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MOROCCAN CONSTITUTIONAL REFORM AND ISLAMISM(S)
Renegotiating the role of religion in the political field

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On 16 April 2013, a lively debate arose in Morocco referring to the freedom of conscience issue. The Arabic-language daily, *Akhbar al-Youm*, got the ball rolling by writing about a *fatwa*, issued by the Morocco’s Superior Council of the Ulema, stating that those Muslims who would be willing to abandon their faith should be condemned to death.¹ Besides the matter of the *fatwa*’s content, one of the reasons why this news sparked such a fierce debate is that the Superior Council was established by King Mohammed VI.

In Morocco, the political relevance of religion is high. The king’s religious legitimacy is a significant, if not the most important, source of legitimation for the monarchy. This is because the king is widely considered to be a descendant of the Prophet and is constitutionally defined not only as the Head of State but also as the Commander of the Faithful by article 41 of the 2011 Constitution. Along with giving to the king, alone, the religious prerogatives connected to such a title, the same article defines the king as the Head of the Superior Council of the Ulema. The Council is the sole institution allowed, upon monarchical request and approval, to issue a *fatwa*, and the council’s attributions, the composition and the modalities of functioning of the council are established by royal decree. The king also appoints the Minister of Religious Endowments and Islamic Affairs and the Secretary General of the Mohammedan League of Scholars, the two most powerful religious institutions in Morocco.

Since the 2003 terrorist attacks in Casablanca, carried out by a local radical Islamist group, al-Salafyia al-Jihadia, the monarchy has constantly increased its monopoly on religious issues and institutions in order to highlight its pre-eminence over the religious sphere (Maghraoui, 2009; Bouasria, 2012). Moreover, the Moroccan law on political parties, promulgated in 2006, and replaced in 2011 by an organic law on political parties (BO, 24 October 2011) forbids parties explicitly based on religion in order to maintain a religious sphere that is strictly separated from the political.

In fact, as the king is both the head of state and the Commander of the Faithful, the monarchy is the only Moroccan institution in which the religious and political dimensions are legally allowed to co-exist. However, various Moroccan political actors claim that their involvement in politics is based upon an Islamic ethos and reacted to the abovementioned *fatwa*. In particular,
two Islamist political movements, Al-Adl Wal Ihsan (AWI) and Hizb Al Oumma (HO), dissociated themselves from the *fatwa*, arguing that its interpretation of Islam was incorrect (Lakome, 2013). The final episode of the *fatwa*-saga took place on 19 April 2013. On that day, in the presence of Mohammed VI, the imam of the Ohoud mosque in Safi dedicated almost the totality of his Friday prayer to the freedom of conscience issue, making clear that freedom of conscience ‘is the pillar of every freedom in Islam’ (Yabiladi, 2013). The king’s presence was immediately interpreted as a monarchical public endorsement of the right to freedom of conscience.

At first glance, the debate about the Superior Council’s *fatwa* could be interpreted as a debate over religious interpretations. However, the AWI and HO not only share the same opinion regarding this particular debate. The Moroccan regime also denies both of them permission to create their own political party. With this clarification, their public statement can be interpreted as an attempt to occupy the public sphere from which they are partially excluded. Moreover, the debate can be considered as the follow-up to the one initiated during the period of constitutional reform that eventually led to the approval by referendum of the new Moroccan Constitution (1 July 2011). During the constitutional debate, freedom of conscience was one of the most discussed topics. However, despite having been introduced in the draft text of the new Constitution, the provision did not make it in the final text due to the opposition of the Islamist Party of Justice and Development (PJD) with the support of the Istiqlal Party (IP) and other so-called conservative actors.

After briefly outlining the way in which the Moroccan regime used the constitutional reform to reconfigure and re-legitimise its hold on power, this chapter focuses on the ways in which different Moroccan Islamist political actors, including the ones that are not officially recognised, responded to this process. I argue that Islamists’ different stances on religious issues and on the monarchy during the constitutional reform momentum have to be understood primarily through an analysis of their political strategies rather than being viewed as a result of their religiously based ideological positions. Ideology plays far less of a role in the stances taken by the Islamist groups on constitutional reform than their respective political strategies.

