ABSTRACT

This thesis examines the process of history and collective memory formation in Morocco by contrasting the narratives of its violent past from two ‘truth-telling’ projects: the official truth and reconciliation commission Instance Equité et Réconciliation (IER), and the unofficial public audiences of human rights victims ‘Testimonies without Chains for the Truth’ organized by a Moroccan non-governmental organization. The research first presents official accounts by the Moroccan regime of its nation’s post-colonial history, with a special focus on victims’ testimonies in IER public audiences in 2004 and 2005. In so doing, the research seeks to understand and measure the implication of the regime in elaborating and framing the official discourse about decades of repression as relayed through the publication of IER final report, historical accounts and through what the state has termed ‘positive preservation of memory’ exemplified in cinema, educational programs, historical publications and memorial sites. Thanks to alternative truth-telling initiatives, including unofficial public hearings, victims’ memoirs and oral histories, the modern history of Morocco is leavened by additions from opposition groups, victims and their families that contest the hegemony exercised by the regime’s master narrative about the past. The thesis concludes that, although the transitional justice experience in Morocco helped shed light on a dark period in its history, the regime, which consolidated itself thanks to transitional justice, controls this truth-telling and history-making, by either imposing its own version of the past, hijacking some independent and alternative stories, or by simply labeling other alternatives as radical and extreme and not in favor of reconciliation and moving forward. Morocco thus presents a unique case of transitional justice whereby two truth-telling projects occurred in parallel and at the same time to provide two narratives about the violent past and whereby the regime implemented transitional justice mechanisms to avoid actual transition, unlike in most historical cases where truth commissions were part of a transition.

Keywords: transitional justice, politics of memory, truth-telling, reconciliation, historical narratives, collective memory, historiography, legitimation
DECLARATION

This is to certify that:

I. the thesis comprises only my original work towards the PhD except where indicated,

II. due acknowledgement has been made in the text to all other material used,

III. the thesis is fewer than 100,000 words in length, exclusive of tables, maps, bibliographies and appendices.
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My gratitude also goes to all my interviewees for their generous help with this research, and for their colossal fight for a better Morocco respectful of human dignity and freedoms.

Lastly, I am grateful to my family and friends for their love, encouragement and support.
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CHAPTER 1: INTRODUCTION

Research Rationale

The ‘Arab Spring’ of 2011 may have started a wave of democratization in the Arab world, but it also stirred uncertainties and chaos when dealing with questions of transition and justice. Tunisia, Egypt and Libya proved unprepared for their newly gained political freedoms and have yet to establish peace and stability in their distressed societies. In all three cases, transitioning governments vowed to respect human rights and be fair to all their citizens, politically, socially and economically; after all, the revolutions in North Africa started in the name of social justice and change. To achieve it, they have to first come to terms with the atrocities of the past by establishing measures of restorative justice. Months after President Ben Ali and his wife fled Tunisia; a hasty trial in June 2011 sentenced them to 35 years of jail time in absentia while the recently established truth commission struggled to gain popular support. In September 2017, the Tunisian parliament passed a reconciliation law that amended civil servants implicated in corruption and embezzlement, thus undercutting the work of the commission. Similarly, hopes to hold deposed President Hosni Mubarak, his sons and ministers accountable for the corruption that swept Egypt and the death of hundreds of protesters during the revolution faded away as they saw their charges reduced or simply dropped, courtesy of the new government put in place by the military coup in 2013. In Libya, questions of peace and justice were raised even before Gaddafi was killed and his son Saif el Islam captured. While the International Criminal Court still hopes to bring the surviving son to try him in The Hague, Libya’s rival governments preferred to seek retribution against Saif

Gaddafi and his loyalists in Libyan courts. In the three cases, governments and populations alike have been seeking retribution and amendment of past wrongdoings through various transitional justice mechanisms with the hope of ensuring transition to a state respectful of human rights and the rule of law.

Morocco presents a special case to study as it established this process of reconciliation and transition before the Arab Spring and without a regime change. It was also the first Arab and Muslim country to set up a truth commission that exposed the wrongdoings of the regime still in power. Morocco, in this case, needs to be explored critically as it mastered the process of taking over opposition groups and other voices of contestation by offering a government-led transition and an adapted form of truth and justice. Thanks to a pre-emptive process of transitional justice, the North African kingdom was able to avoid a regime change during the wave of the Arab Spring revolutions and has since served as a role model for ‘new regimes’ in Tunisia, Libya, Bahrain and Egypt which have turned to it as the regional exemplar of the process of peaceful ‘transition’ and reconciliation. Since 2011, the National Council for Human Rights (Conseil National des Droits de l’Homme – CNDH), Morocco’s state institution responsible for its transitional justice projects, has hosted and participated in many regional and international colloquia on human rights and restorative justice. It has also offered training workshops on how to establish truth commissions, issue recommendations and restore justice after a conflict or periods of repression to its Arab and African counterparts. The International Centre for Transitional Justice (ICTJ) has been involved in


7 In 2005, Susan Slyomovics published a thorough analysis of the human rights abuses and transitional justice process initiated by the state since the 1990s as well as discussions of selected narratives of the years of lead based on personal interviews, memoirs and IER archives of victims. In 2014, Fadoua Loudiy built on Slyomovics’s analysis and particularly looked at how transitional justice has shaped the political future of Morocco from the perspective of rhetoric and hermeneutics; as opposed to the focus and methodology of this thesis. For more see Susan Slyomovics, The Performance of Human Rights in Morocco (Philadelphia: University of Pennsylvania Pres, 2005) and Fadoua Loudiy, Transitional Justice and Human Rights in Morocco: Negotiating the Years of Lead (New York: Routledge, 2014).

Morocco’s justice project setting the IER and its strategy since the beginning.\(^9\) And although the ICTJ had reservations related to the impunity of Moroccan perpetrators, it still hailed the experience as a model for MENA countries.\(^10\) What is the Moroccan project of transitional justice? And what lessons does Morocco have to share with its partners? Can the Moroccan experience serve as a role model to follow in Tunisia, Libya, Egypt, Yemen and eventually Syria?

Determining whether a transitional justice episode was successful is as problematic and uncertain as trying to assess whether transition to democracy has occurred. Claims by advocates that transitional justice interventions truly lead to reconciliation and the rule of law are more of idealistic hopes than pragmatic plans, at least until more time elapses on these experiences and more research is undertaken to prove their effectiveness. This holds true in the case of Morocco, and more recently that of Tunisia, where transitional justice is still at its fledging stage. Thirteen years after the end of the IER and IER 2, it is difficult to assess, in the short and midterm, whether Morocco’s experience has affected positively the life of the victims and their families. What this thesis does, however, is ask why and how Morocco initiated its own project of transitional justice through an official Truth and Reconciliation Commission (TRC) that offered limited truth and justice after over forty decades of human rights abuses and repression. An assessment of the mechanisms used by the state to break with the past, compensate victims and commemorate their sufferings exposes how the regime was able to avoid transition, take over the opposition and obfuscate the counter-narratives. Most importantly, the analysis of the alternative discourse about Morocco’s violent past as produced by non-state actors including human right organizations and former victims renders the erased and hidden points in the official accounts of justice and truth more visible. And because there is a strong and close link between history, memory and narratives resulting from truth-telling projects, this exercise also offers an insight into how a regime like Morocco’s controls the production of its official history and the formation of the collective memory of its people.

This research is not only valuable to Morocco but to other Arab countries which are still in the process of setting up their own transitional justice and memorialization mechanisms to come to terms and reconcile with their violent pasts. It aspires be different from previous and

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ongoing projects that mainly reproduced the government’s narrative or international organizations’ analysis of the experience.\textsuperscript{11} It does so by first contrasting the official discourse to the alternative unofficial narrative. This comes as a vital step that precedes understanding citizens’ satisfaction and dissatisfaction from this process whether they are victims of the past, their survivors or members of the young generation of Moroccans. In a second phase, the thesis explores the process of narrative formation around the Alaoui regime and its autocratic rule since independence. It examines how the latter molded a half-century of systemic violence, repression and torture in one master narrative that put forth reconciliation, impunity and a break with the past. While works by Fadoua Loudiyi\textsuperscript{12} look at the rhetorical act of narrating the past and its impact on the political capacity of Moroccans, this research expands to include the analysis of other transitional justice mechanisms and their outcomes ten years later, be they institution building, public hearings of victims’ testimonials, cinematic productions, memorial sites, educational programs or historical publications. Looking at the second phase of the IER, notably the memorialization projects between 2005 and 2015, the thesis also builds on the seminal work of anthropologist Susan Slyomovics who recounts some of the bloodiest episodes of Morocco’s human rights breaches and how they translate into reparations and narratives into the present. Ultimately, the research adds to the field by exposing how Morocco used transitional justice as a ruling mechanism to domesticate the opposition and avoid transition and change. The research explores a wide array of dimensions in political, social and historical phenomena while shedding light on a top-down model of truth commissions, designed, controlled and produced by the regime responsible for the past violations.


\textsuperscript{12} In her book, Loudiy mainl focuses on the leftist opposition and the repression against it between 1960 and 1990, leaving out important repression episodes that targeted victims from the Rif and the Western Sahara. She intentionally does so because of her personal ties to many leftist activists (her father, her uncle and her aunt were all imprisoned and tortured for their involvement with the Moroccan student union UNEM) and because she believes that the left was the group that suffered the most during this period. For more see Fadoua Loudiy, \textit{Transitional Justice and Human Rights in Morocco}, 7 and 14.
Research Questions

The thesis seeks to answer how transitional justice narratives about Morocco’s repressive past are shaping the history of independent Morocco and the collective memory of its people. It also examines how the political context in the kingdom is shaping its process of truth-telling about the past. This is answered by looking at how the regime negotiated its survival with a strong opposition in times of crises and the ruling mechanisms used to maintain power and avoid genuine transition. The focus is put on the process of negotiating power and controlling the collective memory of Moroccan citizens after the transitional justice project of 2004.

Figure 1: Two approaches to Truth-Telling & One Hegemonic Yet Negotiated Narrative

Methodological Approach and Limitations

To understand how the process of transitional justice came about in Morocco and comprehend how the latter was utilized by the regime as a ruling mechanism to avoid genuine political transition and impact history writing and collective memory formation of Moroccans, this study followed mixed research methods to identify, collect and analyze the information pertinent to answer the main research questions. In a first stage, the collection and analysis of secondary sources on the history of Morocco were critical to this research as it set a background against which it analyzed and contrasted the narratives produced by
victims’ testimonies about Morocco’s violent past. Known as ‘the Years of Lead,’ this period witnessed massive human rights abuses against over 60,000 direct victims and instilled terror and fear in their families, friends and the society at large for over 43 years. The post-independence history of Morocco is a contested and opaque one. Many scholars have attempted to write it only to be hindered by the lack of written material and access to archives of state institutions. In a conference on Moroccan historiography, historian Susan G. Miller described the challenges she faced while writing her recent book ‘a History of Modern Morocco.’ To tackle this problem, she tapped into media sources and newspaper archives as well as personal interviews to fill the historical void about this period. Similarly, historian Mohamed Kably, the Director of the Royal Institute of Research on the History of Morocco (IRRHM) reported on the struggle faced by the team of fifty academics in charge of producing a synthesis of the histories of Morocco from the pre-historical period to the twenty-first century. Various Moroccan academics including historians, political scientists, sociologists and anthropologists could not find proper sources that dealt with the post-independence and contemporary history of the country. They too had to use media sources as well as elite interviews with intellectuals and political personalities who lived through this period to provide an official history of the kingdom, as sanctioned by a royal institute. Furthermore, historiographies of Morocco tend to have a political flavor more than in other countries, especially when written by Moroccans. Hence to map the episodes of violence in Morocco, Chapter 3 based its account on historical sources by renowned scholars who presented historical facts that received general consensus.

In a second phase, this research used mixed methods to examine both the official and non-official truth-telling projects in Morocco, drawing on documents published by the National Council for Human Rights (CCDH/CNDH), the Instance Equité et Reconciliation (IER) and ‘Testimonies without Chains for the Truth’ by the Moroccan Association for Human Rights (AMDH) and the Moroccan Forum for Justice and Truth (FMVJ) as well as other academic and media material. Beside qualitative analysis of victims’ testimonies in both official and unofficial public hearings (Chapter 5 and 6) where victims recounted their stories of victimization, content discourse analysis helped extract the themes emerging from both public audiences with an official master narrative that heralded themes of reconciliation and breaking with the past and a counter-narrative that resisted and challenged it. The study also used personal interviews with CCDH officials, IER commissioners and administrators,

14 Mohamed Kably, interview with author, June 2015, Rabat
AMDH and FMVJ members, Moroccan politicians and academics as well as human rights activists and journalists. In total, forty semi-structured interviews\(^{16}\) were conducted during two periods of fieldwork to Morocco, the first one in January - February 2015 and the second one in May-June 2015. The research strived to interview a representative sample of people involved in the different stages of the transitional justice experience in Morocco (IAC, IER, IER 2) using mixed methods of purposive sampling in order to capture a range of perspectives. Maximum variation sampling allowed the study to interview ten IER commissioners (out of fourteen) and ten CNDH officials and administrators representing the official state narrative. The opposition is represented by respondents from the Association Marocaines des Droits Humains (AMDH) and the Forum Marocain pour la Vérité et la Justice (FMVJ) who were involved in the alternative truth commission ‘Testimonies without Chains for the Truth’ as well as members of the civil society ranging from groups of former victims, lawyers who represented them and journalists who reported about the process. Finally, expert sampling allowed the research to glean knowledge on the attitudes towards IER 2 and the state’s memorialization initiatives through in-depth interviews with CNDH representatives as well as historians, civil society activists, teachers and one film director. Narrative and documentary analysis was also used to provide a more in-depth understanding of the data collected from ‘Instance Equité et Reconciliation 2’ (IER2), an EU-funded and state-run program aimed at preserving Morocco’s collective memory and history. Sources included movies and a film documentary about the years of lead as well as official publications produced by the CCDH/CNDH about torture sites and secret detention centers.

Various practical limitations arose during the research. Besides the risks and emotional burden associated with researching a very divisive aspect of one’s own country, analyzing stories of abuse and torture in written and video formats turned out to be a traumatic experience. Feelings of anger, insecurity and despair were further heightened by the fact that state-sponsored violence is allegedly still practiced in Morocco to this day. Moroccan officials were, as expected, loyal to their political script. They repeated the already established official discourse available in official statements, print material and websites. In some cases, they preferred to share their already written statements or publications to avoid being interviewed about a sensitive topic. When interviewing civil society actors however, the researcher could not always follow the semi-structured format of the interviews. This is due to the activists’ passion for the topic of research and their eagerness to share their stories.

\(^{16}\) See Appendix 5 for the discussion guidelines
especially that most of them were long-time human right militants and former victims of repression.

Chapter Overview

This introduction established the relevance of the research and its rationale, together with the methodology and the challenges posed by fieldwork in Morocco in 2015. In the following chapters, the research and its outcomes are presented, beginning with a review of the scholarly literature in Chapter 2. The literature review summarizes the main debate around the concept of transitional justice and its mechanisms, exploring the debate of justice versus truth as well as the concept of transition or ‘transitology’ and what type of regime change can be defined as transitional in order to answer how or whether Morocco has indeed transitioned without a regime change. Chapter 3 shows why transitional justice has been an issue in Morocco. Drawing on the existing scholarly literature on Moroccan history and politics, it maps out the episodes of repression and violence in ‘the years of lead’ before describing the political context within which the Moroccan regime initiated a process of truth-seeking, reconciliation and reparation. It thus provides the background to and essential points of reference for the transitional justice narratives resulting from the 2004 and 2005 official and unofficial truth projects (discussed in chapters 5 and 6).

Chapters 4 to 7 concern the creation of a contested field of memory in contemporary Morocco. Chapter 4 focuses on the negotiated process of transitional justice in Morocco with reference in particular to the Instance Équité et Réconciliation (IER), presented as a transitional justice mechanism established by King Mohammed VI to amend the crimes of the regime of his father, compensate the victims and reconcile them with the past. Chapter 5 exposes the use of state-sanctioned public hearings to create a master narrative about a four-decade-long repression, now (re)constructed and controlled by state actors using transitional justice mechanisms. Alternative public hearings of victims of repression, particularly those associated with the ‘Moroccan Association for Human Rights,’ are examined in Chapter 6, which is broadly concerned with victim testimony as resistance against the hegemonic narrative created about the violent past.

Against the backdrop provided by these contrasting and often conflicting constructions of memory, Chapter 7 examines the selective process of remembrance in Morocco. This chapter conducts an in-depth analysis of Instance Équité et Réconciliation 2 (IER 2), a state-sponsored and EU-funded project launched in 2007 in different fields of memorialization
including archives, cinema, memorial sites, historiography and education. It reveals the state’s lack of commitment to the project, its efforts to control memory through school education and textbooks, and its propagation of the official story through cinema, exposing the gap between the official narrative and transitional justice narratives produced in IER and AMDH victim testimonies. Chapter 8 provides a summary and analysis of the research findings. It contends that the regime used transitional justice as a ruling mechanism to consolidate power, avoid transition and renew its legitimacy.

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CHAPTER 2: LITERATURE REVIEW

Transitional, post-conflict or restorative justice refers to the ensemble of practices implemented by a transitioning government to address past human rights violations and establish the rule of law and reconciliation in a society. According to theories of conflict resolution (John Burton, Morton Deutsch, John Paul Lederach, Joseph Montville, Robert Bush and Joseph Folger),\(^1\) examination of the conflict history, acknowledgment of injustices and losses, admittance of guilt by perpetrators and forgiveness by victims are crucial for achieving reconciliation and durable peace after conflict. The International Center for Transitional Justice defines transitional justice as the set of judicial and non-judicial measures implemented by the state in order to redress the legacies of massive human rights abuses. These include criminal prosecutions, truth commissions, reparations programs, and various kinds of institutional reforms.\(^2\) For the United Nations, a pioneer in this field, the concept of transitional justice comprises “the full range of processes and mechanisms associated with a society’s attempts to come to terms with a legacy of serious past abuses, in order to ensure accountability, serve justice and achieve reconciliation.”\(^3\) These mechanisms are deeply rooted in international law and human rights declarations\(^4\) ratified by member states although common law, civil law, Islamic law and other legal traditions may also serve as a basis for these models.\(^5\)

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\(^2\) The International Center for Transitional Justice, ‘What is Transitional Justice?’ http://ictj.org/about/transitional-justice


Does Transitional Justice have a Theory?

The field of transitional justice is an expanding one and a distinction needs to be made between transitional justice as a legal, conceptual field to which other disciplines contribute, and transitional justice as a process through which regimes and societies confront the past. The former developed from legal inquiries around topics of justice, accountability and the rule of law to broader questions that involved a set of various disciplines including political science, anthropology, sociology, history, development studies, economics, philosophy, theology, etc.

According to Christine Bell, transitional justice cannot be presented as a coherent field as ‘it comprises both the sphere of practice and the sphere of academic knowledge with a praxis relationship between the two.’

The establishment of international criminal tribunals to address the legacy of genocides and crimes against humanity testified to the growing interest of the international community and policymakers in questions of transitional justice. In 1993, the *ad hoc* International Criminal Tribunal for the former Yugoslavia (ICTY) was established. One year later, the International Criminal Tribunal for Rwanda (ICTR) followed. When South Africa adopted its Truth and Reconciliation Commission (TRC) in 1995, it moved the attention from legal procedures of transitional justice to alternative measures that are based on reconciliation and reparation.

