LUISS

Libera Università Internazionale degli Studi Sociali

LUISS Guido Carli

Rome, Italy

PhD Dissertation

Doctoral Program in Political Theory

XXVII Cycle

Islam, National Identity and Social Cohesion

The Case of Morocco

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Academic Year: 2013/2014

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Introduction

Reason, freedom and progress are key concepts that have shaped the formation of the modern model of a constitutional and democratic state ever since the advent of the Enlightenment in the Western world. The major ideas put forth by great European intellectuals and philosophers ranging from Locke and Montesquieu to Voltaire and Adam Smith generated a new way of thinking political, economic and social life. Indeed, the strong belief in Deism and empiricism as well as the rejection of pre-established thought and institutions triggered a wave of modernization and development optimism that transformed Western Europe and North America from theocratic regimes and agrarian economies to democratic states and industrialized societies.

The massive wave of modernization and secularization that swept the Western world following World War II has also particularly contributed to the institutionalization of the concept of the modern state based on the separation of powers, check and balances, secularism and egalitarianism. The growing market-based economy helped establish a strong liberal capitalist system built on free market and private property rights. Along with the advancement of scientific research and the drastic improvement of human rights, those changes generated political stability, economic prosperity and human well-being. In fact, far from any form of Western-centered claims or even Orientalist assumptions, it soon became clear that the Western world has achieved an undeniable dominance over the rest of the worlds in terms of political, economic and social progress.

This "supremacy" has gradually widened the gap between the developed West and the underdeveloped (third) world, especially the Arab World where the Enlightenment ideas and the modern conception of democracy and secularism are still widely perceived as Western and Christian ideas that could not be applied to the Arab and Muslim context.

However, with the outbreak of the so-called "Arab Spring" and the massive protests that swept many Arab countries starting January 2011, hopes for an end to despotism and for a solid transition to democracy raised again. As people took to the street calling for basic human rights, dignity and respect, and as dictators such as Hosni Mubarak of Egypt, Zin El Abidine Benali of Tunisia and Ali Abdallah Saleh of Yemen stepped down, the occasion to undertake a solid process of modernization and democratization finally came.

Nevertheless, along with the hopes of seeing emerging solid democracies following the "Arab Spring", several politicians as well as scholars raised their concern about the role that Islam would play in shaping the politics of the newly elected governments, especially in Tunisia and Egypt, where Islamic political parties, respectively Ennahda and the Muslim Brotherhoods, largely won the elections. Fears of witnessing the emergence of a radical Islamic government similar to the one that was established following the Iranian revolution in 1979 grew even stronger.

Both hopes and fears revived the already heated debate about Islam-state relationship, the compatibility of Islam with liberal democracy and the possibility of creating a secular state in Muslim countries. Several contrasted arguments and ideas were put forward either to support such compatibility or to refute it, going as far as labeling such liberal values as western concepts that have little to do with the reality of political Islam.

Indeed, on the one hand, arguments for the compatibility of Islam with democracy and secularism state that Islam is profoundly hostile to liberal democratic values due to the centrality of God's authority in Islam and the lack of a separation between the spiritual and the political. The principles of liberal democracy are considered as Western concepts that cannot be applied in a Muslim concept since Islam aims at regulating the daily life of Muslims in all their matters, including the political ones, making thus any separation between religion and politics completely impossible.

On the other hand, the defenders of the idea of a moderate and liberal Islam believe in the compatibility of Islamic legal instructions with universal values of rule of law, human rights, etc. Some go as far as arguing that not only Islam is compatible with the basic principles of liberal democracy but that it even encourages. They use the principles of Shura[1], Ijma'[2] and Ijtihad[3] as examples to support the claim that Islamic legal instructions do not contradict democratic principles of universal suffrage, political pluralism and the respect of human rights. As for the question of secularism, some modernist scholars, including the prominent Moroccan thinker Mohammed Abed El Jabri, argue that the very fact of the lack of existence of a clergy in Islam makes the debate about Islam and secularism irrelevant. They argue that what is rather needed is a profound reform of Islamic jurisdiction that, according to them, is going through a severe epistemological crisis, where there is no distinction between facts and knowledge.

In addition to this, proponents of the theory of secularization argue that religion loses importance as states achieve progress through rationalization, bureaucratization and urbanization. As Charles Wright Mills states it, "after the Reformation and the Renaissance, the forces of modernization swept across the globe and secularization, a corollary historical process loosened the dominance of the sacred. In due course, the sacred shall disappear altogether, except, possibly, in the private realm"[4]. The defenders of this theory argue that religion will not necessarily loose its importance at the individual level but as societies modernize, religious authority at the institutional level becomes obsolete, leaving space to a political system that discards any spiritual consideration in framing its governing policies. The case of Turkey is often used to illustrate how democracy, political pluralism and modernization of

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[1] Shura, literally consultation in Classical Arabic, is the principle according which Muslims discuss their affairs and make a decision after having consulted the people who are going to be affected by that decision.
[2] Ijma' refers to the consensus between Muslim scholars and jurists about specific issues related to religious matters.
[3] Ijtihad, literally diligence in Classical Arabic, refers to the personal effort using reason and logic to interpret the Quran and the Hadith.
[4] Charles Wright Mills, *The Sociological Imagination*, (Oxford: Oxford University Press, 1959), pp.32,33.

country's institutions have led to the secularization of the country. Following the "Arab Spring", the Turkish experience has often been described as a possible model for North African countries to follow in their path towards democratization and modernization.

Statement of Problem

Besides several weaknesses in the debate about Islam and democracy/secularism and the theory of secularization, and which are going to be discussed in the theoretical chapter of this thesis, the wide literature available on this topic fails to answer the question of why Islam continues to be at the heart of the political life of several majoritarian Muslim countries, including those which have been going through a process of modernization and democratization for decades.

The arguments put forward to demonstrate the incompatibility between Islam and Secularism does not provide an answer to the question of why Islam has disappeared from the constitutions and jurisdictions of countries like Turkey and Indonesia while it is more and more present in the political sphere of other countries such as Morocco and Tunisia.

Suggested explanation

The question stated above finds its answer in the analysis of the formation of national identity in Muslim countries. Secularization is unlikely to take place where Islamic national identity is perceived as a guarantee for political stability, social cohesion and cultural strength.

This thesis will demonstrate, thus, that even when a Muslim country undertakes a process of modernization and democratization, religion is not necessarily doomed to disappear from the public sphere if not only it is not perceived as a threat to modernization but it is also considered as an asset for the political, social and cultural stability of the country.

Case Study

This thesis uses Morocco as a case study to support the thesis argument, for the following reasons:

First, ever since it gained independence from French protectorate in 1956, Morocco has been going through a process of democratization and modernization. Clearly, the path is still long and several obstacles lie ahead, but considerable progress has been made and aspirations towards more democratization and modernization have grown stronger. Thus it can be used as a case study of a country that, despite moving towards modernization, is still considerably attached to core Islamic values that are the building blocks of Moroccan national identity.

Second, being a majoritarian Sunni country, Morocco has never experienced sectarian conflicts such as those that have taken place in Lebanon for instance and which have led to the establishment of a secular political system following the collapse of the Ottoman Empire. Thus, in the Moroccan case, the unity of Islam was not constructed on the detriment of another religious ideology.

Third, the population of Morocco is composed of two major ethnic groups: Arabs and Berbers. It comes thus even more interesting to look at the way Islam has been used prior to independence to construct a national identity based on religious unity despite ethnic pluralism.

Fourth, the Alaouite dynasty, the current ruling family in Morocco, claims direct descent from Prophet Mohammed. The Moroccan monarchy has continuously instrumentalized its genealogical line to reaffirm both its political and religious legitimacy. This instrumentalization is crucial in understanding the deep interferences between the political sphere and the religious sphere in Morocco, as well as the tensions that have opposed the King to other religious actors that have threatened his

legitimacy as a commander of the faithful at different periods of the history of modern Morocco and tried to reconstruct the religious referent in Moroccan national identity.

Research question and aim of the study

The main research question of the thesis is thus: If the theory of secularization claims that the more a country becomes modern, the more likely it is to abandon religion in the public sphere, then why is Islam still so strongly entrenched in the Moroccan political, social and cultural spheres?

The aim is to argue that when the national identity of a country is solidly constructed around the religious referent and that this religious referent is perceived as the source of political, social and cultural cohesion, the country is unlikely to become secular.

Sub-questions

- In which way has the French protectorate regime in Morocco (1912 – 1956) fueled the creation of a nationalist movement that puts Islamic identity at the heart of its struggle for independence?
- Following the independence, how has monarchy reacted towards the threat of Islamic fundamentalism to both its legitimacy and to the stability of the country? How has the king been able to decontextualize different forms of Islamism and impose his own model and vision of religion in Morocco?
- In which ways are Islamic values perceived by Moroccans as a guarantee of social cohesion and political stability?

Methodology and outline of the thesis

The thesis relies mainly on qualitative data. The objective of the thesis is to analyze socio-political data in order to understand the role that Islam has played in building national identity and becoming the source of social and cultural cohesion in the country.

The first chapter, the theoretical framework, gives an overview of the ideas of three major thinkers who have extensively written about secularization: Charles Taylor, Rajeev Bhargava and Mohammed Abed El Jabri. The reason behind choosing these specific three writers is that their definitions and visions of secularism are directly connected to the theme of this thesis. Indeed, their analysis of the role of religion in the private sphere and the public sphere is important to bear in mind in order to understand the interconnectedness of these three elements in Morocco. Following this, the chapter gives a summary of Durkheim's about the sociology of religion and in which he explains why religion is more of a matter of achieving stability and social cohesion than about spirituality and divinity.

The Second chapter of the thesis is about the construction of national identity at the eve of the independence from the French protectorate. It first gives a picture of the sociopolitical landscape directly prior to the advent of colonialism, in order to draw a picture of the religious and political tensions that opposed different actors. Then it explains how colonialism, with its divide-and-rule strategy towards Arabs and Berbers, actually gave birth to a nationalist movement that put Islam as the principal axis of its struggle for independence. This strategy was efficient as it enabled the nationalist movement, on the one hand, to gather around it several components of Moroccan society despite their different political ideologies, and, on the other hand, put the building blocks of what will become an Islamic Moroccan national identity.

The third chapter deals with the way Monarchy faced the threat of fundamentalism at different periods of post-independence Morocco. The chapter explains how different types of fundamentalist activists, political leaders or thinkers have threatened either directly the legitimacy of monarchy or peace and stability of Morocco. Mainly, the chapter analyses the competition about political authority between the King as a supreme religious leader and Islamic political parties that aimed at reconstructing the religious sphere in Morocco. It is argued that the King aimed at eliminating all competitors to his religious status and drastically limited the powers of the few religious institutions of the country and which are closely under the control of the Moroccan government. The aim was to strengthen his position as the sole and unique religious figure of the country. The Islam of Morocco is that of the King. It defines itself as moderate, tolerant and open. As the popularity of monarchy grew stronger after the enthronement of King Mohammed VI in 1999 and the emergence of Salafi terrorist groups in Morocco, a strong belief of indignation towards radicalism grew within Moroccan society, but rather than creating a disenchantment with religion or with political religion, it strengthened the tie that linked the population to the vision of the moderate yet strong Islam that monarchy established in the country: a vision that, however, does not hold the same significance for the two actors. Indeed, while on the one hand, the population perceives it as and a protection against either radicalism or westernization, Monarchy, on the other hand, instrumentalizes it to strengthen even more its sacred religious status in the public consciousness and guarantee, thus, its survival.

Finally, the last chapter deals of the way Islam is strongly present in all aspects of public and private life in Morocco. It first explains the ethical dimension of Ria'ya (protection) in Islam, which confines to each Muslim individual a moral duty and responsibility not only upon his own behavior but also on that of his family and his fellow citizens. This moral duty is also present as far as diplomatic relations are concerned, since Moroccan foreign policy has been to a great extent influenced by the role of the King as a religious leader that puts the well-being of the Islamic community over the world at the

heart of his diplomatic agenda. This has been particularly the case when it comes to the Palestinian question, where the King has personally given himself the responsibility of collecting support from other Muslim countries in order to help the Palestinian cause, following the Islamic concept that a Muslim should always help his Muslim brother regardless of his ethnic or national origin. Then, the chapter explains how the ideas of Moroccan Islamic feminists show a clear desire for more gender equality but not outside an Islamic framework. Although there exist several types of Islamic feminisms in Morocco, the shared idea amongst them is that conquering more rights for women must necessarily go through a rereading of the sacred texts which, according to them, hold originally a liberating message. Indeed, Moroccan Islamic feminists argue that if women in Islamic societies in general and in Morocco in particular are so marginalized it is either because of historical factors that have slowly led to the construction of strongly patriarchal societies or because of a misreading of the original texts of Islamic instructions. Finally, the chapter analyzes the importance of Islamic faith for the Moroccan youth. After the outbreak of the so-called "Arab Spring" in early 2011, several observers expected the emergence of massive calls for secularism made mainly by the young population who is now educated, tech-savy and eager to experience freedom of religion from the public sphere. However, these expectations were wrong. Indeed, while it is true that a small fraction of the February 20th movement (the name of the movement that raised during the Arab Spring in order to call for democracy, transparency and dignity) did actually express the desire of establishing a secular political system in Morocco, the reality suggests that for the majority of Moroccan young people, Islam is an unconditional component of their national and personal identity. Any secularist vision is viewed by them as an attempt to alienate the Moroccan identity and deviate Moroccan Muslims from the right path.

Although the scope of the thesis is not to provide a historical account of the major events that shaped Moroccan politics and society in the last decades, the chapters of the thesis deal with successive periods of Moroccan history, starting from the few decades before the advent of French colonialism in 1912 up until now. The reason behind using an increasing chronological order lies in the fact that significantly interconnected have taken place in successive periods of the history of modern Morocco, which makes the use of a chronological order particularly relevant.

II

Theoretical framework

The following chapter explains the main theoretical ideas around which central themes of the thesis are conceptualized: Secularization on the one hand and, on the other hand, religion as a source of social and cultural cohesion and stability.

The first section of the chapter exposes the ideas of three major thinkers: Charles Taylor, Rajeev Bhargava and Mohammed Abed El Jabri. The reason of this choice is threefold. First, they each focus on an aspect that is relevant to the study of secularism and identity in Morocco. Second, they come from three different traditions of thought: Western, Indian and Arab, which gives more insight on how secularism is conceptualized following different factors. Third, they address the issues that have been at the heart of controversies in the ongoing debates about secularism.

1. Secularism according to Charles Taylor, Rajeev Bhargava and Mohammed Abed El Jabri

Charles Taylor: morality vs. republican secular principles

Charles Taylor, a prominent and engaged Canadian philosopher, has written extensive and influential articles about critical issues facing modern societies such as religion, human rights and self-

determination. His several works on secularism have served as a solid background of current debates about the place of religion in the state apparatus.

According to Taylor, providing an exclusive and precise definition of secularism is more than problematic. Indeed, although he agrees that nowadays modern societies have to be secular, he argues that the word "secularism" is biased for it carries an ethnocentric connotation. Even in Western societies, where the word was first used and the concept first implemented, there is still no agreed and limpid definition for it.[5] However, he argues that a close examination of the word shows there are three basic principles of requirements that make secularism what it is and which, according to him, are a reflection of the French post-revolutionary Liberté, Egalité, Fraternité.

The first principle is that of freedom of belief. This supposes that no person shall be coerced to believe (or not to believe) in a given set of religious principles. This principle is what is labeled as the "free exercise" of religion in the first amendment of the constitution of the United States for instance.[6] The second principle is based on equality between members from different religious beliefs or communities.[7] No person can be privileged above another based on their religious beliefs. This also implies that the state cannot adopt one religion as its official one at the detriment of other religious beliefs. The third principle, according to Taylor, is very linked to the previous one as it concerns equality of rights between members of different religious beliefs. Indeed, in the process of identifying what a given society is about, all spiritual or religious beliefs of said society have to be heard on an equal stand. A society has to set its goals to achieve after having equally considered the needs of each of its sub religious communities. Taylor does not deny that those needs may more often than not conflict among themselves. This is where he argues that it is also the duty of the members of a society

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[5] Charles Taylor, « The Meaning of Secularism », p1.
[6] Ibid.
[7] Ibid.

to maintain harmony as much as possible between the different faith communities and this is what truly corresponds to the French Fraternité principle.

One important issue Taylor tackles in his definition of secularism is the question of timing. When secularism was first spoken of, the idea was to create a set of principles that would be valid for all times and spaces. Only universal reason would be used to design and implement rules that would guarantee freedom and equality for people from different faiths in different times of history. However, as Taylor argues, there is no such thing as timeless principles. According to him, principles should be adopted according to specific societies, political systems, periods of history, etc. Failing to do so results in failing to respect the last principle of secularism, which is that of fraternity and of harmony between people from different faiths. Indeed, dictating a set of universal and timeless rules fails to hear the needs of specific communities in specific periods of history and in specific socio-political contexts. Taylor emphasizes the importance of what he calls a necessary "working out", an effort that has to be made to accommodate the principles of secularism with the needs of the society in which it is going to be implemented.

In fact, after looking closely at Taylor's definition of secularism, it comes out that this definition is not only about what secularism is but also about the way it has to be implemented. The question of religion-state relationship has evolved drastically throughout history and, overall, it has evolved in different ways in different times and spaces. There is thus a need to rethink the way we think of secularism when specific religious paradigms evolve in a given society. Taylor gives the example of the increasing Muslim immigration to the United States and Europe. Specifically, he evokes the example of the French law that prohibits the wear of veil in schools. Taylor argues that in some cases, basic rules have to be observed with no exception made. However, in the veil case, Taylor explains that there is a need to debate and negotiate the issue because the harmony of society is at

stake. According to him, this can be done by considering the Muslim community as an interlocutor rather than a threat to the principles of French Laïcité.[8] He also reminds how American Catholicism was treated with equal suspicion in the Nineteenth Century. American Catholicism has evolved significantly before becoming what it is today and, as Taylor points out, there is no reason why Islam would not undergo a similar evolution that would be the result of debates and negotiations rather than of suspicion and conviction.

Another crucial point in Taylor's conception of secularism is that of the general misleading idea that secularism is about state-religion relationship when in fact it is about guaranteeing equal rights for an increasingly diverse society.[9] This means that secularism should not be about favoring secular ideas over religious ones but rather about adopting a neutral position when designing democratic rules that would give equal rights to all the members of the society.

Taylor's influential work is also the result of the influence of other prominent thinkers who wrote about secularism. He is influenced mainly by Rawls of which he borrows the idea that a secular state holds on to the following principles: human rights, equality, the rule of law, democracy. Taylor adds that this ethics can be shared by people from different backgrounds, regardless of their religious beliefs, and that is what Rawls calls the "comprehensive views of the good".[10] In other words, these principles, according to both Rawls and Taylor, are universal values that are not based on any religious background and are thus desirable and applicable by societies from and with different religious communities. This idea can be found also in the Islamic teaching. What is labeled as Maqasid (the Arabic word for goals, purposes) supposes the idea that a society's ultimate aim is to achieve the wellbeing of all of its members. Taylor argues that a Kantian utilitarian would argue that a person who

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[8] Charles Taylor, « The Meaning of Secularism », p3.
[9] Ibid.
[10] Ibid.

can feel both joy and pain should be treated in a way as to maximize his joy and minimize his pain. In doing so, the state must maintain the ethic as a goal but refrain from using or favoring any religious belief, such as the Catholic concept of the human being as made at the image of God.

The reason Taylor emphasizes so much the importance of goals in secularism is the belief that the misleading definitions of secularism are due to the fact that one forgets about those goals. He argues that there is "a tendency to define secularism or laïcité in terms of institutional arrangement, rather than starting from the goals". This is the reason why the expression "separation of church and state" of "removing religion from public space" have become emblematic when defining secularism. Taylor explains that if secularism was only a matter of institutional arrangements it would not have been problematic to find a definition to it in the first place. There would only be the need to set those arrangements and the debate would have been closed. According to Taylor, one would not find itself in a dilemma of defining a complex concept that involves several goals, because in this case there would only be one goal and "one master formula".[11]

Regarding the question of goals and institutional arrangements, Taylor goes back again to the famous example of the wearing of veil in schools. While in France such behavior is now forbidden by law, it faces a different legislation in other secular countries. In Germany, students can wear it but not the instructor, while in the United Kingdom and other countries there is no clear law and it is up to the school to make its own decision. In Taylor's point of view, the different points of view about the same question in different secular countries are due precisely to the fact that legislators had to accommodate and reconcile two different goals. One is to maintain neutrality in public institutions so as to respect the basic principle of equality between different faith communities. The second goal is to respect the principle of liberty and guarantee freedom of religious practice to the members of the society.

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[11] Charles Taylor, "The Meaning of Secularism", p3.

However, this second goal was not as strong as to allow the wearing of veil in public institutions and this is based on different arguments. The Germans, Taylor argues, could not accept the idea that a person of authority (in this case the instructor) in a public institution (school) would wear a religious distinction. In France, although several critics arose about the idea of religious freedom and the right to practice one's own faith, some "dark suggestions" as Taylor calls them were made to suggest that schoolgirls are certainly coerced by their parents and obliged to wear the veil and that would be something that France cannot accept on its territory. Others would go as far as to argue that the wearing of veil is not merely a sign of religious belonging and practice but is rather an open aggression and hostile behavior towards the principles of the French Republic.[12]

But in any case, as Taylor reminds us, the different responses to the same issue is the result of an attempt to reconcile two goals. But Taylor argues that this situation takes place when there is confusion about the goals of secularism. In the Western case, the confusion is made when secularism is automatically identified with laïcité, the rigid respect of Republican principles and the complete removal of any kind of religious sign, regardless of what other goals there may be when designing and implementing secular rules.[13] What matters according to Taylor is, thus, to recognize the fact that there are multiple goals at stake, not only that of respecting and implementing rigid Republican rules.

In his argument against a rigid implementation of Republican principles, Taylor in fact debates the "science beats religion" thesis.[14] This thesis is according to him untenable and does not give a full image of the phenomenon. It is true that there has been a battle between Theology and Science in the modern era; one should pay attention to the moral aspect and as Taylor argues, one has to take into consideration the drawing power of scientism. Indeed, according to Taylor, the major undermining

[12] Charles Taylor, « The Meaning of Secularism », p7.
[13] Ibid.
[14] Francisco Lombo de Leon & Bart Van Leuven « Charles Taylor on Secularism : an Introduction and Interview », in Ethical Perspectives 10 (2003), p78.

weaknesses of the modern conception of secularism it that it denies any space for morality and spirituality.[15]

Rajeev Bhargava: what is secularism for?

One other prominent thinker who widely discussed secularism both in his home country and in the Western world is the Indian political theorist Rajeev Bhargava. In his article "What is Secularism for?" he gives a full picture of how he conceives his own theory of Secularism. His aim is to construct a theory in favor of secularism, a theory that would advance arguments that any secularist would use regardless of where the need to secularize comes from. In other words, Bhargava attempts to construct a universal theory of secularism, one that would truly apply in different places and times. In doing so, he explains not only the way in which state and religion are separated but also how they are related to each other. This relationship, according to him, depends on which kind of separation between the two is needed. This is where Bhargava distinguishes between two principle forms of secularism: a political (or political moral) secularism and en ethical secularism.[16] According to Bhargava, defining secularism as the separation of politics from religion is also trying to answer three basic questions: is it possible to separate religion and politics? Why is such a separation necessary? How do religion and politics relate to each other after they separate. The whole conceptual structure, according to Bhargava, relies on building a strong answer to these three questions. Failing to do so results in the collapse of the whole theory.[17]

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[15] Francisco Lombo de Leon & Bart Van Leuven « Charles Taylor on Secularism : an Introduction and Interview », in Ethical Perspectives 10 (2003), p78

[16] Rajeev Bhargava, « What is Secularism For?» available from http://law.uvic.ca/demcon/victoria_colloquium/documents/WhatisSecularismforPreSeminarReading.pdf

[17] Rajeev Bhargava, « What is Secularism For?» available from http://law.uvic.ca/demcon/victoria_colloquium/documents/WhatisSecularismforPreSeminarReading.pdf

The responses Bhargava gives to these three questions build his theory of secularism. To the question whether it is possible to separate religion and politics, Bhargava makes a distinction between continental and sub-continental cultures. Indeed, according to him, in sub-continental cultures, it is practically impossible to separate the religious from the non-religious. In the case of India, he argues that secularism as it is generally defined (complete separation of state and religion) would be a "political non-starter".[18] Therefore, Bhargava suggests we define secularism as the separation of some religious aspects from political institutions. He gives the example of the fact that electoral constituencies are not to be classified according to religious beliefs and which, according to him, does not imply that every single religious belief has to be completely removed from political practice.[19] Indeed, the secularism that Bhargava envisages does not discard the fact that it is rather difficult and challenging to distinguish and separate religious from non-religious practices. However, he emphasizes the value of separating some of the religious practices from the political sphere, because, according to him, a complete removal of religion is found rather unsatisfactory. He argues that the complete secularization of society (implying a total removal of any religious referent or practice) is neither possible nor desirable.