The first part of the chapter analyses the constitutional debates on the role of religious freedom. Despite the fact that the PJD’s stance on the freedom of conscience was the most intensely discussed position, closer scrutiny of the Moroccan Islamist sphere reveals the existence of different Islamist actors, strategies and outcomes. The second part of the chapter focuses on the stance taken by different Islamist actors with respect to the monarchy – that is, what role should it play in Morocco’s political system? Using Mohamed Darif’s taxonomy (2010), the chapter will analyse the ‘constitutional strategy’ of three kinds of Moroccan Islamism: ‘integrated’ (PJD), ‘protested’ (AWI) and ‘elitist’ (both HO and Al Badil al Hadari (BH)).

The PJD, despite having been allowed to participate in institutional politics as a ‘loyal opposition’ party since 1996, had in practice to limit its political activity in order to be tolerated by the regime. As a consequence of the events of 2011, however, the PJD has been allowed to participate politically at the highest level and the party is currently leading the Moroccan government coalition. More importantly, the PJD’s legitimisation in the official political sphere was contingent on its ‘recognition of the King as the highest temporal and spiritual authority’ (Bartolucci, 2010: 129). In a contrary position, the AWI, which accepts democracy and is non-violent, refuses to accept the king’s religious role and, consequently, despite having repeatedly requested permission to create its own political party beginning as early as 1981, has not been allowed to enter the official political game (Michbal, 2011). In 2005, the BH was given permission by the regime to create its political party and participated in the 2007 legislative elections. The HO followed BH’s path by requesting permission to create its own political party.
However, in 2008, both BH and HO were effectively neutralised as a result of their leaders’ arrests following accusations of their involvement in a Moroccan–Belgian terrorist cell. This accusation, despite being interpreted as politically motivated, nullified a unique cross-ideological cooperation attempt as both movements ‘tried to reconcile ideas from the left wing (particularly the importance of human rights and constitutional change) and from Islam’ (Pruzan-Jørgensen, 2010: 9–10). In the wake of their leaders’ release following the 20 February Movement demonstrations, both the BH and the HO tried to be officially recognised, albeit unsuccessfully, as political parties.

The consensus game during the Arab Spring

At the beginning of 2011, thousands of Moroccans, organised under the umbrella of the 20 February Movement (20FM), demonstrated throughout the entire country calling for democracy and for a new constitution. The royal answer came on 9 March when the king, carefully avoiding any citation of the 20FM, announced a constitutional reform and new legislative elections. This step revealed the uncomfortable position in which the 20FM had put the Moroccan regime. Indeed, for the very first time since Mohammed VI came to power, a royal national speech was timed to answer popular protests and not according to the royal agenda. Nevertheless, the royal speech brought the monarchy back to the political centre stage and enabled the king to portray himself as a reformist actor. The royal recipe for Morocco’s democratisation included the creation of two entities: the Consultative Commission for the Revision of the Constitution (CCRC) and the Political Mechanism Accompanying the Constitutional Reform (PMACR), with the latter charged to follow closely the CCRC’s work. Both the CCRC and the PMACR were regime-appointed committees and the king hand-picked the president of the CCRC – Abdelatif Menouni – and its 18 members and consigned the PMACR to Mohammed Moatassim, one of his advisers. Thus, the king predetermined the structure and the components of the body charged to draft a proposal and fixed the main lines along which the text was to be reformed and the schedule of the proceedings, requiring the CRCC to deliver its work by June 2011.