In 1998, the International Criminal Court (ICC) was created by the Rome Statute as a response to interstate conflict but ended up dealing with widespread intrastate conflict and associated transitional justice developments.

The establishment of the ICC, as the case of Libya shows, reignited the debate on the court’s jurisdiction in meddling in sovereign states’ affairs and their attempts to transition from authoritarianism and conflict. Even though international justice as represented by the ICC is thought of as impartial and respectful of the rule of law, it rests on a universal concept of justice and a set of liberal values that do not always go hand in hand with local concepts of justice.

By 2001, the International Center for Transitional Justice (ICTJ) was set up with the aim of sharing the South African experience and disseminating information about transition.

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7 Ibid., 5–27

8 Ibid., 8

9 Ibid., 8

and justice.\textsuperscript{11} The concept of transitional justice was finally and officially adopted by the United Nations in 2004 through a report on the topic by UN Secretary-General Kofi Anan.\textsuperscript{12} According to Christine Bell, the UN report marked a shift in the concept of transitional justice which moved from a set of mechanisms for achieving accountability for atrocious human rights abuses to a recognized tool for a range of political and social objectives that transcended retribution.\textsuperscript{13} For policymakers, transitional justice was eagerly recognized and adopted as a necessary means to ‘to sustain ceasefires and achieve a successful transition from conflict.’\textsuperscript{14}

The development of transitional justice as a field of practice saw a development in the scholarship as well. In 1995, Neil Kritz edited a substantial three-volume study on the phenomena of transition and justice occurring in Central America and Eastern Europe during the late 1980s. His \textit{Transitional Justice: How Emerging Democracies Reckon with Former Regimes}\textsuperscript{15} analyzed the various mechanisms involved in this process through the historical study of over twenty cases. Although it did not include non-democratic transitioning countries, his work summarized the debate between scholars and policymakers around issues facing emerging democracies in redressing a repressive past without creating new injustices and while reconciling victims and perpetrators. Criminal sanctions are considered by some to be necessary to achieve some degree of justice. More importantly, the public airing of wrongdoers’ trials and the condemnation of their past crimes mark a clear break between the new regime and its predecessor.\textsuperscript{16} Others maintain that, on the contrary, these show trials do not benefit democratic transition, peaceful state building and reconciliation in the society. Justice, they argue, is better served through amnesty especially when abuses have been committed by both the new and old regime.\textsuperscript{17} They give the example of Rwanda where large numbers from both parties were involved in atrocious crimes. Prosecuting 30,000 to 100,000 Rwandan citizens, they claim, would have had a destabilizing effect on the peace and transition process in the country.\textsuperscript{18} Neither scholars nor policymakers, however, comment on

\begin{itemize}
  \item \textsuperscript{12} The Rule of Law and Transitional Justice in Conflict and Post-Conflict Societies, UN Doc. S/2004/616 (3 August 2004)
  \item \textsuperscript{13} Bell, \textit{Transitional Justice}, 9
  \item \textsuperscript{14} Ibid
  \item \textsuperscript{16} Ibid, xxiv
  \item \textsuperscript{17} Ibid, xxiv
  \item \textsuperscript{18} Ibid, xxv
\end{itemize}
how justice, reconciliation, and reparation can be attained without a regime change or when the regime in place is the one establishing programs of transitional justice, as was the case in Morocco.

Ruti G. Teitel was the first to develop a theory of post-conflict justice as ‘the conception of justice in periods of political transition.’ While legal responses to the crimes of the old regime characterize this conception of justice, other measures like reparation are used to address the legacy of injustice. For Teitel however, the criminal prosecution of members of the old regime is a necessary process of transitional justice, if not the main guarantor of durable peace between wrongdoers and victims. Diane Orentlicher holds the same argument based on the fact that international law entails a legal and moral duty to prosecute massive human rights abuses. The international community through institutions such as the International Criminal Court has to ensure that evildoers are punished because often, transitioning regimes lack the political strength to do so as was the case in Argentina, Chile and Spain, where the government was forced by the military to grant de facto amnesties to the wrongdoers. She adds that international law helps the survival of frail democracies by giving itself jurisdiction over the realm of a country’s internal politics in order to punish atrocious crimes. Moreover, if a state fails to punish repeated acts of mass killings, mass disappearances and systemic torture, it violates its obligations under customary international law. Hence for Orentlicher, the process of democratic transition is smoother and adherence to the rule of law is guaranteed when there is an international institution checking the culture of impunity. Naturally, realpolitik tends to influence stances vis-à-vis war criminals. The way world leaders, the United Nations or the ICC were reluctant to promptly attack Sudanese President Omar al-Bashir or Syrian President Bashar al-Assad compared to their immediate actions against the Gaddafi clan in Libya is a good case in point.

The establishment of truth commissions as an alternative to criminal trials and other restorative measures including purges, compensation, apologies and institutional reforms

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21 Ibid, 2539
22 Ibid, 2540
23 Ibid, 2541
24 On accusations of ICC bias, see for example Adam Taylor, ‘Why so many African leaders hate the International Criminal Court.’ *WASHINGTONPOST.COM.*
posed new practical and moral questions. Should public employees who served under the former regime be sanctioned? Is this proceeding legal? Should they be removed and replaced regardless of their skills and competencies? How would that affect the process of state-building? Denazification, defascistization, decommunization, dejuntification, and debaathification seem to have been essential in restoring public trust in state institutions.\textsuperscript{25} The process of vetting or lustration posed many problems to scholars, however. Discrimination based on political affiliation contradicted democratic values and collective punishments violated the rule of law.\textsuperscript{26} Furthermore, removing large numbers of public servants hindered the very purpose of reconciliation by creating an opposition that threatened the stability of the new regime. If left in place, however, supporters of the old regime would have sabotaged the process of liberalization and democratic reforms.\textsuperscript{27} This holds true in the case of Morocco where no political transition happened. Perpetrators who ordered, tortured and committed violence against victims were neither vetted nor prosecuted. They still hold high official positions in the army, the powerful ministries of interior and justice, the parliament, diplomatic missions and other state institutions. The low turnout at the 2007 elections\textsuperscript{28}, two years after the end of Instance Equité et Réconciliation, echoed Moroccans’ continued distrust of public institutions and the political system altogether.

At the same time, the implementation of any mechanism of transitional justice by agents of the new regime is rarely based on its legitimacy. In fact, the choice of justice will often be motivated by reason, emotion and self-interest. And more often than not, ‘in transitional justice, an emotionally based desire for revenge may in one sense be stronger than the desire to carry out impartial justice.’\textsuperscript{29} This is further exemplified by trials where the verdict is known and the show is put on to demonstrate that the new regime adheres to principles of democracy and rule of law.\textsuperscript{30} Show trials, explains Elster, are pure political justice where legality is ‘a mere fiction’. Such was the case with the Nuremberg and Tokyo trials although in both cases due process and uncertainty about the verdict were respected, and some acquittals might even have been deliberately recorded to show the justice was impartial, as

\begin{itemize}
  \item Orentlicher, ‘Settling Accounts,’ 2541
  \item Kritz, Transitional Justice, xxvii
  \item Ibid, xxvi
  \item Jon Elster, Closing the Books: Transitional Justice in Historical Perspective (Cambridge: Cambridge University Press 2004), 83
  \item Ibid, 85
\end{itemize}
was the case with one of the accused in the Riom trials under Vichy. Legal justice in times of transition does not provide a better alternative. The legal system put in place by the transitioning regime often breaches many criteria of due process including the presumption of innocence of the defendant.

These principles are rarely violated in established democracies respectful of the rule of law. In countries such as this research’s case study, however, due process is not respected even during normal times. Hence in periods of transition, legal justice is often manipulated to serve political aims. Administrative purges, if carried out collectively and without legal proceedings where sanctions can be appealed, fall under the same category as show trials. Truth commissions can provide an alternative to this political justice especially in transitioning countries threatened by political instability and communitarian factionalism. This mechanism, however, brings up another debate of truth versus justice.

First used in Argentina, truth commissions, also referred to as commissions of inquiry, are the best way to expose the undocumented disappearance and killing of the regime’s opponents and the repressed information about its persecution policy. It has become since then, the centerpiece of transitional justice policies with over 27 truth commissions between 1974 and 2006, in addition to the recent experience in Tunisia. Established in 2015, Tunisia’s Truth and Dignity Commission was set up to investigate past human rights violations after the fall of president Zine el Abidine Ben Ali in 2011. Given the turbulent political environment of the country, however, the commission struggled to gain support from different factions of the civil society and opposition.

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31 Ibid, 85
33 Ibid, 88 - 92
34 Uganda established a commission of inquiry in 1974 but was not defined as a truth commission
35 Teitel, ‘Genealogy’, 78
38 Instance Vérité et Dignité (in French) or Hai’at ul- Ḥaqiqa wal-Karama (in Arabic) launched its public hearings in Tunis in September 2016. For more on this, see the official website of the commission http://www.ivd.tn/fr/ (accessed August 1, 2017)
Generally, a truth commission is set up as ‘an official body, often created by a national
government, to investigate, document, and report on human rights abuses within a country
over a specified period of time.’ These official bodies serve two purposes. First, they
investigate the past and seek truth to hold the wrongdoers accountable and bring them to
justice. Second, they provide a platform for victims to voice their sufferings and tell their
stories. While their primary objective seems to be truth rather than justice, Teitel argues that
truth commissions share the purposes of criminal justice ‘as both trials and truth commissions
can be understood as primarily animated by deterrence.’ However, in the majority of
cases, truth commissions did not lead to the prosecution of wrongdoers, even when they
were named. Instead, offenders benefited from amnesties as a measure of promoting
reconciliation and peace over retribution. This is also put forth through the final report that
usually includes recommendations to prevent the recurrence of past wrongdoings. Justice
through truth commissions is victim-centered and often takes the form of a dialogue between
perpetrators and victims who use it as a vehicle to reconcile and heal from past harms. Finally,
truth commissions involve a process of consultation between state and non-state actors.

Financial compensations are also used as a mechanism of reparation for victims. These often
include restitution of property or compensation for it, monetary packages for victims or their
families, life-long pensions and other social and educational benefits. In his discussion of
reparation, Pablo de Greiff notes that reparation should not be limited to material
compensation. He agrees with the United Nations’ definition, which states that reparation
should include restitution, compensation, rehabilitation, satisfaction and guarantees of non-
repetition. The last objective seems extremely difficult to achieve when the perpetrators of
violations are still in power.

Morocco, which initiated a truth commission to redress the legacy of its violent past without a
regime change, presents an excellent case study. Unlike South Africa’s TRC, Instance Equité
et Réconciliation limited its mandate to uncovering the truth about the past without bringing
the perpetrators to justice. More importantly, guarantees of non-repetition were not a realistic

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40 Teitel, ‘Genealogy’, 78
41 Ibid, 79
42 South Africa for example granted amnesties to wrongdoers who confessed and prosecuted those who did not
collaborate with the commission to expose the truth about the past.
43 Ibid, 80
44 Krtiz, Transitional Justice, xxix
University Press 2004)
objective for Morocco especially that abuses were occurring in parallel with the
commission’s investigations of past crimes between 1956 and 1999. After the terrorist attacks
of 9/11 and the Casablanca bombings of 16 May 2003, the government embarked on a series
of human rights breaches (abusive arrests and trials, disappearances, arbitrary detentions,
journalists’ prosecution, etc.)\(^\text{46}\) in the name of the war on terror and the protection of the ‘God,
the nation and the king.’\(^\text{47}\)

Another dilemma with victim reparations involves the proportionality of compensation. Who
decides on the amount of money to be allocated to one victim or another and based on what
criteria? Why would one victim get more than another? How can suffering be quantified? By
the number of years of unlawful imprisonment, by the intensity of torture, by the number of
family members killed or disappeared or by the needs of the aggrieved? These questions
certainly arose during the mandate of the IER amidst accusations of preferential treatments
that benefited one group compared to another. Experiences from around the world showed
that a transitioning regime would come to a depleted treasury and an economy that suffered
from years of corruption under the old regime. It has to find funds to adequately compensate
all victims.\(^\text{48}\) In most cases, only a few receive financial reparations leaving the majority
without access to this form of justice. And even then, when they are not accompanied by an
official acknowledgment of the past and an official apology from the state, compensations for
past wrongdoings become ‘blood money’ and their benefits are no more interpreted as a
justice measure but a way to buy their acquiescence.\(^\text{49}\)

In Morocco, reparations were implemented in five different stages: (1) a reclassification plan
that reinstated former victims to their former jobs; (2) mass restitution in the 1990s as part of
the monarch’s series of pardons; (3) the Indemnity Commission created in 1999 by King
Hassan II; (4) the reparation program set by Mohammed VI’s IER in 2004 and 2005;\(^\text{50}\) and (5)
IER collective reparations between 2007 and 2011 that launched income-generating projects

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\(^{47}\) ‘The monarchy, Islam and the territorial integrity’ (referring to the regime’s claim to Western Sahara) are
often referred to in Moroccan official discourse as ‘the untouchables’ whose critique may lead to imprisonment.


\(^{49}\) De Greiff, *a Normative Conception*, 20

\(^{50}\) Susan Slyomovics “Reparations in Morocco: The Symbolic Dirham.” in *Waging War and Making Peace: The
Anthropology of Reparations*, edited by Barbara Rose Johnston and Susan Slyomovics (Walnut Creek, CA: Left
Coast Press 2008), 95-114
in communities that were specifically targeted by the violence. The restitution and monetary reparations were deemed unfair by many victims, however, especially those dispensed during by the IAC in 1999 and the IER in 2004 and 2005. Former political prisoners from the leftist opposition who led the transitional justice project seem to have received larger sums and more benefits compared to Sahrawi victims for instance. Another group of victims refused ‘the blood money’ without legal justice against the perpetrators and instead, asked for one symbolic dirham.

Despite all the debate around them, reparations tend to fulfill the material aspect associated with victims’ loss. Moreover, although the state may not officially admit its guilt through a formal apology, compensations constitute a sort of recognition of their sufferings by the entire society. Both these factors help the social integration of the victims who long suffered in silence. Evidently, justice and reparation are better achieved when various mechanisms of transitional justice are implemented holistically because truth commissions, punitive trials, reparation programs and administrative sanctions can be complementary and do not contradict the different aims of justice, truth, reconciliation and redress of past wrongdoings.

The Legitimacy of Transitional Justice

The difficulty of theorizing transitional justice stems first from the concept of transition and what it refers to: a transition from war to peace or from authoritarianism to democracy. The concept adopted a broader definition recently to comprise “all comprehensive transformations in social and political life.” The other concept preventing a unified theory of transitional justice concerns its objectives: retribution, reparation, reconciliation, peace, state building and so on. Hence when scholars presented a restorative justice theory, it was centered on the survivors of past human rights abuses. Accordingly, for justice to be transitional, it needs to change the daily life of the victims. However, in view of many case studies, rarely do programs adopted as a result of restorative justice have ‘profound effects on behavior or popular opinion and survivors often remain economically and politically marginalized.’ In the example of Morocco, this is certainly the case. Although the state dispensed large

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52 The dirham (MAD) is the national currency of Morocco.
55 Ibid, 4
56 Ibid, 4
amounts of money to compensate victims or their survivors, the political, social and economic realities of the country did not change. The Moroccan transitional justice experience, as shall be explored, was first a political project aimed at changing the perceptions of the population and the international community vis-à-vis the regime.

If transitional justice is ‘a response to systematic or widespread violations of human rights in the context of regime change’ there are two aspects: firstly that the former regime authorized the wrongdoing as integral to its policies; and secondly that the new, transitioning, regime seeks to redress them.\textsuperscript{57} This opens a debate on questions of political authority and political legitimacy. While authority is derived from ‘a state’s power to provide the decisive warrant for coercive force, reinforcing laws that define political principles of association,’ legitimacy is ‘when it is permissible for it to issue and enforce these laws and regulations.’\textsuperscript{58} Often, this legitimacy entails the reasons citizens have to accept political authority and because of the systemic wrongdoings, this legitimacy is often lost. Hence the objective of transitional justice is to restore this legitimacy through a renewal of citizens’ trust in state institutions through programs that demonstrate improvements in state morality.\textsuperscript{59} Pablo De Greiff adds that transitional justice ultimately aims at a reconciled and democratic polity through the establishment of institutional conditions that restore civic trust and civil recognition.\textsuperscript{60} For Stephen Winter, however, legitimacy does not mean convincing or persuading a population because not all victims would accept the redress measures offered by the state.\textsuperscript{61} More importantly, the sincerity of the state or the wrongdoers is always questionable for transitional justice can be used as a mere political means or survival approach. Given that transitional justice happened without a transition in Morocco, this research explores these questions of legitimacy of the regime and sincerity of the practices undertaken to redress the past and compensate the victims, especially when new abuses were occurring at the same time.

This issue of legitimacy resurfaced in recent experiences of transitional justice in the Arab world, notably in Egypt after the fall of Hosni Mubarak in 2011. New institutions and constitution were established by the elected regime in transition headed by the Muslim Brothers to try Mubarak and his collaborators. The new government did not enjoy legitimacy

\textsuperscript{57} Ibid, 4 - 5
\textsuperscript{58} Ibid, 5
\textsuperscript{59} Ibid, pp. 9 - 10
\textsuperscript{60} de Greiff, ‘A Normative Conception of Transitional Justice,’ 22
\textsuperscript{61} Winter, ‘Towards a Unified Theory’, 10
from the majority of Egyptians however, resulting in its overthrow after a military coup in July 2013 backed in by a level of popular support. To understand the context of this, one has to go beyond a definition of transitional justice that is based on the understanding of the two variables comprising the concept, with the term ‘justice’ referring to concepts of stability and continuity as well as security through irrevocable laws and institutions and the adjective ‘transitional’ that denotes a temporal aspect, a situation of rupture and a matter of urgency in an exceptional setting.62 This means that there are two parallel legal systems, one ‘traditional’ in a stable and ‘normal’ situation and the other ‘transitional’ relevant to a situation of crisis.

The transitional one is the one to stir up a debate over legitimacy as it offers the society exceptional judicial institutions that are not necessarily recognized by the society in their statute and mode of operation.63 In Egypt, Tunisia and Libya, traditional legal systems that existed before the regime change appear to have been used to carry out transitional justice. No ‘transitional’ courts were established although some laws relating to transitional justice were enacted. Morocco, which sought restorative justice through its truth commission established by the political elite, lacked this legitimacy. In fact, another truth commission involving social actors rooted in the political opposition was put in place as an alternative and as a manifestation of the society’s rejection of the ‘transitional’ institution offered. For a transitional justice model to be legitimate, the society needs to be consulted before the process because it serves the population’s right to know, its right to justice, its right to reparation and its right to non-repetition of past wrongdoings, all four necessary pillars in a transitional justice process.64

**Transition and Transitology**

If the concept of transition is examined as a delimited political process marked by the beginning of the dissolution of an authoritarian regime and the establishment of some form of democracy,65 there is a risk to omit cases that experience aspects of transition with movements between authoritarian rule and democracy, back and forth, which ultimately could result in a nascent democracy. In the language of transitional justice, transition has two purposes: (1) a transition from conflict, hence the name, post-conflict justice; and (2) a movement towards democracy. The concept of transition is contested in the literature of

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62 Lamis Azab, ‘Pistes pour une analyse de la justice transitionnelle en Egypte.’ IBLA, 76, N. 211, 2013, 32
63 Ibid, 33
64 Ibid, 34
transitional justice because the field itself rests upon the very idea of it. “The problem with transitional justice arises within the context of transition.” What transition? And transition to what? Teitel proposes to define the shift as a movement towards democracy, a shift towards a liberalizing direction, from a less democratic to a more democratic state, as illustrated by countries that experienced democratic transitions in the 20th century, notably West Germany, Italy, Austria, France, Japan, Spain, Portugal and Greece. While some political scientists limit the liberalization and democratic transition to political criteria like the establishment of elections, a constructivist approach to transition that includes practices indicating the state’s acceptance of liberal democracy and the rule of law may be the answer. It is true that in the case of Morocco, the authoritarian regime consolidated itself during the reign of Mohammed VI, but at the same time it adopted liberalizing practices such as a truth commission that addressed past human rights abuses - although partially, freer elections compared to the usual rigged ones and limited legal reforms which could indicate a transition, at least in its constructivist form.