To the question of why religion and state should be separated, Bhargava first lists a set of arguments put forward by proponents of such a separation. The first argument he uses is one linked to power. Indeed, both political and religious institutions are strong establishments that have a powerful impact on "people's unqualified allegiance".[20] They both drastically influence the way people would think and they actually prevent them from thinking independently. Some degree of separation between the two would thus allow more autonomous thinking among the members of the society. Second, a

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[18] Ibid.

[19] Ibid.

[20] Rajeev Bhargava, « What is Secularism For?» available from
http://law.uvic.ca/demcon/victoria_colloquium/documents/WhatisSecularismforPreSeminarReading.pdf

separation would allow for a greater egalitarianism and democracy, where there would be no concentration of power in the hands of members of a specific religious community over another.[21] Bhargava goes as far as defining religion as a set of delusional and false claims that prevents from living a free life. In fact, he described religion as a "house of superstition and falsehood" of which obscure and false dogmas are to be removed in order to ensure a transparent political life "governed by true and self-evident principles."[22]

However, besides this blunt hostility towards religion; Bhargava also refers to instrumental rationality as an argument in favor of separating politics from religion. This implies the idea that a society's goals must be those of achieving its goals using the best means possible. Bhargava argues that the presence of religion in the political sphere simply prevents it from functioning in a correct and efficient manner, and generates dysfunctions that render the achievement of democratic rules simply impossible. In addition to this, Bhargava argues that the political apparatus uses coercive methods that do not have an impact on one's personal beliefs as these go beyond any political coercion. In fact, notwithstanding Bhargava's previous hostile position towards religion, he argues that religion has no place in the political sphere mainly because of the coercive character of policy-making and policy-implementing.[23]

Notwithstanding, the common feature between Charles Taylor's theory and Rajeev Bhargava's theory is that they both conceive secularism as a concept that should aim at the well-being of the members of the community. It is not only a matter of understanding whether religion should be separated from politics but also the way such a separation would benefit all the religious components of the society and guarantee both freedom and equality.

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[21] Ibid.
[22] Ibid.
[23] Ibid.

Mohamed Abed El Jabri: modern rationality and new religiosity

Mohamed Abed El Jabri, a renowned Moroccan thinker and philosopher has been amongst the first Arab and Muslim intellectuals to discuss the question of secularism in general and in the Arab world in particular. His works contributed to enriching the debate about the place of Islam in politics and whether a Muslim society can become secular in the same way previously Catholic Western societies have done so.

El Jabri's theory of Muslim secularism is framed around the basic idea that the question of secularism in the Muslim world is rather a wrong question. He argues that secularism was necessary in the Western Catholic world because of the political power that the church has acquired ever since its creation. This, according to El Jabri, cannot happen in a Muslim country as there is no church in the first place. The absence of any clerical institution in Islam is, in Jabri's point of view, the reason why any debate would simply be sterile if does not take this fact into consideration.

In fact, according to Jabri, instead of asking whether secularism can be implemented in a Muslim society, one should ask first whether the universal values that are inherent to modern secular democracies are compatible with Islamic commands. Jabri's answer is straightforward: there is a deep convergence between universal values and Islamic predicaments.[24] His starting point is that of the birth of modernity. He argues that the birth of modernity is not the result of a sole Western effort, that it owes nothing to the Western tradition or school of thought. In fact, it is quite the contrary. It is the disenchantment with the Western tradition that ultimately led to the birth of modern thinking.[25]

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[24] Abdou Filali Ansari, "Can Modern Rationality shape a New Form of Religiosity: M.A. Jabri and the Project of reduction of Islamic Apories" available from http://www.aljabriabed.net/t9_canmodernrationatity.pdf
[25] Ibid.

Jabri adds that the notion of Shura in Islam does not belong to any tradition, not even to that of the thinkers who thought of an ideal caliphate based on the notion of Shura. In fact, Jabri argues that the principle of Shura is appealing to modern consciousness in general because it is an ethical principle that could and should be implemented in any kind of society, regardless of what its religious or historical roots are.[26]

Moreover, Jabri emphasizes other Islamic laws that are to be considered as a universal ethical set of rules. The question of women rights and freedom of faith are, according to Jabri, some of the basic principles of Islamic law. Jabri argues that if these principles have lost their appeal in modern thought it is due to historic conditions that have drastically undermined the image of Islamic instruction. Jabri sustains that this undermining is reversible if modern Muslim thinkers go back to the initial finalities (Maqasid) of each Shari'a before shaping new rules that would fit the needs of a growingly modern society.[27]

> *"The theologians made a distinction between rites ('ibadat) which should not be taken as objects for rational examination (Ijtihad) because they are not amenable to rational justification, like break-fasting at sunset in Ramadan for example[...], and transactions (mu'amalat), which are properly objects of rational examination (Ijtihad) because of their link to the finalities (Maqaçid) of the religious law (shari'a), and to the conditions of revelation (asbab an-nuzul) which are taken to be their causes. On whether it is possible to link religious commandments to finalities instead of causes, I do not think that we should impose on ourselves a strict and absolute implementation of the rule adopted by theologians (Fuqaha), which declares that "commandments evolve following their causes rather than the reason sought by their implementation" because this rule has been reached through mere rational*

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[26] Ibid.
[27] Ibid.

examination (Ijtihad) and nothing else. The causes ('ilal) of the commandments are not given

by [sacred] texts, but instead are inferred by the theologians through rational inquiry, and

built, as they readily admit, on guess and probability rather than certainty and absoluteness.

The most reasonable position in our view is to defer detailed religious commandments, when

their finalities diverge, to the totalities (Kulliyat : overall principles) of the shari'a, because

these totalities (kulliyat) in law are the equivalent of the explicit verses in matters pertaining to

the creed. Since we have to defer the ambiguous (Mutashabih) to the explicit (Muhkam), why

should we not consider arising contradictions between some specific commandments and

newly emerging finalities, as kinds of ambiguity (mutashabih), which is solved by being

deferred to the explicit (muhkam), the basic principles and totalities?"[28]

Jabri explains that the reason why the debate about religion-state relationship in the Muslim world is at a stalemate for the time being is because most scholars and thinkers do not make a clear distinction between facts and the interpretation and evaluation of these facts. While the former is the object of knowledge and scientific inquiry, the latter can be subject to ideological and ethical preferences. Indeed according to him, a lot of research on the topic is made based on strong ideological attitudes that prevent the research from abiding by basic scientific scholarship methods.[29]

One other important point that Jabri emphasizes and which, according to him, seriously harms the ongoing debates in the Muslim world is the fact that, contrary to Judaism and Christianity, when Islam was born there was no pre-existing political entity. The people had to come up with a new way of organizing social life based on both the needs and the peculiarities of that period of time. It is therefore

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[28] Mohammed Abed El Jabri, "Democracy, Human Rights and and Law in Islamic Thought" in Contemporary Arab Scholarship in the Social Sciences, 2008, pp. 186-187.
[29] Mohammed Abed El Jabri, "Democracy, Human Rights and and Law in Islamic Thought" in Contemporary Arab Scholarship in the Social Sciences, 2008, pp. 186-187.

wrong for current thinkers and philosophers to use that period of time as a reference when building new rules because the policy-making of that time was rather history-based rather than being actually Shari'a based. Jabri reminds the fact that the Islamic Shari'a has never provided at any point a clear political agenda to organize the life of the Muslim Ummah (community) and that it was up to the people to establish an agreeable system of organizing life while abiding by the non-political instructions of the Quran and the Shari'a.[30]

Nevertheless, as Jabri firmly asserts, the difficulties facing the current Muslim policy-making and philosophical thought do not mean that Muslim societies should adopt secularism in order to avoid religious-based controversies.

"The question of secularism (*'ilmaniya*) in the Arab world is a false problem, in the sense that it expresses actual needs by reference to categories which do not correspond to them: the need for independence within a single national identity, the need for democracy which protects the rights of minorities, the need for rational practice of political action, all are in fact objective needs, they are even reasonable and necessary claims in the Arab world. However, they lose their justification and necessity when they are expressed through ambiguous slogans like that of secularism (*'ilmaniya*)."[31]

Concluding remarks

On the light of the works of the three previous thinkers as well as of others, a number of problematic issues emerge.

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[30] Abdou Filali Ansari, "Can Modern Rationality shape a New Form of Religiosity: M.A. Jabri and the Project of reduction of Islamic Apories" available from
[31] Mohammed Abed El Jabri, "Democracy, Human Rights and and Law in Islamic Thought" in Contemporary Arab Scholarship in the Social Sciences, 2008, pp. 186-187

First, it appears that the debate about secularism in the Muslim world as well as in the Western world, seem to imply that secularism is a monolithic and immutable concept that is immune to time and space changes.

Second, the discussion of secularism in the Arab/Muslim world seem to drag more controversies than fruitful debates due to the fact that the argument of secularism being a Western invention comes forward whenever we speak of implementing secularism in a Muslim country. This argument is put forward mainly by traditionalist thinkers who argue that the modernist thinkers who bring the issue on the table are Western-influenced or worse, that the debate is a Western conspiracy to alienate the Muslim thought and to shape domestic Muslim politics according to some Western agenda aiming at annihilating Islam.

Third, when scholars speak of secularism in the Muslim world, they do so as if the Muslim world were a unique and homogeneous bloc of countries. They fail to take into consideration the deep socio-political divergences that exist between those countries. It is true that when the Caliphate system was established, the aim was to construct a huge Islamic Ummah that would constitute indeed a homogenous community regardless of geographical distances. However, after the collapse of the Caliphate system, the Muslim world broke into several smaller Muslim entities, each following and implementing the Islamic Shari'a in its own way. They are now different countries with different needs and prerogatives. Even when the Western world became secular, it did so in so many different ways. The French Laïcité has little to share with the British or the Spanish secularism for instance. It is therefore absurd to speak of secularism in the Muslim world as one single phenomenon that would take the same equal path in each of the Muslim countries.

Fourth, the debate about secularism in the Muslim world seems to be often more about controversy than about dialogue. It seems that the debate is more about exchanging accusations and

identifying guilty thought rather than setting and achieving Maqasid, which after all is the core mission of the Islamic message.

2. The Sociology of Religion

Several sociologists, often labeled as integration theorists, have argued that what bonds an individual to his society are institutions represented by family, religion, political system, etc. In specific, Durkheim, Parsons and Bellah emphasize the role of religion in bringing stability and equilibrium within society.[32]

Durkheim in particular, contributed in a considerable way to the building of the sociology of religion. Being essentially a functionalist, his main focus was on the functions that objects or actors played within a closed system. In this, sense, he studied the social phenomena following the function they hold within the society in which they took place.

As a comparison between Durkheim and Weber for instance, it emerges that while the latter is more preoccupied with rationality, the former is preoccupied by solidarity[33] and his main concern is what hold individuals together within the same society.[34] Durkheim believes that solidarity is a natural and inherent characteristic in society while conflict is pathological.[35]

One concept that Durkheim explains and which is particularly important for the theme of this thesis, is that a social fact "consists of ways of acting, thinking, and feeling, external to the individual

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[32] Inger Furseth, *An Introduction to the Sociology of Religion: Classical and Contemporary Perspectives* (Ashgate Publishing, England, 1988), p.151

[33] Durkheim Topic N° 1, Functionalism, Anomie, Religion. Available from
http://academic.brooklyn.cuny.edu/soc/courses/18ts/anomie.htm

[34] Emile Durkheim, *The Elementary Forms of Religious Life*, Oxford Press,

[35] Durkheim Topic N° 1, Functionalism, Anomie, Religion, available from
http://academic.brooklyn.cuny.edu/soc/courses/18ts/anomie.htm

and endowed with power of coercion, by which they control the individual".[36] This means that there phenomena that are beyond the economic or the psychological object, and can only be interpreted as social entities.[37] In addition to this, each member of the society is born completely independent from the social facts that are going to influence his set of beliefs and behaviors. In other words, each society's pattern of belief, values and norms shape the personality of the individuals living within it and determines the way these individuals will think and behave.

As for religion, given the importance that Durkheim gives to solidarity, he naturally perceives religion as source of social cohesion between the individuals of a given society. According to him, when a group of persons pray for the same God, they are actually not praying for the sacred but praying for the institution that is bonding them together. The shared feelings of piety between fellow citizens is that what creates a sense of solidarity and belonging to the same homogenous and stable group of people, as an opposition to an external group that believes in another set of values.

The concept of religion as a source of social cohesion is important when studying the practice of Islam in Morocco. Indeed, as it is going to be explained in chapter IV, what forges Moroccan national identity is this sense of belonging to the same community, the same Ummah. It creates a sense of security and of self-confidence to which Moroccans are strongly attached. Indeed, whenever a threat to Islam is sensed in Morocco, it is perceived as a threat not only against Moroccan national identity but also against the social and political stability of the country.

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[36] Emile Durkheim, *The Elementary Forms of Religious Life*, Oxford Press,
[37] Durkheim Topic N° 1, Functionalism, Anomie, Religion. Available from
http://academic.brooklyn.cuny.edu/soc/courses/18ts/anomie.htm

II

Islam in the Construction of Moroccan National Identity on the Eve of Independence

The aim of this chapter is to draw a picture of the divisions that characterized the Moroccan sociopolitical scene before colonization, analyze how the French protectorate deepened these divisions in order to strengthen its authority and explain how the nationalist movement that led the struggle for independence centered its action around Islam as a core unifying paradigm. It first gives a picture of the sociopolitical landscape directly prior to the advent of colonialism, in order to draw a picture of the religious and political tensions that opposed different actors. Then it explains how colonialism, with its divide-and-rule strategy towards Arabs and Berbers, actually gave birth to a nationalist movement that put Islam as the principal axis of its struggle for independence. This strategy was efficient as it enabled the nationalist movement, on the one hand, to gather around it several components of Moroccan society despite their different political ideologies, and, on the other hand, put the building blocks of what will become an Islamic Moroccan national identity.

1. The Sociopolitical Landscape of Pre-colonial Morocco

Bled El Makhzen and Bled Es-Siba: Tribal Revolts against Central Authority

Starting the second half of the nineteenth century and until the end of the French protectorate in Morocco in November 1956, a great instability characterized the Moroccan political sphere. Indeed, the country was divided between, on the one hand, regions that were under the authority of the central government, called the Makhzen, and, on the other hand, regions that were governed by tribes that refused to submit to the Makhzen, and which were called "Bled Es-Siba", literally the "country of anarchy" in Arabic. Understanding the functioning of the Makhzen and of the opposition of the dissident tribes allows a better understanding of the crisis that has been plaguing the country and the role that French colonialism played in worsening the division in the country.

The word Makhzen, still used until nowadays to refer to Monarchy and its governmental apparatus, literally means warehouse in Arabic and it's a clear reference to the taxes that the government used to collect from the submitted tribes. As a concept, it refers to the traditional political system gathered around Monarchy. The concept first appeared during the Saadi dynasty that ruled Morocco from 1554 to 1659 as an attempt to rationalize the power of the central administration. Its composition, members and roles varied considerably throughout the following centuries as it has been greatly influenced by the tensions that opposed the Sultan to the dissident tribes. In addition to this, Makhzen was not only a political and military apparatus; it also had a profound impact on the Moroccan political culture given the particular symbol that it held for the public consciousness.

As far as the structure of the Makhzen is concerned, it can be described as composed of three major entities. The first one is framed by the surrounding of Monarchy: the Sultan himself, the Wazirs (ministers) and the Hajibs (major domo). Their main function was to set the internal and external policy guidelines. The second group was made of Katibs, secretaries whose main function was to frame in detail the policies based on the decisions of the first group. Finally, the third group, the real Makhzen if

we consider the literal meaning of the word, was composed by the treasurers in charge of the financial issues of the government, including tax collection from the different submitted tribes.[38]

Several different definitions were given to Makhzen, following the different roles that it played in shaping the Moroccan political sphere. As stated before, understanding the formation of the Makhzen in Morocco goes necessarily through the understanding of the dissidence that several tribes, mainly in the High and Middle Atlas, have expressed towards the central power. Indeed, in the wide literature available about this subject, Makhzen has often been associated with tribal rebellion and was even labeled as "Makhzen in tribe" or "tribal Makhzen". This label was made by several academicians based on Ibn Khaldun's theory of group solidarity (Asabiyah), proselytism (Da'wa) and State (Dawla).[39] Indeed, according to Ibn Khaldun's theory, there is a strong linkage between political authority and tribal society. This theory suggests that the emergence of the central authority of Makhzen is due to the conflicts between rural dwellers and nomads.[40] As a consequence, the raison d'être and prosperity of the Makhzen relied principally on the alliances made with the tribes. The Asabiyah of the submitted tribes, often called Guish, provided the main support for the Makhzen.[41]

Another sociological approach made by French anthropologist Robert Montagne conceives the Makhzen through the violence that it exerts to maintain its power and create "an absolute state, a centralized state, to impose a unique law… and submit its subjects to merciless and ruinous tyranny"[42] It took over a century and a half for the Alaouite dynasty to dissociate the favored tribes, fuel opposition among each other, reduce their privileges and prerogatives before domesticating them under

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[38] Mohammed Daadaoui, *Rituals of Power and the Islamist Challenge : Maintaining the Makhzen in Morocco*¸ (Palgrave Macmillan, 2011) p. 82.
[39] Ibid.
[40] Mohammed Daadaoui, *Rituals of Power and the Islamist Challenge : Maintaining the Makhzen in Morocco*¸ (Palgrave Macmillan, 2011) p. 82.
[41] Ibid.
[42] Robert Montagne, *Les Berbères et le Makhzen au Sud du Maroc, (Paris, 1930), p. 390.*

the authority of the King.[43] The survival of the Makhzen depended thus greatly on the pressure it put on the different tribes, perpetuating thus social disorder and strengthening inter-tribal conflicts.[44] Despite the fact that this violence had allowed on the one hand the submission of several tribes that were geographically and strategically crucial for the pacification of internal struggles, it deepened on the other hand the division between Bled El Makhzen and Bled Es-Siba.

One other approach to defining Makhzen makes a comparison between the western feudal system and the Moroccan Makhzen. Both lack a centralized authority and rely on the delegation of powers to nobles or lords to rule over peasants.[45] European feudal lords are compared to Moroccan Caïds (leaders) in cities and Pashas in tribes who ensured the submission of local peasants to the power of the King. These two categories (Caïds and Pashas) had different modes of operation and acquired different levels of privileges, which contributed to creating a great tension and sense of rivalry between them. [46]

Although there has not always been a clear and fixed distinctive line between the submitted tribes and the rebellious tribes, as several tribes switched from one category to another throughout the rule of the Alaouite dynasty, the submitted tribes (Guish) played a significant role in supporting the Makhzen's violent repression against the rebellious tribes. Indeed, several Guish tribes were given military support from the Makhzen and were considered as a component of the country's army (besides Sub-Saharian slaves) and had the obligation to be ready to defend the Makhzen from both external and internal threat.

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[43] E. Aubin, *Le Maroc D'aujourd'hui,* (Paris, 1912), p. 183.
[44] Mohammed Daadaoui, *Rituals of Power and the Islamist Challenge : Maintaining the Makhzen in Morocco¸* (Palgrave Macmillan, 2011) p. 83
[45] Ibid.
[46] Mohammed Daadaoui, *Rituals of Power and the Islamist Challenge : Maintaining the Makhzen in Morocco¸* (Palgrave Macmillan, 2011) p. 82

In parallel to this, Makhzen will also try to strengthen its alliances with the Moroccan bourgeois class, especially with Fes' trading bourgeois class since they played a major role in strengthening Moroccan trading alliances with Europe. The Makhzen's strategy was to profoundly interconnect its own interests with those of the bourgeois elite, especially after the Fes revolt of 1820. The aim was twofold: first, guaranteeing the dependence of the interests of the bourgeois elite on the Makhzen's interests and, second, to take advantage of the expertise that the bourgeois elite of Fes had gained throughout the years in terms of foreign trade. In fact, as Morocco widened its openness towards Europe, it realized it suffered from a severe lack of expertise in economics and trade. Fes Bourgeois traders, who had a stronger experience, provided a priceless help to Makhzen on those matters.

Nevertheless, despite such useful alliances with the bourgeois and the military support of submitted tribes, the weakness of the Moroccan state is going to be even more accentuated when colonialism will reconfigure the Moroccan territorial space with a clear division between Bled El Makhzen and Bled Es-Siba.[47] The state will ultimately become divided between, on the one hand, the "useful Morocco" composed of civil regions (Casablanca, Oujda, Rabat) and military regions (Meknes, Fes, Agadir, Marrakech) and, on the other hand, the "anarchical Morocco", composed of Berber dissident tribes. However, the latters, although refusing to submit to administrative duties (mainly taxes and jurisdiction), still recognized the particular religious status held by the Sultan. Indeed, claiming direct descent from the Prophet Mohammed, the Alaouite dynasty has continuously instrumentalized its Cherifian status[48] to legitimize its power. This paradoxical configuration is however crucial in understanding the division of the country and the birth of nationalist movements in the early twentieth century. In fact, the dissidence of Berber tribes, their refusal to express Bay'a[49] and their use of

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[47] Driss Maghraoui, *Revisiting the Colonial Past in Morocco*, (Taylor and Francis:

[48] The title of Chari fis given to any person directly descending from the family of Prophet Mohammed.

[49] Bay'a is the annual oath of allegiance expressed to the King by officials of the Moroccan government and military.

customary law as an opposition to Bled El Makhzen's administrative law was more of a political opposition than a religious one.

Indeed, despite the weak and contested political power of the Alaouite dynasty before independence, its religious legitimacy will grow stronger as the Sultan will progressively negotiate his religious prerogatives with, on the one hand, the Zawaya[50] and the Ulemas.[51]

Sufism, Zawaya and the Makhzen: a Struggle for Religious Legitimacy

One of the major challenges to the religious authority of Moroccan Monarchy in the pre-colonial era and during colonialism was Sufism. Sufism refers to mysticism in Islam. It is at the same time a philosophy and a practice through which a Muslim can individually achieve a spiritual communion with God through meditation and deep reflection on one life's meaning and finality. A Sufi's ultimate objective is to detach himself from life's trivialness, purify his soul and devote his existence to prayer and contemplation.

Despite the fact that Sufism is not mentioned neither in the Quran nor in the Hadith (teachings of Prophet Mohammed) and was not even mentioned in standard Arabic dictionaries in the eighth century[52], it has become a strongly institutionalized movement ever since it emerged directly following the prophet era in the seventh century. Although several historians and theologians trace the roots of

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[50] Zawaya are a kind of Islamic monasteries in which sufism is practiced.
[51] Ulemas are Muslim scholars whose duty is confined to research in Islamic philosophy and jurisdiction.
[52] Farida Khanam, *Sufism, an Introduction*, (Goodword Books: New Delhi, 2009).

Sufism as a philosophy to pre-Islam, the practice of Sufism as an Islamic tradition was first born based on the prophet's simple and ascetic life.

Nevertheless, the birth of Sufism was not made merely on religious grounds. In fact, Sufism was born also as a political, social and cultural movement against the general chaos that characterized the Arabic peninsula following the death of Prophet Mohammed. The deep economic disparities and the prevailing spiritual crisis of that period served as an inspiration for individuals to seek piety and asceticism.[53] It is only through the era of the Ottoman Empire that Sufism will transform from an individual practice to an institutionalized movement that will have a strong impact on the political scene given the fluctuant relationship that it will adopt towards authorities.