As Rkia El Mossadeq (2001) points out, the reform of the constitution in Morocco has always operated as a mechanism through which the monarchy and the different political actors reach a consensus by agreeing on a constitutional text meant to provide a political compromise that solidifies monarchical rule rather than guarantees genuine democratisation. Thus, constitutional reforms in Morocco should be interpreted as a consensus game, within which the monarchy seeks a renewed political agreement with political parties and unions without a significant downgrading of its executive constitutional prerogatives (El Mossadeq, 2001). Referring to the 2011 constitutional reform, Driss Maghraoui used almost the same definition, i.e. ‘politics of ideological consensus’ (2011: 682–684), so as to demonstrate that the pressure on the regime to reform the political system was met once again through the reform of the constitution but without significantly curtailing the royal executive power. To sum up, the 2011 constitution succeeded ‘to a limited extent in redistributing power by transferring certain levels and spheres of it to the government formed by the parliament’ (Belkeziz, 2012: 41), but did not significantly reduce the numerous royal prerogatives. Thus, the 2011 Moroccan constitution was meant, as the previous five did, to renew the monarchical power balance with political parties, unions and civil society groups² while maintaining the royal pre-eminence.

While providing a good understanding of the way in which the constitutional reform processes take place in Morocco, these analyses fail to pay attention to the transformation and changes occurring outside the official political sphere and, as a consequence, neglect the influence and
effects promoted by the political movements that are not legally recognised in the official political landscape. Moroccan political Islam is also comprised of movements, such as AWI, BH and HO, which are not allowed to create their own party but which are, at the same time, de facto part of the political society. Extra-parliamentary political Islam’s activity cannot be neglected when analysing both the PJD and the monarchy political evolutions (or regressions) as all the actors who claim to act according to an Islamic ethos influence each other by taking different stances on matters related to the religious field (such as the abovementioned fatwa debate demonstrated). In addition, despite the fact that there is no doubt that the 2011 constitution was the product of a new consensus game, this reform also took place in a novel context in which the red lines delimiting the political discourse in the kingdom were moving back and forward (Hoffmann and König, 2013). A fundamental part of the Moroccan political Islam did not integrate the consensus game and, at the same time, moved the red lines by endorsing different kinds of discourse about religion and the monarchy’s political and religious role.

The freedom of conscience debate

During the CCRC’s work, the freedom of conscience issue stood out as one of the most controversial and, as mentioned earlier, the PJD’s opposition to its inclusion in the new constitution was intensely discussed. First of all, the PJD’s objection vis-à-vis the constitutionalisation of the freedom of conscience right was in contradiction with the position taken by the party’s congress in 2008. The document issued on that occasion states that:

the principle of freedom of conscience and of faith, along with the withdrawal of any kind of constraints in the religious field … is a core principle. It is compulsory, in the religious field, to work through persuasion, and not rely on the public authorities’ power or the constraints of religion.

(PJD, 6th congress, quoted in Sassi, 2012)

Moreover, during its 7th congress in 2012, the PJD reaffirmed its commitment to the freedom of conscience right by declaring that

[t]he freedom of conscience principle, the freedom of artistic creation and the protection of public and collective freedoms are established; relying on the principle ‘there are no constraints in religion’, a core principle, it is forbidden to make use of any kind of constraint in order to impose a faith, both its practice and its ethics.

(PJD, 7th congress, quoted in Sassi, 2012)

Basically, the PJD during the constitutional debate stood up against a principle that had been included previously in the party’s official documents and, even more astonishing, reaffirmed subsequently.

In order to explain such a contradiction, this analysis argues that the ‘movement moment’ framework elaborated by Zakia Salime (2011: xvii–xix) can apply to the PJD’s stance on freedom of conscience. Salime demonstrates that while analysing a movement, the concept of conjuncture allows for a deeper understanding than the trajectory one. Indeed, ‘the conjuncture, moment, or combination of critical events’ in which an event occurs must be kept in account so as to explain the ‘chronological separation of prevailing “tracks”, but also the subversion of these “tracks”’. The ‘party moment’, i.e. the party’s internal crisis due to the decision of leading members to participate in the 20FM demonstrations and the upcoming legislative elections, thus accounts for the pragmatic reasons that pushed the PJD to oppose the freedom of conscience right.
There are two sets of explanations that account for the PJD’s stance on the issue of freedom of conscience. First of all, the constitutional debate occurred while political parties were campaigning for the November 2011 legislative elections. During the electoral campaign momentum, the PJD could not take the risk of being perceived as hesitant in defending the religious character of the Moroccan state. This identity battle was especially important for party’s supporters rather than members. Indeed, as a member of the party made clear, ‘freedom of conscience is not an issue for the party, but rather for society’ (interview with author, 2013). The fact that the PJD’s engagement in fighting identity battles would be better understood as an electoral stance is confirmed by a leading member of the PJD, who, referring to the freedom of conscience issue, declared ‘I’m engaged in the political field where people have material needs; I do not deal with religious issues’ (interview with the author, 2013). In the end, the PJD’s attitude towards religious and identity issues needs to be analysed in the context of the legislative elections of November 2011 so as to avoid the overestimation of identity issues and, as a consequence, overlooking the party’s pragmatic oriented discourses and strategies.