Because transition is always specific to every case and every country, there cannot be an ideal type or universal model of transition that leads to the road of democratization and against which other models can be measured. Besides the movement towards democracy, transition includes a movement from conflict or war, similar to what happened in Egypt, Libya and Tunisia. The journey from an authoritarian regime into a more liberal one is another type of transition. Morocco fits neatly in the last category. In Morocco, while there was no major shift in the political regime in place, there was a clear opening for the opposition to manifest itself. Here O’Donnell and Schmitter’s definition applies:

The typical sign that transition has begun comes when the authoritarian incumbents, for whatever reason, begin to modify their own rules in the direction of providing more secure guarantees for the rights of individuals and groups.

This forced opening was evident in the beginning of 1990s when King Hassan II released waves of political prisoners and in 1996 when he allowed the opposition to win the majority in the parliament. The leftist dissident Abderhaman el Youssoufi, himself sentenced to death repeatedly by the regime, was appointed to head the government. The analysis can be taken

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66 Teitel, Transitional Justice, 5
67 Ibid, 5
68 See for example Samuel P. Huntington, The Third Wave of Democratization: Democratization in the Late Twentieth Century (London: University of Oklahoma 1991)
69 Teitel, Transitional Justice, 55
70 O’Donnell and Schmitter (eds.), Transitions from Authoritarian Rule, 6
further back to the 1980s when the Moroccan regime sought to reconcile with the opposition after the bloody events of 1981 and 1984. This probably explains why scholars like Ayoub el-Fassi and Fadoua Loudiy contend that transition in Morocco has been underway for the past 30 years. As shall be discussed at length in Chapter 3, Morocco has engaged in a series of liberalization and de-liberalization measures even before then. This holds true for the rest of the MENA region in countries like Egypt, Bahrain, Jordan, Algeria and even Saudi Arabia; which have been oscillating between controlled political liberalizations and de-liberalizations since the 1970s. Albrecht and Schlumberger rightly point out that regimes, including Arab ones, cannot possibly rely on repression alone to maintain power. Consequently, they have to constantly negotiate their political legitimacy through various ruling mechanisms. With the new international conjuncture of the early 1990s and the wave of transitions around the world, many Arab regimes joined the trend and adopted the liberal discourse of human rights and democratic transition. What Albrecht and Schlumberger refer to as ‘imitative institution building’ prompted Morocco, in particular, to opt for the transitional justice model to break with the past and renew its legitimacy.

Whether Morocco has experienced a political transition during the reign of Mohammad VI is open to debate. As will be shown in Chapters 3 and 4, the regime has kept the same traditional institutions through which it governed and repressed its people since independence. Perpetrators were neither prosecuted nor vetted and human rights violations, as well as torture, are still common practices, especially against the Islamists in the wake of the global war on terror. What IER commissioners attempted to do is to use transitional justice as both an end and a means to transition. Impunity, partial truth and the palace’s heavy involvement in the process of the IER were the trade-offs. What Samuel Huntington termed as “transformation” may describe the nature of political transition happening in Morocco. The monarchy, under the pressure of the opposition and the international community, played a decisive role in liberalizing and democratizing the country, to a certain extent. The IER was established to redress the wrongs and amend the past, but it was also set up to ensure the regime survived change and political transition. On the other hand, former victims who took part in this process envisaged that the IER would prompt more openings and transition, with the ultimate

73 Ibid, 372
74 Huntington, the Third Wave of Democratization, 211-14.
objective to transition the regime from an absolute monarchy to a constitutional one. This explains why Driss Benzekri, a former political detainee who presided over the IER, settled for a circumvented version of the truth in exchange for democratization initiatives. These were mainly included in the commission’s final report but their implementation was only possible after the wave of protests brought the Arab spring in 2011.

**Truth, Memory and History in Times of Transitional Justice**

Discussions around transitional justice mechanisms and concepts of truth and justice open the debate around salient questions of what historical truth and memory are. Reckoning with the past in this context means uncovering the hidden truth about silenced violations; after which the ‘new’ regime – in consultation with the society – elects a measure to amend these past wrongdoings either through prosecutions, amnesties, public hearings, financial reparations and so on. This truth (or these truths) can be forensic, phenomenological, historical or a combination of all. Ultimately, the aim of uncovering these truths is to first break the wall of silence and terror, acknowledge the sufferings of victims and finally, document the past to ensure its non-occurrence in the future. Truth then becomes part of a memory or memories which serve as a reminder of past abuses and correct or complement official histories.

Scholars have been discussing the difference between memory and history as two approaches to the past since the boom of memory studies in the 1980s with the work of Pierre Nora’s *Les Lieux de Memoire* (places of memory). Nora demonstrated that individual and collective memory was vulnerable to manipulation. Before him, the work of the psychologist Frederick Bartlett also showed how the process of remembering was selective since memory relied on what he called ‘schemes’ of the past. These schemes were then used by the person while remembering, often adding or changing details. Similarly, Maurice Halbwachs argued that memory was a collective process shaped by the social interactions of individuals who change their representations of the past depending on their contact with others. Despite the fallible nature of memory and the quality of ‘truth’ obtained during the process of transitional justice, the narratives emerging from truth-telling projects need to be considered as additions to the official history of the country. If Nora presented memory as a living phenomenon of the present subjected to distortions, it remains that history, the always

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75 Pierre Nora, ‘Between Memory and History: Les Lieux de Mémoire’ in *Representations*, No. 26, Special Issue: Memory and Counter-Memory (Spring, 1989), pp. 7-24
76 Frederic C. Bartlett, *Remembering: a Study in Experimental and Social Psychology* (Cambridge, 1932)
77 Maurice Halbwachs, *Les Cadres sociaux de la Mémoire* (Paris: Félix Alcan 1925)
problematic and incomplete reconstruction of what is no longer, cannot exist without memory.\(^{78}\) In his attempt to construct a history of Moroccan colonial soldiers from below, Moroccan historian Driss Maghraoui contends that personal memory or what Halbwach called ‘autobiographical memory’\(^{79}\) should be used in parallel with ‘historical memory’ in order to have a more complete and nuanced picture of Morocco’s turbulent past. He used the oral accounts of these ‘subaltern’ groups as narratives of contestation to nationalist and colonial histories of Morocco.\(^{80}\) In a similar way, testimonies of victims of the years of lead should not only constitute a collective memory of a people and what Marianne Hirsh termed the post-memory of the next generation.\(^{81}\) Rather, they need to be tapped into in order to correct and (re)write the national history of post-independence Morocco. The aim of this research in chapters 5, 6 and 7 is to analyze how the act of testifying shaped the truths about the past, and how they have informed the reconstruction of the official history of Morocco and the collective memory of its people.

\(^{78}\) Patrick H. Hutton, *History as an Art of Memory* (Hanover: University Press of New England 1993)


Officially, Morocco is a constitutional monarchy; in actuality, the king rules and reigns thanks to many power brokers, referred to as the makhzen. Literally, makhzen or makhzan means the storehouse and historically refers to 'the palace quarters where goods offered to or expropriated by the sultan’s representatives were stored.'\(^8^2\) In the modern context, Moroccans use the term to refer to the nexus of power consisting of the major agents of authority in the country. These include the king, his close advisors and friends, the royal court and family, urban and rural notables, religious authorities (including Sufi orders), senior military officers and heads of security organs.\(^8^3\)

Throughout this thesis, I interchangeably use the regime, the state, the makhzen, the monarchy, the palace and the king to refer to the ultimate agent(s) holding and exercising power in Morocco. However, I refer separately to the government, with its ministers, parliament representatives and public servants, who may include outsiders who are not always close to the monarchy or in line with its policies. For this reason, key ministries and institutions have always been directly controlled by the makhzen and manned by loyal servants of the monarchy. Local media and observers refer to these as *Wizarat al-Siyada* (the Ministries of Sovereignty) which include the powerful Ministry of Interior, the Ministry of Religious Affairs, the Ministry of Justice and the Ministry of Foreign Affairs as well as the General Secretary of the Government that oversees the overall work of the government and legislation. Finally, the military institution with its powerful generals come directly under the control of the king who is the Supreme Commander and Chief-of-Staff (the Ministry of Defence was abolished after the military coup of 1972, discussed in Chapters 3 and 7). The line separating the ‘elected’ government from the regime in Morocco, however, is a fine one because government agents hold no real power independently from the king.\(^8^4\)

\(^8^2\) Abdeslam Maghraoui, ‘Political Authority in Crisis: Mohammed VI's Morocco.’ *Middle East Report*, No. 218 (Spring, 2001), 12-17

\(^8^3\) Ibid

\(^8^4\) Maghraoui, ‘Political Authority in Crisis,’ 12
While the ‘elected’ government establishes a resemblance of democracy and liberalism in Morocco, the political administration of the country is secured regardless of parliamentary or legislative elections. This was recently greatly sensed during ‘the government blockage’ Morocco faced after the legislative elections of 2016. Upon the win of the moderate Islamist party (Justice and Development Party, PJD), its leader struggled to form a coalition government for five months before the king stepped in to name a new Prime Minister.\(^85\) Thus, every critical decision and government policy whether it is regarding foreign affairs, religious matters, human rights or economic developments, is not negotiated in the parliament or discussed in ministerial meetings. Rather, \textit{Le Cabinet Royal}, which is composed of advisers appointed by the King, serves as a shadow government that wields real power in consultation with (or at least while considering) other agents of the makhzen.

The elected/appointed government serves an important function though: to shield and protect the monarchy from direct criticism in case policies fail or result in social chaos. A good case in point is the current unrest the northern region of the Rif has been experiencing since the tragic death of fishmonger Mouhcine Fikri in October 2016.\(^86\) As Chapter 7 and 8 discuss at length, King Mohammed VI had launched back in 2015 projects that targeted the economic and cultural development of the Rif. With the sizable budget of around 650 million American dollars, the program \textit{Manarat al-Mutawassit} planned to build infrastructure and pump investment to alleviate employment and poverty in the historically and economically excluded region of the Rif (the reasons for this are explained in chapters, 3, 4 and 5). The execution of the projects was halted, however, as political quarrels arose between government representatives and local authorities in the region. When King Mohammed commented on the situation in a ministerial meeting on 25 June 2017, he expressed his ‘concerns’ and ‘disappointment.’ In the televised speech commemorating his enthronement a month later, he reprimanded the public administrators and politicians who lacked the competencies, ambition and moral duty to execute his vision for a better Morocco, although without specifically


talking about the Rif. When he did mention al Hoceima, the king commended the security forces for ‘their enormous sacrifice.’

Finally, I use ‘Morocco’ to refer to the country of the ‘Kingdom of Morocco’ but also to the regime which ultimately runs it. Interestingly, the same terminology is used in the official discourse and publications, including school textbooks (discussed in chapter 7). Morocco is equated with the monarchy as the king, who sits above all institutions, and is the symbol of the country and its national identity (and vice versa) while the state is represented through the constitution, the government, the parliament and other institutions. Echoing the obscurity of a storehouse, the makhzen is rather opaque. That is why many Moroccan experts and insiders can only guess its hidden agents and contradicting actions. Using the transitional justice setting that Morocco experienced between 1999 and 2015, this thesis seeks to shed light on the inner workings of the regime and its powerful agents to maintain power and legitimacy. It also examines how opposing factions within the makhzen impacted on the type of historical truth and collective memory presented to Moroccans about their past.

Qualified as ‘dark’ or ‘leaden,’ the years following Morocco’s independence in 1956 until the 1990s witnessed a massive political and social oppression that targeted political dissidents from various backgrounds including leftist militants, Islamists, socialists, feminists, Sahrawi² separatists and Amazigh³ activists. Human rights abuses were systematic and intensified every time the Moroccan regime felt threatened by internal or external opponents of the monarchy. Political assassinations, illegal detention, torture, mass killings and forced disappearances ensued to stifle any voice of opposition resulting in the entire population living in fear and silence for over 43 years. This chapter provides a historical and geographical mapping of violence in Morocco between 1956 and 1999.⁴ It also defines the main political movements and human rights organizations as well as state institutions that were active agents during this episode. It draws on press archives, NGO reports as well as on previous works of historians, anthropologists, political scientists and other experts in Moroccan history and politics to analyze the mechanisms adopted by the Alawite regime to survive. Periods of harsh repression and elite co-optation were often followed by policies of reconciliation and liberalization as part of regime maintenance and power negotiation. By presenting in this section the contemporary history of independent Morocco as written and agreed upon by apolitical and non-partisan historians, this section contrasts with the narrative about the years of lead presented in the histories of Morocco and the transitional justice narrative resulting from the 2004-2005 official and nonofficial truth-telling projects. Lastly, the chapter exposes how the former victims of the years of lead became the new politically relevant elite that negotiated power and transition with the regime in the 2000s.

¹ Moroccans commonly refer to the repressive years post-independence between 1956 and 1999 under the regime of Hassan II both as a Crown Prince and King as ‘sanawat Ar-rassass’ in Arabic, ‘Les années de plomb’ in French and ‘the years of lead’ in English. The reference comes from Italy’s ‘anni di piombo’ in Alessandro Portelli,’ Oral Testimony, the Law and the Making of History: The ‘April 7’ Murder Trial.’ History Workshop Journal 20: 5 (Oxford: 1985) and Carlo Ginzburg, The Judge and the Historian: Marginal Notes on a Late-Twentieth-Century Miscarriage of Justice (London: Verso, 1999)
² Sahrawi refers to the residents of Western Sahara, a disputed territory between Morocco and the Algeria-backed Polisario Front.
³ Amazigh or Berber refer to the native population in Morocco which is linguistically different from the Arabs. The Berbers of Morocco include three separate groups: Riffians (or Riafa) in the north, Shlouh in the south and Amazigh in the middle Atlas.
⁴ See Appendix 1 for a chronology of historical events resulting in episodes of violence in Morocco
Independence and the Struggle for Power

Repression Timeline

Figure 2: Timeline of episodes of repression or events leading to violence in Morocco

The figure above summarizes the main repressive events in Morocco’s history. It also shows how the repressive history of the regime marks heavily the political history of the country. Indeed, immediately after gaining its independence in 1956, the monarchy, backed by its French advisors, played the main political parties against each other in the first rebellion of Addi Ou Bihi in January 1957. The Istiqlal (Party of Independence – PI), led the first government and exerted monopoly over the country’s affairs while Hizb Shoura wal Istiqlal (Party of Democracy and Independence – PDI), represented the rural establishment and backed Berber notables such as Addi Ou Bhi, the governor of the Tafilalet region in Southern
Morocco. Armed by the French troops and encouraged by the monarchy, Ou Bihi organized insurrection pockets from the Tafilelt to the Rif. The makhzen waited out the insurgency to expose the weakness of the Istiqlal after which Crown Prince Hassan, the head of the army at the time, easily forced Ou Bihi to surrender. The defeat of the Tafilelt rebellion strengthened the monarchy and its alliance with the rural caids (chieftains).

Another ‘provoked’ rebellion in the Rif would further destabilize the Istiqlal and finish eliminating the remainder of the Moroccan Liberation Army (MLA or Jaysh at-tahrir) fighters who refused to serve under the newly established Royal army. The Rif was the home of many leaders from the Liberation Army who were dissatisfied with the deceptive terms of the 1956 independence and who opposed the opportunism and hegemonic pretensions of the Istiqlal. After the transfer of power from Spain to Morocco, the Rif had become an arena for settling accounts, acts of sabotage, political assassinations and kidnappings. Riffian leaders went to see ‘the supreme arbitrator’ to denounce the practices of the Istiqlal and the authorities against the Riffian population which was massively repressed, heavily taxed and underrepresented in the local government. They submitted to Mohammed V an eighteen-point manifesto prepared by tribe leaders Haj Sellam Ameziane and two other members of the Ait Waryagh (Aith Waryagh) tribe; Abd Sadek Sherrat Khattabi and bin Abdelkrim’s own son Rachid. The program for the Rif demanded better political representation, economic, social and political rights and the return of bin Abdelkrim.

At that time, the palace was already engaged in a furtive offensive against the Istiqlal to weaken it and replace it with servants of the makhzen, represented by the loyal rural notables and the newly established semi-underground party of the Mouvement Populaire (Popular Movement Party, MP). In his analysis of the Tafilelt rebellion of Addi Ou Bihi in 1957 and the Rif revolt of 1958-59, Ernest Gellner noted many points of resemblance between them.

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8 Pennell, *Morocco since 1830*, 302
10 Hart, *Tribe*, 90-93

The first common characteristic was the easy way these rural uprisings collapsed; the second concerned their leaders who surrendered or were easily captured only to receive a lenient treatment; and lastly, ‘the fact that they literally did not make any sense, in that tribesmen who proclaimed themselves supporters of X staged a rebellion while X himself was in office as Prime Minister.’

Looking at the final outcome of both revolts, Moroccan historian Maati Monjib determined one final beneficiary and questioned the monarchy’s involvement in both revolts. Historian Nabil Mouline offered a new insight into the matter after the opening of the archives in France and Spain. He explained that, like the Tafilet revolt of Addi Ou Bihi, the monarchy manipulated the population into an uprising against the Istiqlal during the reburial ceremony of Abbas Messaadi, one of the leaders of the Liberation Army on 2 October 1958. The reburial ceremony in Ajdir in the Rif fueled popular protests against the Istiqlal which reportedly was involved in his assassination.