In Morocco, the birth of Sufism was also linked to a weak political and social context. Similarly to its history in the Middle East and with regards to the Ottoman Empire, the strength and power of Moroccan Sufism varied considerably following the strength of Makhzen in the state. Whenever the authority of the Makhzen was challenged, the authority of Sufism grew stronger and acquired a political dimension in addition to the religious one. As a result, the Makhzen aimed at establishing alliances with strong and strategic Zawaya (Sufi "monasteries"), rewarding the faithful amongst them with various privileges and economic support.

The major threat that the Zawaya represented towards the Makhzen was naturally regarding religious authority. Indeed, while Monarchy struggled to reinforce its religious legitimacy based on its descent from the Prophet, the Zawaya continued challenging this legitimacy given the fact that Zawaya Sheikhs also claimed the same Cherifian descent. This religious struggle soon transformed into a political one, between the Makhzen as a central authority and the Zawaya as a local authority. Indeed,

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[53] Hassan Abu Hanieh, *Sufism and Sufi Orders: God's Spiritual Paths: Adaptation and Renewal in the Context of Modernization.* 2011.

Zawaya played a major role in regulating the political life of the tribes they belong to and used both Shari'a and customary laws as a reference to their jurisdiction. As a consequence, the struggle between the Makhzen and Zawaya was also the expression of the struggle between a persisting tradition and the desire for modernization and the rationalization of political authority. While both were strongly attached to some core traditional features that are at the heart of their legitimacy (mainly the descent from the Prophet), the objective of the Makhzen was also to modernize its institutions and mechanisms in order to both extend its authority and respond to the European pressure to construct a modern state.

Consequently, several Zawaya directly blamed the Makhzen for abandoning core Islamic instructions for the sake of constructing a modern state that would respond as much as possible to the European model of state. This was thus the occasion for Zawaya to reaffirm even more their political authority by emphasizing the opposition between their attachment to tradition and religion and the deviation of the Makhzen from them. Moreover, several Zawaya increased their legitimacy by providing direct economic support to the population, discrediting thus the efforts of the Makhzen to overcome the difficult economic situation that Morocco was going through in the pre-colonial era. Throughout the religious courses and theological studies that the Zawaya provided, they soon transformed into a distinct political, religious and economic authority that directly threatened the legitimacy of the authority of the Makhzen.

As a reaction to the growing power of Zawaya, the Makhzen tried, relatively unsuccessfully, to jeopardize their power without directly discrediting or putting into question their religious legitimacy. The strategy of the Makhzen was to emphasize the notion of Khilafa[54] and of Ummah[55] to strengthen

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[54] Khilafa, also called Caliphate, is an Islamic state led by a supreme religious leader, called Khalif, or Caliph, and who is the successor of prophet Mohammed.
[55] The concept of Ummah in Islam refers to the Muslim community in different geographical areas of the globe.

the role of the Sultan as a supreme religious leader to which all other religious sub-entities should vow obedience.

Amongst the most influential Zawaya in pre-colonial Morocco and during colonialism are the Zawiya Nassiriya and the Zawiya Darqawiya. They both grew as a strong threat to central authority, causing the Makhzen to react by either supporting them to gain their obedience or attacking them to reduce their influence.

Ever since its creation in 1675, the Zawiya Nassiriya focused the core of its mission around protecting the Sunna[56] and fighting what they considered as creed and behavior deviations both from the population and the Makhzen. They took advantage of the failure of the Makhzen to control rebelled tribes to take control over the political, religious and cultural spheres of those tribes. Taking also advantage of their geographical position, far from the reach of Makhzen, they became an authority in solving conflicts between tribes, especially in Dara'a, in the East. But as its influence grew stronger, rivalries about leadership caused serious instability inside the organization of the Zawiya Nassiriya. The Makhzen saw in this crisis an occasion to intervene and gain control over the Zawiya. Indeed, the Makhzen provided extensive economic support to the Zawiya in change of giving the Sultan the power of appointing the Sheikh of the Zawiya. This was a turning point in the relationship between the Zawiya and the Makhzen, as the Zawiya slowly lost its independence and became ultimately a mere tool to the Makhzen to extend its sovereignty to new geographical areas.

The Zawiya Darqawiya, which was founded towards the end of the eighteenth century, centered its religious and political action mainly on fighting colonialism. Ever since the intervention of the French in Algeria in 1830, the Zawiya Darqawiya warned against the threat that would represent a

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[56] Sunna is a normative set of Islamic rules and values framed based on the life and the instructions of prophet Mohammed.

Catholic interference in Moroccan affairs and pointed out to the weakness of the Makhzen to protect the Islamic creed from such a threat. The Zawiya started thus preaching for a religious Jihad[57] against the Catholic invader, blaming the Makhzen for failing to take effective action against the French. As the spiritual and political missions of the Zawiya grew interconnected, the Makhzen feared that the Zawiya would take major role in replacing the Makhzen authority in geographically strategic zones of the country (mainly the North Eastern part). However, the strategy of the Makhzen to appease this threat became more and more difficult as the French took part of the Eastern part of Morocco. As a result, the Zawiya Darqawiya spread its influence even more, not only as a religious school of thought but also, and most importantly, as an effective resistance tool against colonialism.

Ulemas

Contrary to other Arab countries where the Ulemas held a strong political power, like the Ulemas of Al Azhar in Egypt, Moroccan Ulemas have historically had little influence, although they still represented a potential threat during the pre-colonial era to the Islam that Monarchy aimed to establish in the country.

The main reason why Moroccan Ulemas never reached the prestige that other Arab Ulemas may have under the Ottoman Empire, for instance, was the lack of an institutionalized and hierarchical body of religious scholars. As a consequence, the influence that they had varied considerably, depending greatly on their personal relationship with the Makhzen and how close they were to the Sultan.

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[57] Jihad refers to « holy war », a military struggle conducted against non-Muslim communities in order to convert them to Islam.

One major characteristic of Ilm (knowledge) in Morocco is that it has gone through little to no innovation at all throughout its history. The Maleki rite, a school of thought and law in Sunni Islam founded by Malik Bin Anass, has been transmitted from one generation to another without bringing any sort or modification or adaptation to it. Indeed, Moroccan Maleki Ulemas consider that any modification is a Bida'a[58], and have thus decided to stick to strict readings of unchanged texts throughout several generations of Ulemas.

Partly due to this lack of innovation in Ilm and Islamic jurisdiction in Morocco, very little literature is available on the study of Moroccan Ilm. Edmund Burke III, a prominent Islamic history professor, argues that such a lack of literature is rather mysterious.[59] He explains that it is paradoxical if we consider the major role that they played in struggling for independence against the French. However, according to him, the explanation to this paradox is the fact that Moroccan Ulemas never acted as a corporate body but rather "in terms of the conflicting pulls and strains of Moroccan popular Islam".[60]

Burke makes an interesting comparison between Ulemas in Morocco and Ulemas under the Ottoman Empire and which allows a better understanding of their functioning. He argues that despite the lack of a truly hierarchical organization within Moroccan Ulemas, there was panoply of judicial and educational officials that operated in a roughly similar way to Chief Mufti and Sheikh Al Islam under the Ottoman Empire.[61] The Chief Qadi of Fez, for instance, (also called Qadi al Qudat) had a prestigious position. Burke explains that the Chief Qadi of Fes had the duty of appointing judges in all

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[58] Bida'a refers to any innovative rule or practice that does not find its roots in the Islamic instructions and tradition. It is strictly forbidden in Islam.

[59] Edmund Burke III, *The Moroccan Ulama, 1860 – 1912 : An Introduction in Scholars, Saints and Sufis : Muslim Religious Institutions in the Middle East*, (University of California Press: Berkeley, 1972) p. 93.

[60] Ibid.

[61] Edmund Burke III, *The Moroccan Ulama, 1860 – 1912 : An Introduction in Scholars, Saints and Sufis : Muslim Religious Institutions in the Middle East*, (University of California Press: Berkeley, 1972) p. 93.

Moroccan cities, as well as professors and teachers at al Qarawiyin University[62]. Moreover, he was also the head of the Habus (properties) in Fez, which made of him an extremely attractive asset for the Makhzen. However, as Burke explains it, contrary to the Ottoman function of Sheikh Al Islam, the powers of the Chief Qadi were relatively limited. He had no control over the duties of the other judges he appointed and did not operate as a court of higher appeal and personal ties influenced greatly access to teaching jobs at al Qarawiyin.[63]

Another major difference between Ottoman Ulemas and Moroccan Ulemas is the relevance of Fatwa.[64] While under the Ottoman Empire the office of Mufti held a central role in framing Fatwas that would have an impact on the state's politics, in Morocco Fatwa only existed under the form of judicial opinions that Ulemas would provide to the Sultan and which rarely contradicted his aspirations. Burke points out to one instance in which Ulemas expressed an opinion that was openly opposed to the Sultan's position. It happened when, under the rule of Sultan Hassan I (1873-1894), Ulemas formally expressed their opposition to the sale and consumption of both tobacco and Cannabis, a practice which had been followed by several Sultans.[65]

Nevertheless, despite the lack of an institutionalization and hierarchy within Moroccan Ulemas, a rough categorization based on their functions is still possible. In the literature available on this subject, roughly three or four levels have been identified inside the Ulemas corpse. The first level included Ulemas that through their teaching experience have acquired wide prestige and recognition. Amongst them are Seikh al Jama'a (doyen of ulemas), the Chief Qadi (the supreme magistrate), Qadis

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[62] Al Qarawiyin, the oldest university in the world, was built in Fes in 859 and was the center of Islamic Fiqh and jurisdiction in Morocco.

[63] Edmund Burke III, *The Moroccan Ulama, 1860 – 1912 : An Introduction in Scholars, Saints and Sufis : Muslim Religious Institutions in the Middle East*, (University of California Press: Berkeley, 1972) p. 93.

[64] Fatwa is a decree in which a Muslim scholar and jurist expresses his opinion regarding a specific problematic question.

[65] Edmund Burke III, *The Moroccan Ulama, 1860 – 1912 : An Introduction in Scholars, Saints and Sufis : Muslim Religious Institutions in the Middle East*, (University of California Press: Berkeley, 1972) p. 101.

(judges) and Muftis (Ulemas who provided consultancy to Sultan).[66] The second level included Faqih who were experts in Islamic jurisdiction but had a relatively weaker teaching experience or who held less prestigious positions within Mosques and Medersas[67] but who were still considered as part of the intellectual elite in the country and some of them were invited to express Bay'a to the Sultan. Finally, the third and fourth levels included advanced students of Islamic jurisdiction, also called Tolba, and who have recently started their teaching career.[68]

The lack of a formal institution or an official status left space to both clientelism (especially when it comes to appointing judges) and intervention of the Makhzen to appease internal conflicts and ensure the loyalty of Ulemas towards Monarchy. While clientelism posed little problem to Makhzen, as the Sultan often intervened to suggest a name or discard another, it was primordial for Monarchy to deny Ulemas any sort of concrete political power and limit their activity to jurisdiction, predication and teaching. In order to do so, the Makhzen first recognized the religious legitimacy of Ulemas and their role in teaching Islam and giving the right example to what an Islamic conduct should be like, and, second, gave them an illusionary political power through Bay'a and political advising to the Sultan. Establishing Bay'a between Ulemas and the Sultan was a win-win decision. Indeed, through Bay'a, Ulemas fulfilled their ambition of not only teaching and predicating but also intervening in the political affairs of the Ummah. Monarchy, on the other hand, crucially needed the allegiance of Ulemas to reinforce its authority and legitimate it even more in the public consciousness. Furthermore, eliminating any competency about religious authority helped the Sultan take full control over the role of the supreme religious leader.

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[66] Mohammed Mansour, *Les Oulémas et le Makhzen dans le Maroc Précolonial, le Maroc actuel : une Modernisation au Miroir de la tradition?* (Institut de Recherche et d'Etudes sur le Monde Arabe et Musulman : Aix en Provence, 1992).
[67] Schools in which Islamic thought, law and philosophy are taught.
[68] Mohammed Mansour, *Les Oulémas et le Makhzen dans le Maroc Précolonial, le Maroc actuel : une Modernisation au Miroir de la tradition?* (Institut de Recherche et d'Etudes sur le Monde Arabe et Musulman : Aix en Provence, 1992).

Berber Customary Law as a Tool of Indigenous Resistance

In the context of division that characterized the Moroccan scene at the eve of French protectorate, Berber customary law played a significant role in exacerbating the identity crisis that divided Arabs and Berbers and which will later give birth to a nationalist movement that will use national unity despite ethnic diversity as a tool of struggling against colonialism.

Berber customary law, also known as Izref in Tamazight (Berber language), is a tribal positivist law and one of the oldest legal systems in pre-colonial Morocco. It regulated all aspects of public and private life of Berber tribes, especially those located in the High Atlas and the region of Souss.[69] As a positivist system of jurisdiction, it was highly influenced by the socio-historical context of the Berbers in Morocco and their relationship with the Arabs and with the Makhzen. Moreover, Izref was not only an expression of indigenousness and often a refusal to abide by the Arab and Islamic system of law, but it was also a means for rebelled Berber tribes to strengthen their independence from the Makhzen system, which deepened even more the division between Bled El Makhzen and Bled Es-Siba. In addition to this, being a tribal system of law, one of its objectives was to prevent tribal cohesion and tribal matters from falling into the hands of a Makhzen whose principal objective was to destruct such tribal constructions.

Being based on Berber or Hebrew beliefs, Izref differed considerably from the Makhzen's system of law that is based mainly on Islam and Shari'a. Amongst the examples that illustrate these

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[69] El Khatir Aboulkacem, « Droit Coutumier Amazigh face au Processus d'Institution et d'Imposition de la Législation Nationale au Maroc », available from http://www.ilo.org/wcmsp5/groups/public/---ed_norm/---normes/documents/publication/wcms_100800.pdf

differences are, for instance, a law that was implemented in Figuig (Berber city in the North Eastern part of Morocco) which enabled the tribe to confiscate any property that might be sold to a stranger, or the inheritance law implemented in Zaïan (in the Middle Atlas mountains) which drastically limited women's inheritance rights with regards to what Shari'a stipulates in that matter.[70]

The strategy of the Makhzen towards tribes that adopted a system based on customary law was that of religious discretization. By emphasizing its strong commitment to Islamic law, the Makhzen aimed at demonstrating that Berber tribes that applied customary law were heretic and that their system of law and values was not valid. For the Berbers, instead, maintaining customary law was a means of refuting Islamic assimilation and strengthening their fragile identity in front of what they considered the Arab/Islamic invader. In the valley of Ilmgert in the southern anti-Atlas, for instance, the intervention of the authority of the Makhzen in the customary legislation was considered as a threat to social and cultural equilibrium.[71] Other tribes, in the oasis of Figuig put the autonomy of their law system as condition for their recognition to the authority of the Sultan. [72] An anecdote which took place in Figuig illustrates well this compromise that the Berbers were willing to make in change of maintaining their customary system:

> "When we asked them to agree on the designation of the representative of the Caïd Abdelmalek, they expressed a profound feeling of rejection and dissatisfaction. We thus asked them about the reason behind their attitude. They said: 'if the affairs of Figuig fall in the hands of one single man, the country may

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[70] Robin Bidewell, *Morocco under Colonial Rule : French Administration of Tribal Areas*, (Routledge, 1973), p. 271.

[71] El Khatir Aboulkacem, « Droit Coutumier Amazigh face au Processus d'Institution et d'Imposition de la Législation Nationale au Maroc », available from http://www.ilo.org/wcmsp5/groups/public/---ed_norm/---normes/documents/publication/wcms_100800.pdf

[72] Ibid.

fall apart and expose itself to the conquest of misbelievers. One single person cannot efficiently manage common good.' We thus accepted their reasonable discourse and we agreed that the affairs of Figuig and their relations with the Roumi will not be part of the prerogatives of the Makhzen's representative. This latter will only be present at the Jema'a. Thus they accepted the authority of the Makhzen." [73]

In addition to the preservation of the autonomy and identity of dissident Berber tribes, another important factor played a role in the division between the Makhzen's system and customary law: natural resources. Being settled along the Atlas Mountains and in strategic oasis in the South, Berber tribes disposed of important agricultural and water resources that attracted the interests of the Makhzen, which added yet another dimension to the struggle between dissident Berber tribes and the Makhzen.

The Berber Dahir

On March 30, 1912, the treaty that established the French protectorate in Morocco was signed between Eugène Regnault, the French plenipotentiary minister in Tangier, and the Fes Sultan Abd El Hafid. The Morocco that the French found when they came, long before the Fes treaty, was profoundly divided. The main difficulty that the French army faced was the violent tribal revolts both against the Makhzen and against the French invader. As a reaction, French General Lyautey, an emblematic personality in the history of colonial Morocco, launched a military operation called the "Pacification of

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[73] Ali As-Sousi, *Muntaha An Nuqul wa Mushtaha al Uqul,* ms BG, d 633, p155.

Morocco", which lasted from 1907 until 1934, and in which nearly 60 000 French soldiers lost their lives.

Throughout these military operations, the French came to realize two crucial issues which will have a profound impact on the process of Moroccan identity construction: first, the political and cultural cleavages that separated the Arab centralized authority and the Berber dissident tribes, and, second, the religious traditionalism deeply entrenched in Moroccan politics and culture and which was considered as an obstacle to the French aspiration of constructing a modern state.

The 1930 Berber Dahir was a decree conceived by the French and signed by the Sultan Mohammed V and which aimed at maintaining and regulating Berber customary law. It had a dramatic effect on deepening the divisions between Arabs and Berbers, and between central authority and dissident tribes. This division is going to fuel considerably the nationalist movement that is going to greatly emphasis the role of religious unity in overcoming political and ethnic cleavages.

The 1930 Dahir was not the first attempt made by the French as part of their divide-and-rule strategy in Morocco. In fact, already in 1914, a first Berber decree was issued to legitimize Berber customary law and guarantee its autonomy from Islamic law that was implemented by the Makhzen authority. It was elaborated based on anthropological and ethnographic studies made by French researchers in the Moroccan Berber mountains and stated that Berber tribes should maintain their customary system of law and be under the Islamic jurisdiction imposed by the Makhzen. Indeed, the first article of the Dahir states that "the tribes that follow Berber customary law are and should remain regulated by their own laws and customs, under the control of authority".[74] However, this decree

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[74] Joseph Luccioni, « L'élaboration du Dahir Berbère du 16 mai 1930 », available from
http://www.persee.fr/web/revues/home/prescript/article/remmm_0035-1474_1984_num_38_1_2046

remained without real effect, which incited the French to elaborate a second Dahir that would establish a clear line dividing the two jurisdiction systems.

Nevertheless, the elaboration of this second Dahir was characterized by the opposition between two major arguments that divided the commission. The first argument, sustained by French lawyers and civil members from the commission, stated that French tribunals should be built and French jurisdiction implemented, in order to gradually suppress customary law and replace it with French law[75]. The major objective of supporters of this argument is "to avoid the Islamization of customary law and, should historical law evolve, it should do so towards French civilization rather than Arab civilization"[76] Some supporters argued: "what we have realized in Algeria in 1874, in the Kabyle region, we should be able to realize in Morocco where the Amazigh, as long as they are allowed to maintain their customary system, are willing to be judged by a French who is totally indifferent to any influence, from the tribe or from the Caïd…"[77] A member of the supporters of this argument added: "my opinion, I think, does not only belong the world of affairs and lawyers but also to any French who care about increasing the French influence in Morocco, especially within the Berbers who are longing to come towards our institutions and our civilization". [78]

The counter argument to this claim was made by the Office of Indigenous Affairs (Direction des Affaires Indigènes) that tried to consecrate, through a legislative text, what existed already and apparently worked effectively.[79] General Noguès, a prominent French World War II army general and General Resident in Morocco, argued: "we should put ourselves in a political point of view. The Berbers are satisfied by their justice, nothing proves that they will remain so if, tomorrow, they have to

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[75] Ibid., 76.
[76] Ibid, 77.
[77] Ibid.
[78] Ibid.
[79] Joseph Luccioni, « L'élaboration du Dahir Berbère du 16 mai 1930 », available from http://www.persee.fr/web/revues/home/prescript/article/remmm_0035-1474_1984_num_38_1_2046

face a French judge. We have to be careful otherwise we may run the risk of affronting a complete indigenous opposition".[80] M. Bénazet, director of the Office of Indigenous Affairs added: "We have to organize what exists. From a political point of view, it is beyond doubt that there are going to be disadvantages if we look for innovation. The question should overall remain in the practical domain. Are Berbers satisfied with their judiciary organization? Yes. Are they going to satisfied with immediate contact with French tribunals? No…"[81] The Direction of Cherifian Affairs added that "he could not ask the Sultan to provide a general Dahir establishing a justice that is just not his. Rather, they could ask for as a short text as possible in which he would recognize in its principles the existing organization". [82]

Following several debates between the respective supporters of the two arguments stated above, the commission first agreed with the ideas put forward by the supporters of the second arguments and presented the project of a Dahir that would, first, identify the penal competences and duties of each head of a tribe and, second, preconize the construction of tribunals that would implement Berber customary law and preserve, thus, its independence from the influence of central authority. Moreover, it preconizes the creation of a government commissioner, assisted by a clerk secretary.[83] This "moderated" version of the initial project clearly expressed the French intentions regarding Berber territories and their strategy of submitting both central authority and Berber dissident tribes to the French control. Indeed, the aim of the commission was to provide a moderated decree that they would be able to submit to Sultan Mohammed V without the fear of having it rejected by him, and thus be able to extend their control to Berber territories. In fact, this version of the project would have allowed the French to first gain the trust of both the Sultan and the Berber tribes before taking their strategy a

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[80] Ibid.
[81] Ibid.
[82] Ibid.
[83] Ibid.

step further through future decrees and law projects. However, after successive debates about the question and against all odds, the president of the commission suggested including a section that stipulates that French tribunals would have retain full competency when dealing with crimes committed in Berber lands.[84] The objective of the president of the commission was not to establish French jurisdiction over the Berber one, but rather to guarantee their intervention in the process of reducing violence in Berber territories and which was a major obstacle to the French colonialist expansion in Morocco. The president of the commission justified his position by explaining that the French had only three possible solutions before them: 1. To create Berber criminal courts, 2. To maintain the competency of the Makhzen justice. 3. To give the competency to French courts. The president of the commission argued that the first solution was not applicable and that the second went against the promise made by the French to Berbers to preserve their customary law, while the third one appeared as an intermediary solution that would constitute a first step in the French strategy of reorganizing the Moroccan judiciary system. [85]

In addition to this, the elaboration of this Dahir translated the centrality of the Berber question in the French colonial strategy. Berber customary law, in particular, represented a "window into Berber psychology".[86] In the decades preceding the signature of this Dahir, several French missionaries were sent to Berber tribes in order to investigate their jurisdiction and provide detailed reports to French authorities. The aim was to draw a full image of the Berber legal system in order to identify key access points for the French. Clearly, the antagonism between Islamic law and customary law appeared as the ideal element to focus on in order to create enough division to weaken both systems without running the risk of triggering opposition or rebellion.

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[84] Joseph Luccioni, « L'élaboration du Dahir Berbère du 16 mai 1930 », available from http://www.persee.fr/web/revues/home/prescript/article/remmm_0035-1474_1984_num_38_1_2046
[85] Ibid.
[86] Katherine Hoffman, "Berber Laws by French Means: Customary Courts in the Moroccan Hinterlands, 1930 – 1956)" in Comparative Studies is Society and History, 2010, 52.