The second explanation that accounts for the PJD’s attitude during the constitutional debate is located in intra-party dynamics. The constitutional debate was an opportunity for the party to overcome its internal divisions. Indeed, when the 20 February Movement decided to organise demonstrations all over the country three high-ranking members resigned from the General Secretariat in disagreement with the party’s official position not to support the protests. Precisely because of the political negotiations linked to the constitutional reform, however, the three members withdrew their resignations. The constitutional debate was thus perceived by the party as an opportunity to bind together the different wings of the PJD by focusing on shared objectives and avoiding issues that could have been contentious (interview with author, 2012 and 2013).

Moreover, despite the fact that one of most discussed topics during the constitutional debate was the PJD’s position on freedom of conscience, it is worth noting that the party focused on many other issues. Tourabi (2011), for instance, stated that ‘the Islamists of the PJD formulated proposals aimed at introducing a balance between the King and the Government in the exercise of statutory and administrative powers’. The PJD’s attempt to restructure the Moroccan political system along more democratic lines received far less attention than its stance on freedom of conscience. This occurred despite the fact that there were other actors that supported the withdrawal of the right to freedom of conscience from the final text – ‘the King’s adviser Mohammed Moatassim with the support of the conservative party al-Istiqlal and the Islamists of the PJD’ (Chibani, 2011) also decided in the end to leave it out.

Currently, the PJD, being fully integrated into the official political system, enjoys opportunities but also faces constraints that are not influencing the Moroccan Islamists excluded from the official political sphere, whose political strategies followed a different path during the constitutional debate. As mentioned before, both AWI and HO shared the same opinion regarding the fatwa debate; the BH’s position also does not differ, but its voices, for different reasons, went unheeded within the CCRC consultations.

AWI criticised the CCRC as a mechanism set up with the sole purpose of maintaining the status quo and, consequently, refused to participate in the debate. It referred to the constitutional provisions that should be adopted, demonstrated with the 20FM and campaigned for a boycott of the constitutional referendum (interview with author, 2013).

HO followed the same path and similarly criticised the CCRC and campaigned for a boycott (interview with author, 2013). Moreover, HO was also an active member of a coalition called ‘For a constitutional monarchy now’ (CMN). This coalition, which included leftist and members of Islamist political parties, unions and individual personalities, participated in the public
constitutional debate by issuing communiqués that stigmatised the CCRC’s autocratic nature (Hallaoui, 2011). Finally, the BH, despite having participated in the CMN’s activities, opted in the end for a different stance vis-à-vis the CCRC. Contrary to the rest of the extra-parliamentary political Islam, the BH requested to be received by the CCRC in order to outline the constitutional memorandum they had prepared. Despite BH’s request, the CCRC denied it the right to be involved in its consultations precisely because it was not recognised as a political party (interview with author, 2013). However, once the constitutional project was submitted to vote, BH campaigned for a yes vote since, in its opinion, the new constitution represented at least an improvement in terms of a more democratic system (interview with author, 2013). Thus, the part of political Islam that did accept the principle of freedom of conscience was not included in the CCRC consultation mechanism. While in the case of AWI and HO it was the result of a self-exclusion process, the BH case demonstrates that the reform mechanism set up by the monarchy applied restrictive criteria in terms of the actors entitled to express their opinion. Certainly, it could be argued that the exclusion of a non-recognised actor in an official reform process is an expected outcome. However, the CCRC’s refusal to include BH was in contradiction with its own stance. Indeed, the commission was very keen to include as many actors as possible in the consultation process, as shown by the fact that many 20FM members received e-mails and phone calls on their private mobile phones, inviting them to submit their propositions to the CCRC (Waïl El Karmouni, 2012). The Commission also officially invited NGOs, such as ATTAC Maroc, which are not legally recognised by the Moroccan state (Yabiladi, 2011). Thus, for the Moroccan regime, a non-legally recognised civil society actor is entitled to participate in the consensus game, while a political actor under the same conditions cannot.

