society with progressive reforms, mainly to ensure that its legitimacy and prerogatives of the monarchy are not questioned, civil society actors also adapted. Some participated in state-sponsored consultative bodies to counter conservative forces and shape the narrative of reforms, while others rejected this framework of collaboration and continued to exert street-level pressure; some focused their advocacy on the legislative process, while others concentrated their efforts on ensuring the implementation of the existing reforms. Regardless of whether they achieved all their objectives, the longstanding advocacy for the continued reform of the Moudawana shows how feminist movements contributed to steering the political discussion on women's rights, while the broad network of actors that coalesced in the 20F managed to push the monarchy to grant a new Constitution with substantial advances – at least on paper – in terms of civil and political rights. As the old saying goes, the makhzen grants "nothing under pressure, nothing without pressure" (El Alaoui 2014: 83).

The necessity of continuous pressure draws attention to the strategies of civil society actors to bring about progressive change. Depending on whether they

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115 Interview with civil society actor, 16/09/2021 (Rabat).

116 This red line is often referred to as Morocco's "territorial integrity" and is generally manifested in the defense of Morocco's sovereignty over the disputed territory of the Western Sahara. The consolidation of Morocco's control over that region is the main foreign policy priority of Mohammed VI (Fernández-Molina 2016).

accept or not the monarchy's red lines, civil society actors can work inside or outside institutional politics. This research showed that actors that work within the institutional political framework tend to employ a gradualist approach of back-and-forth with the regime, while the ones outside directly challenge the legitimacy of the monarchy and mostly rely on showcasing their "force" in the form of street-level mobilization. The ADFM and the REMDI figure amongst the former category and engaged with the state on the reform of the Moudawana and the development of the Access to Information Law, respectively. On one hand, the ADFM recognized the preeminent role of the king in the reform of the Family Code and was able to participate in the official consultations. When the 2004 reform was achieved, they continued to shed light on the limitations of the legal framework and the challenges of on-the-ground implementation. The momentum for another reform reached its peak in 2023, and it was an opportunity for the ADFM to capitalize on its experience. Crucially, each moment of reform is seized as an opportunity to incrementally introduce new, more progressive demands, although always within the framework of the monarch's legitimacy as "Commander of the Faithful". On the other hand, the experience of the REMDI on the development of Law no. 31.13 shows that "going with the grain" does not necessarily lead to the expected results. Despite the favorable context and the systematic mobilization of civil society actors, the depth of state control over the process limits any real change. As a new reform of the access to information law begins, the key questions remain as to how civil society actors will advocate for progressive change, and to what extent they will be able to pressure the state to adopt a more progressive reform.

As the key example of civil society actors working outside of institutional politics, the case of the "Moroccan Front for Palestine" shows the opportunities and challenges of pressuring for change through street-level action. The Palestinian cause has always been the opportunity to voice domestic concerns in relation to international dynamics, but the normalization agreement provided a clear target within national politics. Further, the escalation started in October 2023 gave a new impetus to the anti-normalization coalition, and the wide mobilizations led to the impression that it was once again possible to demonstrate in the public space.[117]

Fundamentally, foreign policy issues moved from being ancillary concerns to the main preoccupations of civil society actors, allowing them to challenge the monarchy's hegemony in foreign policy through their enduring presence on the street. However, since there has been no foreign policy change at the time of writing, the question of the outcomes of this strategy emerges again.

This research also showed that the groupings in issue-based coalitions represented a strategy employed by progressive civil society transversally. Coalitions emerged in response to state-led initiatives, but also to express dissent over specific policies or in reaction to evolution in the international context. The main objective of coalitions is to synthesize the revendications of a set of civil society actors, thereby increasing bottom-up pressure on the regime through a consolidated position. This strategy has key advantages for both the actors participating in institutional politics, whose demands have more chance to be taken up by the monarchy if presented in unison, and the ones remaining outside formalized spaces, who tend to equate their mobilization capacity to their "strength" to challenge the regime. Moreover, these coalitions can bring together actors who cannot collaborate directly due to divergent ideological references. In these cases, especially, the framing of the partnership is of utmost importance: a common objective and set of goals has allowed actors as different as the AMDH and AWI to collaborate in multiple instances throughout Morocco's recent history.