Already in 1917, Victor Piquet, a French writer and colonialist expert, expressed his hopes in allying the Berbers to the French cause through the instrumentalization of their rejection of Islamic legal instruction. He even referred to Berbers as this "race as blond as we are and often blond with blue eyes" in order to emphasize the clearly imaginary common points between Berbers and French people. In his book "Le peuple Marocain, le bloc berbère" (The Moroccan people, the Berber block), he argued: "the essential idea which we have to embrace is that Moroccans are not Arabs… as far as their laws are concerned (Berber laws), they have no tie with the Quran, and we have to strengthen and complete them in a Berber, if not French, way and we should not let Quran to be implemented in their regions". IBID VICTOR PIQUET le people marocain le people berbère. Paul Marty, a high military official and colonial administrator, wrote *Le Maroc de Demain*, (Morocco of tomorrow), in which he explained how the creation of French-Berber schools would greatly help discarding the Islamic influence in Berber tribes, not only at the judiciary level but also at the cultural one. General Layautey, who shared this point of view, even declared that he "always supported the Berber element rather than the Arab and degenerated element… the Berber element can only be understood by a military".[87] Even French Freemasonry emphasized the ethnic differences between Arabs and Berbers and strongly encouraged teaching French to Berbers. David Bensoussan argues that even a minority of the French community in Morocco asked for the spread of Christianity amongst the Berbers through organized evangelization operations. He cites the viscount Charles de Foucauld that wrote the following to the French Academy on July 29, 1916:

> "My idea is that if, slowly and softly, Muslims of our North Africa colonial empire
> do not convert (to Christianity), a nationalist movement, similar to the Turkish one,
> will emerge, an intellectual elite will rise in big cities, an elite educated by the French
> without having neither the spirit nor the heart of the French, an elite that will have

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[87] David Bensoussan, *Il Etait une fois Le Maroc*, (Les Editions du Lys, 2012), p. 353.

lost all Islamic faith but will keep its etiquette in order to use it to influence the mass population. Besides, the mass population made of nomads and countrymen will remain ignorant, distant from us and firmly Mohammedian, raised to hate and contempt towards the French through its religion, its marabou, through the contacts that it has with the French (authority representatives, settlers and traders) and which do not contribute to build a pleasant image of ourselves. A nationalist or indigenous feeling will grow within the instructed elite that, when the occasion comes, will use Islam as a lever to raise the ignorant mass and will look forward to creating an African Muslim independent empire". [88]

Nevertheless, the French had to eventually face some obstacles. First, not all Berber tribes rigorously implemented customary law. Indeed, some of them had a judiciary system in which both customary law and Islamic Shari'a cohabited.[89] Likewise, even those tribes that had a full customary system were not all necessarily and officially registered as such. Furthermore, recognizing Berber customary presented another obstacle to the French. In fact, legal pluralism in this case posed an ideological problem as several customary laws were clearly antagonistic with the French conception of justice, especially in the case of women and inheritance.[90] A dilemma emerged as the French tried to understand whether replacing some unfair customary laws with Islamic ones would harm the colonial policy. As legal scholar Marcel Morand stated in 1910, "on the one hand, Islamic law is more

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[88] David Bensoussan, *Il Etait une fois Le Maroc*, (Les Editions du Lys, 2012), p. 353.
[89] Katherine Hoffman, "Berber Laws by French Means: Customary Courts in the Moroccan Hinterlands, 1930 – 1956)" in Comparative Studies is Society and History, 2010, 52
[90] Katherine Hoffman, "Berber Laws by French Means: Customary Courts in the Moroccan Hinterlands, 1930 – 1956)" in Comparative Studies is Society and History, 2010, 52

humanitarian than customary law, especially for women. But while it may bring about civilization, it also closes off the possibility of assimilation and progress".[91]

The major fear that the French faced with regards to Berber customary law was that of seeing of proliferation of Islam within dissident Berber tribes. This would lead to a complete Islamization and Arabization of the country and thus threaten the colonizer's position. Indeed, the principal aim of the French was to create a clear ethnic and religious division in the country in order to first, undermine Islam, which they, rightfully so, perceived as potential fuel to nationalist movements and, second, to rally the Berbers by emphasizing the common features between them and the French. In order to strengthen their strategy, the French also focused on key historical facts to foster antagonism between Arabs and Berbers. They emphasized the massacres perpetrated by Arabs when they conquered Morocco and established Islam, starting the eighth century.

As soon as the Dahir was signed on May 16, 1930, a strong revolt movement broke up, led by a motivated intellectual elite that denounced a Machiavellian French project aiming at destructing Moroccan identity and undermining the religion of the state. Echoes of such revolts reached also other Arab countries both in North Africa and the Middle East, where colonialism and protectorate were increasingly perceived not only as a threat to political unity but also and particularly as an attempt to detach the religious component from the formation of Arab identity. In Morocco, this vision contributed considerably to the formation of a nationalist movement that used Islam as a central feature in its claims for independence.

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[91] Marcel Morand, *Etudes de Droit Algérien (*Algiers: Jourdan, 1910, and Centre des Archives Diplomatiques, Ministère des Affaires Etrangères, Nantes (CADN), Protectorat du Maroc,1912–1956, DAI 31).

2. Islam in the Moroccan Nationalist Movement

The nation-wide indignation against French protectorate that grew stronger following the signature of the 1930 Berber Dahir led to the creation of a nationalist movement that focused greatly on Islam to denounce the French tentative of annihilating Islam, dividing the country and ultimately undermining monarchy. The first step made by the nationalist movement, principally led by the Istiqlal (literally Independence in Arabic) movement, was to forge a nationalist discourse focusing on the core features of Arabism and Islam as the main components of Moroccan national identity. In order to rally different categories of civil society to their cause, Moroccan nationalists used a political discourse that aimed at denouncing key elements that would ultimately trigger revolt within different components of Moroccan society regardless of their respective political convictions.

For the first time in Moroccan modern history, a national discourse about Moroccan national identity was made. Emphasizing Arabism and Islamism in the independence movement played a major role in framing Moroccan modern national identity. Nevertheless, in order not to raise attacks against the almost complete discarding of the Berber component in framing national identity, the nationalist movement built its strategy around two major arguments. First, they denounced a protectorate system that failed to respect its initial engagement of "supervising" the Moroccan political scene in order to implement the state of law and guarantee political stability. Indeed, nationalist leaders pointed out to the increasing control of the French over Moroccan domestic affairs and denounced it as a threat to Moroccan sovereignty and political integrity. The 1930 Berber Dahir was a precious tool used by nationalists in order to demonstrate the French tentative of dividing the country and weakening social cohesion. Second, given the fact that Berber customary law was not officially recognized and that several tribes used a mixed customary and Islamic jurisdiction system, Moroccan nationalists used

Islam to overcome the division that the French aimed at establishing between Arabs and their Berber "brothers".

The instrumentalization of Islam in the nationalist movement aimed at attracting the support of different components of Moroccan society, regardless of their political, social or ethnic affiliation. The main argument that nationalist activists used was that colonialism was a threat to Islamic identity and that it was the duty of each Muslim individual to defend his faith against a foreign alienation. For the first time in modern Morocco history, Islamic thought was tightly linked to the discourse of national identity. The final aim was to create a new definition of Moroccan identity: an identity that is at the same time political, social and religious. Amongst the several activists that led the Moroccan nationalist movement, Allal el Fassi emerged as a charismatic personality.

Allal El Fassi, a leading figure in the Moroccan nationalist movement against French protectorate, contributed in a great part to the Islamization of the nationalist and independentist movement in the country. His main argument was centered on condemning the Zawayas and their activities and introducing what himself labeled as neo-Salafism. Salafism is an Islamic movement of thought that preconizes the return to the origins of Islam and to the "Salaf" (Arabic word for predecessor). In practice, it means abandoning all innovation and going back to respecting Islamic instructions in the same way it was during the era of Prophet Mohammed. When Allal El Fassi introduced neo-Salafism, he aimed at adding a political dimension to classic religious Salafism and emphasizing the difference between Salafism as a strictly religious movement and neo-Salafism as a politico-religious movement.

Allal El Fassi's Salafism is at the same time a movement, action, nationalism and political struggle for independence, which created a clear distinction between his movement and the values and

role that Ulemas held in that period.[92] As stated in a previous section of this chapter, the role of Ulemas was confined to religious knowledge, independently from any material or political considerations.[93]. Believing in the value of action rather than only in that of the word, Allal El Fassi broke with the tradition and ideal of Ulemas and preconized the importance of action and mobilization. Thanks to his renowned expertise in Islamic jurisdiction and tradition, Allal El Fassi succeeded in using specific Islamic notions and values in order to mobilize the mass in a religious nationalist struggle. In that sense, he was considered not only as a religious reformer but also as a modern political man and the reform he was introducing was strictly about transforming ideas and concepts into concrete actions: he transformed religious knowledge to an ethic that has to be subordinated to political action.[94]

At the beginning of the formation of the nationalist movement, there was a strong diffidence towards the concept of nationalism in general. In addition to the fact that Islam condemns the idea of nationalism within the same Muslim community (even living in separate states), the Turkish experience of Mustafa Kemal was not particularly appealing for Moroccan nationalists. Indeed, one famous Moroccan nationalist leader tells about a meeting he had with his fellow activists while discussing about the right strategy to adopt towards colonialism, and he says: "We were twelve and we were discussing the threat that the Berber Dahir represented and what we should do to fight it. Two positions emerged. The first was to fight against this Dahir from a nationalist point of view while the second preconized a religious struggle. The idea of the nation was at that time almost inexistent, and the Moroccan people looked at it with wariness, because the nationalism of the Turkish leader Mustafa Kemal turned up against him and failed him. We finally preferred the religious struggle because all Moroccans are attached to their religion and are ready to die for it".[95]

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[92] Belal Youssef, *Le Cheikh et le Calife : Sociologie Religieuse de l'Islam Politique au Maroc,* (ENS Editions : Lyon, 2011).
[93] Ibid.
[94] Ibid.
[95] BElal Youssef, *Le Cheikh et Le Calife : Sociologie religieuse de l'Islam Politique au Maroc*, (ENS Editions : Lyon, 2011).

The indictment text written by a group of Moroccan nationalist and independentist leaders against the Berber Dahir clearly explains the centrality of religiosity in the question of national identity construction at the eve of independence. It is said: "Moroccans have nothing against their justice being reorganized. But reorganizing and reforming do not mean creating a new justice in a region of the country, a justice that is completely contrary to the official religion of the state. What should be done in order to satisfy the real aspiration of the Moroccan people is to reform the Islamic justice without deviating from its fundamental principles and then apply this justice to all Moroccans without any racial distinction."[96]

The authors of several similar pamphlets were considered as the most modern activists within the nationalist movement and like Allal El Fassi, they define themselves as the protectors of Islam and during the Berber Dahir Crisis, the principal idea amongst all those who gathered to fight against it was that it was their duty to fight an attempt to subtract the Berbers from the Islamic tradition. [97]

.The Green March

On November 6th, 1975, while the Southern territories of Morocco are still occupied by the Spanish, King Hassan II launched a national and peaceful march called the Green March in which nearly 350 000 volunteer marched towards the occupied territories, holding only a Quran and the Moroccan flag. In front of this unprecedented action, the Spanish retrieved their troops before undertaking diplomatic negotiations with monarchy about the sort of the Sahara (still undecided up until now).

The striking dimension of this March was not only its religious character, but also and above all its peacefulness. While for decades scholars and some Zawayas had called for Jihad against the

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[96] BElal Youssef, *Le Cheikh et Le Calife : Sociologie religieuse de l'Islam Politique au Maroc*, (ENS Editions : Lyon, 2011).
[97] Ibid.

Christian invader, King Hassan II undertook this unprecedented step of organizing a fully peaceful action, in which the only arms that the volunteers had in hand were a Quran and a flag. The message that Hassan II intended to send was clear and strong: the people living on that land are 1. Moroccan, 2. Muslim, 3. Peaceful. Another surprising aspect was the huge flow of volunteers that wanted to participate in the March. Moroccan Islamic nationalism had never been so strongly entrenched in Moroccan minds. The objective of the Green March was not simply a question of a political or military victory, but rather a victory of a people who defended their faith and their values in front of a Christian invader that threatened to shaken their creed and transform an Islamic land to a Christian one.

III

Monarchical Moderate Islam vs. the Threat of Radical Islamism

This chapter deals with the way Monarchy faced the threat of fundamentalism at different periods of post-independence Morocco. The chapter explains how different types of fundamentalist activists, political leaders or thinkers have threatened either directly the legitimacy of monarchy or peace and stability of Morocco. Mainly, the chapter analyses the competition about political authority between the King as a supreme religious leader and Islamic political parties that aimed at reconstructing the religious sphere in Morocco. It is argued that the King aimed at eliminating all competitors to his religious status and drastically limited the powers of the few religious institutions of the country and which are closely under the control of the Moroccan government. The aim was to strengthen his position as the sole and unique religious figure of the country. The Islam of Morocco is that of the King. It defines itself as moderate, tolerant and open. As the popularity of monarchy grew stronger after the enthronement of King Mohammed VI in 1999 and the emergence of Salafi terrorist groups in Morocco, a strong belief of indignation towards radicalism grew within Moroccan society, but rather than creating a disenchantment with religion or with political religion, it strengthened the tie that linked the population to the vision of the moderate yet strong Islam that monarchy established in the country: a vision that, however, does not hold the same significance for the two actors. Indeed, while on the one hand, the population perceives it as and a protection against either radicalism or

westernization, Monarchy, on the other hand, instrumentalizes it to strengthen even more its sacred religious status in the public consciousness and guarantee, thus, its survival.

1. Historical and Ideological Roots

Birth of Islamism in Morocco

Radical Islamism in Morocco was born relatively late compared to other North African or Middle Eastern countries. While, for instance, Egypt witnessed the birth of the Muslim Brotherhoods[98] already in 1928, it is only towards late sixties, early seventies, that Moroccan first Islamist movements have emerged.

Ever since the establishment of the French protectorate by the treaty of Fez in March 1912 and more particularly after the independence of Morocco in 1956, the Moroccan Monarchy has increasingly reinforced its power and extended its control over the post-independence institutions. The King's growing hegemonic position has led to the emergence of a leftist opposition movement that the Moroccan regime has chosen to repress by introducing Salafism in the country and supporting (and even creating) radical Islamist groups.

Hizb Al Istiqlal (literally Party of Independence) was one of the first and most important forces of resistance that have rebelled against the French protectorate and struggled for the independence of the country. The party was founded on December 10, 1943 by Ahmed Balafarj who became the secretary general of the party before being succeeded by Allal El Fassi who has ultimately become the emblematic figure associated with nationalist movements in Morocco. On January 11, 1944, the party

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[98] The Society of the Muslim Brothers (more commonly knowm as the Brotherhood) is the largest Islamist political organization in Egypt and was Founded by Hassan El Banna in 1928 under the slogan "Islam is the Solution".

releases a manifesto in which it claims the abolition of the French protectorate, the independence of Morocco and the restoration of the Alaouite dynasty as the ruling family over the country.

Following the signature of the manifesto, the Istiqlal party has focused its activity around three major objectives:

- Defence of legitimacy: starting 1952, the party launched a vast diplomatic campaign in which, on the one hand, Balafarj claimed the Moroccan independence before several international instances. On the other hand, Allal El Fassi called for a wide Arab and Islamic solidarity in Cairo on August 20, 1953. Furthermore, the party has struggled for the establishment of a democratic constitution and the organisation of free and transparent elections, in order to provide the country with fair, efficient and credible political institutions.[99]

- Defence of unity: Clearly this objective was closely linked to the claim of Moroccan independence which, according to the Istiqlal party, could not be achieved without the territorial integrity of the kingdom. The party has thus rejected the territorial division implemented by the French authorities and called for the retrieval of all Moroccan territories, mainly southern ones (Sidi Ifni, Tarfaya, Western Sahara) and northern ones (Ceuta and Mellilia). In addition to this, the party has called for national unity and the protection of the diversities of the Moroccan identity with its Arab, Amazigh and African origins. Another unity which the party has fought for is clearly the unity of the national movement engaged for the independence of the country and of democratic forces under the National Koutla in 1970 and Democratic Koutla in 1992.[100]

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[99] The Istiqlal Party Official Website, available from http://www.partidelistiqlal.org/ , consulted on February 16, 2014

[100] Ibid

- Defence of freedom: the party has made the claim for freedom a central aim. Indeed, it has continually called for individual freedom, economic freedom and the freeing of population from illiteracy, poverty, unemployment and social exclusion. The promotion of women and family rights (personal status code, family code) has also constituted an important issue in the Istiqlal party's agenda.[101]

Throughout the French protectorate, the Istiqlal party has exercised a continuous and ferocious pressure over the French colonial administration, becoming thus a nationwide supported movement. It has gained growing popular trust, which has allowed it to acquire a major symbolic position in the national movement for independence.

This leading position has permitted a growing rapprochement between the King Mohammed V (1927-1961) and the Istiqlal party. In point of fact, the support of the Sultan has considerably allowed the party to consolidate its legitimacy and gain further social trust in the national struggle for independence.

Nevertheless, following the independence of Morocco in 1956, the trust that once flowed between the Sultan Mohammed V and the Istiqlal party started to be shaken by the multiple divergences between the independentist party's aspirations for a constitutional monarchy and the Sultan's desire of maintaining power in the hands of the royal family. These divergences have inevitably led to the scission of the Istiqlal party into a royalist rightist wing and an anti-royalist leftist wing.

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[101] Ibid.

Indeed, the few couple of years following the independence of Morocco were considerably decisive for the future of the Istiqlal party and the relationship between monarchy and leftist opposition. When Mohammed V returns to Morocco on November 16, 1955 after two-year exile in Madagascar, he is confronted to the strong position of the Istiqlal party who had become a sort of "state in state" during his absence. In addition to this, the Istiqlal party had already started to count amongst its members many leftist militants who claimed more and more power for the people and the prompt establishment of democratic institutions. However, while King Mohammed V's methods for protecting his prerogatives did not stoke the anger of Istiqlal party, King Hassan II's (Mohammed V's son and successor) aggressive reaction made of him the direct target of a large section of the independentist party, particularly its leftist wing which, in 1959, separated from the party and founded the National Union for Popular Forces (Union Nationale des Forces Populaires, UNFP).[102]

Under the leadership of the young and charismatic El Mehdi Ben Barka, the UNFP soon becomes an undeniable threat to the stability of Hassan II's monarchy.[103] In fact, Ben Barka's activism, several trips abroad and a visit to the Congress on during a travel to Washington in 1957 have soon started to irritate the young king. The international experience of Ben Barka pushes him to attempt to introduce the Chinese and Yugoslav models to Morocco by organizing a giant and popular gathering in which around 11000 young Moroccans took actively part in the construction of a 60km road that linked Taounat (in the ex French colonized zone) to Ketama (in the ex Spanish colonized zone), calling it the "road of unity".[104]

The reconstruction of the newly independent Morocco goes thus through a period of great political and financial instability. Several assassinations, attacks and conspiracies contribute greatly to

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[102] Telquel "1956 - 1961: l'époque où tout a basculé", Souleiman Bencheikh, N° 389, available from http://www.telquel-online.com/389/couverture_389.shtml
[103] Ibid.
[104] Ibid.

the deepening of the already tense climate in the country.[105] The assassination of Touria Chaoui remains one of the most remembered commanded assassination in that period. Touria Chaoui, who was also the first female aviator in Morocco, was a notable member of the Istiqlal party who had joined the party while she was still 18 years old and who could have become an emblematic member of the leftist opposition, hadn't she been assassinated in yet mysterious circumstances.[106]

The continuous mutual settling of scores between several actors (the Makhzen[107], the Istiqlal, the UNFP, the Armée de Libération[108] and the Forces Armées Royales[109]) do not do any good to the royal attempts of confronting the leftist opposition and consolidating the monarchy's position. In addition to this, the power of the Istiqlal party keeps growing despite tensions and repressive reactions, which leads the king to try to give more importance to potential rivals to the Istiqlal, in sum: divide and conquer.

Already before the independence, the Sultan Mohammed V had tried to strengthen the divergences between the Istiqlal party and the Democratic Independence Party (In French Parti Démocratique et de l'Indépendance), a party that was led by Mohammed Hassan El Ouazzani and which was the oldest political party, although it has ended up losing its prestigious position after the creation of the Istiqlal party by Allal El Fassi.[110]

After this first attempt at stirring up rivalries between the Istiqlal and the PDI, the Moroccan Monarchy moved to the creation of a political party intended to counter the hegemony of the Istiqlal.

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[105] Telquel "1956 - 1961: l'époque où tout a basculé", Souleiman Bencheikh, N° 389, available from http://www.telquel-online.com/389/couverture_389.shtml

[106] Ibid.

[107] The Moroccan Arabic term of Makhzen was used to refer to the governing elite in Morocco, centered around the King.

[108] The Armée de Libération, AL, was among the forces that have fought for the independence of Morocco.

[109] The Forces Armées Royales, FAR, are the summation of the armed forces of Morocco.

[110] Telquel "1956 - 1961: l'époque où tout a basculé", Souleiman Bencheikh, N° 389, available from http://www.telquel-online.com/389/couverture_389.shtml

This party was called Popular Movement (in French Mouvement Populaire, MP) and was founded by Abdelkarim Khatib and Mahjoubi Aherdane in 1958.[111] The two men are ex members of the AL and define their party as a Socialist Islamist party that is aiming at protecting Amazighism and the rural world, but overall, constitute an unconditional support for monarchy.[112] The reaction of the Istiqlal party to the creation of the MP was immediate but not very efficient: political pluralism was already implemented and other political parties started emerging.

Nevertheless, the leftist threat to monarchy has not completely faded away and it is starting that point that King Hassan II began thinking of a single solution that would achieve both of the following objectives: reinforce the weakened legitimacy of the Alaouite Dynasty[113] and counter the threat of the anti-royal leftist opposition. That is when the Islamist option has emerged as, what seemed then, the perfect alternative.

The first step undertaken by King Hassan II in his strategy aiming at introducing Islamism in Morocco was emphasizing the religious legitimacy of the Alaouite family. Being a direct descent from the prophet Mohammed, the Alaouite family had the title of "sharifian" (Arabic word for noble) family. King Hassan tried understood the importance of using it as much as possible given the highly symbolic significance of this title in Moroccan culture and society.

As a direct effect, the King reinforced also the title of Amir Al Muminin (Arab word for commander of the believers), which has considerably consolidated the position of the King as a legitimate leader of the country. Indeed, in the Islamic culture and tradition, concepts such as the Caliphate system (dominion of a Caliph, or successor) and the Ummah (Muslim community), the head

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[111] Kingdom of Morocco, National Human Rights Council's official website, available from http://www.ccdh.org.ma/spip.php?article394,

[112] Telquel "1956 - 1961: l'époque où tout a basculé", Souleiman Bencheikh, N° 389, available from http://www.telquel-online.com/389/couverture_389.shtml

[113] The Alaouite Dynasty is the name of the currently Moroccan Royal family

of state must be representative both of the people and of Islam, and must govern following the Sharia (Islamic set of law). This system of Caliphate was first initiated by the disciples of prophet Mohammed: the Caliphates Rashidun. This direct family link with the prophet has allowed King Hassan to reinforce the importance of the Bay'ah, which is the Islamic practice of loath of allegiance to a leader.

The tradition of bay'ah can be traced back to the era of Muhammad. From the beginning bay'ah was taken by Muhammad as an oath of allegiance. Anybody who wanted to enter Islam did so by reciting the basic statement of the faith expressing his faith in the oneness of God and the prophethood of Muhammad. In addition to this the prophet formally took bay'ah from the people and tribes. Through this formal act they entered the Islamic community and showed their willingness to follow and obey Muhammad. The wordings of the oath differ in different traditions but it contains the shahada[114] and prayers of repentance.

King Hassan II made of the Bay'ah one of the foundations of the Monarchy. Every year at the celebration of the throne, a pledge of allegiance in which ministers, mayors, deputies, and all local representatives of the government present themselves before the King and renew their allegiance. As symbolic as this practice may seem, it has greatly contributed to the reinforcement of the legitimacy of the King and the Alaouite dynasty in general on top of the country.

Given the fact that the Moroccan population was (and still is) in great part Muslim and given the importance of religion in daily life in the Moroccan society, the Bay'ah has consolidated the belief of belonging to a Muslim Ummah that is guided by a leader who is even a direct descendent of the prophet and who thus deserves the title of commander of believers. This has permitted the King not

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[114] The Shahadah is the Muslim declaration of belief in the oneness of God (Tawhid) and acceptance of Mohammed as God's prophet

only to make in evidence the legitimacy of the Alaouite Dynasty but also to extend its power over the once rebelled tribes and zones. Indeed, more than a simple political or historical contract, the Bay'ah extends the legitimacy of the King from a mere political position to a missionary responsibility given by God.