*Iqabbaren* (which literally translates to ‘burying’) is the term used by Rifians to describe the brutal repression of the Rif rebellion of 1958-59 executed by the Moroccan Army under the commands of Crown Prince Moulay Hassan. His close associate and head of the secret services General Mohammed Oufkir was identified as ‘the butcher of the Rif’ in reference to his bloody repression. The latter took the form of a collective punishment against the entire region and tribes of the Rif which included expropriation, crop burning, rape, forced disappearances, torture, mass executions and displacement of the population. The Ait Waryaghal was particularly targeted as it was the tribe of ben Abdelkrim, the founder of the Rif Republic who between 1921 and 1926, challenged the Alawite dynasty’s claim to the Rif. The village of Bni Hdifa, the stronghold of the revolt from which the young Haj Sellam Ameziane directed the insurgency was destroyed and its population massacred. The monarchy made an example of the Rif rebellion at a time when monarchies in the Arab world fell one after the other one. At the same time, the Istiqlal party was destabilized, the Rif

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12 Ernest Gellner, ‘Patterns of Rural Rebellion in Morocco during the Early Years of Independence’ (1962) in Hart, *Tribe*, 100-101
13 Monjib, la Monarchie, 64-67
14 Nabil Mouline, personal correspondence with author
15 Pennell, *Morocco since 1830*, 304
16 Miller, *A History of Modern Morocco*, 156-158
17 ‘The North Zone tail must not be allowed to wag the South Zone dog’ as David M. Hart put it in *Tribe*, 97
18 His great-uncle had been one of the top commanders against the Spanish during the Rif War of 1926.
20 Monarchic regimes were ousted from Egypt in 1953 and from Tunisia in 1957. The Kingdom of Iraq was dissolved in 1959. Ten years later, a military coup led by Gaddafi dissolved the Kingdom of Libya.
silenced and the monarchy reigned supreme as the new head of the Moroccan state, the guarantor of its stability and heir to the French repression machine.

The Implosion of the Istiqlal

Marking the beginning of the repressive regime of Hassan II, the Rif events of 1958 and 1959 also marked the disillusion of young politicians and anti-colonialists with the Istiqlal resulting in its split and the creation of the Union Nationale des Forces Populaires (National Union of Popular Forces, henceforth UNFP). The latter, led by Mehdi ben Barka, would embody the strongest and most radical opposition to the monarchy, and as a result, would harvest much of its repression. With the Royal Armed Forces (FAR) under his command, the ambitious Crown Prince Moulay Hassan, with the blessings of his father, extended his domain of influence by taking over the national security apparatus. The palace also assigned its loyal supporters to security ministries while playing off the different parties and union members from Union Marocaine du Travail (Moroccan Labor Union, UMT) against each other to gradually root out its political rivals.  

In 1960, King Mohammed V asserted his growing power by dismissing the government of left-winger Abdallah Ibrahim and appointing himself Prime Minister while Moulay Hassan was named his deputy and Minister of Defence. One year earlier, he had compelled Ibrahim to ban the communist party (Parti Communist du Maroc, PCM) on the grounds that the ideology of Marxism–Leninism ‘was incompatible with the faith, the moral values, and social structure of Morocco.’ In the same year, General Mohammed Oufkir, Hassan II’s confident and head of the security forces, arrested UNFP militants including MLA veteran Fqih Basri and UNFP founder Abderrahman el-Youssoufi after ‘discovering’ their plot against the crown prince. Anticipating the crackdown on the UNFP, Ben Barka left for Europe, then Algeria, where he would later on become the symbol and leader of the Third-Worldist movement. While detained, many leftist leaders were prevented from taking part in the first elections of the country; however, UNFP representatives were still able to garner 23% of the

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21 Pennell, Morocco since 1830, 308-09  
22 ibid, 314  
23 In Arabic, al hizb al-shoyo’i al-maghriby  
24 King Mohammed V during his enthronement speech on 15 November 1959, quoted in Marguerite Rollinde, le Mouvement Marocain des Droits de l’Homme (Paris : Karthala 2002), 101 (my translation)  
25 Many Moroccan observers casted serious doubts on this alleged plot, especially after Mohammed V instantly amnestied all those detained in relation to it. On this. See Gilles Perrault, Notre Ami le Roi, 55-57
votes and Istiqlal 40%. Tens of UNFP militants were sentenced to jail time but were soon amnestied by Mohammed V, casting serious doubts on the plot and the others to come.

The Beginning of the Absolute Monarchic Regime under Hassan II

In February 1961, ‘the father of the nation’ as Moroccans called Mohammed V died unexpectedly during a minor surgery bequeathing Morocco to an ambitious Hassan II who would rule the country with an iron fist. The leadership of the Istiqlal including Allal el Fassi backed the monarchy and the rural notables, tribal chieftains and senior members of the Alawite family gave their allegiance to the young king one after the other. Even Ben Barka expressed his ‘attachment and sincere loyalty’ to the Alawite monarch in a letter from Paris. Hassan II used the ceremony of the bay’a that traditionally marked the beginning of a new reign, as a social contract between the ruler and the ruled in Morocco, to further enhance his new role as the imam of the umma, ‘Commander of the Faithful’ and political master.

‘The first Machinator’, to borrow Clifford Geertz’s nickname for Hassan II, engaged in a fragile balance with the Istiqlal. He started by yielding some power to the Balafrej government of 1962 and at the same time issued ‘the Fundamental Law’ that defined the main lines of Morocco’s first constitution and absolutism. By the time Hassan II designed his 1962 constitution behind closed doors, the Moroccan Union of Moroccan Students (known by its French acronym UNEM) severed its ties with the palace and the UNFP further radicalized. In a desperate attempt to hold on to power, the Istiqlal backed the royal document and participated in the new ‘representative’ government even though the constitution stripped it of nearly all its legislative and executive powers to put them in the hands of the king – now the supreme political and religious leader of the kingdom. In the same line, the judiciary became a tool in the hands of the makhzen to ‘legally’ repress the population through forced confessions and show trials. Hassan II also reverted to some of the most repressive laws of

26 Rivet, Histoire du Maroc, 359
27 Perrault, Notre Ami le Roi, 55-57
28 Ibid, 55
29 Bay’a comes from the root word ba’a which means to sell in Arabic, hence the ‘bay’a’ also means the transaction between the seller and the buyer. In Islam, the bay’a or Mubahay’a refers to ‘the covenant between a prince and his people who promise to submit to the prince’s judgment of their cases, not to dispute with him in respect of anything thereof, but to obey him in whatever command he might impose upon them.’ For more, see Edward Willian Lane, An Arabic-English Lexicon (Beirut: Librairie du Liban, 1968), 284-85. Traditionally, the allegiance was made by a handshake in confirmation of the covenant. During Hassan II’s reign however, tribe leaders, army generals, sufi orders’ supreme guides and notables were required to kiss Hassan II’s hands instead, scenes that were often reported in images in the newspapers and on TV.
30 Pennell, Morocco since 1830, 317-8
31 Monjib, la Monarchie, 29-240
the French protectorate, including the law of public liberties that limited public
demonstrations and repressed the press. The article of the 1962 constitution establishing ‘the
person of the king as sacred and inviolable’ helped to muzzle any criticism and thus
thousands of Moroccans were detained because of ‘offenses against the monarch.’

The absolutism of Hassan II grew stronger with the 1962 constitution as did popular support
for the UNFP and Ben Barka who had returned to Morocco to campaign for the 1963
elections. Despite the regime massively rigging the elections in favor of the parties of the
makhzen, the UNFP won 28 seats in the parliament. Ben Barka gained nearly 90% of the
votes for Rabat, earning himself the role of ‘enemy number one’ of the palace. Another
wave of brutal repression would target the UNFP and its leadership after the discovery of yet
another ‘plot’ against Hassan II. This time, former MLA combatants Cheikh el Arab and Fqih
Basri were identified as the masterminds. Oufkir seized the opportunity to neutralize the
UNFP while the king used his constitutional rights to push the Istiqlal out of the
government. During the summer of 1963, Oufkir’s forces arrested more than 5000 UNFP
leaders and militants except for Ben Barka who was in Cairo. Secret detention centers like
Dar el Mokri in Rabat and Derb Moulay Cherif in Casablanca would assume their sinister
reputation since then. ‘Torture is now a new factor in the Moroccan conjuncture… Torture
will weigh heavily on the political life of Morocco,’ denounced the UMT following police
rampage against the UNFP in 1963. In March 1964, tribunals handed harsh sentences
according to royal wishes: jail time for hundreds of UNFP militants including Abderrahman
el-Youssoufi while Fqih Basri, Mehdi Ben Barka and UMT leader Omar Benjelloun were
sentenced to death. Hassan II would later commute some of the sentences to show his mercy
and willingness to include the opposition in the political game.

**The Central Role of the UNEM in the Political Opposition in Morocco**

In the eyes of the regime, the student movement was innately treacherous. Student activity
had been seditious since the protectorate when the UNEM (founded in 1925) had
vociferously opposed the Protectorate. Its founding conference after independence stressed its
loyalty to the king but by the late 1950s, it had sided with the progressive current led by
Mehdi ben Barka. In 1961, the UNEM openly broke with the monarchy and called for its

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33 Slyomovics, *The Performance*, 24
34 Perrault, *Notre Ami le Roi*, 57
35 Miller, *A History of Modern Morocco*, 166
36 Perrault, *Notre Ami le Roi*, 68
37 Pennell, *Morocco since 1830*, 323
overthrow. Students from middle school to university repeatedly went on strike to call for social and political change. In 1963, Moroccan students overseas occupied embassies and organized sit-ins to denounce the authorities’ crackdown on the UNFP. The regime responded with beatings, illegal detentions and forced disappearances of leftist students around the country. In December 1964, the government could only remove the status of the UNEM as an association of public interest as its dissolution two months before sparked fierce resistance by the student movement in universities. When the Minister of Education instituted an age limit to high school, lycéens (high schoolers) around the country rose to protest in Casablanca, Rabat and other big cities.

Worst still, the students were joined by thousands of unemployed workers and slum dwellers in Casablanca culminating in a violent popular uprising on 22 and 23 March 1965. Directing the suppression from a helicopter, the response of General Oufkir was equal in intensity with police forces, soldiers and army tanks invading the streets and according to some accounts, shooting rioters with live ammunition. If Hassan II did not oversee the operations from his nearby headquarters as some reports say, he confessed in his subsequent speech about the events to have given instructions to restore order in the streets. Hassan al Saffak (Hassan the Assassin) was shouted loud and clear by the protestors who blamed Hassan II for the mass killings. The Moroccan authorities reported the death of seven people, 69 wounded and 168 arrests amongst the rioters while the UNFP and foreign press communicated the death of hundreds, secretly piled in mass graves during the night. More than two hundred UNEM cadres were arrested alongside thousands of students and teachers deemed responsible by the government.

39 Rollinde, 121
40 Ibid
43 Hassan II reported the expression ‘Hassan al Saffak’ in his televised speech following the protests [accessed 30 July 2016] https://www.youtube.com/watch?v=ZRO_H-FGVXk; Aziz Khamlich reports in his book ‘insults’ against the king being shouted by the protestors (as a Moroccan, he could not publish the exact words in a book to be distributed in Morocco since it is considered an offense punishable by law). See Aziz Khamlich, *Al-Intifadat al Hadariya bi al Maghrib* (Casablanca: Afrikia Asharq, 2005), 52-75
In a radio broadcast, King Hassan II denounced the civil disobedience caused by the teachers and their students. ‘The so-called intellectuals’, he added, ‘are a great danger to the state. It would be better if you were all illiterate.’\footnote{Hassan II in Pennell, \textit{Morocco since 1830}, 323} The events of 22 and 23 March 1965 were not triggered by an intellectual revolution however. They were a social revolt fuelled by despair and distress. They marked the beginning of a recurring theme in the history of independent Morocco that popular uprisings originating among the youth of the country were a regular means of showing dissatisfaction with the regime. Of course, there had been riots under the protectorate, but now they were directed against the independent monarchy and a king who claimed to represent the Moroccan nation. An underground group under the name of \textit{Munazzamat 23 Mars} (March 23 Organization) would further entrench this date in the Moroccan consciousness. More importantly, the civil disobedience of 23 March put in motion the regime’s policy of ‘dumbing down’ and the Islamization of the Moroccan youth. As Chapter 7 will discuss, the government tried to limit leftist ideas by excluding subjects that encouraged critical thinking (philosophy and political science) from the school curriculum while promoting conservative values and conformity through Islamic teaching.

**The Disappearance of a Symbol and the Emergence of the ‘New Left’**

Amidst the turmoil caused by the student riots of 1965, Hassan II lost patience with civilian politicians and ceased to seek political compromise. In June 1965, he dissolved the parliament and declared a state of emergency, giving way to more repression that would last for five years. General Oufkir, appointed at the head of the Ministry of Interior, became the strong man of the regime and Hassan II’s closest confidant.\footnote{Perrault, \textit{Notre Ami le Roi}, 98-99} Meanwhile, the popularity of Ben Barka soared as he became the symbol of youthful opposition and militancy against the West and its imperialism. While Oufkir repressed the dissenters, Hassan II negotiated with the politicians. Realizing that he could no longer rule alone, he amnestied UNFP leaders Abderrahim Bouabid and Abderahman el-Youssoufi and invited them to form a new government. He also sent a royal emissary to Ben Barka in France where he had been in exile after he was sentenced to death for denouncing Morocco’s War of Sands against Algeria in 1963 because of a border dispute between the two countries. Hassan II asked his former mathematics professor to return to Morocco to help him ‘solve an equation.’\footnote{Hassan II, \textit{La Mémoire}, quoted in Pennell, \textit{Morocco since 1830}, 330} Gilles Perrault related Ben Barka’s conversation with a Moroccan student in Paris:
There are some positive proposals by the king. We might take part in the next
government with other political forces and I think it will be a good thing for Morocco.
Systematic opposition is not necessarily good. Sometimes, we need to know how to
be positive and collaborate…. That is why I intend to go back to Morocco.\textsuperscript{48}

On 29 October 1965 however, the archenemy of Hassan II was kidnapped in Paris to
disappear forever. Many journalists, historians and ‘experts’ have been speculating about his
uncertain fate. According to Susan G. Miller, Ben Barka, who had become the Secretary
General of the Organization of Solidarity with the People of Asia and Africa (OSPAA) and
the president of the organizing committee of the Tricontinental Conference that was to be
held in Havana in 1965, alarmed Hassan II and his Western allies with his close ties with
communist revolutionary leaders such as Che Guevara and Fidel Castro.\textsuperscript{49} The political
opening at the beginning of Mohammed VI's reign allowed more details to appear. In 2002
Ahmed Boukhari, a former secret service agent published his account of how, in conjunction
with French and American agents, General Oufkir had organized the kidnapping and murder
of Ben Barka. Hassan II blamed the crime entirely on his general, who presumably wanted to
foil his attempts to seek rapprochement with the politicians.\textsuperscript{50} This view was echoed by
UNFP leader Mohamed el Hihi who hypothesized that Oufkir wanted to eliminate political
leaders as part of his plan to overthrow the regime.\textsuperscript{51} In 2004, the IER did nothing to solve the
mystery, although as Chapter 4 will show, it was a major bone of contention amongst the
commissioners. Casting light on what happened to Ben Barka, who symbolized the thousands
of victims of the years of lead, would have meant a real break with the violent past.\textsuperscript{52}

Ben Barka’s disappearance signaled an alarming increase in the regime’s violence against the
left with hundreds of UNFP militants and imagined opponents arrested, detained and tortured,
sometimes to death. Underground student movements sprang away from regime-tainted
political parties, including the Moroccan Communist Party (Parti Communiste du Maroc,
PCM), renamed the Party of Liberalism and Socialism (Parti de Liberation et du Socialisme,
PLS) in 1968 to get access to parliament and again Party of Progress and Socialism (Parti du
Progrès et du Socialisme, PPS) in 1974. Inspired by youthful militancy around the world,

\textsuperscript{48} Perrault, \textit{Notre Ami le Roi}, 97 (my translation)
\textsuperscript{49} Miller, \textit{A History of Modern Morocco}, 167
\textsuperscript{50} Pennell, \textit{Morocco since 1830}, 330
\textsuperscript{51} Rollinde, \textit{le Mouvement Marocain}, 129
\textsuperscript{52} For more on the affair of Ben Barka, see Maurice Buttin, \textit{Ben Barka, Hassan II, De Gaulle: ce que je sais
notably the Paris protests of May 1968, a new radical left (al-yassar al-jadid in Arabic) emerged.\textsuperscript{53}

\textbf{Cultural Subversion and Repression}

During the state of emergency imposed by Hassan II between 1965 and 1970, literary and cultural resistance replaced political opposition to the regime. It also allowed many young Moroccans to discover the Marxist-Leninist thought and other revolutionary ideologies. As Chapter 5 will highlight, the regime used books, magazines and music cassettes that it deemed subversive to incriminate victims. As a result and for a long time in Morocco, culture and arts came to be equated with dissidence and opposition. In the spring of 1966, a small group of artists and poets, including Abdellatif Laabi, founded the magazine \textit{Souffles} (in French) or \textit{Anfass} (in Arabic). Literally meaning ‘breaths’ and figuratively ‘inspirations,’ \textit{Souffles} was a quarterly literary publication with revolutionary and communist flavors.\textsuperscript{54} Laabi and his colleagues were convinced that a revolution was about to happen in Africa and the rest of ‘the Third World’ and they planned for \textit{Souffles} to be its ‘lightning rod.’ It accomplished that through the publication of local art and literature in what Laabi called ‘cultural decolonization.’\textsuperscript{55} The first issue of \textit{Souffles} defied the silence imposed by the state of emergency declaring that ‘poetry is the only means left to man to proclaim his dignity.’ In reference to the numbers that replaced the names of political prisoners and their screams that filled secret detention centers, Laabi added: ‘poetry is the only way to be more than just a number so that their breath remain forever imprinted and attested to by their screams.’\textsuperscript{56} Poets were thus thrown in the lot and were considered the most subversive agents against the regime.

Following the Arab defeat of 1967 against Israel, \textit{Souffles} started publishing more revolutionary pieces advocating Maoist and Marxist-Leninist thought.\textsuperscript{57} In the same year, Abraham Serfaty, a fierce communist and anti-establishment militant who would eventually lead the new radical left in Morocco, joined the editorial team to make \textit{Souffles} the mouthpiece of the Marxist underground movement \textit{Munazzamat Ital Amam} (Forward or to

\begin{itemize}
    \item \textsuperscript{53} Miller, \textit{a History of Modern Morocco}, 169-70
    \item \textsuperscript{54} Olivia C. Harrison and Teresa Villa-Ignacio (eds.). \textit{A Critical Anthology from the Moroccan Journal of Culture and Politics}. Berkley: Stanford UP, 2016, 1
    \item \textsuperscript{55} Abdellatif Laabi in Harrison and Villa-Ignacio, 2
    \item \textsuperscript{56} Abdellatif Laabi, \textit{Souffles}, issue 1, first trimester 1966, Editorial. Last Accessed 16 April 2016 \texttt{http://clicnet.swarthmore.edu/souffles/s1/1.html}; the English translation is taken from Abdellatif Laabi, \textit{The Rule of Barbarism}: Pirogue Poets Series, 137
    \item \textsuperscript{57} Souffles series number , 1967, the complete series of \textit{Souffles} and \textit{Lamalif} are available online through the website of Morocco’s National Royal Library at \texttt{http://www.bnrm.ma/}
\end{itemize}
the Front organization). With Laabi, he called on poets to join the ranks of the revolutionary cause. This new discourse would soon result in the banning of the magazine and the arrest of Serfaty and Laabi in 1972.

*Lamalif* appeared in the same year as *Souffles* in 1966. Co-founded by the French journalist Zakya Daoud, the monthly magazine served as a platform for intellectuals to discuss culture and politics in Morocco, although with a moderate tone allowing it to survive censorship for 22 years. When Abdallah Laroui, the leading Moroccan philosopher and political theorist, joined the editorial team, *Lamalif*, just like *Souffles* would take on a radical leftist political stance to criticize and say *La* (no) to the makhzen. However, the tone it would adopt would remain ‘measured’ compared to *Souffles*, with a political position echoing the UNFP passive stance vis-à-vis the disappeared *Sahrawis* or the trials *en masse* prosecuting the Leninist-Marxist militants. *Lamalif* was banned in 1988 after its 200th issue. Driss Basri, the intransigent Minister of Interior who kept the press at bay, demanded that the popular magazine cease publishing political articles and limit its circulation to universities.