The debate on the religious and political role of the monarchy

Between 1999, when Mohammed VI came to power, and 2011, the traditional political parties did not consider the readjustment of the power balance between the monarchy and the elected institutions, that a constitutional reform could provide, as an essential goal. Thus, the 2011 constitutional reform was, contrary to the previous ones, a royal priority despite the fact that the political parties did not demand it. Nevertheless, as mentioned above, the PJD used this unique opportunity in order to foster the democratic institutions’ prerogatives while, at the same time, not questioning the king’s religious role. The monarchy’s political role was discussed also with the PJD referring to the way in which the monarchical institution should be worded in the new constitution. This issue sparked an internal debate within the PJD between those claiming for the need to define the monarchy as ‘constitutional monarchy’ and others in favour of the ‘democratic monarchy’ option. This debate reflected the PJD’s internal division among those who were in favour of a meaningful downgrading of the royal executive powers, thus opting for the constitutional monarchy, and others that considered that the monarchy should reign and govern. The PJD’s members that backed up the constitutional monarchy option went as far as proposing that the party’s national council should vote on this issue. However, Abdelilah Benkirane, the former party’s general secretary, refused (interview with author, 2013). In the end, the PJD agreed that ‘it was not the time for a debate on certain issues’ (interview with author, 2013) and, thus, the PJD called for a democratic monarchy. Once more, the incoming legislative elections explain why the PJD took such a moderate stance, insofar as displeasing the monarchy has never been a successful electoral strategy in Morocco (Kalpakian, 2008).

To the contrary, the religious role of the monarchy did not raise any internal debate and the PJD stuck resolutely to this principle during the constitutional debate. Abdellah Bouanou, despite being known as one of the most critical PJD member vis-à-vis the king’s executive
powers, declared that ‘the Commander of the Faithful is one of the pillars of the Moroccan system, a modification of this institution would have been simply unacceptable for us’ (interview with author, 2013). The PJD’s acceptance of the religious royal pre-eminence in the Moroccan political landscape can be explained both in terms of opportunity and constraints. The Commander of the Faithful, in fact, constitutes the most powerful and indisputable guarantor of the public role of religion. As Benkirane clearly outlined:

If the monarchy is the guarantor of Morocco’s national unity, the institution of the Commander of the Faithful is the guarantor of the country’s Islamic identity. It is to the interest of the Islamic cause to maintain the king as ‘Commander of the Faithful’ who is responsible to guard the implementation of Islam in the country. Command of the Faithful is the divine rope that will bridge the king to the Islamists. All in all, he will be accountable to the Moroccan Muslim masses on this respect.  

(Quoted in El Sherif, 2012: 667)

Whereas in Tunisia Islamists are negotiating with the secular sphere on the role that religion must play in politics, in Morocco, the PJD can take it for granted precisely thanks to the religious role of the monarchy.