The second strategy undertaken by Hassan II to counter the growing leftist opposition in the country's schools and universities was to introduce Islamism in the public instruction. In 1979, the minister of education Azzeddine Laraki decides to dismantle departments of philosophy in Moroccan universities and replace them by departments of Islamic studies. The students who have graduated from these studies became professors of Islamic Education in the country's high schools.

In early 1980, Islamic education becomes an important subject in the Moroccan educative system. The government decides then to increase even more its importance by generalizing it and extending it to all public schools, at all levels, providing it with specific textbooks and employing a specialist corps of professors. The objective of the Makhzen was clear and direct: fight the so-called "imported" ideologies and prepare good Muslim citizens. School textbooks become thus indoctrination books and a way of propaganda for what the Moroccan researcher Mohammed Layadi has called "the real fundamentalism of the state".

Indeed, the official textbooks were literally dedicated to a "crusade" of the state against the leftist movements. The books, which looked more like a political tract than a learning tool defined capitalism, communism, Zionism and secularism as anti-Islamic ideologies. In several books destined for the education of school students, it is stipulated that communism should be fought because it claims for revolution and disorder, provokes wars and tensions, generates hatred and atheism, and, ultimately, that is the ally of colonialism and Zionism.

These textbooks that should have been designed initially to only to educate students about Islamic instructions were in reality used to fight Marxism and argue in what way it is against Islam as it takes the individual far from any spirituality.[115] Secularism is another concept that has been directly attacked in Islamic education textbooks. It is argued that the separation between the political and the religious spheres is a demonstration of atheism, a directly anti-Islam doctrine. In fact, we can read that "Secularism is rejected from the Islamic point of view because its foundations are linked to the Catholic church" or that "if Europe was Muslim, secularism could not have developed".[116]

In a specific chapter of a textbook, the authors talk about the golden age of Muslim civilization and explain that the was solely due to the fact that that religious instructions (directly taken from the Coran and the Hadith[117]). Consequently, the decadence of the Muslim society is attributed to the fact that real and authentic Islam was no longer followed. As a result, Salafism was presented as a solution for the decadence of the Muslim world. Moroccan official textbooks mention names of Salafis such as Al Afghani, Mohamed Abdou, Abou Chouaib Doukkali as reliable religious authorities. Wahhabism is even described as a religious movement that would help Muslim societies retrieve their golden age because it would guide them through the same path undertaken by their pious ancestors. In sum, instead of reinforcing national identity, Islamic Education has reinforced the idea of belonging to an ideological group against other ideologies. Furthermore, the textbooks designed for Islamic Education have often used the words Zionism and Judaism interchangeably, which has left large space for hatred and anti-Semitism. [118]

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[115] Telquel, "Pourquoi et Comment Hassan II a islamisé la société", N° 379, available from
http://www.telquel-online.com/379/couverture_379.shtml

[116] Ibid

[117] Hadith is the report of the sayings or actions of prophet Mohammed or his companions, together with the tradition of its chain of transmission.

[118] Telquel, "Pourquoi et Comment Hassan II a islamisé la société", N° 379, available from
http://www.telquel-online.com/379/couverture_379.shtml

In other words, all Salafi fundamentalist slogans have been inserted into the lessons taught during classes of Islamic Education. "Islam is a religion and a state", "Islamic law is applicable always and everywhere", "Islam is the solution", etc are all examples of typical Salafi doctrines that can easily be found inside textbooks designed to teach Islam to students in schools at all levels. These textbooks have ended up reflecting the exact same vision of Islam that Islamists preach about how the Islamic law should be respected, in every imaginable aspect of life, from daily life to economic and politics. That interpretation of Islam was presented as the only possible interpretation that made impossible, or even prohibited, any rational reading of Islam.[119] Not surprisingly, several texts written by some radical Islamists like the Egyptian Sayed Qotb or the Pakistani Abou Ala Maoudoudi were amongst the texts studied in Moroccan schools.[120]

In such a "religiously permissive" atmosphere, Islamist parties and organizations caught the right occasion to emerge, knowing that not only they wouldn't face any kind of repression from Moroccan authorities but could even win their moral and financial support.

The Ideological Roots of Moroccan Islamism

Although the specific ideological convictions of Moroccan Islamist parties and organizations are going to be discussed in detail later in the thesis, one can argue that Moroccan Islamism has been inspired and influenced by two major movements: Salafism and Wahhabism.

a - Salafism

Salafism is an Islamic movement that takes the Salaf (Arab word for predecessor or forefather) who lived during the patristic period of early Islam as a model to follow. In other words, Salafism calls

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[119] Telquel, "Pourquoi et Comment Hassan II a islamisé la société", N° 379, available from http://www.telquel-online.com/379/couverture_379.shtml,
[120] Ibid.

for a return to "Islam of origins", the Islam of prophet Mohammed and his Sahabah.[121] The prophet and

the Sahabah are thus considered as "as-salaf as-saleh", or the Pious Predecessors, that every Muslim

should refer to as a model, for every aspect of life.

Salafi followers call for the purification of Islam from any form of Bid'ah.[122] More specifically,

Salafis call for the freeing and the purification of Islam from what they define as occidental innovations

and interferences in the Islamic life. They argue that such innovations (ranging from philosophical

doctrines to humanist ideas) alter the essence of Islam and deviate Muslim people from the right path.

In other words, a Salafi Muslim is a Muslim who completely abandons his present realities, histories,

theologies, jurisprudence in order to go back to the realities of the era of prophet Mohammed and his

Sahabah.

According to Salafi preachers, this systematic return to the life and practices of prophet

Mohammed and his disciples is the unique efficient solution to resolve the theological, juridical and

sectarian problems and reopen the problematic debate of Takfir[123] that has continuously divided

different schools since the beginning of Islam.[124] In sum, Salafism invites Muslim to go to a "backward

and regressive religious, moral, social and political trajectory".[125]

The Salafi ideology was first introduced by the Hanbalite school of law, founded by Imam

Ahmed Ibn Hanbal (780 - 855). However, it is Imam Ibn Taymiya (1263 - 1328) and Mohammed Ibn

Abdelwahab (1703 - 1792) , two disciples of the Hanbalite doctrine, who became the two principal

ideological references of Salafism.

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[121] The Sahabah were the companions, disciples, scribes and family of prophet Mohammed

[122] Bid'ah is any type of innovation of Islam. It is considered a sin.

[123] Takfir is the practice of declaring a Muslim an unbeliever (or kafir) by another muslim based on the observation of his practices.

[124] Ahmad Moussali, "Wahhabism, Salafism and Islamism: Who is the Enemy?", Conflicts Forum : Beirut - London - Washington, January 2009.

[125] Ibid.

Salafism is later propagated in the nineteenth century and the beginning of the twentieth century by various thinkers such as Sayyid Jamal Eddin Al Afghani (1838 - 1897), Mohammed Abdouh (1849 - 1905) and Rachid Rida (1865 - 1935). Starting late 1920, the Salafi ideas were carried on mainly by the famous Egyptian Islamist group the Muslim Brotherhood who become quickly a power popular, social and political movement that gathered hundreds of thousands of members from all the Arab world.[126] Their founder, Hassan Al-Banna, not only called Muslim to return to the real faith but also to counter the British colonialism and defend the Palestinian cause. His followers took part in the Israeli-Arab war of 1948 - 1949 and created local branches of the group. For instance, in Palestine, the Islamic Djihad and Hamas were one of them.[127]

Although the concept of Salafism refers to one single definition (which is the return to the Salaf), there have been several interpretations and debates about some key issues in the implementation of the doctrine, mainly regarding the relationship between religion and politics. In fact, several Salafi groups have disagreed between them about the role that religion should play when conceiving and applying politics. Those divergences have led to the birth of three main tendencies inside the Salafi movement: The Salafiyah Elmiyah, the Salafiyah Harakiyah and the Salafiyah Jihadiyah.

The Salafiyah Elmiyah, that could also be called the scholarly Salafiyah is the branch of Salafism that is concerned with the study of the Islamic religion through the study of the Coran (the holy book), the Hadith (the instructions provided by the prophet Mohammed) and all the studies that have been made and produced by different theologians and researchers ever since the birth of Islam.

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[126] Wendy Kristianasen, "Qu'est-ce que le Salafisme? Enquête sur l'Implantation d'Al Qaida au Liban", Le Monde Diplomatique, February 2008, available from http://www.monde-diplomatique.fr/2008/02/KRISTIANASEN/15574

[127] Wendy Kristianasen, "Qu'est-ce que le Salafisme? Enquête sur l'Implantation d'Al Qaida au Liban", Le Monde Diplomatique, February 2008,.

The concern of the followers of Salafiyah is thus of academic relevance and their objective is to advance the knowledge about the Islamic religion.

The Salafiyah Harakiyah, or the activist Salafiyah, is the branch that is concerned with both political and non political Salafi followers. Indeed, it is concerned with the activities of political Salafi followers and also the activities of non political Salafi followers through activities of charity, networks of social work and religion education institutions. This branch includes also the Salafiyah Islahiya, or what could be called the Reformist Salafiyah[128], which is the movement that is concerned with suggesting religious and political reforms based on their convictions.

The Salafiyah Jihadiyah, or the Jihadist Salafiyah, is undoubtedly the most feared branch of the Salafiyah due to the fact that it calls for Jihad or what could be defined as violent/armed struggle against the infidels and in order to spread Islam.

Salafi followers can thus be said to be generally apolitical, in the extent to which they do not strive to seize political power and implement the Sharia (Islamic law) at the institutional level. Politics are, consequently, not their priority. However. they definitely provide what they consider the right path to follow for each Muslim in his daily life.

In addition to this, the doctrine of Tawhid is central to the Salafi thinking. Tawhid is a word used to refer to the belief in the oneness of Allah and in his absolute authority. Subsequently, Salafi followers divide the doctrine of Tawhid into three sub-doctrines, Tawhid Ubudiyah, Tawhid Rububiyah and Asmaa Wa Al Sifat.

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[128] Omayma Abdel-Latif "Trends in Salafism" in Islamic Radicalisation: The Challenge for Euro-Mediterranean Relations, ed. Michael Emerson, Kristina Kausch and Richard Youngs, (Centre for European Policy Studies: Brussels, 2009), 69.

- Tawhid Ubudiyah, unity of worship, is the concept according to which a true Muslim should single out Allah in all his acts of worship and only Allah should be worshiped with complete loyalty[129];

- Tawhid Rububiyah, unity of lordship, is the concept according to which a true Muslim should accept that Allah is the only creator of everything and that he is the only holder of sovereignty[130];

- Asmaa Wa Al Sifat, unity of Allah's names and attributes, means that a true Muslim should believe in the ninety nine names of Allah, as well as of his attributes, as they are described in the holy book and in the prophet Mohammed's Hadith.[131]

Ahmad Moussali explains the centrality of the previous three concepts in the Salafi ideology as following: " Submission to God, therefore, is not a personal or public act but the focal point that engulfs members of Muslim society in all aspects of their lives. Consequently, the distinction between the personal and the public is replaced by the distinction between the religious and the non-religious."[132]

Another characterizing element of Salafism, says Moussali, is the fact that Salafi severely condemn any type of deviation from the basic principle of Tawhid. He argues that Salafi followers completely reject the Taqlid of Madhahib, which can be defined as schools of jurisprudence and which is a well-established principle of orthodoxy because they argue that it implies submission to something else but Allah.

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[129] Ahmad Moussali, "Wahhabism, Salafism and Islamism: Who is the Enemy?", Conflicts Forum :
Beirut - London - Washington, January 2009.
[130] Ibid.
[131] Ibid.
[132] Ibid.

Similarly, Salafi followers condemn the Ijmaa and Qiyas. Ijmaa, which is the Arabic word for consensus, is the practice through which Islamic theologians and Ulama (Islamic legal scholars) reach a consensus after having discussed an issue that was unclear in the holy book or prophet Mohammed's Hadith. Qiyas, which is the Arabic word for analogy or analogical deduction, is the practice through which Islamic theologians and Ulama compare and contrast the teachings of the Hadith and the instructions of the Coran in order to apply a known injunction to a new circumstance and create a new injunction. These two concepts are thus rejected by Salafi followers because it is argued that they move true Muslims away from the instructions of Coran and the life and teachings of the prophet Mohammed. Salafi followers argue that true Muslims should automatically and blindly follow the Islamic instructions exactly as they have been formulated during the life of prophet Mohammed.[133]

Likewise, Salafi followers are against all forms of Ijtihad, which is the making of a decision in Islamic law (Sharia) by personal effort (Ijtihad), independently from any school (Madhhab) of jurisprudence (Fiqh), as opposed to Taqlid, which is copying or obeying without questioning. Salafi followers justify this rejection by the fact that Ijtihad requires a personal effort based on logic and critical thinking, while, according to them, logic and reason are incompatible with Islamic faith. Salafi followers have thus widely criticized the works of Jamal Al Din Al Afghani, Mohammed Abduh and Mohammed Rachid Reda, who were pioneers of Islamic reformism and which have been described by Salafis as contaminated by Mu'tazilite innovations.[134] The Mu'tazili is an Islamic school of speculative theology that was born in the Iraqi cities of Basra and Baghdad during between the eighth and the tenth centuries. Mu'tazili followers argue that the injunctions of God are accessible to rational thought and inquiry because knowledge is derived from reason. According to them, reason is the ultimate arbiter in distinguishing right from wrong and making decisions about various issues linked with religion.

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[133] Ahmad Moussali, "Wahhabism, Salafism and Islamism: Who is the Enemy?", Conflicts Forum :
Beirut - London - Washington, January 2009.
[134] Ibid

In sum, Salafi followers reject politics and try to eliminate any form of political dimension in Islamic instructions: according to them "politics is not seen as the way to good life and consequently they de-emphasize political activism and instead focus on religious Da'wa[135]. Da'wa is literally the preaching of Islamic instructions in order to spread it.

In other words, Salafi followers believe in the fact that the instructions of Islam, and more specifically the three sub concepts linked to the doctrine of Tawhid, are necessary for free individual and social life and are the only way guaranteeing true Islamic faith, far from polytheism and reprehensible innovation.[136] Consequently, there are a set of major key points that characterize the way Salafi followers see politics:

- They are against the Bay'ah. According to them, the act of Bay'ah implies expressing devotion and loyalty to a leader under all circumstances, although this leader might commit sinful acts and make decisions that contradict with the way Salafis see the Islamic Sharia. Furthermore, they argue that the act of Bay'ah contains an inherent political dimension that they refute given the fact that Salafi followers are against all forms of politics.

  In addition to this, they argue that the practice of Bay'ah is contrary to the concept of Tawhid with its three sub-concepts, in the extent that it implies expressing full devotion and allegiance to a person rather than to God, his prophet, the Coran and the Hadith.

- According to them, politics are an expression and manifestation of polytheism because they argue that the politicization of groups of peoples leads inevitably to the fragmentation of their unity and ultimately to their weakness.[137]

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[135] Ibid
[136] Ibid
[137] Ahmad Moussali, "Wahhabism, Salafism and Islamism: Who is the Enemy?", Conflicts Forum : Beirut - London - Washington, January 2009.

- The only political advocacy that Salafi followers is the application of the Sharia law. It is the only set of laws that Muslim societies should apply as it abides by the principle of Tawhid Rububiyah. Indeed, by neglecting the politics invented and applied by humans, and by implementing only the Sharia, the Salafi followers argue that they follow only the instructions of Allah and his prophet, thus abiding by the principle of Tawhid Rububiyah.[138]

- As a direct consequence of the above cited principle, Salafi followers reject democracy and all human ideologies because they argue that they submit to the will of the generality, not to the will of God. In addition to this, Salafi followers call Muslims for an isolation from society if it is considered "corrupted". According to Salafis, a Muslim society is considered corrupted starting from the point in which it violates one or more of the three principles of Tawhid, or follows ideologies imported from the West or not directly taken from the Sharia, etc.

- Salafi followers are also adepts of Takfir. Societies or individuals who do not follow the Salafi model are considered infidel and are tagged as enemies of Islam and Muslims. Consequently, Salafis argue that it is not only permitted but even compulsory to conduct Jihad against these infidels in order to protect Islam and purify Muslim societies from its detractors. "From this perspective, Jews and Christians are two main enemies of Islam that are constantly awaiting an opportunity to undermine the Muslim Ummah."[139]

To sum up, Salafi groups preach an unconditional return to the Salaf al Saleh, otherwise one is considered infidel and runs the risk of becoming the target of Jihadists.

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[138] Ibid
[139] Ibid

b - Wahhabism

Wahhabism is a religious and political movement of Hanbalit inspiration that was founded by Mohammed Ibn Abdelwahab (1703 - 1792) and that is considered as an ultra orthodox Sunni[140] movement. The distinction between Wahhabism and Salafism has been at the centre of debates amongst theologians, politicians and scholars due to the fact that these movements share so many common features that make it really hard to grasp the differences that lie between them. Nevertheless, by looking at the history and development of the Wahhabism movement, one can be able to seize some key differences between the two movements.

It is worthwhile to look at the life of Mohammed Ibn Abdelwahhab, the founder of the Wahhabism movement, as it reveals key information about the characteristics of the movement. Abdelwahhab was born in Uyayna, in the current Najd area of Saudi Arabia, into the Tamim branch of Bano Shinan tribe. He left to Medina at an early age, in a quest for knowledge that later on took him also to Medina, Iraq and Syria.

Like several of his contemporanean scholars in the Najd area, Ibn Abdelwahhab was a follower of Ibn Hanbal's doctrine. It is believed that he has formulated his reformist ideas while he was living in Basra, Iraq, where his debates with scholars and theologians contributed to spread his fame abroad. In 1740 he goes back to Uyayna, his hometown, where he founded his movement and partnered with Mohammed Ben Saud, the ancestral founder of the current ruling family in Saudia Arabia, the Al Saud dynasty. This partnership allowed the beginning of the process of unifying separated tribes in the

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[140] Sunnah is the way of life prescribed as normative for Muslims on the basis of prophet Mohammed's teachings and interpretations of the Coran.

Arabian Peninsula and contributed to the building of a solid relationship that has kept the two families into a close relationship that continues today.[141]

The most notable textbook that illustrates the thinking of Ibn Abdelwahhab is Kitab Tawhid (which means "book of unity" in Arabic) in which Ibn Abdelwahhab demonstrates the centrality of the essential oneness of God in his movement. Abdelwahhab's movement started to be known as Da'wa Li Tawhid (the call to unity) and the followers of the movement called Asahl Tawhid (the people of unity) or Muwahhidin (unitarians). The word Wahhabi and Wahhabism was initially used by opponents of the movement but it has now lost the derogatory connotation and due to the fact that Wahhabism was born in Saudia Arabia and given the close relationship between the Al Saud and the Ibn Abdelwahhab families, it is a commonplace to think that all Wahhabi followers live in Saudia Arabia or that all people in Mecca and Medina belong to the school of Wahhabism.

Wahhabism was intended to free Islamic societies from the cultural practices and interpretations that had been accumulated ever since the birth of Islam and was also intended to free the Arab Bedouin[142] from the Sufi[143] influence.[144] As soon as Wahhabism has emerged, it has started being perceived as a serious threat by the Ottoman Caliphate. Indeed, following the profanation of the cities of Kerbala in 1801, Mecca in 1803 and Medina in 1806, the caliphate Sultan Mahmoud II asked the Egyptian vice-King Mohammed Ali Pacha to send an army to Saudia Arabia in order to put an end to the movement. The expeditions started in 1811 and culminated with the defeat of the Wahhabi followers in 1815 although that have been able to maintain control over the region of Najd (birthplace of Wahhabism) and its capital Dariya.

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[141] Christopher M. Blanchard, "The Islamic Traditions of Wahhabism and Salafiyya", CRS Report for Congress, January 24, 2008.

[142] The Bedouin are the desert dwelling Arab ethnic groups that used to live in the Arabian Peninsula.

[143] Sufism is the ontological and religious quest in the spiritual, mystic and ascetic Islam.

[144] Global Security Online, "Wahhabi", available from
http://www.globalsecurity.org/military/world/gulf/wahhabi.htm

After the collapse of the Caliphate in 1924, the exploitation of oilfields starting March 1938, the Al Saud dynasty and Ibn Abdelwahhab families emerged as the leading elite after the signing of the agreement between Saudia Arabia and the United States of America and which guaranteed the protection of the Wahhabi regime on the one hand and the supplying of the United States of petroleum on the other. In fact, starting the signature of this agreement on February 14, 1945, the Wahhabi movement flourished, reinforced its position in the Arabian Peninsula and starting spreading across borders. The basic starting principles of the Wahhabi movement can be roughly summarized as following:

- God is one and has no partner. No one resembles him;

- The attributes of God are real but not similar to those of Humans';

- God is without body, without substance, without accidents;

- God creates ex nihilo;

- The Coran is the word of God and is eternal.

Clearly, while the central idea in Salafism is the return to the Salaf or predecessors, Wahhabism is concerned with calling people to restore the real meaning of Tawhid, or the oneness of God, in sum emphasize the monotheist dimension of Islam. In their quest to achieve this objective, Wahhabi followers seek to deconstruct the different disciplines and practices that have evolved around Islamic history such as theology and jurisprudence, and to abolish certain practices that they consider as Bid'ah, such as pilgrimages to tombs and shrines of venerated personalities.

Indeed, according to the Wahhabis, such practices contrast with the belief in the oneness of Allah and are thus classified as Shirk (polytheism), Kufr (unbelief in Allah), Ridda (Apostasy) and

Bid'ah (innovation). Ibn Abdelwahhab has continuously called his followers, the Muwahhadin, to adhere to his strict interpretation of monotheism and to fight all forms of Shirk.[145]

Abdelwahhab argues that Tawhid, while being the core principle of Islam, is not sufficient if not accompanied with "pure Islamic behaviour". The criteria that define the said pure Islamic behaviour are, to say the least, strict. Wahhabi followers, for instance, consider sinful a certain number of practices like listening to certain types of music, drawings of human beings, photographs, pray while visiting tombs, following Madhahib of Sunni orthodoxy.[146]

Another characteristic of the Wahhabi movement is that its followers have continuously emphasized the differences between them and the rest of Muslims, including other Salafists. In this perspective, Wahhabi followers have constantly accused Shi'aa[147] followers of being rejectionists because of their supposed lack of faith.

As a consequence of the Wahhabi characteristics listed above, the Wahhabism movement has been known for having created and generalized the practice of Takfir (declaring one is an unbeliever, Kafir) as well as the concept of Hijra (migration from one's society).[148] Although Wahhabism was born in Saudi Arabia and despite the fact that the survival of the movement has largely depended on the support of the Al Saud dynasty, Wahhabism has considerably spread outside of Saudi Arabia, gathered hundreds of thousands of adepts and soon became a serious threat both in the West and the Arab/Muslim world.

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[145] Ahmad Moussali, "Wahhabism, Salafism and Islamism: Who is the Enemy?", Conflicts Forum : Beirut - London - Washington, January 2009.

[146] Madhahib is Muslim schools of law or fiqh (Muslim jurisprudence)

[147] Shi'aa is a branch of Islam that was born out of the dispute regarding the Caliphate following the death of prophet Mohammed. Shi'aa followers believe that Caliphate should have gone directly to Imam Ali, one of prophet Mohammed's Sahabah (companions).

[148] Ahmad Moussali, "Wahhabism, Salafism and Islamism: Who is the Enemy?", Conflicts Forum : Beirut - London - Washington, January 2009.

In reality, Wahhabism has almost been successful more abroad than inside the Kingdom of Saudi Arabia. In fact, it is believed that the Saudis have spent around $87 billion in spreading Wahhabism outside the Kingdom since late eighties.[149] With the increase of oil prices starting 2005, the Saudis have increased their financial support to the spread of Wahhabism in the world.[150] The colossal sums of money generously offered by the Saudis were used mainly to fund the construction of mosques and schools where Wahhabism was the taught doctrine. In addition to this, the Saudis have funded trainings of imams (religious leader in Islam), publication of pamphlets and outlets preaching Wahhabism and endowments to universities.[151] The Saudi government have always claimed it had spent this money in order to fund development projects in poor countries all over the Arab and Islamic world while the only development that has really beneficiated from these funds was the development of the Wahhabi movement.