The cultural resistance of the 1960s and 1970s brought by *Souffles* and *Lamalif* expressed an opposition to the silence imposed by the state of emergency. While these literary magazines targeted an intellectual base mostly limited to universities, music groups such as *Nass el Ghiwane, Lamchaheb* and *Jil Jilalal* produced politically laden folk songs that spoke to the masses and expressed their feelings of pain, desperation and anger. Through both genres, Moroccans claimed their right to speak independently of the political discourse monopolized by the king and the political parties while marking a return to revolutionary ideas, Islam and a true Moroccan identity, music and traditions. In an attempt to divert from organized political

58 *Souffles* issue 20-21, 1969, editorial, 1
60 *Lamalif* is a combination of two Arabic alphabets *Lam* and *Alif*. It is also a word play of ‘la’ which means ‘No’ in Arabic.
62 Rollinde, *Le Mouvement*, 149
63 Daoud, *les années Lamalif*, 420-422
64 Chapter 5 discusses at length the engagé music of these folk groups. For more, see Hisham D. Aidi. *Rebel Music: Race, Empire, and the New Muslim Youth Culture* (New York: Pantheon books, 2014) and Rollinde, *Le Mouvement*, 157
resistance, the regime alternated repression with a policy of laissez-faire towards these cultural manifestations. These literary and cultural movements reflected the pluralistic voice of militant groups in Morocco, from Maoist, Leninist, and Marxist to Salafi Islamists, Pan-Arabists, Sahrawis and Berberists (Amazigh political activism). And while the regime started playing off some groups against others, it ended up putting all resistance in one mold: a political dissidence that had to be completely eradicated.

The Marrakech Plot of 1969 and the New Constitution

While music and literature expressed the disaffection of young Moroccans with political asphyxiation and social and economic injustices in Morocco, radical movements organized underground. The regime put into acceleration its repression machine and repeatedly persecuted, detained and disappeared hundreds of students, militants and UNEM cadres. In 1968, the king launched a number of development projects and economic policies. These included mass constructions of dams, real estate and beach tourism projects. The rise in the price of phosphate, of which Morocco was the main exporter, allowed the economy to grow by 5.6% from 1968 to 1972. However, this boom did not benefit the marginalized masses in popular neighborhoods, shanty towns and rural villages. The gap widened between the rich and poor. The extravagant lifestyle of the ‘golden youth’ of Casablanca offended most Moroccans including the poor officers and cadets in the military. Nevertheless, this resemblance of economic prosperity allowed Hassan II to suspend the state of emergency in July 1970 and put a second and more liberal constitution to a vote. The UNFP and the Istiqlal opposed it and formed an alliance, the National Bloc (al Koutla al Wataniya) that boycotted elections, thus allowing Hassan II to put in place a loyal government centered on him with the help of his Minister of Interior General Oufkir.

The king could allow this glimmer of political openness only after the leftist opposition had been dealt another blow a year before. The Marrakech plot was ‘discovered’ in the fall of 1969, resulting in the disappearance and illegal detention of hundreds of UNFP militants including the leadership of the UNEM. Oufkir identified Fqih Basri as the mastermind behind

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65 Rollinde, *le Mouvement Marocain*, 164 ; Perrault, *Notre Ami le Roi*, 110
67 Pennell, *Morocco since 1830*, 327
68 Miller, *A History of Modern Morocco*, 173-74
69 Pennell, *Morocco since 1830*, 331
this new plot and Abderhaman el-Youssoufi as his aide.\textsuperscript{71} The regime blamed the Baathist regime of Syria for financing the plotters, and on 14 June 1971 put on trial 180 UNFP militants in Marrakesh. Others simply disappeared in Dar el Mokri or in the villas of Ahmed Dlimi, the close collaborator and head of the secret police services in Morocco.\textsuperscript{72} Meanwhile, some elements of the military were organizing a coup that would destabilize the monarchy and its trust in a loyal mechanism of ruling and a machine of repression.

**The State of Fear in Morocco**

*The Age of Military Coups*

When he became king, Hassan II established a system of patronage and gift-giving to win the loyalty of the rural and traditional notables, including the army leadership. The monarch believed in corruption as the most efficient mechanism to keep the military wing in order and advised his army officers to ‘forget about politics and get rich.’\textsuperscript{73} He further ensured the loyalty of the military by recruiting soldiers from the Amazigh population, away from the urban and Arabized supporters of the political parties.\textsuperscript{74} In fact, 90 percent of the royal army came from poor rural villages, mostly Amazigh.\textsuperscript{75} One of them was General Mohammed Oufkir who, by 1970s, was the strongest man in the country after Hassan II. With his prestigious military history in the French colonial army, Mohammad Oufkir soon became *aide de camp* of Mohammed V and the close associate of Crown Prince Hassan upon their return from exile in 1956.\textsuperscript{76} He gradually gained the trust of both Moroccan kings heading the secret services until he became the Minister of Interior in 1964.\textsuperscript{77} After his bloody repression of the Rif revolt in 1958-59, his involvement in the disappearance of Mehdi Ben Barka and the torture of many other oppositionists, Oufkir became the symbol of repression in Morocco during the 1950s and 1960s, and his name terrorized a whole population.\textsuperscript{78}

On 10 July 1971, there was a dramatic attempted military coup directed against the King and his guests who were partying at his beach palace in Skhirat. Colonel M’hamed Ababou, the director of the Ahermoumou military academy in Sefrou aided by his brother, followed the

\textsuperscript{71} Perrault, *Notre Ami le Roi*, 112-3
\textsuperscript{72} ibid, 116
\textsuperscript{73} Mahjoub Tobji, *Les Officiers de sa Majesté* (Paris: Fayard 2006), 9
\textsuperscript{74} Willis, *Politics and Power*, 43
\textsuperscript{75} Miller, *A History of Modern Morocco*, 157; Stephen Smith, Oufkir, 127-1230
\textsuperscript{76} Miller, *A History of Modern Morocco*, 156-158
\textsuperscript{77} Ibid, 171
plans drawn by General Medbouh, the Director of the Royal Military Cabinet that managed relations between the palace and the army.\textsuperscript{79} Ababou told his cadets, most of whom came from rural and poor Berber villages and had no idea they were attacking the royal palace, that subversive elements had attacked the royal buildings and that they should ‘not to allow anyone to escape.’\textsuperscript{80} When they arrived, the cadets were disoriented by the luxury and began an indiscriminate killing frenzy in which many Moroccan notables and a few foreign dignitaries were killed. Hassan II and his family escaped the massacre through a mixture of quick thinking and chance.\textsuperscript{81} The international outcry encouraged the monarch to eliminate the traitors without mercy with little objection by the international community. About 150 rebel officers were killed immediately and 900 more were arrested.\textsuperscript{82} Their families were persecuted too: Rabea Bennouna, the wife of Ababous’s second in command, was evicted from her house and her personal belongings confiscated.\textsuperscript{83}

Three days later, ten top army officers were executed by firing squad after minimal or no trial.\textsuperscript{84} Others were jailed before unqualified civil judges tried them. By this swift revenge, Oufkir, who became Minister of Defence, ensured that four of the generals involved were executed before they could reveal any details. But he did intervene in favor of some of the other military prisoners and 1008 prisoners were freed and in February 1972, 33 officers received prison terms ranging from one year to life.\textsuperscript{85} This apparently merciful treatment has led to suspicions that Oufkir had been implicated in the plot himself and was seeking support for his own planned coup thirteen months later. Certainly, Hassan II declared that it went against his own wishes.\textsuperscript{86} Among those who received long periods in jail was Ababou’s brother, Mohamed Ababou, who was sentenced to 20 years and never re-emerged and his deputy Abdelatif Belkebir (Bennouna’s husband) who received 4 years but it was extended in 1972 following a second coup, apparently led by Oufkir himself.

Hassan II directed his new Minister of Defence and Army Chief of Staff to purge and reorganize the royal army to prevent any further coups. However, less than a year after the

\textsuperscript{79} Willis, Politics and Power, 91-92
\textsuperscript{80} Miller, A History of Modern Morocco, 176 ; Rivet, Histoire du Maroc, 368
\textsuperscript{81} Pennell, Morocco since 1830, 331-2
\textsuperscript{82} Miller, A History of Modern Morocco, 177
\textsuperscript{83} Rabea Bennouna, Tazamart Côté Femme: Témoignage (Casablanca: Addar Alalamia lil Kitab 2013), 31
\textsuperscript{85} Bennouna, Tazamart, 40; Marzouki, Tazamart Cellule 10, 50-52, 60. Marzouki also noted that the high command who was implicated in the coup received lighter jail terms compared to the regular officers.
\textsuperscript{86} Perrault, Notre Ami le Roi, 169
Sakhir coup, the Air Force attacked the royal Boeing as the king was returning from a vacation in France on 16 August 1972. This time, Hassan II identified General Oufkir as the main conspirator with four other generals including Commandant Mohamed Amekrane. Officially, Oufkir committed suicide, although his bullet-riddled corpse attested to the opposite. After a speedy trial, Amekrane was tried with eleven other pilots and sentenced to death by firing squad. Thirty-five others were sentenced to prison terms. In a televised speech four days after the second coup, Hassan II used Islamic rhetoric to affirm his legitimacy and threatened to destroy a third of the nation in order to preserve the status-quo:

God placed the King on the throne to safeguard the monarchy. To achieve this, the Malikite madhab gives me the right to destroy one-third of the population that harbors harmful ideologies to preserve the other two-thirds of the sane population.

On the night of 7 August 1973, military prisoners, and some civilians who had no overt connection with the two coups at all such as the Bourequat brothers, ended up in the notorious Tazmamart prison on the edge of the Sahara. Their experiences would be described in a small flood of memoirs published during the political opening under Mohammed VI (Ahmed Marzouki, Ali Bourequat, Midhat Bourequat, Salah Hachad, Mohammed Raiss and Rabea Bennouna all contributed to this). The six children and wife of General Oufkir disappeared in a secret prison 40 kilometers south of Casablanca for fifteen years until their miraculous escape in 1987. This collective punishment that engulfed the family of the culprit, and sometimes his entire tribe or village as exposed with the Beni Hdifa or the Ait Waryagh of the Rif in 1958-59, was not limited to the Oufkirs. Most famous of all were the Bourequat brothers, once trusted friends and loyal servants to Hassan II, would meet the same fate in the Tazmamart prison.

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87 Willis, Politics and Power, 91-2
88 Miller, a History of Modern Morocco, 177 ; Gilles Perrault, Notre Ami le Roi, 165
89 Pennell, Morocco since 1830, 332; Gilles Perrault, Notre Ami le Roi, 166-69
90 Rollinde, Le Mouvement Marocain, 172
91 A madhab is an Islamic school of legal thought
92 Perrault, Notre Ami le Roi, 167
93 Rollinde, Le Mouvement Marocain, 174
95 Amnesty International, Les Disparus: le mur du silence doit tomber, 24
96 Perrault, Notre Ami le Roi, 207-208
Figure 3: Detention and torture centers (in red) cited by victims of repression (source: www.ier.ma)

Marxist-Leninist and Maoist Movements in Morocco: Ilal Amam, 23 Mars and Linakhdum sha‘b

While the state of emergency since July 1965 silenced political activity in Morocco, radical groups formed underground around trade unions: UMT (Union Marocaine du Travail) for the workers and UNEM for the students. In the fall of 1968, a strike action of 7000 miners of the grand phosphate mine in Khouribga halted work for seven weeks. Abraham Serfaty, then director of research and development at the Office Cherifien des Phosphates, sided with the workers and was suspended as a result. While legal parties like the PLS and the UNFP called for a peaceful and democratic transition, the ‘New Left’ movement called for ‘a total

97 The three groups are known as the ‘Front’ and their members as the ‘Frontistes.’
revolution’ and ‘the abolition of the monarchic regime.’ This radicalizing trend also manifested in lycées and universities through a series of student strikes in 1970 and 1971 which saw many young Moroccans detained and tortured including UNEM president Aziz Mnebhi in 1972.

This period was also marked by a new progressive ideological current that took over the student union. The qa’idiyyin, a Marxist-Leninist current, stressed the link between the student movement and the masses and called for the support of global movements of liberation including the Palestinian cause. They also advocated an arabized and egalitarian university as a means for social progress for the masses. The repression of the regime intensified against the student movement whose appeal reverberated outside campuses. The UNEM was banned on 24 January 1973 and hundreds of high schools and some universities closed. In the wake of the quarrels that split the UNEM and its suspension, many student activists joined the revolutionary movement. Among them were two young men who would later play important roles in the Moroccan transitional justice experience. One, Driss Benzekri, became the president of the IER; the other, Abdelhamide Amine, became president of the AMDH. The state’s opponents in the 1960s would come in the 2000s to lead the commissions that attempted to uncover some of its crimes.

Like other militants in the 1960s and 1970s, Amine, Benzekri and Serfaty were mostly influenced by the Arab defeat by Israel in 1967, the youth movement in France in May 1968 and Mao’s Cultural Revolution. These events helped galvanize students and activists who formed various groups clandestinely in Fes, Rabat, Casablanca and Marrakesh. ‘Group A’ was established by former members of the Moroccan Communist party (Parti Communiste du Maroc) who followed a Maoist ideology within a highly hierarchical structure. The young rebels of the UNFP formed ‘Group B.’ They espoused a Marxist-Leninist culture immersed in populism and pan-Arabism. In practice however, they resembled Group A in their Maoist organizational structure. Finally, ‘Group C’ was composed of ‘free elements’ like former MLA combatants Mohammed Bensaid Ait Idder and Abdeslam Jebli who had been influenced by leftist groups in Eastern Europe as well as Baathist and Nasserist movements in the Middle East. Group A would be renamed Ilal amam with members like Abraham Serfaty,

98 Mustapha Bouaziz in Rollinde, le Mouvement Marocain, 167
99 Rollinde, le Mouvement Marocain, 146
100 In Arabic, qa’idiyyin comes from the root word qa’ida, which means the base. Hence al qa’idiyyin can be translated to ‘those who belong to the base of the pyramid,’ i.e. those who belong to the wider segment of the society and the students from the proletariat, and not just the elite at the top.
101 Ibid, 164
Driss Benzekri and Amine Abdelhamide. Group B and C unified in 1970 and formed the movement of 23 March (Harakat 23 Mars) with members such as Salah el Ouadie, Latifa Jbabdi and Mohammed Berdouzi, all of whom would serve as commissioners on Morocco’s official Truth and Reconciliation Commission (IER) in 2004 (Figure 4).

Ilal Amam and 23 Mars operated according to strict rules (anonymity, rigorous training, self-sacrifice and respect for organizational hierarchy). Members were constantly tested and were all considered ‘eventual martyrs’ for ‘the cause.’ Only the most devoted ones were allowed in the central committees and were trusted to keep the organizations’ secrets even under extreme torture. Founding member Abdellatif Zeroual from Ilal Amam would die under torture in 1974. Established by Ahmed Herzenni (another leading figure of Morocco’s transitional justice project and CNDH’s president in 2007), Li Nakhdum sha’b (Serve the People) would secede from 23 Mars to advocate a Maoist ideology for a cultural and more prolonged fight for change and democracy through the education of the ‘people.’ Ilal Amam was more radical and violent in its ideology with ‘red guerrillas’ programmed to destabilize the regime. 23 Mars embraced a more centrist and democratic method favoring legal means to fight the regime. 102

Regardless of their ideological and methodological differences, the new secret police DST (Direction de la Sécurité du Territoire) engaged in a fierce battle to suppress and eradicate the Marxist-Leninist movement, with hundreds of arrests, detentions and forced disappearances. This autonomous body that was part of the Ministry of Interior had the power to surveil military officers and high officials as well as political opponents and their families and detain them outside any laws. 103 Through the DST, Ahmed Dlimi, who replaced Oufkir as head of security services and Minister of Interior, was able to repress the enemies of the monarchy while allowing Hassan II a margin to maneuver and negotiate with the softer opposition. Meanwhile, another uprising was fomenting in rural Morocco. ‘The events of Moulay Bouazza’ in the mountainous region of Khenifra (Tinghir, Errachidia and Goulmima) in the Middle and High Atlas would paralyze the UNFP and destroy the youth movement and the new left.

102 Rollinde, Le Mouvement Marocain, 165-67
103 Ibid, 177
According to the Moroccan regime, the events of 3 March 1973 were allegedly financed by Libya and planned by the Tanzim, the clandestine armed arm of UNFP-Rabat influenced by the Palestinian *fidayin* movement, the Baathist ideology of Syria and the Algerian FLN of the 1970s.¹⁰⁴ UNFP leaders Mohammed Demnati known as Fqih Basri, Omar Dahkoun and Mohamed Bennouna were identified as the plotters who facilitated the introduction of arms and subversive elements through Algeria. Bombs exploded in Oujda, Nador, Casablanca, Rabat and Khenifra and shots were exchanged between commandos and members of the *Gendarmerie Royale* in the High Atlas and in the south near Figuig. On 2 April 1973, the government announced that a terrorist cell was dismantled. It had planned bombings against US targets in Casablanca,¹⁰⁵ another one in the Mohammed V theatre in Rabat and the assassination of a government guard (*mokhzani*)¹⁰⁶ in Moulay Bouazza. Revolutionaries were arrested and detained before the execution of their plan. Amongst them was M’barek Bouderqa, known by the nickname Abbas. He would later on return from exile in 2001 to sit at the CCDH board and the IER in 2004.

In the press, the regime rallied the population against ‘the traitors who were conniving with foreign enemies to spread terror in the country.’¹⁰⁷ It seized the opportunity to suspend the Rabat section of the UNFP on 2 April 1973 and arrested many of its members who had nothing to do with the plot, including eight lawyers.¹⁰⁸ The alleged involvement of Muammar Gaddafi allowed the regime to justify speedy and iniquitous sentences against the plotters. On 25 June, 159 accused of crimes ‘against national security’ and ‘attempt to overthrow the regime’ were tried before the military tribunal of Kenitra. Sixteen of them received the death sentence. Fifteen were sentenced to life imprisonment and fifty-six to lengthy jail terms. Seventy-two defendants were acquitted only to see some of them detained and charged months later. The lawyer Abdelaziz Bennani was acquitted and would serve as IER

¹⁰⁴ Ibid, 184
¹⁰⁵ WikiLeaks, ‘Police Views on Casablanca Bombs.’
¹⁰⁶ *Mokhzani* or *M’khazni* refers to a representative of the makhzen and the government of Morocco. It can also refer to a member of the paramilitary forces of the regime.
¹⁰⁷ WikiLeaks, ‘Morocco Captures Libyan-Supported Dissidents (1973 March 12).’
commissioner in 2004 while UNFP leader Omar Benjelloun was assassinated in December 1974.\textsuperscript{109}

Another occasion when the regime engaged in collective punishment was after the event of Moulay Bouazza in the region of Khenifra while Hassan II prepared his next move. The Zayan tribe whose native son Hammou Zayani bravely fought the French during the protectorate was considered a dangerous focus of insurrection and Amazigh rebels. As in the Rif in 1958 and 1959, the police conducted massive raids and arrests of the Zayanes. For five months, the police established blockades of the Khenifra region and sweep operations, roadblocks, ongoing house searches and arrests punctuated the life of its population.\textsuperscript{110}

Similarly, the High Atlas near Errachidia and Tinghir was combed by the police forces and military officers of the FAR and Gendarmerie Royale.\textsuperscript{111} On the political front, Hassan II undertook a series of conciliatory measures to pacify the Middle Atlas. He named Lieutenant Colonel Hammou Ou El Hadj Arzaz, a senior Amazigh army officer as the region’s chief administrator and gave orders to the Ministry of Agriculture to ‘address the problems of the region.’\textsuperscript{112} Most importantly, the king and his prime minister met with MLA veterans and promised them economic support.\textsuperscript{113} Since then, most MLA \textit{anciens combattants} receive their pensions from the Ministry of Defence.