Referring to the political and religious role that the monarchy should play in the Moroccan system, the extra-parliamentary Islamist camp is comprised of two different tendencies. The elitist actors were in favour of a constitutional monarchy that reigns but does not govern and, as a consequence, of a meaningful redistribution of power in favour of the elected constituencies but not in opposition to the monarchy’s religious role. The acceptance of the king’s religious leadership is the consequence of HO and BH’s efforts to be recognised as political parties. Indeed, with the acceptance of the king’s religious role being a pre-condition to integration in the institutional politics (Willis, 2008), HO and BH had no other choice than to accept this principle. The AWI, on the contrary, reaffirmed its commitment to a democratic system while avoiding expressing an opinion concerning the role the monarchy should play. In order to understand the AWI’s stance on this issue, it is important to take into account the fact that ‘[t]he monarch’s temporal role in politics is an extension of his spiritual power, which political parties take as one of the sacred institution in Morocco’ (Daadaoui, 2010: 201). Moroccan political parties, thus, accept the religious role of the monarchy in order to enter the official political sphere; once they are part of the institutional politics they cannot criticise the monarchy’s legitimacy. Still, it is precisely the denial of the monarchy’s legitimacy that in AWI’s opinion ‘would trigger the necessary radical transformation of the political system’ (Cavatorta, 2007: 393). Accordingly, since 2005, the AWI has proposed the establishment of a pact, previously labelled Islamic and nowadays national (Madani, 2006), between all the Moroccan political and civil actors in order to set up a constituent assembly in charge of writing a new constitution outside the king’s sphere of legitimacy (interview with author, 2013). As for the freedom of conscience debate, in the end, the different stances taken by the Moroccan Islamist political actors about the role that the monarchy should play have to be interpreted as the result of their political strategies. This is not to argue that religion and ideology do not play an important role in the Moroccan political landscape, quite the contrary is true. However, the role played by religious and ideologically related issues in the Moroccan political context is due, in the first place, to the monarchical political strategy. Since 2004, the monarchy has constantly institutionalised religious affairs by radically increasing its control over the religious sphere in response both to internal challenges derived from the galaxy of Moroccan Islamist actors and to the increasing role of foreign Islamic influences (El-Katiri, 2013).
Conclusions

In analysing what constitutions do, Cass R. Sunstein argues that a central goal of constitutional arrangements is to ‘clarify the basis for disagreement’. In doing so, constitutional law reduces the danger of the ‘group polarization’, i.e. ‘a process by which groups of like-minded people move one another to increasingly extreme positions’, by relying on the ‘incompletely theorized agreement’, i.e. ‘a process by which people agree on practices, or outcomes, despite disagreement or uncertainty about fundamental issues’ (Sunstein, 2001: 8).

The limited constitutional reform should not lead to an underestimation of the consequences that this unintended reform process has brought about. As Mohamed Madani states, ‘due to the limits of the political system set up by the monarchy, the constitutional reform stands as one of the few opportunities for extra-parliamentary Islamists in order to express their opinion’ (2012: 125). The fact that the ‘protestor Islamists’ and ‘elitist Islamists’ expressed their opinions by participating in the activities organised both by the 20FM and by the CMN has increased, at least in the long term, the possibility of an ‘incompletely theorized agreement’. Indeed, during the Arab Spring momentum and the subsequent constitutional debate, part of political Islam was involved in a cross-ideological alliance with the extra-parliamentary leftists. Obviously, their cooperation did not materialise into a perfect agreement on every single issue, still for the very first time they mobilised together in opposition to the regime. The AWI’s participation in the 20FM can be interpreted as a radical change in strategy (Madhi, 2013). This interaction between political Islam and part of the political left occurred outside of institutional politics and raised consciousness among certain actors regarding the need to agree on practices and outcomes, i.e. a constituent assembly that would set up the rules of a democratic system, despite disagreement or uncertainty about fundamental issues, i.e. the role that religion should play in politics.

While an analysis of the 2011 constitutional reform demonstrates that the different strands of political Islam are able and willing to downsize the role religion should play in politics according to existing political structures and opportunities, the monarchical trajectory does not seem to point in the same direction. On the contrary, in the aftermath of the events of 2011 the role religion plays for the survival of the Moroccan regime has increased. First of all, the constitution reform process has increased the group polarisation effect insofar as the king’s role as the supreme arbiter fosters the polarisation of the Moroccan society. Indeed, those Moroccans who consider that religion should play a role in politics see the king as their guarantor, like those who consider the ‘modern king’ as their protector from religious fundamentalism. Second, the events of 2011 and the instability and violence in various countries of the MENA region that followed have increased the monarchy’s need to foster its religious legitimation. As demonstrated by Del Sordi and Dalmasso (2018), even the role of privileged mediator and promoter of interfaith dialogue that Morocco plays at the international level has been used by the regime to foster its internal legitimation. Over time, in fact, Morocco has linked the promotion of moderation and ‘true Islam’ made at the international level to the internal political survival of the Commander of the Faithful. Finally, the monarchy’s management of the biggest unrest in Morocco since the Arab Spring reveals to what extent religion is increasingly important for the regime’s survival.