According to a study made on the financial support of the Saudi authorities to the spread of Wahhabism, it appears that the Al Haramain foundation (a Wahhabi charity organization based in Saudi Arabia) has distributed its financial support as following:

- 13 billion of Islamic books;

- 6 internet sites;

- 3000 callers or proselytizers;

- 1100 mosques, schools and cultural Islamic centres;

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[149] Curtin Winsor Jr., "Saudi Arabia, Wahhabism and the Spread of Sunni Theofascism", Mid East Monitor, Vol. 2, N°1, June/July 2007, available from http://www.mideastmonitor.org/issues/0705/0705_2.htm
[150] Ibid.
[151] Ibid.

- 350000 letters of call, invitations to convert to Islam.[152]

In addition to financing activities linked to the teaching of the Wahhabi doctrine and its instructions, the Saudi authorities have also directly provided financial support to terrorist activities in many countries such as Pakistan, Afghanistan, the Philippines, Indonesia, Chechnya and Bosnia.[153] A good part of the Saudi financial support was made through the activities of "charity organisations" such as the Haramain foundation, the World Muslim League (WML), the World Assembly of Muslim Youth (WAMY) and the International Islamic Relief Organization (IIRO). These organizations are only apparently independent and non-governmental while there has been conclusive evidence that these organizations are strictly controlled by the government and sometimes are have government officials as directors. More than this, in 1993, Saudi Arabia has promulgated a law that stipulated that all donations destined to Muslim charities had to go through a fund that was under the control of a Saudi prince.[154]

The Saudi efforts to spread Wahhabism abroad were not concentrated but not limited to the Arab and Muslim world. Indeed, the Saudi funds for the spread of Wahhabism reached Europe and America where the Wahhabis targeted second and third Muslim and Arab generations. For instance, the Dutch citizen who had assassinated the Dutch filmmaker Theodor Van Gogh in 2004 had Moroccan origins and was a Wahhabi follower. As another example, the London subway attacks of 2005 were perpetrated by native born Britons who had Pakistani origins.[155]

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[152] Alex Alexiev "Wahhabism: State-Sponsored Extremism Worldwide", US Senate Subcommittee on Terrorism, Technology and Homeland Security, June 26, 2003, available from http://www.au.af.mil/au/awc/awcgate/congress/sc062603_alexiev.pdf

[153] Ibid.

[154] Ibid.

[155] Curtin Winsor Jr., "Saudi Arabia, Wahhabism and the Spread of Sunni Theofascism", Mid East Monitor, Vol. 2, N°1, June/July 2007, available from http://www.mideastmonitor.org/issues/0705/0705_2.htm

2. Moroccan Islamists

Ever since the emergence of Islamism in Morocco in early sixties, the movement seems to have been dominated by two major trends: one that is oriented towards political integration, political pluralism and democracy, the other, on the contrary that rejects all forms of political integration and preaches radical Islamism. The first group, the so-called "legalist Islamism" includes Islamism political parties, while the second, the so-called "mystical" or "Salafi" Islamism includes groups that is more oriented towards confrontation and struggle against the political status quo.

The Party of Justice and Development

The Party of Justice of Development (PJD) was first born under the name of Mouvement Populaire Démocratique et Constitutionnel (Popular, Democratic and Constitutional Movement) during the culmination phase of the Moroccan national resistance to the French colonialism. Under the command of its leader Abdelkarim El Khatib, the party was first part of the national resistance to the French protectorate with (almost) no political orientation or agenda. However, as soon as Morocco earned its independence in 1956, the first signs of the party's political orientation started to appear and take shape.

Indeed, in 1957, the founder and leader of the party, Abdelkarim El Khatib, decided to oppose to the state of exception that followed the independence of the kingdom. In December 1959, El Khatib announces the creation of the political party which has initially set itself three major objectives:

- Socialist Islam

- Unity of North Africa

- Constitutional Monarchy.[156]

The first participation of the party in elections took place already in 1960 and took part of the government of Sultan Mohammed V when Abdelkarim El Khatib was appointed Minister of Labour, then Minister of African Affairs a year later, and El Mahjoubi Aherdane was appointed Minister of Defence.[157]

In 1962, in Marrakech, the party organized its most important congress in which it announced for the first time publicly its desire of seeing emerging a constitutional Monarchy in Morocco and, indeed, participated in the same year in the writing of Morocco's first constitution.[158] In 1963, the party participates in the first Moroccan legislative elections, after which Abdelkarim El Khatib is appointed the first President of the Moroccan Parliament.[159]

In 1997's legislative elections, the Islamist party won 9 places despites all the frauds that have characterized the legislative elections of that year. Nevertheless, the party refuses to take part of the so-called "alternance government" that was created by Prime Minister Abderrahmane El Youssoufi, from the Union Socialist des Forces Populaires (Socialist Union of Popular Forces, USFP).

In 1998, the party changes its name from Mouvement Populaire Démocratique et Constitutionnel to Parti de la Justice et du Développement, (Party of Justice and Development, PJD). After what the party has considered a non-respect of the government of its engagements, the Islamist party moved to the opposition side. In 2001, the party presents its "mémorandum pour des elections transparentes et saines" (memorandum of transparent elections) in which he explains his political and

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[156] The PJD official website, available from http://www.pjd.ma/pjd/page-6
[157] Ibid.
[158] Ibid.
[159] Ibid.

legal conditions that he considers necessary for credible elections. After the 2002 legislatives elections, the party becomes the first opposition party.

In 2004, the party organises its fifth national congress and elects the doctor Saadeddine El Othmani as a Secretary General. In 2008, the professor Abdelilah Benkirane becomes the Secretary General after the sixth national congress of the party.

The choice of the name of the party was the result of a long and laborious process as the members of the party wanted to avoid choosing a name with an explicit religious connotation due to the fact that it is forbidden to build a political party on a religious, ethnic or regional basis in Morocco.[160] Nevertheless, in spite of the secular name of the party and some of its secular goals (such as "the participation in the education of the Moroccan public for a better and just society, equality, human dignity and equal opportunity to all"[161]), the ideology of the PJD is deeply rooted into Islamic law, theology and teachings.

The story and development of the PJD party is closely linked to the story of the Unification and Reform Movement (MUR), formerly the Movement of Reform and Renewal. In fact, both movements have their historical roots in the Chabiba Islamiyya (Islamic Youth) which is believed to be the first Islamist organization in Morocco and which broke apart after its leaders were accused of having been involved in the murder of Omar Benjelloun (a leading Moroccan socialist figure) in 1975.[162]

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[160] Kassem Bahaji, "Moroccan Islamists: Between Integration, Confrontation and Ordinary Muslims", Paper Presented at the annual meeting of the MPSA Annual National Conference, Palmer House Hotel, Hilton, Chicago, IL, April, 3, 2008.

[161] Ibid.

[162] Julie E. Pruzan-Jorgensen, "The Islamist Movement in Morocco: Main Actors and Regime Responses", Danish Institute for International Studies Report, 2010.

After the dismantlement of the Chabiba Islamiyya, several small Islamic organizations and associations were created by former members of the Chabiba. The Jami'yyat al Jama'a Islamiyya (Association of the Islamic Community), which is amongst the most notable organizations that were

created after the collapse of the Chabiba, has openly oriented its strategy towards politics and recognized the King's political prerogatives and religious legitimacy in order to be able to enter the Moroccan political scene.[163]

In 1992, the leaders of the organization decide to changes its name to Al Islah Wa Tajdid (Reform and Renewal) in order to emphasize the differences between them and other Islamist organizations in Algeria. Despite the continuous activity of the organization, it is only in 1996 that it gains official recognition by joining the Constitutional and Democratic Popular Movement (Mouvement Populaire Constitutionnel et Démocratique).[164] In 1997, the organization participates for the first time at the parliamentary elections and gains 9 seats out of 325. In 1998, the organization and political party changes once again its name to its present name: the Party of Justice and Development, the PJD. Similarly, the original Islamist Organization changes its name to Harakat al Islah Wa Tawhid, Movement of Reform and Unity, MUR.[165]

In a sense, one can attribute the birth of current Moroccan political Islamist parties to the organization of Chabiba Islamiyya and, in this perspective, it is worthwhile to look at the history of creation of this organization as it reveals key elements about the future development of political Islam in Morocco.

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[163] Julie E. Pruzan-Jorgensen, "The Islamist Movement in Morocco: Main Actors and Regime Responses", Danish Institute for International Studies Report, 2010.
[164] Ibid
[165] Ibid

In 1970, AbdelKarim Mutii, a professor and inspector of secondary school, officially creates the Jama'aat Al Chabiba Al Islamiyya, in Casablanca. Mutii, who was a former militant of the Socialist Union of Popular Forces (USFP), intended to create a secret cell constituted in great part from professors and students that were attracted by Mutii's discourse, particularly by his harsh anti-leftist convictions and objectives. Indeed, one of Mutii's first objectives as a leader of the Chabiba Islamiyya was to abolish the leftist influence over the Moroccan education system, especially at high school and university levels.

The radicalization of Mutii's discourse will initially going to be organized around his movement's two tendencies. The first, rather institutional and public presents Mutii's movement as an Islamic association that is dedicated to education and the promotion of Islamic values through social action in neighbourhoods, high schools and universities. The second, rather radical and secret, was dedicated to active struggle against the system.

Thus, while maintaining a public religious and social discourse, the organization actually (and secretly) adopted a violent and revolutionary position which led the organization to create a Jihadist commando that conducted armed and direct war against leftist leaders, especially in the education field.

The Chabiba Islamiyya's violent ascension culminated with the assassination of the leader of the USFP, Omar Benjelloun in 1975. Mutii was directly accused of having commanded the murder. He abandoned immediately Morocco and headed to Saudi Arabia and Algeria before being accepted as a political refugee in Libya. The assassination of Omar Benjelloun illustrated perfectly the emerging relationship between political Islamism and power. In point of fact, it is following this key event that the Makhzen has started to understand the dangers of the rise of Islamism in the country and realize the consequences of the support it once provided to the Islamic movement in order to counter the leftist opposition.

The escape of Mutii, who was condemned at perpetuity in 1980, and the dismantlement of the Chabiba Islamiyya starting 1976 have initiated a new phase in the development of Islamic movements in Morocco. Indeed, several divergent tendencies were created out of the dismantlement of the Chabiba. On the one hand, the radical and violent part of the ex Chabiba broke into a serie of clandestine organizations that preached direct armed struggle. The Harakat al Mujahidin (the movement of combatants) is an example of the post Chabiba radical organizations who conducted harsh propaganda against the regime.

On the other hand, the moderated wing of the Chabiba took its distance from Mutii's violent teachings and instructions, and broke into several moderated associations among which is the Jama'a Islamiyya (Islamic Association) that was founded in Rabat in 1983 and directed by Abdelilah Benkirane. The role played by Abdelilah Benkirane as a director of the Jama'a Islamiyya and his activism in the Islamic field in general will be decisive for the future of moderated political Islamism in Morocco. In fact, as soon as Benkirane created his association, he renounced and rejected immediately violent principles and declared his willingness to participate in official political life of the country, which opened interesting perspectives to political Islamism in Morocco.

As a result of the new orientation of Benkirane's association, the name was changed from Jama'a Islamiya to Harakat Al Islah Wa Tawhid (Movement of Reform and Renewal). The choice of this name was justified by Benkirane's desire to change common beliefs that associated inevitably traditional Islamism to a certain vocabulary that has direct Coranic origin, like the words Jama'a and Islam, that were used in the initial name of Benkirane's association. Indeed, Benkirane chose words that were rather linked to the Arab nineteenth century Nahda, such as the words Islah (reform) and Tajdid (renewal). Furthermore, contrary to the word Jama'a that refers to a stagnating concept, the word Haraka expresses action, change of position, movement, trajectory, etc. In sum, The new Harakat Al

Islah Wa Tawhid clearly stipulated its intentions of creating a movement that is the fruit of a real and profound renovation, in contrast with other violent Islamic organizations.

Nevertheless, doubts and confusion still persisted concerning the distinction between the PJD and the MUR ideologies due to the fact that there were too many interferences and interactions between the two. The MUR/PJD has never had one clear leading voice with a clear ideology because the continual organization mutations that have characterized the movement have brought in a large group of individuals from different micro-associations, creating thus a somewhat hybrid organization.

This being said, there is a number of things that can undoubtedly be said about the ideological orientation of the duality MUR/PJD:

- The MUR/PJD is a conservative Islamist movement.

- The movement is directly inspired by the Egyptian brotherhood and Wahhabi Salafi movement.

- The movement has rejected the use of violence

- The movement has accepted to abide by the rules of the Moroccan political system in order to gain official recognition and participation.

- The MUR/PJD is a culturally, socially and religiously conservative organization that focuses its activity on social justice, fighting corruption, alcohol, prostitution, homosexuality;

- The movement is ultimately pragmatic in the perspective in which it

remains fundamentally complacent with the political prerogatives and

religious legitimacy of the king.[166]

Concerning the distinction in the activities of the duality MUR/PJD, it seems that the major differences and separations appear when it comes to political decision-making. As a duality, the movement is dedicated to the administration of its subsidiary institutions similarly to any other civil society organization. However, concerning political orientation and positions, it appears that the PJD has more definitely more power and "precedence" over the MUR and "leaders ask that members who also are members of the PJD defer to the party's hierarchical frameworks for political guidance".[167] In addition to this, the PJD has its own internal electoral process and autonomous leadership and no leadership is obligated to the other. The MUR's official newspaper often releases official letters destined to the general secretary of the PJD in order to demonstrate and emphasize the independence between the two organizations.[168]

The intended distinction between the movement and the party implies also a certain number of differences at the level of formative and acculturation programs:

- At the level of membership, while the MUR maintain certain standards for the selection of its membership (members must adhere to certain codes and have no criminal record or even suspicion of indulging prohibited vices), the PJD is relatively flexible concerning the past of their members. In fact, what matters the most to them is that the members abide by the political positions and outlook of the party[169];

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[166] Julie E. Pruzan-Jorgensen, "The Islamist Movement in Morocco: Main Actors and Regime Responses", Danish Institute for International Studies Report, 2010.

[167] Ibid

[168] Ibid

[169] Hussam Tamam "Separating Islam from Political Islam: The Case of Morocco", World Security Institute, Washington, 2007.

- At the internal organization level, disciplinary actions are different. For instance, the PJD has the right to expel a member for political reasons, but this member would still remain a member of the MUR which is concerned only with non-political (ethical mainly) problems of its members.[170]

To sum up, on the one hand, the programs of the MUR movement aim at advancing its religious and cultural mission through education and public meetings. It aims at proselytizing and transmitting its educational mission to the public in general. On the other hand, the PJD engages in the implementation of its ethics and religion-based objectives through political mobilization.

When, following the Arab Spring, the PJD wins the legislative elections, supporters of the PJD expressed hopes of having a real Islamic agenda implemented in Morocco. However, religious political parties being officially banned from the Moroccan political sphere and the King being the unique religious figure in the country, the role of the PJD inside the government has been so far very poor. Very cautious by the emergence of this party after the elections, King Mohammed VI created a parallel or "shadow" cabinet that systematically creates obstacles for the government of Benkirane.

The Justice and Charity Group

The Justice and Charity group, Al Adl Wa Al Ihsane in Arabic, is an Islamist group that was founded in 1973 by Abdessalam Yassine and whose spokesman is Fathallah Arsalane. The group is officially banned although his activities have been tolerated by the authorities over the last couple of decades.

Abdessalam Yassine was born in Marrakech in 1928 where he started his Islamic studies at the Ibn Youssef institute before becoming an education inspector at in Rabat starting 1965. During this period, he often travels abroad, particularly in Europe and the United States of America, in addition to

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[170] Ibid

other Arab and African countries where he exposes his Butshishiya inspiration. The Tariqa Qadiryiya Butshishiya (name that derives from Abdelkader Gilani) is a Sufi religious order that relies strongly and strictly upon adherence to the fundamentals of Islam.

The first step undertaken by Abdessalam Yassine right after the creation of his organization, was to write a letter to the king entitled "Islam or the Deluge: An Open Epistle to the King of Morocco" in which he invited the monarch to make a "redemption act" and become a "good Muslim". In his letter, Yassine denounced the King's regime and policies, and accused the Moroccan society of being in a state of Fitna (Anarchy).[171] In 1978 he creates and directs the first Islamist magazine in Morocco, Al Jama'a, which is banned in 1983 after the publication of seventeen issues.

In 1985, he is condemned to two years of prison after the publication of two newspapers who were considered as radical and anti-regime. Although the idea and first actions of Yassine's group were born in 1973, it is only in 1985 that the Al Adl Wa Al Ihsane becomes a real organization that soon becomes a reference for thousands of followers and militant organizations. In 1980, six members of the superior council of the movement are arrested and condemned to two years of prison. When they are liberated, they are received as heroes by their colleagues and supporters[172] which demonstrates the growing popularity of the group, in spite of the continuous repressive actions undertaken by the government in order to dissuade it from pursuing its objectives.

Abdessalam Yassine, or Cheikh Yassine, as he is called by his disciples and followers, is certainly considered as one of if not the most important Islamist ideologue in Morocco.[173] Between

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[171] The notion of Fitna refers to concepts of crisis, instability, lawlessness and atheism.

[172] Mohammed Tozy, "De L'Action Clandestine au Parlement: Qui Sont les Islamistes au Maroc?", Le Monde Diplomatique, August 1999, available from http://www.monde-diplomatique.fr/1999/08/TOZY/12315.html

[173] Mohammed Tozy, "De L'Action Clandestine au Parlement: Qui Sont les Islamistes au Maroc?", Le Monde Diplomatique, August 1999, available from http://www.monde-diplomatique.fr/1999/08/TOZY/12315.html

1973 and 1989, he published around fifteen pieces of work, amongst which the Al Minhaj Annabawi, the Prophetic Method. This book that takes its inspiration from Sufi teachings, the religious and political ideology of Hassan Al Banna (founder of the Muslim Brotherhood in Egypt in 1928) and Sayed Qotb, one of the Muslim Brothers' leader and whose texts are considered as the basis of revolutionary Islamism.[174]

Contrary to the PJD, which is considered as a legalist movement, Al Adl Wa Al Ihsane is openly opposed to the articles of the Moroccan constitution which stipulate that the King of Morocco is also Amir Al Mouminin, Commander of the believers. The ultimate objective of the Adl Wa Al Ihssane is to restore the Caliphate system. In his strategy aiming at fulfilling this objective, Yassine calls for a peaceful struggle that aims at the implementation of justice through the redistribution of the country's wealth over the Moroccan people, the establishment of a model of state similar to the one instituted by prophet Mohammed. Although the Adl Wa Al Ihssane and the PJD share many ideological principles, they clearly do not hold the same political positions, especially with regards to monarchy. The Adl Wa Al Ihssane has had a fare more tense relationship with the Makhzen due to its rejection of the monarchy.[175]

The ideology of Cheikh Yassine was explicitly explained in his 500- page book entitled Al Minhaj Al Nabawi, which is a collection of his writings that was published progressively in his magazine Al Jama'a in 1981. The book, which is designed like an instruction manual and based both on Coranic principles and prophet Mohammed's conduct and Hadith, aims at teaching the disciples of Yassine, and readers in general, how to organize one's life according to Islamic principles. Cheikh Yassine explains his objective aiming at strengthening the Islamic community, the Ummah. In order to

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[174] Jeremy M. Sharp, "U.S. Democracy Promotion Policy in the Middle East: the Islamist Dilemma", CRS Report for Congress, June 15, 2006
[175] Ibid

legitimize his quest and his strategy, Cheikh Yassine ha continuously reminded both his followers and critiques that he is only following the example of prophet Mohammed's approach in preaching Islamic instruction and asking people to follow them and live by those principles.

In his writings, Cheikh Yassine explains that there are four fundamental phases in order to transform a society from a decadent to a righteous Muslim Ummah:

- Tarbiya, (education);

- Tanthim (organization);

- Zahf (propagation);

- Quaouama (revolution).[176]

Yassine argues that these four stages are interconnected as each one lays the groundwork for the efficiency of the other. Concerning the word Quaouama, which has been roughly translated into revolution by scholars, Cheikh Yassine explains that does not intend organizing a revolution but rather a rise up of the Muslim Ummah. According to him, the concept of revolution is an imported and sinful concept, while the concept of Quaouama implies sub-concepts and notions that are inherent in the Islamic religion, culture and tradition.[177] He argues: "We use the word quaouma in order not to use the word thawra (revolution). For in thawra there is violence (unf) and instead, we want quawa (force). Force realizes its actions based on legality while violence is realized following desire and anger criteria."[178]

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[176] Kassem Bahaji, "Moroccan Islamists: Between Integration, Confrontation and Ordinary Muslims", Paper Presented at the annual meeting of the MPSA Annual National Conference, Palmer House Hotel, Hilton, Chicago, IL, April, 3, 2008.

[177] Ibid

[178] Jeremy M. Sharp, "U.S. Democracy Promotion Policy in the Middle East: the Islamist Dilemma", CRS Report for Congress, June 15, 2006

The popularity of Cheikh Yassine and the movement of Al Adl Wa Al Ihssane is also due to the engagement of Cheikh Yassine's daughter and spokesperson, Nadia Yassine. She was arrested in 2005 after having publicly declared that it would be for the benefit of Morocco to abolish Monarchy and establish a Republican regime.[179] The government's answer was clear: "in certain countries, you can talk about republican values... here, we have monarchic values, and she is transgressing these values".[180] The PJD has continuously condemned the anti-royalist declarations coming from Nadia Yassine or from the Adl Wa Al Ihsane in general. It is a decade before the arrest of Nadia Yassine that tensions between the Adl Wa Al Ihssane worsened and reached a no turning-back point. Cheikh Yassine had been put under house arrest since December 30, 1989, but as soon as his arrest was officially lifted on December 13, 1995, he delivered a speech at a mosque where he strongly attacked the government and criticized monarchy.

For the Moroccan authorities, the persistence of Cheikh Yassine and his stubbornness to criticize the government only a few days after his liberation was a sort of open attack that they did not want to ignore. Cheikh Yassine was put again under house arrest, a few days later. This event has continuously been referred to by members of Al Adl Wa Al Ihssane as the symbol of their struggle against the status quo and the despotism of the Makhzen and the monarchy.[181]

The continual repression of Al Adl Wa Al Ihssane from the Moroccan government has worsened tensions between the two actors which has pushed the two parts maintained more and more their respective positions. The Adl Wa Al Ihssane continued to refuse to recognize the King as Commander of the faithful. Starting 1992, the Moroccan Ministry of Religious Affairs has tempted to

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[179] Ibid

[180] "Feud with King Tests Freedoms in Morocco", The Wall Street Journal, February, 13, 2006 in Jeremy M. Sharp, "U.S. Democracy Promotion Policy in the Middle East: the Islamist Dilemma", CRS Report for Congress, June 15, 2006

[181] Kassem Bahaji, "Moroccan Islamists: Between Integration, Confrontation and Ordinary Muslims", Paper Presented at the annual meeting of the MPSA Annual National Conference, Palmer House Hotel, Hilton, Chicago, IL, April, 3, 2008.

negotiate an agreement with the Adl Wa Al Ihssane but no compromise was reached. In addition to this, the government had previously offered Cheikh Yassine a normalization of the Adl Wa Al Ihssane in return for some specific concessions, mainly about the anti-monarchy declarations, but Cheikh Yassine refused, arguing that he would only accept the condition to "work in respect of the laws in force".[182]

According to the Adl Wa Al Ihssane, the Moroccan government would never cease to perceive Islamist organizations as a threat because their very existence puts the legitimacy of the King into question."Moroccan government is uneasy on the existence of a legally organized Islamist force because it will challenge it on its religious legitimacy."86 This is the reason why, according to the Adl Wa Al Ihssane followers, the encirclement of the movement and its adepts would have no reason to cease, no matter how many agreements they reach.