The regime also took the opportunity of the Moulay Bouazza events to eliminate the UNFP and the other Marxist-Leninist groups. Militants and simple sympathizers alike were hunted down in a series of mass arrests that targeted high school and university students, teachers and other intellectuals. This included the staff of cultural magazines such as \textit{Souffles}, members of cultural associations and film clubs.\textsuperscript{114} The objective was to physically and intellectually annihilate any opposition to the regime. Even the cultural expression of a voice of dissent through music, film and cultural manifestations was repressed and prohibited. On 30 July 1973, eighty victims, including Serfaty and Laabi, stood trials in Casablanca in what is known by ‘the Trial of the \textit{Frontistes}.’ Sentences were excessive and nineteen of them

\textsuperscript{109} Rollinde, \textit{Le Mouvement Marocain}, 183-85
\textsuperscript{113} King and Prime Minister Address Veterans of Independence Movement, https://wikileaks.org/plusd/cables/1973RABAT01372_b.html
\textsuperscript{114} Rollinde, \textit{Le Mouvement Marocain}, 185-86
ranged from ten to fifteen years in prison. Hundreds of victims were thrown in torture centers, notably in Derb Moulay Cherif in Casablanca. Torture as well as forged and forced confessions implicated innocent victims whose names were uttered in sheer moments of despair to stop the agonizing pain for a moment.115

The National Cause and the ‘Re-unification’ of Moroccans

The succession of military coups and civil uprisings destabilized Hassan II and his regime. In an open letter entitled ‘Islam or the Deluge’ in 1974 Abdeslam Yassine, a charismatic Islamist intellectual who advocated for an Islamic state in Morocco, further questioned the legitimacy of Hassan II. He denounced the corruption of the monarch and his entourage and decried his subservience to the West. The response of the regime was immediate: Yassine was illegally detained for three years and a half without trial with frequent stays in the psychiatric ward. 116 The question of the Western Sahara, finely planned by Hassan II, allowed him to regain national consensus and political legitimacy. He seized the opportunity of Spanish relinquishment of the zone to organize his ‘Green March.’ On 6 November 1975, he sent his troops and waves of Moroccan ‘volunteers’ to ‘peacefully join their Sahrawi brothers.’117 This was the beginning of a new stage in Moroccan political history. When separatist voices arose and called for self-determination, the regime silenced them using the same techniques of mass arrests, collective punishment, forced disappearance and torture. The sacred union was hailed by population and opposition alike including leaders of the communist party and the USFP, Union Socialiste des Forces Populaires which broke away from the UNFP.118 Only Serfaty and his ilal Amam denounced the ‘colonization’ of the Western Sahara and called for its right for self-determination.119

Backed by Algeria, Sahrawis organized themselves in the Polisario front which engaged in guerrilla warfare against the Moroccan army in the disputed territory.120 The following years saw massive waves of repression against the Sahrawi population over which Morocco had de facto control since 6 November 1975. Amnesty International reported the disappearance of 200 Sahrawis the year following the Green March.121 Dlimi, who replaced Oufkir, and Driss

115 Jaouad Mdidech, la Chambre Noire (Casablanca: Eddif 2001)
117 Hassan II speech on 6 November 1975 https://www.youtube.com/watch?v=d3YX84Xrtz4
118 Rollinde, Le Mouvement Marocain, 178
119 Ibid, 179
120 Pennell, Morocco since 1830, 339-342
121 Amnesty International, Les Disparus: le mur du silence doit tomber, April 1993 (AI Index: MDE 29/01/93), 2-6
Basri after him, were as merciless in their repression of Sahrawi children, women, elderly and activists alike. Dissidents and their entire families were ‘disappeared’ in secret detention centers including Tazmamart, Agdez, Laayoune and Kal’at Mgouna.\textsuperscript{122} A protracted war between Morocco and Polisario drained both camps and created around one hundred thousand refugees. By 1991, the UN brokered a cease-fire and Hassan II agreed to a referendum for independence or reintegration.\textsuperscript{123} A couple of years before, the Moroccan regime massively arrested Sahrawi activists who planned a demonstration during the visit of the UN convoy to Laayoune. The year 1987 saw the last massive wave of arrests of Sahrawi activists and their families. However, arrests and repression continued until the 1990s and according to some sources until today.\textsuperscript{124}

**Legal Repression: The Trial of the Frontistes**

The mass arrests and forced disappearance of young militants affiliated with *Ilal Amam*, *23 Mars* and *Servir le Peuple*, referred to as ‘the frontistes,’ rendered the situation rife for yet another explosion that was exacerbated by the economic crisis. In June 1973, the Kenitra court tried 159 UNFP sympathizers who were arrested after the events of Moulay Bouazza. Sixteen of them were sentenced to death. A month later, the mass trial of Casablanca prosecuted 80 victims including the editor of Souffles, Abdellatif Laabi and the son of one of the leaders of the Istiqlal, Anis Balafrej. The sentences were harsh against Marxist-Leninist militants including Sion Asidon, Amine Abdelhamid and Ahmed Herzenni with fifteen years in prison. Laabi was sentenced to ten years and Serfaty to life imprisonment in absentia.\textsuperscript{125} Herzenni and Serfaty would later on be featured in the IER hearings in 2004-5 while Abdelhamid and Asidon chose to testify in the alternative hearings organized by the AMDH. In November 1974, more activists were arrested and detained without trial. They were held incommunicado and systematically tortured in different police stations in Casablanca including Derb Moulay Cherif, Roches Noires and el Kourbis, an airplane hangar converted to a detention center. With other detainees arrested in the following years, they went on an unlimited hunger strike on 14 November 1976 with one demand: ‘trial or liberation.’\textsuperscript{126}

\textsuperscript{122} Ibid, 27
\textsuperscript{123} Miller, *A History of Modern Morocco*, 181
\textsuperscript{125} In absentia (Latin) means ‘in the absence’. A trial or sentence in absentia is a legal term that refers to criminal proceedings at a court of law without the presence of the defendant.
\textsuperscript{126} Rollinde, *Le Mouvement Marocain*, 189-90
The mass trial of 178 *frontistes* took place in Casablanca in January 1977. The victims hoped to expose the systematic violence and human rights abuses of the police forces before the judge and French media. However, the court prevented the lawyers from reading the charges and silenced the victims who attempted to show the effects of torture on their bodies.127 The police surveilled and harassed attorneys who defended the victims. The lawyer Abderrahim Berrada saw his passport confiscated for thirteen years as a result.128 One month later, the judge pronounced the court verdicts: five sentences to life, eighteen to 30 years in prison, 43 to 20 years and 36 to ten years. Among the victims were Salah el Ouadie (another IER commissioner) and Jaouad Mdidech, two more contributors to the publishing wave of the early 2000s.129 Serfaty, who defended the right of Sahrawi people for self-determination and chanted ‘Long live the Moroccan Republic’ in court was sentenced to life.130 Other leftist militants simply disappeared without trial to reappear again after years of incarceration.

**The Martyrs of the Baguette: The Bread Riots of 1981**

The state repression of youth and the economic crisis crippled Morocco’s society. By 1980, two-thirds of the population was under the age of twenty and a half was living in the cities with Casablanca’s *bindonvilles* hosting a large section.131 With unemployment touching a quarter of the city’s labor force and an inflation rate of 15%, the climate was ripe for an explosion. After the government announced an increase in the prices of staple goods in May 1981, unions called for general strikes and people took the streets in Casablanca, Oujda, Barkane and Nador. They protested the rise in prices and against the government’s failure to secure affordable housing, job opportunities and education for all.132 In Casablanca, the protests quickly turned into urban riots with the poor and youth burning cars, banks and shops.133 The police and army deployed their forces and tanks and encircled the city.134

Official figures reported the death of 66 people while opposition sources in France gave a figure between 600 to 1000 losses as a result of the repression of the protests of 20 and 21 June 1981. The casualties comprised protesters as well as bystanders including women.

128 Perrault, *Notre Ami le Roi*, 261
131 Pennell, *Morocco Since 1830*, 351-2
132 Slyomovics, *The Performance*, 110
133 Rollinde, *Le Mouvement Marocain*, 226
134 Miller, *A History of Modern Morocco*, 185-186
children and elderly. They would be known as the martyrs of the *koumira* or *baguette.*

Thousands of citizens were arrested in the aftermath of the protests. At times, wounded victims were dragged out of hospitals where they were being treated and thrown in crowded jails. Twenty-six victims died of asphyxia in the Roches Noires police station in Casablanca. One thousand eight hundred detainees appeared before the tribunals of Casablanca that sentenced them to terms between three months to twenty years in prison.

**The North and the South Rebel: The Popular Uprisings of 1984**

The repression of the UNEM, universities and students intensified after the riots of June 1981. Student activists organized strikes to protest the violence only to be met with a harsher response of special police forces ‘*les awacs*’ that were permanently stationed in universities’ campuses. The student riots started in the fall of 1983 and climaxed on 19 January 1984 paralyzing junior and high schools in Marrakesh. The protests turned into ‘hunger riots’ (*les émeutes de la faim*) in el Hoceima, Agadir, Tetouan, Nador as well as small cities like Oued Zem and Ksar el Kbir where the population joined in to peacefully protest the structural adjustment policy adopted by Morocco as part of the International Monetary Fund’s program. Under the new Minister of Interior, Driss Basri, the authorities struck back hard at the demonstrators. Official sources reported 29 dead and 144 wounded. Other sources gave figures between 29 and 200 deaths and 14,000 detainees. In the Rif, witness accounts reported the killing of dozens who were allegedly buried at night by the police in secret mass graves. King Hassan II scolded the protestors in a televised speech and qualified the Rifian rioters of Nador, el Hoceima, Tetouan and Ksar el Kbir as ‘scum living off smuggling and stealing.’ Referring to his violent repression of the Rif events in 1958–59, he threatened them: ‘The people of the North [Rif] knew me as a Crown Prince, it is best for them not to know me as [King] Hassan II.’ His words had such a terrorizing effect on the population that thirty years later, Riffian victims would still refer back to Hassan II’s menacing words in their testimonies before the IER and the AMDH (see chapter 5 and 6).

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135 Pennell, *Morocco Since 1830*, 354-355
136 Rollinde, *Le Mouvement Marocain*, 226
137 Ibid, 227
138 Moroccans nicknamed police forces specialized in repressing students ‘awacs’ in reference to the American surveillance and air defense aircrafts: Airborne Warning And Control System
139 Rollinde, *Le Mouvement Marocain*, 230
140 Researchers Monia Bennani-Charibi and Francois Clement came up with these numbers based on their fieldwork in the different cities where riots took place, in Khamlich, *al-Intifadat*, 119
141 Miller, *A History of Modern Morocco*, 186
142 Hassan II, Hassan II’s speech after the 1984 events. YouTube video, 04:17. Posted [Nov 2011].
https://www.youtube.com/watch?v=sCsp43C-8AA
The Policy of Islamization of the Moroccan Society and the Rise of the Islamists

The Islamist current in Morocco re-emerged as a student movement in 1969 when Abdelkrim Mouti, an inspector of the Ministry of Education and a former UNFP militant, founded *al-Shabiba al-Islamiya* (Islamic Youth) based on the radical teachings of Muslim Brotherhood figure Sayyid Qutb. Despite its calls to violently overthrow the monarchy, the regime allowed *al-Shabiba* to operate in Moroccan high schools and universities in order to counter-balance the leftists of the UNEM. For a while, the two groups clashed as the Islamists undertook the mission of proselytizing a youth to what they considered corrupt un-Islamic ideas. The regime used the animosity between the left and the Islamists to eliminate its enemies. The assassination of USFP leader Omar Benjelloun by a member of *al-shabiba* in 1975 has always been questioned by activists who saw the hand of the secret services in the affair. The organization was dissolved in 1976 and four years later the presumed killers were put on trial. With *al-Shabiba* banned and its members in jail or in exile, Hassan II intensified its fight against Marxist-Leninist thought in Moroccan schools and universities by imposing a policy of arabization and islamization. In 1978, education reforms replaced departments of philosophy with Islamic studies in all the universities in the hope of countering leftist revolutionary ideas.

However, encouraged by the success of the Iranian Revolution in 1979 the Islamists of Morocco further radicalized and formed different clandestine subgroups. *Al-Shabiba*’s underground radical wing *Al-Jihad* called for a revolution between 1981 and 1983. The regime responded by arresting 71 of them. They were tried on 31 July 1984 and some of them sentenced to death. Another group of 26 Islamists from *Katibat Badr* (Badr Squadron) were charged with smuggling weapons across the Moroccan-Algerian border. They were tried on 2 September 1985. According to their leader Belkacem Hakimi, many of the detainees had nothing to do with any Islamist organization. Said Boudiaf, for instance, was detained for five years because of the activities of his brother and Abdellah Fahd served thirteen years in prison because he happened to spend the night at the house of a friend who was arrested by

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144 Morocco inherited a French educational system that taught in the French language with a secular curriculum.
147 Slyomovics, *The Performance*, 167-168
the police. Family members were also arrested and condemned to four years in prison for not informing the authorities of the activities of the Islamist activists. 148

**The Last Explosion**

Most historians qualified the rule of Hassan II in the end of the 1970s and the beginning of the 1980s as the age of a political opening. 149 An important feature of this new phase in Morocco’s political history was the establishment of many human rights organization including the AMDH (Association Marocaine des Droits Humains) and the OMDH (Organisation Marocaine des Droits de l’Homme). The underground movement of 23 Mars was also able to re-emerge in the political scene under the legal structure of the OADP (l’Organisation de l’Action Démocratique Populaire). However, the opening was only possible because the opposition continued to be silenced in prisons or domesticated in pseudo-opposition parties which operated within the lines of the regime. Indeed, by 1983, political opposition and human rights activism were taken over by organizations founded and run by former Marxist-Leninist militants from Ilal Amam and 23 mars.

Established in 1979, most AMDH members belonged to a political party, mainly the USFP that sprang away from the UNFP in 1975. 150 Its main activities revolved around human rights abuses and repression targeting Marxist-Leninist militants. It lobbied nationally and internationally with the families of the victims to locate the disappeared, secure them fair trials and decent imprisonment conditions. However, the new powerful man of the regime, Driss Basri, did not always allow these activities to take place. AMDH members were constantly harassed and detained. With the riots of 1981 and 1984, more victims were thrown in jail, facing systematic torture. The internal quarrel amongst members of the AMDH culminated in a confrontation on 8 May 1983 and 34 members of the AMDH and the USFP were arrested as a result. They were sentenced by Rabat’s tribunal to several jail terms between one and three years. 151 Between 1983 and 1988, the AMDH ceased its activities and most of the Moroccan population stayed away from political activities. Between October and November 1985, more than 80 students, teachers, engineers, facilitators at cultural

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148 Ibid, 168
149 Among these historians Susan G. Miller who called the years between 1975 and 1999 under Hassan II ‘the Velvet Glove’ in Miller, *A History of Modern Morocco*, 187; Pennell, *Morocco since 1830*, 347 and Rivet, *Histoire du Maroc*, 385
150 Rollinde, *le Mouvement Marocain*, 212
151 Ibid, 247-249
associations and film clubs were kidnapped from their home or workplace, detained and tortured in Derb Moulay Cherif.\textsuperscript{152}

Like his predecessors Oufkir and Dlimi, Basri instilled a climate of fear thanks to alert and ubiquitous secret police. By the 1990s, the regime succeeded in alienating most of the population from the political process.\textsuperscript{153} On 14 December 1990, a movement of unemployed young graduates took to the streets in small cities such as Fqih ben Salah, Azilal, Guercif and Sale to demand equal job opportunities.\textsuperscript{154} Unions joined in and called for a general strike in other cities including Tangier, Kenitra and Fez. At least 23 protestors died as a result and 713 appeared before Moroccan courts.\textsuperscript{155} Again, in 1994, university students from Fez and Casablanca rose again but were swiftly repressed by special police forces.\textsuperscript{156}

With the end of the Cold War, the international community led by the United States put pressure on Hassan II to improve his record of human rights. In 1991, Amnesty International fiercely campaigned against repression in Morocco calling for the immediate release of the political prisoners and the forcibly disappeared.\textsuperscript{157} In the same year, French journalist Gilles Perrault published \textit{Notre Ami le Roi} which detailed the ordeals of political prisoners and their families in secret detention centers such as Derb Moulay Cherif and Tazmamart.\textsuperscript{158} The Gulf War in 1991 that saw Hassan II side with the US-led coalition against Saddam resulted in trouble locally. One million Moroccans took to the streets in major cities to voice their support of the Iraqi people and their leader.\textsuperscript{159} The monarchy was destabilized. In a last attempt to contain the opposition and counter the growing appeal of Islamists, Hassan II released waves of political detainees, closed down detention centers and invited the opposition from the Left to lead the government in 1996. Less than three years later, he died from health complications bequeathing to his son a heavy legacy and a powerful opposition that promised him on his deathbed\textsuperscript{160} to support the new king and the Alawite dynasty.

\textsuperscript{152} Ibid, 230
\textsuperscript{153} Pennell, \textit{Morocco since 1830}, 361
\textsuperscript{154} Rivet, \textit{Histoire du Maroc}, 386-7
\textsuperscript{155} Akhemlich, \textit{al-Intifadat}, 119
\textsuperscript{156} Rollinde, \textit{le Mouvement Marocain}, 233
\textsuperscript{157} Amnesty International’s report, 1991
\textsuperscript{158} Chapter 4 discusses these changes at length.
\textsuperscript{159} Rivet, \textit{Histoire du Maroc}, 385-6
\textsuperscript{160} Close friends of Abderahmane el Youssoufi report how Hassan II made him ‘swear on the holy quran’ to pledge allegiance to his son Mohammed VI.
Conclusion

The post-independence history of Morocco is marked by violent events that repressed the population and marked its collective memory and history. For over four decades, political assassinations, illegal detentions, torture, mass killings and forced disappearances succeeded in stifling various voices of opposition: the Riffians, the Istiqlal, the communists, the military, the Marxist-Leninists, the Amazighs, the Sahrawis, the artists, the intellectuals, the feminists and the Islamists. Militants such as Driss Benzekri, Driss Yazami, Ahmed Herzenni, Salah el Ouadie and Latifa Jbabdi were muzzled and their kin terrorized. State repression engulfed families and regions to produce a society that lived in permanent fear and silence. The police, the army and the judiciary were instrumentalized to serve a systematic torture to all the enemies of the monarchy:

By 1973 all the constituent elements for widespread abuse were in place: the criminalization of political opinion, arrest without warrant, detention without reason, unlimited extensions of time spent in garde à vue or preventative detention, the creation of secret prisons, and the institutionalization of torture.\[161\]

This history has been obscured for a long time. Not until 2004 with the testimonies of victims at the public audiences of Morocco’s official Truth and Reconciliation Commission that the regime openly admitted to its systematic use of torture and repression in the past. Indeed, for a long time the regime had denied the existence of secret detention centers and the use of torture against political prisoners. It had even refused to acknowledge the existence of political prisoners and refrained from using the term even when the state was releasing waves of prisoners in the beginning of the 1990s. Even then, the official discourse reminded the public that victims’ testimonies were subjective and the truth exposed through the works of Morocco’s truth commission was relative.\[162\] Stressing the traumatic nature of past experiences, the fallible nature of memory and the enforced structure of the public audiences Moroccan officials strove to differentiate between historical truth and personal memories. They held thematic roundtables around the country discussing the concept of ‘truth.’ They multiplied their media interventions qualifying IER audiences as a public catharsis. The truth, however, remained in IER archives which were sealed until further notice.