In October 2016, after a fishmonger was crushed in a garbage compactor as he tried to retrieve his catch which was confiscated by the police, peaceful demonstrations started in the city of Al Hoceima. As it was the case for Mohamed Bouazizi’s tragedy in Tunisia, Mouhcine Fikri’s death sparked demonstrations all over the country. Starting as a request of serious inquiry into the tragedy, the demonstrations turned into a protest movement, known as Hirak Chaabi,
whose targets are corruption and the lack of economic development in the Rif region. As corruption and underdevelopment are a widespread concern in Morocco, protests erupted in other parts of the countries and demonstrations were organised in solidarity all over Morocco. The Hirak and its leader, Nasser Zefzafi, have become over time the biggest concern for the Moroccan regime and until now (early 2019) the monarchy has been unable to respond other than with repression.

While the analysis of the Hirak goes beyond the scope of this chapter, two events related to it are worthy of attention in order to shed light on the role religion plays for the regime’s survival. After the first demonstrations took place, Mohamed Hassad, former Minister of the Interior, went to convey the king’s condolences to Fikri’s family. Following this visit, Fikri’s father declared that his son’s death should not be exploited by those willing to bring the fitna, the sedition, to Morocco and among Moroccans and thus he and his family did not support the demonstrations organised in his son’s name. It is not by coincidence that Fikri’s father made a connection between participation in the demonstrations and highlighting sedition in Morocco after meeting with the king’s emissary. Indeed, the choice to use a religious concept such as the fitna to prevent people from protesting is linked to the need to portray the survival of the country as indissoluble from the monarchy’s preservation, being the Commander of the Faithful’s prerogative to guarantee the unity of the nation. In addition, Zefzafi’s arrest only occurred after he dared to challenge the king’s religious legitimacy by interrupting the Friday prayer sermon in Mohammed V mosque in Al Hoceima. Despite the fact that the Hirak made public its will to avoid protests during the 2017 Ramadan so to respect the sacredness of this period, the regime still required the imam to deliver a Friday prayer that targeted the protests. On the eve of Ramadan, as it has already been the case for Fikri’s father, also the imam made a connection between participating in the demonstrations and promoting the fitna. Zefzafi’s reaction to this sermon went as far as declaring that the mosques belong to God and not to the regime, thus publicly denouncing the monarchical exploitation of worship places for political goals. Obviously this statement could not remain unpunished since it targeted the core of the monarchical power, i.e. its religious legitimacy, and led to Zefzafi’s incarceration and to an even harsher repression of the Hirak. To sum up, without sustained ability to oversee meaningful economic development and being apparently unwilling or unable to offer greater political freedoms, over recent years Morocco’s governing regime has increasingly relied both on repression and on its religious legitimacy to maintain its grip on power.

Notes
2 What distinguishes the 2011 constitutional reform from the previous ones is the fact that, along with political parties and unions, also various civil society’s groups participate in the negotiating mechanism both as members of the CCRC and as actors entitled to submit their propositions (Dalmasso, 2014).
3 Referring to the 20FM, Ahmed Benchenssi went as far as considering that: ‘[c]rippled by inexperience as well as internal conflicts between Islamists and leftists, Feb20 failed to produce key leaders, central structures, or much of an agenda beyond “Down with absolutism!” slogans’ (Benchenssi, 2012: 58). This interpretation, however, overestimates the importance of leaders and structures. Indeed, the Tunisian and Egyptian regimes did not fall as a result of protests organised by structured movements with clear analyses of the political dynamics of their respective countries, but because the regimes, under pressure from protesters, were unable to offer a credible political alternative. In Morocco, on the contrary, the monarchy could exploit the PJD’s political legitimacy. Furthermore, the AWI’s retreat from the 20FM corresponded to an impressive downgrading of its mobilising capacity and it is thus logical to estimate that the 20FM would have had even a smaller impact if the Islamists did not participate at all.
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