However, the strength of such coalitions needs to be nuanced. Crucially, their sustainability in time is highly volatile. Coalitions may end as the reform process they wanted to influence comes to an end, such as in the case of the Moudawana or the Access to Information law. Actors can also separate themselves from an existing coalition if they lose interest in its objectives (as for AWI and the 20F), or if they deem it necessary to distance themselves from one of its members (as was the case for the "National Front for Palestine" after PJD's signature of the normalization with Israel). Yet, assessing the impact of civil society networks and coalitions should not be limited to whether they achieved their stated goals. Specifically, these coalitions create the opportunity for increasing exchange and debate between different actors – potentially redrawing cleavage lines and

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117 Personal communication with an activist, 19/10/2023 (online).

building bridges between former adversaries. Hence, attention should be paid to the actors' shifting positionality and their potential to reinforce existing frameworks for progressive change. Here, the recent publication of a revised AWI manifesto that formally establishes its engagement for democracy and rejection of any theocratic regime may be a game changer, potentially breaking the distrust that was maintained by democratic opposition and creating the space for new alliances (Maati Monjib 2024).

Ultimately, pushing the boundaries defined by the monarchy's red lines is not an easy task. Even the growing challenges to Morocco's normalization with Israel are not directly affecting the monarchy's control over foreign policy. Besides the endurance of the official façade of solidarity with Palestinians, which critics denounce as irreconcilable with normalized diplomatic relations during a genocide, the "deal" of the recognition of Morocco's claim of sovereignty over the Western Sahara remains too good to give up. Even in the case of the Moudawana, red lines are hardly shifting. Although civil society action remains crucial for the continued de-sacralization of the text and improvement of women's situation in Morocco, the position of the monarchy is far from being questioned. On the contrary, the monarch's continued leadership in this process ensures both the reaffirmation of his role as "Commander of the Faithful" and as arbiter of competing political forces. This also shows that participation in institutionalized mechanisms bears the inevitable risk of strengthening existing power relations. Crucially, most of the progressive reforms undertaken by the state since 2011 have included civil society – albeit under varying degrees of inclusivity and with no actual decision-making power. Civil society may participate in palace-led reforms, but the monarchy will maintain its role of arbiter and deliver its conclusions independently. Simply put, the state actively employs civil society to consolidate its political hegemony. Finally, the "inviolability" of the king, as sanctioned by the 2011 Constitution (Article 46), provides the legal tools necessary to prosecute any direct challenge to its political pre-eminence.

Far from being an all-purpose method, the cosmetic association of civil society to state-led reforms can become a double-edged sword – especially when it does not address the underlying causes of discontent. The case of the boycott and the successive launch of the New Development Model are illustrative of this risk. The boycott emerged as a protest voicing dissatisfaction with socio-economic conditions and the growing lack of trust in public institutions, to

which the state responded by launching a top-down proposal to promote socio-economic development at all levels of Morocco's society thanks to the formal participation of broad sectors of Morocco's society. As COVID-19 shifted the regime's priorities towards the establishment of universal health coverage, the New Development Model was left behind. The underlying causes of the boycott, however, remain key problems of Morocco's society. Youth employment policies systematically failed to deliver the expected results (Ait Bassou 2023). Plus, multiple supply shocks affected Morocco's economy throughout 2023, including severe droughts and the impact of the Russia-Ukraine war on commodity prices.[118] Droughts continued to exacerbate the economic situation, also affecting unemployment rates, which reached unprecedented levels in the first half of 2024.[119]

The worsening economic situation raises questions about how long this situation will be tolerated before a new wave of social unrest will break. And if it does, will the regime be able to surf another wave of bottom-up mobilization, or will there be actors within Morocco's civil society that will leverage citizens' concerns to propose a counter-hegemonic vision for the future? In this context, media censorship and the persecution of independent journalists are quite telling. Not only did these actors have a key role in the articulation of Morocco's socio-economic issues, but they also actively engaged with the regime's responsibility in this situation. Such censorship is precisely linked to explicitly addressing the taboo of the monarchy's embeddedness in the country's economy. In parallel, flooding Morocco's media landscape with regime-loyal outlets whose function varies from being an echo chamber for the regime to a tool for outright repression speaks to the broader point that civil society functions as the "voice" of Moroccans and is fundamental to control the stability of the regime. Said differently, red lines do not only need to be actively defended but also continuously

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118 For more information, see: https://www.worldbank.org/en/news/press-release/2023/02/14/morocco-s-economy-has-come-under-pressure-from-supply-shocks

119 See Majdi, Yassine. 2024. "Emploi : comment noyer le poisson". Telquel, 26 April 2024. https://telquel.ma/2024/04/26/emploi-comment-noyer-le-poisson_1868578?fbrefresh=9; Rahhou, Jihane. 2024. "Unemployment Soars to New Heights, Hits Nearly 14% as Drought Grips Morocco". Morocco World News (blog). 3 May 2024. https://www.moroccoworldnews.com/2024/05/362440/unemployment-soars-to-new-heights-hits-nearly-14-as-drought-grips-morocco.

reaffirmed. Progressive civil society actors face arduous challenges, but their endurance continues to be a reason for hope.

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