Nevertheless, the memories of victims and their families were able to enter the public awareness of Moroccans and forced them to reconstruct their national history and actualize their collective consciousness. The makhzen - the Moroccan everyday term to design the

\[161\] Susan Slyomovics, *The Performance*, 2

\[162\] Driss Yazami, the president of CNDH, interview with author, June 2015, Rabat
regime - ceased to be a taboo word that many Moroccans refrained from uttering. Politics started to be discussed, even practiced. Former political detainees and exiles, many of whom had shared torture sessions and prison cells, became active members of the society with important international ties. They formed the new political elite that used human rights as a political means to achieve democratization and transition. More importantly, militants such as Mehdi Ben Barka, Houcine el Manouzi and Saida Mnebhi regained their places in the official history of Morocco. Similarly, and thanks to the AMDH alternative truth project, General Mohammed Oufkir, General Ahmad Dlimi and Driss Basri, the heads of the secret services and ministers of interior who ran the repression machine of the regime of Hassan II, were also able to take on their historical roles, at least in the collective memories of Moroccans and their alternative histories.

The following chapters examine these narratives and the process through which they emerged. Chapter 4 investigates the process of transitional justice established by the state to close the books on the past. It questions the mechanisms used to negotiate truth and justice with groups of victims and their families. In particular, it questions the design process of Morocco’s TRC Instance Équité et Réconciliation, its scope, mandate and commissioners. In so doing, the analysis seeks to expose how ‘the truth’ exposed in IER’s public hearings was decided, designed and constructed. Chapters 5 and 6 analyze testimonies by victims and survivors before the official truth commission and the alternative hearings by the AMDH that echoed the post-independent history of Morocco discussed in this chapter.
Indeed, Tazmamart existed but it is gone today... We razed it because we released all the prisoners and there was no use for it in this new context… I am not contesting the fact [that they were cases of human rights abuses in Morocco] … I am contesting the numbers… Amnesty [International] took a detail and multiplied it by hundreds… I am not a wholesaler [of human rights abuses]. Hassan II, 14 May 1993  

By the time the international community was alerted to Morocco’s poor record of human rights, the regime of Hassan II had detained, tortured, disappeared and killed tens of thousands of militants and their families. To determine the number of these victims, Susan Slyomovics proposed to ‘add five to every known victim of arrest and detention in order to account for friends, family, neighbors and random passers-by.’ In 2000, a former agent of the Moroccan secret services advanced a different figure. Ahmad Boukhari estimated that a total of 13,500 kidnapings and forced disappearances occurred between 1960 and 1973 when he was in service. To account for the total number of victims between 1956 and 1999, Slyomovics esteemed that Boukhari’s figure needed to be doubled or tripled. In 1991, Amnesty International reported the existence of over 350 political prisoners from Morocco and Western Sahara and 900 cases of forced disappearances. It also deplored the fate of the 61 Tazmamart detainees, 24 of whom had already died. In 1998, the Advisory Council for Human Rights (Conseil Consultatif des Droits de l’Homme - CCDH) published its controversial list limiting the number of the forcibly missing to 112. A year later, an indemnity commission approved and compensated 3,681 cases related to disappearance and arbitrary detention. And by the time Morocco’s Instance Equité et Réconciliation finished its investigation and reparation program in 2007, 23,676 people had been compensated for human rights violations endured between 1956 and 1999.

The large discrepancy between these numbers is indicative of the change in the regime’s discourse regarding human rights abuses in Morocco. It demonstrates how the state moved...
from a policy of silence and repression to a discourse of acknowledgment and justice. After forty years of politics of terror and oppression against all voices of dissent, the state adopted a stance of redressing past wrongdoings by offering Moroccan people and opposition groups a new social contract based on a liberal discourse of human rights and the rule of law. Thanks to institutions like the CCDH and the IER, the regime positioned itself as the protector of human rights in Morocco even while attempting to silence former victims and co-opt opposition groups that contested its hegemony over the process.

This chapter examines the institutions set in place by the Moroccan regime to create this new image during its liberalization period starting in the 1990’s. It looks at the negotiated process of transitional justice in Morocco through the analysis of its official Truth and Reconciliation Commission, the Equity and Reconciliation Instance (Instance Equité et Réconciliation, henceforth IER). It assesses its design, scope and mandate as an advisory body and a commission for ‘truth and reconciliation’ 170 initiated by the civil society and how it was adapted then adopted by the regime. The chapter also presents the members of the truth commission and their placement in the social and political background of the country to highlight the rationale behind their selection as truth seekers and reconciliation watchdogs. These individuals shaped the historical truth and master narrative offered to the Moroccan population in IER’s public hearings and its final report. Thus, it becomes important to understand the reasoning behind their selection by the regime for such role. The general purpose of this chapter is therefore twofold: first to shed light on how the regime of Mohammed VI (the son) negotiated its way into stability and legitimacy thanks to transitional justice mechanisms; and second to explain how these mechanisms helped control victim testimonies to construct an official discourse around the violent regime of Hassan II (the father).

The New Role of the State as the Protector of Human Rights and Individual Freedoms in Morocco

The Creation of Human Rights State Institutions under Hassan II

By the 1990s, the internal and external pressure that forced King Hassan II to begin liberalizing and democratizing the political sphere, and reaffirming the respect of the rule of law in the country led him to create new institutions to deal with human rights issues and to

strengthen the existing legal and administrative structures. Those institutions were the Advisory Council for Human Rights (CCDH) and the Ministry of Human Rights. The CCDH was an advisory body created by royal decree on 20 April 1990. The new institution was entrusted with ‘advising Hassan II on all matters relating to the defense, protection and promotion of human rights in Morocco.’

On 11 November 1993 Morocco established the Ministry of Human Rights, which did not come into effect until December 1994 after the publication of the Decree 2-94-33 that regulated its organization and functions on 24 May 1994. The creation of this ministry, headed by Omar Azziman, a law Professor, co-founder and former president of the moderate NGO the Moroccan Organization for Human Rights (Organisation Marocaine des Droits Humains, OMDH), right after the creation of the CCDH was a significant statement of the political opening that Hassan II allowed then. No state institution dealing with human rights issues existed in Morocco prior to this move hence the King’s action was celebrated as a step forward towards the rule of law.

Hassan II reinforced this sense of commitment to the respect of human rights and the rule of law in the country through the establishment of administrative tribunals on 10 September 1993. Inspired by the French legal system but adapted to ‘local realities,’ Hassan II provided Moroccans, including those living abroad with the right to seek justice should their rights be denied or hindered by public administration. In a country plagued by corruption and clientelism, the mere establishment of such administrative tribunals signaled a positive development in the human rights project that championed citizens against power abuses.

**Constitutional and Legal Reforms**

All these reforms were the beginnings of a national reconciliation process between Hassan II and the opposition. With a new social contract between the ruler and the population, the monarchy sought to enter a new era with a legitimacy that it had lost after decades of repression. The opposition facilitated this process through an affirmative vote for the constitutional revision of 1996 and participation in an alternating government (gouvernement d’alternance), involving the rotation of Prime Ministers from different political parties. The state also adopted many laws related to human rights and the rule of law. Just like its predecessor of 1992, the 1996 constitution ‘reaffirmed’ its commitment to human rights as

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173 Transparency International ranked Morocco 80th over 175 in 2014, with a score of 39 over 100, see more at [https://www.transparency.org/country/#MAR](https://www.transparency.org/country/#MAR)
universal values, but at the same time comprised articles that contradicted this same commitment, including Article 19 that consecrated the powers of the King above the constitution.

Notable steps that marked this ‘transitioning’ period included the amendment of penal provisions related to police custody (garde à vue) which was misused by police forces to hold victims incommunicado for long periods. Moulay Mustapha Belarbi Alaoui, the Minister of Justice at the time, had been serving as a member of the CCDH board since 1990. His office would oversee the revision of the penal code in 1992 limiting the custody practice to a maximum of 48 hours renewable once to 96 hours. In cases related to state security, garde à vue was set to 96 hours, renewable once to 192 hours. In 1993, Morocco ratified the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT), the Convention on the Elimination of all Forms of Discrimination against Women (CEDAW), and the Convention on the Rights of the Child (CRC). However, it stated formal reservations about each conventions when they opposed national sovereignty and national or Islamic law. A year later the royal decree of 29 June 1935, which had been used to suppress any association or popular demonstrations since the protectorate, was also dissolved in 1994.

These newly established state institutions marked the beginning of an official discourse about human rights in Morocco. While Article 19 preserved the king’s powers intact, the new institutions made room for greater political freedom and more individual liberties in parallel with the absolute monarchy. The Ministry of Human Rights alongside key departments including the ministries of Interior, Foreign Affairs, Defence and Religious Affairs, remained under the direct control of the monarchy, manned by loyal and pro-makhzen servants. The creation of the CCDH and the Ministry of Human Rights happened in a period when local associations and non-governmental organizations dealing with human rights intensified their

174 Le Royaume du Maroc, la Constitution du 2011 [in French]. [http://www.maroc.ma/fr/content/constitution-0](http://www.maroc.ma/fr/content/constitution-0) (accessed July 12, 2017)
175 Slyomovics, The Performance, 14-16.
177 Human Rights Watch, *Morocco's Truth Commission Honoring Past Victims during an Uncertain Present*, November 2005 Volume 17, No. 11(E), 7. In 2006, Morocco withdrew its reservations to CEDAW after the implementation of the new mudawanna (family code). However, the Moroccan state still does not recognize the competence of the committee as stated in Article 20 of CDT, which challenges the national sovereignty of the Moroccan state ‘in circumstances where there are “well-founded indications that torture is being systematically practised.”'
activism locally and internationally. The makhzen realized then the urgent need to create an official platform and state institutions to take over these efforts and to lead and control the discourse around human rights in Morocco.

**Royal Pardons and the Return of the Disappeared**

The political liberalization of the late 1980s occurred alongside the progressive release of political prisoners. However, the state did not define the latter as prisoners of conscience, nor did it use the expression ‘political prisoners.’ They were simple prisoners, like other offenders who were convicted of theft or murder. On 12 July 1991, the state released 270 victims of forced disappearance, including union leaders and Tazmamart detainees arrested after the military coups of 1971 and 1972. The monthly allowance of 5000 dirhams (around 500 USD) granted to the Tazmamart detainees in 1994 was the first monetary compensation by the state to the victims. In the same year, royal amnesty commuted death sentences of 195 prisoners to prison terms while 424 others were freed.

The royal pardon also benefited many opposition leaders who returned to Morocco after several years in exile. One of the key returning figures was Abderrahmane el Youssoufi who was appointed Prime Minister by King Hassan II and headed the government from 1998 to 2002. In 1995, the legendary dissident Fqih Basri returned after 30 years in exile. In 1999, after the death of Hassan II, the leading opposition figure and Ilal Amam founder Abraham Serfaty returned after seventeen years of imprisonment and eight years in exile. He was then appointed royal advisor to the new king in this process of reconciliation.

In 2000, the young monarch released another political dissident, Cheikh Abdessalam Yassine, the leader of the underground Islamist movement Jama‘at al ‘Adl wal Ihsan (Justice and Charity), who was under house arrest for more than ten years during the regime of his father. After 28 prisoners were released in 1998, the CCDH released a report stating that: ‘the file of political imprisonment was closed for good, and not a single political prisoner – according to the 1988 United Nations definition – can be found in any…. Moroccan

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180 Slyomovics, *The Performance*, 63
182 Miller, *a History of Modern Morocco*, 205
184 Slyomovics, *The Performance*, 184
This time, the Moroccan regime acknowledged the existence of political prisoners in the country although it excluded Sahrawi and Islamist detainees. The AMDH, OMDH and Amnesty International responded with communiqués to the opposite effect. According to their reports, Islamists who called for an Islamic state in 1983 and Sahrawi separatists who advocated an independent Western Sahara were considered prisoners of conscience whose release would mark the end of political detention in Morocco. More importantly, the state launched a discourse around the file of ‘forced disappearance.’ In September 1998, the CCDH released a list officially recognizing that 122 people had suffered forcible disappearance.

A Young King for a New Morocco

The ascent of Mohammed VI to the throne further enhanced the image of a transitioning Morocco that was committed to human rights and the rule of law. Keen to distance himself from the repressive regime of his father, the young monarch on 20 August 1999 addressed the Moroccan population in a televised speech one month after his enthronement. For the first time, he acknowledged the state’s responsibility for forced disappearances and announced the creation of an independent commission to look into the dossiers of the disappeared and victims of arbitrary detention:

We have established an independent commission for arbitration alongside the Advisory Council for Human Rights in order to determine compensation for the victims of forced disappearance and arbitrary detention and we have issued our instructions for this commission to start its work immediately.

The Independent Arbitration Commission for the Compensation of Moral and Material Harm Suffered by Victims of Disappearance and Arbitrary Detention, and by their Beneficiaries (henceforth the IAC) was assigned the task of receiving and verifying applications for compensation from victims of disappearance and arbitrary detention (or their survivors) and

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185 CCDH’s report in James N. Sater, Civil Society and Political Change in Morocco, (London: Routledge, 2007), 73
determining the amount of financial compensation the state should pay them. Although the commission was decided by Hassan II in April 1998, Mohammed VI’s speech, on 20 August 1999, directly signaled a change in the official discourse by publicly accepting and acknowledging for the first time state responsibility in human rights violations. In another televised speech on 12 October 1999, the king addressed the representatives of his government and members of the local authorities to promote ‘a new concept of authority’ consisting of the protection of collective and individual liberties and the preservation of rights. The abrupt sacking on 9 November 1999 of Driss Basri, the Minister of Interior and loyal servant for twenty years to Hassan II, was yet another move to signal the advent of ‘a new era’ (al ‘ahd al jaded) under Mohammed VI. The population and the movement of human rights in Morocco cheered the young monarch and hailed his decision as clear sign and commitment to break with the past and the regime of his father. Basri’s downfall, however, took with it his secrets of two decades of repression. Days before he left office, a fire reduced to ashes the entirety of the documentary center of the Interior Ministry’s secret service (the DST).

In December 2001, another human rights institution Diwan al Madhalim was established by royal decree to serve as the ombudsman of the country. It was renamed al-Wassit or Le Mediateur in 2011, to signal its adherence to the universal lexicon and ideals of human rights. The institution stated its mission as one that aimed ‘to consolidate gains made for the triumph of rights, the elimination of injustices and completion of tasks performed by the judiciary and the CCDH, in their particular areas of expertise.’ It was this dynamic that led to the wave of liberalization that started with the repeal of the 1939 legislation limiting public freedom and continued with the compromises over family status code that came about with changes to the mudawanna. These political and institutional developments opened wide the national debate on human rights, leading the human rights movement in Morocco to become more

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192 Ibid
outspoken and aware of issues in international law and transitional justice experiences, headed by the likes of Driss Benzekri, who, as will be seen in the following section, had training in both fields.

**Negotiating Transitional Justice in Morocco**

Mohammed VI signaled a departure from the authoritarian character of his father by negotiating further with the civil society and political actors in the country, even if the results were not always substantial. Under Hassan II, the CCDH served as a façade for the regime and its board rarely met to discuss the dossiers of political detainees and the forcibly disappeared. In November 1994, the Minister of Interior appointed Kaddour el Youssfi to an official delegation to Geneva for an international meeting against torture.\(^{194}\) Sending a former Derb Moulay Cherif torturer infuriated the human rights movement and indicated that the progress of human rights in Morocco depended on the whims of the king. It was not until Hassan II’s opening speech before the parliament in October 1998 that the CCDH resumed its sessions to finalize the dossier of the disappeared within six months as directed by the monarch.\(^{195}\) The result was the controversial list of 112 disappeared people and the provocative memorandum presented to the king that proposed the creation of the IAC, monetary compensation to the victims and guaranteed impunity to their torturers:

> The servants of the Cherifian throne, members of the CCDH, and following what you, Majesty, are known for concerning your unbounded forgiveness, beseech Your Majesty to shed Your kind forgiveness on all those who were fool enough to commit, help, or participate in a crime and threatened the security of the state, and whatever may have resulted in the concerned authorities’ reactions or auxiliaries in order to protect and secure state security. This is just to execute Your Majesty’s obeyed order, to close what is left of the pending human rights files.\(^{196}\)

The wording of the memorandum clearly exonerated the perpetrators of gross human rights violations and justified their actions as acts to protect the security of the state. Even worse, it incriminated the victims and limited the justice they sought to monetary reparation without the right to truth. It also prevented victims who would receive indemnity from appealing IAC’s decisions or seeking justice in civil courts. The IAC launched its work on 1 September 1999 with a panel composed of three Supreme Court magistrates, four CCDH members, a


\(^{195}\) Slyomovics, *The Performance*, 22

representative of the Ministry of the Interior and a representative of the Ministry of Justice.\textsuperscript{197} Within its short mandate of four months, the IAC received a total of 5,127 applications and 6,000 more after the established deadline of 31 December 1999. These were excluded from the IAC proceedings.\textsuperscript{198}

The IAC heard approximately 8,000 people who testified in 196 general hearings and around 400 individual ones. The hearings were closed to the public and media. After four years of operation, the IAC panel judged on 5,488 applications: 3,681 were successful; 889 were rejected (due to the absence of any relation to forced disappearance or arbitrary detention); 750 were remitted for future deliberation and 133 lacked sufficient evidence.\textsuperscript{199} The IAC awarded a total of nearly US$100 million, the lowest amounted to US$600 and the highest was approximately US$300,000.\textsuperscript{200} The commission was attacked specifically on this point because of the lack of transparency in its methodology and criteria for awarding the monetary reparation. Other criticisms concerned the limited mandate of the IAC, which only covered enforced disappearance and illegal detention while it excluded other gross human rights violations such as extrajudicial executions. The IAC was a top-down state initiative whose aim was to swiftly and duplicitously turn the page on human rights abuses. However, the break with the past could not be achieved given the secrecy of the commission and its methods, the exclusion of the civil society from the process and the limitation of human rights reparation to monetary compensation. More importantly, the page could not be turned with 6000 pending applications that were not included because of a deadline. As shall be discussed later on, the IER was, too, a top-down approach. However, the IER adopted the universal language of transitional justice and differed from its predecessor in its method, discourse and most importantly the involvement of the civil society led by former victims of the years of lead, giving the process legitimacy on both the national and international fronts.