In addition to the repression exercised directly from the Makhzen, the Adl Wa Al Ihssane argues that it suffers from severe pressure also from other political parties, mainly the leftist Istiqlal party and the Socialist Union of Popular Forces. The Adl Wa Al Ihssane's Islamists argue that these two political parties, in addition to several others, are only a manipulation instrument of the government and that the Adl Wa Al Ihssane will not fall under pressure of the government or of its political parties.

Contrary to many Salafi organizations and movements, the Adl Wa Al Ihssane has not refuted categorically to talk about democracy. In fact, Cheikh Yassine has talked about democracy as a concept and as a system in several of his books, especially in "Hiwar ma'a Al Fudala'a Dimuqratiyin", published in 1994 and "Al Shura Wa Dimuqratiya", published in 1996. It constituted one of the most debated elements in Yassine's theory and ideology and has ultimately led the movement to be called

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[182] Ibid

radical, obscurantist and antidemocratic. Cheikh Yassine's movement has expressed a certain number of comments on how he sees or conceives democracy:[183]

- From a pragmatic point of view, Muhammed Darif, a (Moroccan political scientist and sociologist) argues that the Adl Wa Al Ihssane accepts the democratic rights and freedoms that do coincide with the Islamic tradition and recognizes them as universal values with the condition that man is not worshiped as a sort of "God of the system". Another condition is that democracy should be applied within an Islamic government that comes from God and that acts constantly following the instructions and teaching of Islamic law, particularly when it comes to the use of Shura as an institution and a fundamental theoretical horizon.[184]

- From a fundamental (Mabda'a) point of view, Al Adl Wa Al Ihssane associate the concept of democracy with secularism, or at least the Western democracy. Indeed, Cheikh Yassine argues that systems cannot and should not be exported directly from the West to the Arab and Muslim world without previously distinguishing the practice of democracy in the West and the social traditions that characterize the Islamic culture.

- Cheikh Yassine affirms in his books "Islamiser la Modernité" the difficulty to discuss objectively and from a merely analytical point of view the concept of democracy due to the pressure exercised by the West and Westernized elites on Islamists because they are always considered as suspicious. Furthermore, Yassine denounces what he calls the hypocrisy of the democratic system, given the

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[183] Kassem Bahaji, "Moroccan Islamists: Between Integration, Confrontation and Ordinary Muslims", Paper Presented at the annual meeting of the MPSA Annual National Conference, Palmer House Hotel, Hilton, Chicago, IL, April, 3, 2008.

[184] Shura is an Arabic word that means "consultation". In Islam, it refers to the process through which Muslims decide their affairs in consultation with those who will be affected by that decision.

example of Algeria where the democratic legislative elections of 1991 were cancelled under the pretext of protecting democracy from the Islamist extremist threat.[185]

Cheikh Yassine argues that he is against the arbitrary use of the word "democracy" because he considers it as a linguistic and ideological trap. Moreover, according to him, the concept of democracy has lost its meaning because of the wrong political and social practices of those who call themselves democratic, particularly in Morocco and the Arab world in general. Al Adl Wa Al Ihssane followers argue that this posture and the general position of the movement with respect to democracy were enough to be tagged as anti-democratic by secularist Moroccan elites.

One important thing to note about the vision of Cheikh Yassine regarding democracy is that he makes a clear distinction between Western democracies and Muslim democracies. According to Al Adl Wa Al Ihsane, political life in the West is a very dynamic structure that is based on plurality and diversity. It is made of parties from different political orientations, ranging from socialists to neoliberals and Christian democrats. This system is organized along a capitalist and liberal economy organization, which, ultimately, guarantees free and transparent elections that allow the continuity of political diversity and participation of all parties, and overall, guarantee constitutional freedoms.

Nevertheless, due to the centrality of capitalism and economy in Western societies, Cheikh Yassine argues that modern democracy is no more than a game in which capitalism and neo-liberalism command economy and controls the people following its own interests. In a sense, Cheikh Yassine argues that he rejects the exportation of Western democracy to the Arab and Muslim world because of the high level of materialism in the West. For an organization such as al Adl Wa Al Ihssane, that sets social justice and redistribution of wealth as its objectives, it is totally unacceptable to implement a

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[185] François Burgat, L'Islamisme au Maghreb, (Paris: Payot, 1995), 297-299.

system in which economic interest is more important than people and spiritual values, and that is where the association democracy-secularism that Cheikh Yassine believes in comes from.

Salafi Jihadism and Islamic combatant groups

The most prominent Salafi Jihadist organization in Morocco is undoubtedly the Moroccan Islamic Combatant Group, (Groupe Islamiste Combattant Marocaine, GICM), an Islamist Sunnite armed organization that is directly affiliated with Al Qaeda.

The group was founded by Karim Mejjati (1967 - 2005), who was born in Morocco from a French mother and Moroccan father. As soon as his interest in Salafi extremism emerged, he was contacted by the Al Qaeda who offered him special trainings in Afghanistan before sending him back to Morocco and designating him Emir of Maghreb and Europe. Other notable members of the GICM include Saad Houssaini who is believed to have beenthe military chef of the organization and Mohammed Moumou, also known as Abou Qaswarah, who was killed in Iraq in 2008.

The combatant group was officially listed as a terrorist organization by the United States of America and the United Kingdom, while it is considered as close to Al Qaeda for the United Nations and is, therefore, sanctioned by the Security Council of the United Nations. It is believed that the group recruits its members from ex militants from the ex Chabiba Islamiyya and its armed wing: the Organization of Moroccan Combatants (Organisation des Combattants Marocains). Given the dual nationality of its founder, the group recruits also in France where it attracts young extremists that are native French with no North African origin.

The detailed history of the creation and development of the GICM remain somehow mysterious. It is known that it has emerged starting 1998 and that its members comprise Moroccan who have trained in Al Qaeda camps in Afghanistan. At the creation of the group, Noureddine Nafia released a

manifesto that stipulates the GICM doctrinal charter.[186] When the GICM was founded, it included in her members a number of small terrorist organizations such as the group responsible for the murder of two Spanish tourists in Marrakech in August 1994.[187]

One important characteristic about the GICM is that its members have continuously interacted with other North African Salafi-jihadis, especially in Europe where they have been involved in arm and drug trafficking. For instance, Jamal Ahmidan, one of the Madrid 2004 bombings perpetrators was linked to several members of the GICM such as Hassan el-Haski. It is also believed that the GICM has been receiving financial support from abroad, mainly from European countries[188] where, according to several sources, they have "sleeper cells".[189] These interactions between the GICM and Al Qaeda's network abroad has permitted a high and targeted recruitment. This recruitment experience has allowed the GICM to assist with the assimilation of Al Qaeda operatives into Moroccan and European society.[190] In 2004, for instance, three terrorists implicated in the 2004 Madrid attacks were able to travel to Iraq through Belgium thanks to the help of a cell directed by Abdeladim Okoudad, one of the GICM's coordinators in Europe.[191] Ever since the creation of the GICM, it has been known for being active mainly in Morocco and Europe. Indeed, the large wave of arrests that concerned Al Qaeda affiliated members in Europe (especially in Belgium, France and Spain) in the last couple of years has significantly influenced and disrupted the activity of the GICM in Europe.[192] For instance, Abdelkader

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[186] United States Military Academy, Combating Terrorism Centre at West point, "The Current State of the Moroccan Islamic Combatant Group", available from http://www.ctc.usma.edu/posts/the-current-state-of-the-moroccan-islamic-combatant-group

[187] Ibid

[188] EU Terrorism Situation and Trend Report TE-SAT 2008 (The Hague: European Police Office, 2008) 24 - 25

[189] Ibid

[190] Ibid

[191] Jorge A. Rodriguez, "Doce detenidos por ayudar a escapar a autores del 11-M y enviar suicidas a Irak", El Pais, October 17, 2008.

[192] EU Terrorism Situation and Trend Report TE-SAT 2008 (The Hague: European Police Office, 2008) 24 - 25

Hakimi and Lahoussine El Haski, two leaders of a Belgian GICM cell, were trialed in Brussels on November 13, 2005, for having financially supported the GICM.[193]

In the last couple of years, several GICM recruitment networks that looked for suicide bombers destined to perpetrate attacks against Iraq were arrested and dismantled both in Morocco and Europe while Abu Qaswarah, who was believed to be number 2 of Al Qaeda in Iraq, was killed by the United States forces on October 5, 2008.[194] In January 2007, the apprehension of 27 members who were part of the GICM cell in Tetouan unveiled logistical and financial links between the GICM and the Al Qaeda Organisation in the Islamic Maghreb (AQIM).[195]

Another Salafi combatant group that has emerged in Morocco, organized and conducted armed attacks, is the Salafiya Jihadiya (Jihadist Salafism) that was founded by Mohammed Fizazi. Fizazi was born in Tangiers in late forties before moving to Casablanca and live in the extremely poor suburb Sidi Moumen, which became famous for having given ground for a harsh Islamic militancy.[196]

At the beginning of the nineties, right after the first gulf war against Iraq, Mohammed Fizazi moved to Saudi Arabia where he undertook religious training and indoctrination before going back to Morocco and teaching the extremist instructions of Wahhabi doctrine. He called his group of followers Salafia Jihadiya (Jihadist Salafism) and openly declared his objectives of violently spreading Wahhabism and purifying Muslim and Arab lands from Fitna. Starting late nineties, he publicly declares his full support to Osama Ben Laden and the activities of Al Qaeda. According to Fizazi, Ben Laden was a "companion of the prophet" and "Christians and Jews should have their throats slit".[197]

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[193] Ibid

[194] "Recent Highlights in Terrorist Activity", CTC Sentinel 1:12 (2008).

[195] EU Terrorism Situation and Trend Report TE-SAT 2008 (The Hague: European Police Office, 2008) 24 - 25

[196] Global Jihad "Mohammed Fizazi, Salafia Jihadiya", available from http://globaljihad.net/view_page.asp?id=390

[197] Global Jihad "Mohammed Fizazi, Salafia Jihadiya", available from

Mohammed Fizazi did not limit his field of activity to Morocco. Indeed, in 1999, he moves to Hamburg where he becomes the Imam of the Al Quds Mosque. This Mosque, who was also known as Taiba Mosque, witnessed the daily extremist preaches of Fizazi who gathered more and more members, some of which adhered to the Hamburg Cell of the Salafiya Jihadiya.[198]

Besides the implication of the GICM in the bombing attacks of Madrid in 2004, Mohammed Fizazi is believed to have provided support and to have been implicated also in Casablanca bombing attacks of May 2003. In point of fact, it was the Salafiya Jihadiya which provided the most important financial support that was necessary to perpetrate the Casablanca bombing attacks while the other support came from Assirat Al Moustaqim (The Straight Path), another Salafi congregation implemented in Casablanca.[199] in August 2003, around 90 people, in great part members of the Salafia Jihadiya, were trialed for having taken part of the 2003 Casablanca bombings. Mohammed Fizazi was among them and was condemned to 30 years of prison after he was convicted of having spread radical Salafi teachings in Mosques and having met with the authors of the Casablanca attacks.[200] He was freed by the Moroccan authorities on April 14, 2011, among 92 other political prisoners.

The GICM, the Salafiya Jihadiya and all other Jihad-oriented organizations illustrate the attempts of Al Qaeda to infiltrate in Morocco and enrich its network of Salafi cells around the world, especially in Arab and Muslim societies. In Morocco, the objective is establishing a wide Islamic state in the country and support al Qaeda's war against the West. The United States designates the GICM as a Foreign Terrorist Organization on October 22, 2005.

Although the GICM's objectives of establishing an Islamic first are concentrated in Morocco (at least as a primary objective), they have been held responsible for the Madrid bombing attacks of March

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http://globaljihad.net/view_page.asp?id=390
[198] Ibid
[199] Ibid
[200] Ibid

11, 2003. Zougam, one of the implicated terrorists, was in close contact with Imad Din Barakat Yarkas (also known as Abu Dahdah) and Abdelaziz Benayaich in April 2003.[201] Although Benyaich is not believed to have been linked to the Madrid bombings, he has been working closely with the Islamic militants in Northern Morocco. When he was arrested shortly after the attacks of Casablanca in May 2003, revealing he was involved in testing the trafficked cell phones that could set off bombs that were exactly like the ones used in the attacks of Madrid. This arrest unveiled also the link between the GICM and Abu Mussaab Zarqawi and Zougram.[202]

The real structure of the organization is actually still debated as small cells continue to be dismantled in different parts inside and outside Morocco. Upon his anticipated liberation in April 2011, the Salafi terrorist leader Mohammed Fizazi presented to the King Mohammed VI what he considers as an initiative to reopen dialogue with imprisoned Salafi Jihadi members in Morocco.[203]

Mohammed Fizazi argues that his prison experience made him spend eight years closed to the majority of the Jihadi imprisoned members, which allowed him to be informed about the details of their cases, which, according to Fizazi, makes of him one of "the most suitable mediators between the government and jailed Islamists."[204]

Indeed, in the letter that he directly addresses to the king: Fizazi said: "I realized several of the prisoners are wrongly accused and they seek your help to save them and set them free for they long to go back to their community which they miss so much".[205] Fizazi argues that the imprisoned Salafi

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[201] Benjamin Keating, "In the Spotlight: Moroccan Combatant Group (GICM)", May 21, 2004, Centre for Defensive Information, available from
http://www.cdi.org/program/document.cfm?DocumentID=2227
[202] Hassan Al Ashraf, "Morocco Salafi Leader Launches Reconciliation Initiative, Writes Plea to King", Al Arabiyah, August 14, 2011, available from
http://www.alarabiya.net/articles/2011/08/14/162293.html
[203] Ibid
[204] Ibid
[205] Ibid

Jihadists that have been implicated in illegal actions in the past have now gave up on violence and are ready to follow any rehabilitation program the king would present to them in order to reintegrate back in the community.[206]

Although doubts about Fizazi's real intentions still remain, several politicians and observers have argued that Fizazi is setting, for the first time, the stage for giving attention and the right of explanation to the prisoners themselves and giving them, for the first time, the right to explain how they have changed their views[207] and how they intend to guarantee to the community that they would become useful (or at least harmless) elements in the society.

3.   The Moroccan Response to the Islamist Threat

The principal threat that has been perceived in Morocco regarding the rise of Islamism was clearly the threat to the legitimacy of the Alaouite Dynasty and the stability of the monarchic system. As previously discussed in this paper, Islamism in Morocco, with its three components (legalist, Salafi and Jihadi), constitute a direct threat and attack either to monarchy as a system or to the King as a person. Another potential danger of the rise of Islamism in Morocco is the serious threat to internal security and social stability.

In addition to this, the infiltration of Salafi Jihadists in the country constituted a real threat to Morocco's international bilateral and multilateral relationships, more particularly with the Western world. Indeed, Moroccan authorities felt the urgent need to demonstrate that Morocco is not willing to become a sanctuary for terrorism.

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[206] Ibid

[207] Hassan Al Ashraf, "Morocco Salafi Leader Launches Reconciliation Initiative, Writes Plea to King", Al Arabiyah, August 14, 2011, available from
http://www.alarabiya.net/articles/2011/08/14/162293.html

Finally, Moroccan authorities faced serious difficulties addressing the rise of Salafism, especially extremist and Jihadist Salafism, as they had to be extremely cautious choosing their methods in order not to fall into human rights and democracy violations.

The government of Morocco has responded in different ways to the rise of the different forms of Islamism in the country, between legal and education reforms for legalist Islamism, and borderline repression and subjugation for Salafi Jihadists. The most important reforms that the Moroccan authorities have implemented in order to counter the rise of legalist Islamism were made through the Moroccan Ministry of Islamic Affairs.[208] In fact, the Ministry has become an important actor in the national struggle against radical Islamism and prevent extremism.

During the reign of King Hassan II, the Ministry of Islamic Affairs was under the control of the conservative Minister and 'Alim[209] Abdelkabir Alaoui Mdaghri but he was soon replaced in 2002 by King Mohammed VI with Ahmed Taoufiq, a young scholar of Sufi tradition and influence.[210] Given the fact that the previous Minister had no affiliation with any Salafi or radical Islamist group, and that the three branches of power are almost all concentrated in the hands of the King, this change embodied more a symbolic message than a concrete need to change the Minister.[211]

The symbolic message was, nevertheless, tremendously important for the government's objective of implementing a new official system that would promote a "moderate Moroccan Islam" that would be more inspired by the mystical Sufi heritage[212], rather than on the Wahhabi radical tradition. In addition to this, the Moroccan Ministry of Islamic Affairs has tried to promote the image of a women-

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[208] Julie E. Pruzan Jorgensen, "The Islamist Movement in Morocco: Main Actors and Regime Responses", Danish Institute for International Studies, 2010.

[209] The Ulema are legal scholars who are engaged in the several fields of Islamic studies. They are considered a sort of arbiters of Shari'a, the Islamic set of laws.

[210] Julie E. Pruzan Jorgensen, "The Islamist Movement in Morocco: Main Actors and Regime Responses", Danish Institute for International Studies, 2010.

[211] Ibid

[212] Ibid

friendly Islam, also to counter Nadia Yassine's tentative to preach her "feminist" Islamism. In fact, Nadia Yassine, who describes herself as a self-avowed feminist, has preached a feminist Islamism through which, according to her words, Muslim women would not need to import feminist principles from the West[213], as these principles are presumably not compatible with the Islamic tradition and would only bring the Fitna to Arab and Muslim societies.

Consequently, the Moroccan government has decided to counter the potential attractiveness of this Islamist feminist movement by integrating women into formal councils of Ulema, educating them and encouraging them to occupy the new official position of Murshidat[214]. By offering this new role for women in the religious sphere, Morocco broke with a long-lasting tradition of almost exclusive male domination when it comes to religious authority. Through this change, the Moroccan authorities have sought to demonstrate their readiness to modernize the religious establishment and the state concomitantly.

This religious reform had to be accompanied by a growing presence of officials from the Ministry of Islamic Affairs in the public sphere, in order to implement the changes that have been made at the religious legal framework.[215] In this perspective, the government deployed massive investments in order to establish several regional offices of the Ministry of Islamic Affairs, many regional councils of Ulema guided or controlled by the Ministry.[216]

In point of fact, while the Ministry of Islamic Affairs was already used to beneficiate from important budgets and funds, the Moroccan war on terrorism has led the government to increase even

[213] Spiegel Online, "Interview with Moroccan Islamist Nadia Yassine: 'Our Religion is Friendly to Women'", available from http://www.spiegel.de/international/world/0,1518,492040,00.html

[214] The Murshidat are female religious counsellors who teach Islamic instructions and give advice to women in mosques but also in other places, such as prisons.

[215] Julie E. Pruzan Jorgensen, "The Islamist Movement in Morocco: Main Actors and Regime Responses", Danish Institute for International Studies, 2010

[216] Ibid

more the funds dedicated to the construction of state controlled Mosques in both urban and rural areas, setting the objective of constructing at least one Mosque in every residential hitherto.[217] The increasing financial supports were also used to engage in massive programmes of the education of Imams and Murshidat which, in great part, "have previously received little or no formal schooling beyond the religious educational system".[218]

The advantages of undertaking such religious reforms are double for the Moroccan government. On the one hand, as stated earlier, these reforms allow the regime to modernize its religious establishment and give a better image of an organized and institutionalized religious system. This image is positive both at the internal and external level. At the internal level, it allows implementing a certain atmosphere of religious atmosphere that aims at reassuring the population (that is Muslim in its vast majority) about the preservation of Islamic values within a modern and moderate system. At the external level, it promotes the image of a country that is actively struggling against radicalism, a country that is implementing concrete and effective measures aiming at drastically eliminating all forms of Islamist extremism in the country. Nevertheless, and as one can easily expect, these reforms have risen several critics about their real effectiveness. Some argue that these reforms do not or will not satisfy the population's religious and spiritual needs, because, rather than addressing real religious issues, it is only promoting a "certain version of Moroccan tradition".[219]

Moreover, some scholars argue that the control over the education of the Ulema and Murshidat will only reduce their already limited legitimacy in people's minds. Indeed, after the reforms, the Ulema and Murshidat have less freedom for manoeuvre than they had before, which could undermine

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[217] Ibid
[218] Ibid
[219] Ibid

the credibility of the whole religious system and reduce the religious legitimacy that the monarchy, along with the Makhzen, need in order to maintain their stability.[220]

In addition to the legal reforms at the Ministry of Islamic Affairs, the Moroccan government has also decided to undertake some borderline measures in order to respond to the Salafi extremist threat. The first response that came from the government after the bombing attacks of Casablanca in May 16, 2003, was massive arrests and judicial revenge. After all, it is through the judiciary system that the Moroccan government has the most acted against terrorism both at the internal level (arrests and trials of Salafists) and external level (coordination with international judiciary systems). Indeed, after the Casablanca attacks, the Moroccan police accumulated arrests, trials and condemnations.

Along with the judiciary actions against Salafi Jihadists, the Moroccan government started providing special trainings for its army that aimed at increase the military effectiveness both inside Morocco and outside Morocco in the perspective of regional cooperation and struggle against terrorism[221]. It has thus created three special units specialized on illegal immigration, terrorism and drug trafficking , the three "plagues" currently undermining security in Morocco.[222] According to official sources, each unit counts 140 soldiers and 13 officers under the command of a colonel, who have all beneficiated from specialized trainings offered by the American and French forces.[223] The Moroccan military, enriched with its new three specialized units, conducted large scale combined arms exercises involving around two thousand ground and air troops in order to test the recently acquired American and French weapons systems.[224]

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[220] Julie E. Pruzan Jorgensen, "The Islamist Movement in Morocco: Main Actors and Regime Responses", Danish Institute for International Studies, 2010
[221] Matthew Chebatoris, "Morocco's Multi-Pronged Counterterrorism Strategy", Terrorism Monitor, Vol. 7, N° 13, May 2009.
[222] Ibid
[223] Ibid
[224] Ibid

Furthermore, the Moroccan authorities reacted strongly against suspected Shia proselytism in Morocco a couple of years ago. Indeed, the Iranian ambassador in Morocco was expelled and two prominent political leaders (Moatassim and Marwani) were arrested and accused of taking part of a Belgian terrorist cell, while political experts argue that, in reality, they have been arrested because of their ex membership in a violent group called Al Ikhtiyar Al Islami (the Islamic Option) that was highly inspired by the political strategies of 1979's Iranian revolution.[225]

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[225] Julie E. Pruzan Jorgensen, "The Islamist Movement in Morocco: Main Actors and Regime Responses", Danish Institute for International Studies, 2010

IV

Islam in Modern Independent Morocco

When Mohammed VI was enthroned on July 23, 1999, following the death of his father Hassan II, a considerable reorganization of the political and religious spheres was expected. Calls for more democracy, transparency and respect for human rights had already been heard during the era of Hassan II and hopes of seeing the emergence of a solid modern state grew strong.

Given the young age of Mohammed VI at his enthronement (a little less than 36 years old) and his European education (PhD in law from University of Nice Antipolis and professional experience at the European commission in Brussels), several observers and thinkers even predicted a progressive secularization of Moroccan politics and the slow disappearance of religion from the public sphere.

Nevertheless, despite having undertaken undeniable reforms aiming at modernization and democratization, Morocco has been strongly attached to its religious identity. What defines a Moroccan citizen is still, and above all, his belonging to the Islamic Ummah. King Mohammed VI implemented several reforms, especially as far as human rights are concerned, but continuously reaffirmed the Moroccan Islamic identity. The perpetuation of the Islamic tradition has always gone hand in hand with the process of modernization and democratization.

This chapter deals with the way Islam is strongly present in all aspects of public and private life in Morocco. It first explains the ethical dimension of Ria'ya (protection) in Islam, which confines to each Muslim individual a moral duty and responsibility not only upon his own behavior but also on that

of his family and his fellow citizens. This moral duty is also present as far as diplomatic relations are concerned, since Moroccan foreign policy has been to a great extent influenced by the role of the King as a religious leader that puts the well-being of the Islamic community over the world at the heart of his diplomatic agenda. This has been particularly the case when it comes to the Palestinian question, where the King has personally given himself the responsibility of collecting support from other Muslim countries in order to help the Palestinian cause, following the Islamic concept that a Muslim should always help his Muslim brother regardless of his ethnic or national origin. Then, the chapter explains how the ideas of Moroccan Islamic feminists show a clear desire for more gender equality but not outside an Islamic framework. Although there exist several types of Islamic feminisms in Morocco, the shared idea amongst them is that conquering more rights for women must necessarily go through a rereading of the sacred texts which, according to them, hold originally a liberating message. Indeed, Moroccan Islamic feminists argue that if women in Islamic societies in general and in Morocco in particular are so marginalized it is either because of historical factors that have slowly led to the construction of strongly patriarchal societies or because of a misreading of the original texts of Islamic instructions.

Private morality and public morality

Islam is profoundly present in almost all aspects of public life in Morocco. The population not only defines itself as Muslim but feels also the duty of protecting its faith from all kinds of threats. Those perceived threats include secularist ideas brought on by a minority of Moroccans accused of being a westernized elite that is detached from the Moroccan/Arab/Muslim reality, as well as the radical ideas of fundamentalist Muslims who are accused of threatening peace and stability in the country.

In addition to this, the Islamic notion of Ria'ya (protection) confers to each Muslim individual a moral duty within his society. This means that he is morally responsible for putting on the right path not only himself but also the members of his own family and the members of the society in which he lives. In this aspect, Muslim philosophers distinguish between three levels of Ria'ya: "the direction of one's own life, the management of one's entourage and the conduct of public affairs".[226] The first one is about controlling one's own morality and behavior, especially when facing situations of anger, passion or pleasure, the second include one's behavior towards his family and neighbors, the respect of their rights, while the third is more political as it includes the moral as well as political duties that one person has towards the members and institutions of his society.[227]

> "Whosoever succeeds in managing his body properly is able to manage the affairs of his family and servants, whosoever his family properly is able to manage a tribe, whosoever manages the affairs of a tribe properly is able to manage those of all the townspeople, and whosoever manages the affairs of the town properly is able to manage the implementation of divine law."[228]

In the Moroccan public consciousness, there is thus a deep interconnection between the daily duties of a Muslim individual and his duties towards God. Morality holds a strong importance in the Moroccan public sphere and Islamic instructions are perceived as "an organizing and caring principle on the one hand and a source of authority and legislation on the other. Perfect religious law, therefore, is one which combines knowledge of divine truths, venerated by the soul, with the various activities of

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[226] Abdelwahab Boudhiba, M. Maarouf Al Dawalibi, *The Different Aspects of Islamic Culture: The individual and Society in Islam*, (UNESCO: Paris, 1988), p80.
[227] Ibid, p81.
[228] Ikhwan Al Safa, *Rasa'il*, I, p274.

daily life".[229] As a consequence, Moroccan Muslims in general share the feeling of an ethical duty towards Moroccan society, a duty that combines both the divine and the political.

Two main examples illustrate this shared feeling amongst Moroccans. In September 2009, a group of Moroccan libertarian activists suggested to organize a group picnic during daytime, in the month of Ramadan. Their objective was to denounce the intrusion of religion in private matters and to call for a secularist amendment of the Moroccan constitution. As public eating during the month of Ramadan is not only severely condemned by Islam but also punishable by law in Morocco (1 to 6 months of prison), this initiative triggered a massive wave of indignation in the country. The organizers of the picnic received death threats and were accused of trying to alienate the Moroccan youth, deviate them from the Islamic path and plant Western/Christian ideas in their minds. Members of civil society also felt a duty to publicly condemn this initiative, arguing that these are behaviors that do not relate to Moroccan Islamic tradition and that Morocco is and should remain Islamic and conservative.

The second example happened when, in 2014, two young Moroccan teenagers were jailed for having kissed in public and published a picture of the kiss on social media. As a reaction, a group of secularist activists organized what they called a "kiss-in": a sit-in in front of the Moroccan parliament in which young couples would kiss publicly in order to denounce sentencing the young teenagers for having kissed. The event took a dramatic turn when another group of conservative activists violently interrupted the sit-in and accused the organizers of being evil, of showing disrespect towards Moroccan identity and for complotting against the stability of the country. Another aspect of this story, which is quite ironic, was that the legal and official complaint against the teenagers was made by a human rights association that argued that the behavior of the two young people is a public outrage that goes against Moroccan and Islamic values.

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[229] Abdelwahab Boudhiba, M. Maarouf Al Dawalibi, *The Different Aspects of Islamic Culture: The individual and Society in Islam*, (UNESCO: Paris, 1988), p82.

In addition to this, when some voices raised to denounce the intrusion in the private life of the two teenagers (they were denounced after their picture was taken from their private social media accounts without their consent), they received firm answers stating that it was the duty of each Muslim individual to ensure the respect of Islamic rules by his fellow citizens. The fact that the two people were minors was even more of an argument used by the members of the human rights association that denounced the couple. Indeed, they argued that it was dangerous to let anti-Islamic ideas and behaviors conquer the minds of Moroccan youth as this will lead to an inevitable collapse of the core values of the whole society.

Clearly, behaviors that do not abide by Islamic instructions are not only considered as a disobedience to divine rules but also as a threat to national identity, to national and religious values, For Moroccans, "religion covers customs, the state, conduct, politics, opinion, judgment and obedience".[230] It represents a set of moral rules according to which society should behave in order to preserve its integrity.

Islam in Moroccan Foreign Policy

Foreign relations have a particular importance and normative dimension within Islam. Indeed, based on Fiqh (Islamic jurisprudence), Islamic jurists have established a set of rules called Siyar, which regulate the relations that a Muslim country should have with Muslim and non-Muslim countries, in order to suggest a new alternative for the current state of international affairs.[231] At the origin, this set of rules made a clear distinction between the Muslim world, called Dar al Islam, and the non-Muslim

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[230] Abdelwahab Boudhiba, M. Maarouf Al Dawalibi, *The Different Aspects of Islamic Culture: The individual and Society in Islam*, (UNESCO: Paris, 1988), 83.

[231] Abdessamad Belhaj, *La dimension Islamique dans la Politique Etrangère du Maroc; Déterminants, acteurs, orientations*, (UCL Presses Universitaires de Louvain : Louvain, 2009), p13.

world, called Dar Al Kufr.[232] According to the classical theory (and which is today the motto of several terrorist organizations) is to transform Dar Al Kufr into Dar Al Islam, meaning it is the duty of a Muslim state to spread Islamic faith and establish an Islamic government in non-Muslim states.[233]

Nevertheless, given the fact that Ijtihad (independent reasoning) is a founding component of Fiqh and that international relations have considerably evolved throughout the last centuries, Muslim jurists have progressively gave up on the holy war and conquering aspect of Islamic foreign relations.[234] However, protecting the affairs of the Ummah has remained an essential feature of Islamic diplomatic relations and is now an undeniable factor in all Muslim countries foreign relations.

As a consequence, Islam has played a significant role in Moroccan policy in the last decades, especially when affirming the role of Morocco vis-à-vis sub-Saharian countries and the Palestinian cause. Given the centrality of the King in the Moroccan political sphere, he plays a central role in Moroccan diplomatic relations. He is the foreign policy maker and he is the main representative of the Moroccan population. Moreover, being the commander of the faithful, his role acquires a particular religious dimension that makes of him the defender of Islamic faith and responsible for the well-being of the Ummah.

During the era of Hassan II (1961-1999), Islam influenced Moroccan foreign policy according to three axes: First, Hassan II developed built a strong diplomatic network with fellow Sunni countries, especially with Saudi Arabia, second, he became the leader of the community of Muslim countries through the Organization of Islamic Cooperation [235] and the Al-Qods committee[236], and third, he

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[232] Ibid.
[233] Ibid.
[234] Ibid.
[235] OCI was created in 1969 and is composed of 57 member countries. The headquarter is in Jeddah, Saudi Arabia and it has a permanent delegation at the United Nations. Its main mission is to protect Muslim countries and serve their economic, political and social interests.

financed the organization of the Islamic Revival University, where several Islamist scholars were invited and where Moroccan Ulemas intervened to introduce the tolerant and traditional Moroccan Islam.[237]

The role of Hassan II as an Islamic leader in the international sphere was intense, especially within the OIC. Abdessamad Belhaj argues that is Egyptian president Gamal Abdennasser had been a charismatic leader in the Arab political sphere during the fifties and the sixties, the 1967 war considerably jeopardized his role, giving a chance to monarchies, mainly Morocco and Saudi Arabia, an occasion to retrieve the leadership.[238] In 1969, following the fire at Al-Aqsa mosque in Jerusalem, Morocco seized the opportunity to suggest the creation of an inter-Islamic organization: the OIC, the Organization of the Islamic Conference, which main objective is to handle the Palestinian question and put it at the heart of the political agenda of Muslim countries.

The Al Qods committee, created by an initiative of the OIC, was a particular occasion for Hassan II to demonstrate his role as a major Muslim actor in the Palestinian question. In fact, thanks to his renowned diplomatic skills, Hassan II has made extensive efforts in defending the Palestinian cause before Muslim and Non-Muslim countries. He was a strong proponent of a peaceful resolution of the crisis and he organized several summits in which he aimed at joining the efforts of all member states of the OIC and the Al Qods Committee in order to put a final solution to the conflict. Throughout his leadership within the OIC and Al Qods Committee, Hassan II has repeatedly emphasized the moral duty that each Muslim state had with regards to their Palestinian "brothers" and that giving up on them was a synonym of giving up on the integrity of the Ummah.

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[236] The Al Qods Committee was created in 1975 in Jeddah, Saudi Arabia and its main goal is to follow the Israeli-Palestinian conflict, support the Palestinian cause and collect funds. The Moroccan King has been the president of the committee ever since its creation.

[237] Abdessamad Belhaj, *L'Usage Politique de l'Islam : L'Universel au Service d'un Etat : le Cas du Maroc*. Recherches Sociologiques et Anthropologiques, available from http://rsa.revues.org/575

[238] Ibid.

However, with the emergence of new radical Islamist groups starting the beginning of the nineties, Hassan II understands he has to readjust the Islamic dimension in his international discourse. He condemned radicalism, fundamentalism and violence and suggested instead promoting moderate Islamic education; he organized seminars, invited international Muslim scholars and sent Moroccan scholars for abroad trainings. The aim was to promote the image of an open country whose main focus as far as religious is concerned is research, the advance of Islamic thought and solidarity with Islamic countries.

When Mohammed VI was enthroned, and especially after the terrorist attacks of September 11, the priority was to build alliances with superpowers, mainly the United States of America and the European Union in order to strengthen and promote the international image of Morocco as a tolerant country, where Islamic values cohabit with human rights, democracy and peace. Considering itself one of the leader countries in the Arab/Muslim world, Morocco gave itself the duty of readjusting the current pejorative image that Muslim countries and Islam in general have acquired throughout the last two or three decades.

Islamic feminism

Feminism under the colors of Islam is one other important aspect of the expression of religion in the Moroccan public sphere. As a feminist movement, its aim is to guarantee equality of rights between men and women and put an end to male domination. As an Islamist feminist movement, it takes its inspiration from sacred writings and uses Islamic instructions as a source for the struggle for women rights.

Two leading Moroccan figures have shaped Islamic feminism in Morocco: Fatima Mernissi and Asma Lamrabet. Their ideas have considerably influenced the vision of a modern Moroccan Muslim woman. They have openly broken taboos and gave birth to several debates about the condition of women within Moroccan Islamic society.

Fatima Mernissi, a renowned Moroccan sociologist and feminist, has published extensive work on the condition of women within Muslim societies. In her book *Beyond the Veil*, she tackles crucial and taboo issues regarding women in Islam in general, and in Morocco in particular. She makes an important distinction when speaking of women in Islam. Indeed, according to her, while in the Christian tradition every individual is "tragically torn between two poles –good and evil, flesh and spirit, instinct and reason"[239], in Islam instincts do not hold an inherent good or evil value, and the question of good or bad emerges "only when the social destiny of men is considered".[240] In other words, according to Mernissi, it is social order that confers the good or evil value of instincts, or actions in general.

> "When Muhammad forbids or censures certain human activities or urges to their omission, he does not want them to be neglected altogether, nor does he want them to be completely eradicated, or the power from which they result to remain altogether unused. He wants those powers to be employed as much as possible for the right aims. Every intention should thus eventually become the right one and the direction of all human activities one and the same."[241]

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[239] Fatema Mernissi, *Beyond the Veil : Male Female Dynamics in Modern Muslim Society*, (Indiana University Press: Bloomington, 1987), p27.
[240] Ibid.
[241] Fatema Mernissi, *Beyond the Veil: Male Female Dynamics in Modern Muslim Society*, (Indiana University Press: Bloomington, 1987), p27.

However, this link between basic instincts and social order is detrimental for the women condition. As Mernissi argues, the weight of responsibility towards social order as far as instincts are concerned is all on the shoulders of women. She even adds "the irony is that Muslim and European theories come to the same conclusion: women are destructive to the social order - for Imam Ghazali because they are active, for Freud because they are not."[242] The comparison between the Christian tradition and the Islamic tradition that Mernissi makes leads her to affirm that while Christianity condemns sexuality itself and degraded as animality, the Islamic tradition condemns women as "the embodiment of destruction, the symbol of disorder".

She emphasizes on the role of the history of Islam, especially during the era of prophet Mohamed, in segregating male and female, even regarding the question of marriage, and in building a strongly patriarchal society in which women are accused of being at the origin of instability, disorder and evil. She gives full responsibility to several Muslim philosophers and thinkers for having perpetuated a long tradition of distrust towards women. She cites in particular the sixteenth century poet Sidi Abderrahman Belmejdoub that said:

"Women are fleeting wooden vessels

Whose passengers are doomed to destruction"[243]

And:

"Don't trust them [women], so you would not be betrayed

Don't believe in their promises, so you would not be deceived

To be able to swim, fish needs water

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[242] Ibid., p44.
[243] Ibid., p43

Women are the only creatures who can swim without it"[244]

Or

"Women's intrigues are mighty

To protect myself I run endlessly

Women are belted with serpents

And bejeweled with scorpions"[245]

Given the fact that Mernissi sees Islam not only as a religion but as a holistic vision of the world that sees itself as an ideal sociological, political and legal organization, she argues that the strongly negative image that women have within the Islamic tradition is responsible for the juridical inequalities that Muslim women suffer from. She suggests that rather than blaming Islam itself for these inequalities, it is the whole Islamic story and tradition that developed following the advent of Islam that should be reconsidered in order to abandon misconceptions that emerged in the middle ages and which still govern male-female relationships and male dominance in Muslim societies.

The second Islamic feminist thinker which is discussed in this chapter is Asma Lamrabet, a Moroccan physician born in Rabat, who has been involved for decades in debates about the problematic of women in Islam. Her main focus is on the importance of the rereading of sacred texts from a feminist perspective.

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[244] Fatema Mernissi, *Beyond the Veil : Male Female Dynamics in Modern Muslim Society*, (Indiana University Press: Bloomington, 1987), 43.
[245] Ibid.

One crucial issue that Asma Lamrabet deals with was the evolution of the legal status of women in Morocco 10 years after the reform of the family code in 2004 and in which King Mohammed VI has considerably modified the pre-existing code and which was to a great extent a violation of women rights in Morocco. Indeed, for instance, as far as polygamy is concerned, although King Mohammed VI could not abolish it, as this would have triggered severe attacks against him, he modified it in a way that would guarantee more rights and fairness to women. From then on, it is impossible for a man to marry a second woman unless he has the legal and official consent of his first wife. This new rule has so far greatly limited cases of abandoned women, especially in the rural areas where women are generally unemployed and their only source of revenue is that of their husband.

Asma Lamrabet acknowledges this considerable step forward made by the new changes of the family code. However, she argues that there still exist several weaknesses, especially at the practical level, and that several challenges lie ahead in the struggle for women rights in Morocco. The main reason for these challenges are, according to Lamrabet, is the deep divergence between, on the one hand, the modernization and emancipation of Moroccan women, and, on the other hand, the persistence of religious conservatism that weighs on Moroccan's daily life.[246] Indeed, the two key words that Lamrabet uses to describe this stalemate are "contradictions" and "intervals". She explains that despite the fact that women are more and more active in the sociopolitical space, they remain greatly marginalized within the decision-making sphere and that there still exists a severe difference between the urban, intellectual and bourgeois women and the rural, unemployed and marginalized women. The latters, according to Lamrabet, are the greatest victims of illiteracy and marginalization in terms of rights and dignity. As a consequence, Lamrabet denounces a disparity of women claims even within the same dynamic national female struggle. Lamrabet explains that these contradictions are essentially

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[246] Asma Lamrabet, « Evolution du Statut de la Femme au Maroc : 10 ans après la réforme du code de la famille », The official website of Asma Lamrabet, available from http://www.asma-lamrabet.com/articles/evolution-du-statut-des-femmes-au-maroc-10-ans-apres-la-reforme-du-code-de-la-famille/

symbolized by the article 19 of the newly adopted constitution (in 2011, following the "Arab Spring") that stipulates that the equality between men and women is conditioned by the respect of the founding values of the states: "moderated Islam". Lamrabet wonders thus "which Islam are we talking about since every single person can have its own moderated interpretation of Islam?"[247] This equality between men and women, within the limits of this so-called moderated Islam is thus a fake equality according to Lamrabet.

Lamrabet denounces a worrying juridical and constitutional fuzziness that incites to understand that there are inequalities within Islamic jurisdiction that have to be accepted because they are part of this "cultural relativism" that belongs to the sacred, to the immutable.[248] Lamrabet does not hesitate to firmly condemn this "cultural relativism" that, according to her, comforts and endorses the several contradictions that exist between law and sociocultural reality. She goes as far as describing this current situation as "social schizophrenia". In this sense, she also confirms an idea stated along this thesis, and according to which what matters in the Moroccan political, social and cultural spheres is above all the abiding by the sacred, despite a sincere desire for modernization and emancipation. Modernization stops when the core values of Islamic faith are violated. The general consensus amongst the Moroccan population is the idea that Quran and Hadith "know better". Direct critics of specific Islamic laws that undermine women rights are not accepted and the justification lies within the sacredness of the text and divine will.

Lamrabet wonders: "how can we preach juridical equality in the laws and endorse inequality in the religious field that, as we know well, constitutes in a country such as Morocco, the inevitable

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[247] Ibid.

[248] Asma Lamrabet, « Evolution du Statut de la Femme au Maroc : 10 ans après la réforme du code de la famille », The official website of Asma Lamrabet, available from http://www.asma-lamrabet.com/articles/evolution-du-statut-des-femmes-au-maroc-10-ans-apres-la-reforme-du-code-de-la-famille/

pedestal identity of this society?"[249] Lamrabet denounces here sociocultural constants that, in the absence of a religious debate and understanding, will always represent a serious obstacle in front of the achievement of concrete progress in terms of equality of rights between men and women.

The problem, according the Lamrabet, is thus ideological rather than religious and the instrumentalization of sacred writings is facilitated by the still widespread ignorance in Morocco. She does not hesitate to raise taboo issues such as mixed mosques. The prohibition of mixed mosques in Morocco is believed to have religious grounds, while, as Lamrabet explains, there is no trace of such a prohibition in Quran or Hadith. The same goes for the veil for instance. As this practice became culturally entrenched in the Moroccan consciousness, it became a religious obligation, although neither Quran nor Hadith have stated that it is.

However, it seems that Asma Lamrabet believes in a reform of the religious through the religious. Indeed, when speaking of Islamic feminists, Lamrabet argues that those are women that claim a new reading of Islam precisely because they are motivated by their faith and their convictions. They are fully aware that the spiritual message of Islam as a liberating message that transcends any gender, race or social class hierarchy.[250] Lamrabet argues that is it precisely the core values of Islam, such as freedom, reason and justice, that preconize a rereading of the sacred book in order to put the question of men-women equality at the heart of the Islamic liberating message.[251]

The aftermath of the "Arab Spring" is according to her confirms the idea that the religious reference is only instrumentalized in order to legitimize juridical subjection of women. Arguing that this juridical subjection has been always strong, either under the rule of a religious or a non-religious

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[249] Ibid.

[250] Asma Lamrabet, « L'émergence de Nouvelles Voies de Libération pour les Femmes en Islam », The Official Website of Asma Lamrabet, available from http://www.asma-lamrabet.com/articles/l-emergence-de-nouvelles-voies-de-liberation-pour-les-femmes-en-islam/

[251] Ibid.

government, Lamrabet demonstrates that the inequality between men and women is rather a political choice than a divine will. She argues that it is only within a real democratic space that guarantees freedom of speech and respect of human rights that a reform of Islamic thought (and the question of women condition in particular) has a chance of succeeding. [252]

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[252] Ibid.

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Appendix

The 1930 Berber Dahir

Louange à Dieu,

Que l'on sache par la présente, que notre Majesté Chérifienne, Considérant que le dahir de notre Auguste père, S.M. le Sultan Moulay Youssef, en date du 11 septembre 1914 a prescrit dans l'intérêt du bien de nos sujets et de la tranquillité de l'Etat de respecter le statut coutumier des tributs berbères pacifiées..., qu'il devient opportun de préciser aujourd'hui les conditions particulières dans lesquelles la justice sera rendue dans les mêmes tribus:

A décrété ce qui suit :

Art. 1
Dans les tribus de Notre Empire reconnues comme étant de coutume berbère, la répression des infractions commises par les sujets marocains (1) qui serait de la compétence des Caïds dans les autres parties de l'Empire, est de la compétence des chefs de tribus.
Pour les autres infractions, la compétence et la répression sont réglées par les articles 4 et 6 du présent dahir.

Art. 2
Sous réserve des règles de compétence qui régissent les tribunaux français de Notre Empire, les actions civiles ou commerciales, mobilières ou immobilières sont jugées, en premier ou dernier ressort, suivant le taux qui sera fixé par arrêté viziriel, par les juridictions spéciales appelées tribunaux coutumiers. Ces tribunaux sont également compétents en tout matière de statut personnel ou successoral. Ils appliquent, dans les cas, la coutume locale.

Art. 3
L'appel des jugements rendus par les tribunaux coutumiers, dans les cas où il serait recevable, est porté devant les juridictions appelées tribunaux d'appel coutumiers.

Art. 4
En matière pénal, ces tribunaux d'appel sont également compétents, en premier et dernier ressort, pour la répression des infractions prévues à l'alinéa 2 de l'article premier ci-dessus, et en outre de toutes les infractions commises par des membres des tribunaux coutumiers dont la compétence normale est attribuée au chef de la tribu.

Art. 5
Auprès de chaque tribunal coutumier de première instance ou d'appel est placé un commissaire du Gouvernement, délégué par l'autorité régionale de contrôle de laquelle il

dépend. Prés de chacune de ces juridictions est également placé un secrétaire-greffier, lequel remplit en outre les fonctions de notaire.

Art. 6

Les juridictions françaises statuant en matière pénale suivant les règles qui leur sont propres, sont compétentes pour la répression des crimes commis en pays berbère quelle que soit la condition de l'auteur du crime (2). Dans ces cas est applicable le dahir du 12 août 1913 (9 ramadan 1331) sur la procédure criminelle.

Art. 7

Les actions immobilières auxquelles seraient parties, soit comme demandeur, soit comme défendeur, des ressortissants des juridictions françaises, sont de la compétence de ces juridictions.

Art. 8

Toutes les règles d'organisations, de composition et de fonctionnement des tribunaux coutumiers seront fixés par arrêtés viziriels successifs, selon les cas et suivants les besoins.

Fait à Rabat, le 17 Hijja 1348 (16 mai 1930) vu pour promulgation et mise à exécution :

Rabat, le 23 mai 1930.

Le Commissaire - Résident général, LUCIEN SAINT.

(1) : Preuve irréfutable que le dahir s'appliquait sans discrimination à tous les citoyens marocains et qu'il avait une compétence territoriale et non ethnique.
(2) : Le législateur avait tenu, pour éviter d'éventuelles contestations judiciaires sur la compétence des tribunaux français en la matière, à préciser que ces juridictions étaient compétentes quel que fût le régime juridique de l'auteur du crime (Orf ou Chraâ), ou leur appartenance ethnique ou religieuse.