Moroccan civil society led by the Moroccan Organization for Human Rights (OMDH), the Moroccan Association for Human Rights (AMDH) and the Moroccan Forum for Truth and Justice (\textit{Le Forum marocain pour la vérité et la justice, FMVJ}) engaged in a fierce campaign

\textsuperscript{197} Abdelaziz Benzakour, ‘The Settlement of Past Human Rights Violations in Morocco’ in \textit{Mahakim Magazine}, Issue 104, September/October 2006, 17
\textsuperscript{198} Veerle Opgenhaffen and Mark Freeman, \textit{Transitional Justice in Morocco: A Progress Report} (International Center for Transitional Justice, 2005), 10
\textsuperscript{199} Ibid, 10
\textsuperscript{200} Human Rights Watch reports different figures given that IAC’s final report was not rendered public. The ICTJ, HRW, US state department and Benzakour’s piece in the \textit{Mahakim} magazine give figures approximate to this range.
to discredit the work and findings of the IAC and the CCDH. Historically, the AMDH was connected to the leftist opposition and the radical wing of the USFP that later became the Party of Democratic Vanguard and Socialism (Le Parti de l’avant-garde démocratique et socialiste, PADS). It adhered to the universal values of human rights. It thus followed a radical tone and refused to negotiate with the palace. The OMDH, on the other hand, stated it had no political partisanship but adhered to human rights concepts that respected Islamic values, a position some Arab governments took in resiling from provisions of international human rights conventions.\(^{201}\) The OMDH had adopted that compromise from the moment it was established. Its first president, Omar Azziman, headed the Ministry of Human Rights upon its creation in 1994. But although it recruited academics and professionals amongst its board and members, the OMDH was still linked to the moderate wing of the USFP.\(^{202}\)

The FMVJ was founded and led by people such as Driss Benzekri (Marxist political prisoner 1974 -91, formerly affiliated with outlawed Marxist Leninist group Ila Amam), Salah el Ouadie (1974-84, formerly active with outlawed Marxist Leninist group 23 Mars), Khadija Rouissi (member of the Committee for the Families of the Disappeared and sister of Abdelhak Rouissi, union activist forcibly disappeared in 1964) and other former exiles and political prisoners and their children.\(^{203}\) It was set up in October 1999 in order to ‘mobilize efforts for comprehensive and equitable settlement of past abuses and the establishment of a true reconciliation based on the restoration of truth and justice.’\(^{204}\) It quickly became the mobilizing voice to call for a mechanism of transitional justice as a means to address and amend the past. It created a coalition with the OMDH and the AMDH to counter the palace’s approach and narrative taking shape around the Lead Years. The main critique concerned the nature of the CCDH and its commissions, which were deemed dependent on the palace and thus highly biased. Indeed, according to the royal decree regulating its organization, the CCDH was to be headed by the president of the Supreme Court (al-Majlis al-A’la), himself directly appointed by the king. More importantly, the agenda of the CCDH was set by the

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\(^{202}\) The national bureau of the OMDH was composed of three members from the USFP, three from the PPS, three from the OADP, one from the Istiqlal and one from the RNI. The remaining eight members were independent, see Marguerite Rollinde, *Le mouvement marocain des droits de l’homme*, 249 and 270

\(^{203}\) Slyomovics, *The Performance*, 30

king who had the final say on which dossiers the council tackled and who controlled what information was to be reported in the media.\textsuperscript{205}

The human rights movement in Morocco, led by the AMDH and the OMDH, considered the structure, organization and activities of the CCDH non-democratic, non-transparent and non-representative, which only reinforced their opposition. However, while the AMDH refused to participate in any form in this process after 1990, the OMDH sent a representative to work with the CCDH to encourage the efforts led by the state institution and advocate for more rights and liberties via its members.\textsuperscript{206} In 2001, the OMDH was able to push for the reorganization of the CCDH according to Paris Principles.\textsuperscript{207} These set up the minimum criteria for the national human rights institution (NHRI) to be credible and effective state institutions with complete independence from the government.\textsuperscript{208} The AMDH, on the other hand, published a statement to the effect that it refused to work with the CCDH as the later was a mere propaganda tool that would mislead and obfuscate any efforts or progress in matters of human rights in Morocco.\textsuperscript{209} This difference in perspective would remain a characteristic distinguishing the AMDH and the OMDH and their respective policies towards the palace with its institutions and constitution from the 1990s onward.

In 2001, the AMDH cooperated with the OMDH and the FMVJ in organizing a symposium in Rabat with other human rights associations, political parties, the civil society and international experts on transitional justice like the ICTJ (International Centre for Transitional Justice) to discuss how Morocco needed to deal with its past of gross human rights violations.\textsuperscript{210} Chaired by Driss Benzekri, this symposium sounded the first call for the

\textsuperscript{205} The CNDH, Organisation et Missions du CCDH, last accessed 20 March 2016 \url{http://www.cndh.org.ma/fr/bulletin-d-information/organisation-et-missions-du-ccdh}


\textsuperscript{207} James N. Sater, Civil Society, 127


\textsuperscript{209} AMDH press release in Bouhou, Gross Human Rights, 25

\textsuperscript{210} The USFP and the Istiqlal did not attend the meeting but the rest of the political parties and non-governmental organizations that attended included La Ligue Marocaine de Défense des Droits de l’Homme (LMDDH), the Comité de Défense des Droits Humains, the Moroccan Bar Association, the Moroccan section of Amnesty International, the USFP, the PPS, the OADF, the PADS, the Justice and Spirituality Organization (Munadamat al-adl wal iltisun), al-Badil al-Hadari (Parti de l’alternative civilisationnelle), Parti de la voie démocratique (Annahj Addimocrati), al Haraka min Ajl al Oumma, al Hizb al ishtiraki adimocrati, al haraka min ajl adimocratiya, harakat al democratiyin al mostaqilin, Congres National Ithadi (mo’tamar al watani al
establishment of an independent truth commission to redress past injustices. Benzekri quickly became the expert and spokesman of this coalition, which fiercely attacked the meager peace offering the CCDH and the IAC were handing the Moroccans and the victims of the years of lead.\textsuperscript{211} The follow-up committee held a press conference outlining the main recommendations of the symposium including the truth about past human rights violations, state acknowledgment and apology to the victims, rehabilitation of the society and its collective memory, victims’ rehabilitation and financial reparation and legal and institutional reforms as guarantees of non-repetition.\textsuperscript{212} More importantly, the committee stated that the palace represented by the Minister of Interior Driss Jettou, Secretary of State at the Ministry of Interior Fouad Ali el Himma and other royal advisors, established contact with the AMDH, the OMDH and the FMVJ on numerous occasions to discuss the possibility of a truth commission.\textsuperscript{213}

The divide and rule \emph{modus operandi} of the makhzen that ensured its survival for centuries is evident in the example of transitional justice.\textsuperscript{214} The negotiations for the establishment of a mechanism of transitional justice were carried out between the monarchy and the representatives of the coalition formed by the OMDH, the AMDH and the FMVJ. The makhzen excluded the leftist government headed by former political prisoner Abderrahmane el Youssoufi and bypassed organizations such as the AMDH and the FMVJ to negotiate with individuals.\textsuperscript{215} That was the first step in the alienation of the government and the leading political parties from the process of transitional justice. El Youssoufi cleared the way, as did other political actors, for the king and his advisors to operate in a sphere deemed the sole prerogative of the Commander of the Faithful.\textsuperscript{216} Decisions on matters of human rights, including women’s rights as well as the question of the Western Sahara, were to rest exclusively with the king.

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The coalition eventually broke into two groups. Some members of the OMDH and the FMVJ supported the concept of forward-looking justice and partial truth central to the goal of democratic transition championed by Benzkeri, Rouissi and el Ouadie. Another group led by the AMDH and other FMVJ members like Abdelhamid Amine (AMDH president) and Mustapha el Manouzi (the brother of disappeared unionist Houcine el Manouzi) demanded both truth and justice as a prerequisite for genuine democratic transition. For them, the dossier of human rights could not be cleared until the whole truth was exposed and all perpetrators were vetted and prosecuted. Back in 1979, John Waterbury had explained in his study of the makhzen and the segmentation of political elite in Morocco; that the traditional concept of ‘divide and rule’ had become ‘divide and survive.’ In 2000, the pattern

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217 Abdeslam Chefchaouni, former political detainee and board member of the FMVJ, interview with author, June 2014, Casablanca.
was repeated by the new monarch as he tried to keep a tight control of all the new influential players in the political sphere namely the human rights movement.

Morocco’s *Instance Equité et Reconciliation*, the first Truth and Reconciliation Commission in the Arab and Islamic world, was created in 2004 in this setting. Officially, it was set up as a commission of truth and justice that would expose the truth about past atrocities, rehabilitate victims and compensate them financially. Unofficially, the truth could not be whole and perpetrators could not be tried. More importantly, the memory of the late King Hassan II had to be safeguarded and any dossiers where he was directly involved could not be opened. Led by former victims under the tutelage of the makhzen, the IER would change the narrative about the Alawite regime from aggressor to protector of human rights in the country. So how did this process come about? And who was involved in shaping Morocco’s post-independence history and collective memory? The next section analyses Morocco’s truth and reconciliation commission Instance Equité et Réconciliation, its mandate, commissioners and the main findings of its final report.

**Instance Equité et Réconciliation: A Commission for Truth and Reconciliation**

Instance Equité et Réconciliation was established on 7 January 2004 after King Mohammed VI sanctioned CCDH’s recommendations regarding its creation and mandate. In his speech, the king defined it as ‘a truth commission for equity and reconciliation’ with the purpose of investigating past cases of human rights abuses and revealing the truth about a dark period in Morocco’s history:

> The work accomplished by the previous commission [the Independent Arbitration Commission], and the final report that you will prepare to set forth the facts, within a finite period of time, mean that we consider your body to be a truth and equity commission.

In the preamble to its decree, IER statutes also defined the body as an independent national commission of truth and equity. Its mandate hence was to investigate forced disappearances and arbitrary detentions from 1956 to 1999 and to produce a final report detailing how to best redress the wrongdoings of the past and compensate and rehabilitate the victims. The king

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218 In Arabic, Hay’at al-insaf wal-musalaha, Lajna wataniya lil haqiqa wal insaf wal-musalaha


221 Ibid

222 My italicization. The IER was attacked because of its lack of independence.
also entrusted the IER with the mission of finding the best ways to guarantee the non-recurrence of the past and the commemoration of its tragic events. FMVJ president Driss Benzekri, who had spent over seventeen years in prison, was appointed to chair the IER, alongside sixteen other commissioners who included former victims of gross human rights abuses and activists, academics (including a historian), lawyers, judges, a royal advisor, a diplomat and one doctor. The political balance of the commission with nine members from the CCDH who had already proven their loyalty to the king (notables) and the others from the civil society served an ultimate purpose: to keep the memory of King Hassan II intact. Pierre Hazan explains that

IER’s mandate […] forbade mentioning the names of those who had ordered the human rights violations or those who had carried them out […]. This prohibition was an essential part of the deal between the palace and Driss Benzekri that led to IER’s establishment. The monarchy did not want to undermine the security organs or overtly criticize King Hassan’s reign.

The Human Factor in Morocco’s Truth-Telling Process

The human factor behind the IER was the ultimate guarantor for the preservation of Morocco’s memory and the production of a collective narrative in concordance with the line of the makhzen. The official discourse in IER reports and its decree states that Morocco’s truth commission included sixteen members, appointed by the king upon the suggestion of the CCDH. This seeming independence was put forth to give it legitimacy (unlike the IAC before it) and redirect its anticipated failings away from the palace. Commissioner and Judge Mae el Ainaine noted,

we were surprised when Driss Benzekri informed us [IER commissioners] that King Mohammed VI approved of CCDH’s recommendations regarding the IER as they were presented to him. He did not change a dot, a comma or a word. So, whatever shortcomings the commission had, only we [IER commissioners] are to blame.

According to insiders, the selection of IER commissioners was a lengthy negotiation process between Benzekri and the palace in the person of Mohammed VI’s close friend and advisor

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223 King Mohamad VI’s speech at the occasion of the IER inauguration, Agadir, January 2004
224 Hazan, Morocco: Betting, 9
225 Appendices B and C present the biographies of IER commissioners and the royal advisors who were involved in the production of Morocco’s TRC. The purpose is to determine their political backgrounds, social networks and family origins as well as their affiliation and official positions after the end of IER mandate in 2005.
226 Hazan, Morocco: Betting, 5
227 Mae el Ainaine, interview with author, Temara, June 2014
Fouad Ali al-Himma. At the beginning, Driss Dahak, president of the CCDH and Supreme Court at the time took part in these conversations, but most of them were limited to Omar Azziman, the former Minister of Human Rights and former president of the OMDH and at the time Minister of Justice and royal advisor to the king in legal matters (see Appendix 2). The king was never present at these meetings with Benzekri, el Himma and Azziman, but was always informed of their progress by his personal secretary Mounir el Majidi.

Before becoming the main interlocutor of the palace, Benzekri had dedicated his time after his release in 1991 to studying transitional justice experiences in the world. ‘He was the go-to guy if you needed any information about a truth commission in Chile or Brazil,’ according to Mohammed Leghtas, a civil society actor and the administrative coordinator of the IER.

His expertise in international law and transitional justice coupled with his network of friends in international organizations such as Amnesty International and more importantly, his status as the president of the FMVJ made him an important figure in Moroccan politics. Equally important was the support he received from many former victims and their families, which allowed him to speak on behalf of all Moroccans. He started his mission by securing reforms to the CCDH according to the Paris Principles which ensured it a degree of independence: the exclusion of members of the Ministry of Interior and security organs, inclusion of the Moroccan civil society in the council and communication of its work to the public. However, Benzekri could not obtain CCDH’s independence from the palace because its financing came directly from the budget of the royal court (article 14).

Benzekri’s nomination as CCDH’s Secretary General in December 2002 also marked his rupture with the FMVJ where he ceased to serve as its president.

A year later, Benzekri agreed with the palace on the composition of the commission and its mandate. In this process, members of the government and the political parties were completely excluded because the human rights dossier in Morocco was a royal affair, not a political one. Most of the commissioners represented the leftist opposition that was massively repressed during the 1960s, 1970s and 1980s. In his speech installing the IER, King Mohammed declared that:

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228 Informants close to Driss Benzekri, interview with author, June 2014, Casablanca and Rabat
229 See Appendix 2 that includes the biography of Omar Azziman
230 Frédéric Vairel, L’instance Équité et Réconciliation au Maroc: Lexique International de la Réconciliation et Situation Autoritaire, 231
231 Mohammed Leghtas, interview with author, June 2014, Rabat
232 Vairel, L’instance, 234, Hazan, Morocco: Betting, 3 and interview with Hassan Mouhib, a PJD representative in Fes.
The commission will enjoy our support and attention given the difficult tasks ahead. Its president Driss Benzekri and all other members of the Commission have a reputation of proven objectivity, moral integrity and genuine commitment to human rights, qualities to which they combine high skills in the broad area of human rights. We ensured that IER is an open commission, with half of its members from the Consultative Council for Human Rights [CCDH] and half of them with different profiles and specialties, but all united by a common purpose, the defense of human rights.\(^{233}\)

The commission was installed thus via royal decree, making it directly accountable to the king. Seven of the commissioners were founding members of the OMDH, notably Driss Benzekri (a Marxist-Leninist political prisoner, he studied international law at the University of Sussex), Mohammed Mahjoub El Haiba (a university professor specializing in human rights), Abdelaziz Bennani (a lawyer who defended many political prisoners during the leaden years), Ahmed Chaouki Benayoub (a lawyer), Mustapha Iznasni (a former USFP journalist and diplomat), Mohammed Nesh-Nash (a doctor affiliated with the International Committee of the Red Cross, ICRC), Abdelaziz Benzakour (a lawyer) and Salah el Ouadie (a writer and former Marxist-Leninist political prisoner). Latifa Jbabdi (a Marxist-Leninist political prisoner), the only woman commissioner, was a founding member of the AMDH but was not affiliated with it at the time of her appointment. Mohammed M’barek Bouderka (a lawyer who trained under Abdderahim Bouabid, the UNFP dissident exiled after his involvement in 1973 attacks) was part of the Arab Organization for Human Rights. Driss Yazami (a Marxist-Leninist exile) was a member of International Federation for Human Rights (FIDH).

Other members on the CCDH board included Abdeltif Mennouni, a member of the Constitutional Council and a royal advisor to the king. Mohammed Berdouzi, a university professor, was also a former member of the CCDH who served on the IAC and other ministerial committees and councils. Abdelaziz Benzakour was a lawyer and had been a member of the CCDH since its creation and headed the previous Independent Arbitration Commission. Judge Mae El Ainaine Mae El Ainaine (the only Sahrawi in the commission) was the president of the Appeal Court in Laayoune and the President of a chamber in the Supreme Court. Brahim Boutaleb was a historian and former dean of Rabat University in 1970s and a member of the parliament in 1977 and 1983. Mohammed Mostafa El Raissouni

\(^{233}\) King Mohammed VI’s Speech on the Occasion of the Set-up of Instance Equité et Réconciliation [in French], last accessed 28 March 2016 [http://www.ier.ma/article.php3?id_article=23](http://www.ier.ma/article.php3?id_article=23)
(a lawyer) also served on the board of the CCDH and the IAC. 234

Only two members were officially affiliated with a political party: Bouderqa was a member of the USFP and Benzakour of the PPS. Half of the commissioners were notables or intellectual elites (a judge, a royal advisor, lawyers and academics) and others were former political dissidents, either imprisoned or forced into exile. Abdelhay el Moudden, a Fulbright scholar, was an academic who taught political science at the University of Mohammed V in Rabat and had many international connections in American universities. The majority of the commissioners were jurists with some practical or academic experience in Moroccan and International law. Furthermore, the affiliation of many commissioners with international organizations such as the ICRC, the FIDH or the Arab Organization for Human Rights gave most of them an expert status that provided credibility and legitimacy to the IER. Most importantly, it gave them an elite status that the establishment needed to domesticate and incorporate into its ruling mechanisms to take over the discourse of human rights in the country.

In its report about the IER, the International Center for Transitional Justice (ICTJ) described its involvement in the process since December 2003 ‘closely working with the Commission in the period leading up to its establishment, encouraging a transparent and participatory process for establishing the mandate and selecting commissioners.’ 235 However, negotiations with the palace started more than a year before and more importantly the members were sanctioned by the palace. Mohammad Amine, the president of the AMDH, stated that a group of IER commissioners fulfilled political criteria while another group fitted the international profile of a Human Rights militant. 236 Indeed, the eligibility to be an IER member did not depend on the person’s aptitude to uncover truth and resolve the cases of human rights abuses. The commission included members of the CCDH with a past in human rights activism alongside a group of people with conservative ideas who did not necessarily have any achievements in the field of human rights. This balance seems to have been a guarantee that Hassan II’s memory would remain untarnished and all files where he was directly involved

234 CCDH members include Abdelaziz Benzakour, Mohamed Mustapha Raissouni, Ahmed Chaouki Benyoub, Mbarek Bouderka, Mahjoub el Haiba, Mohamed Berdouzi, Latifa Jbabdi and Mustapha Iznasni.
235 Veerle Opgenhaffen and Mark Freeman, Transitional Justice in Morocco: A Progress Report (International Center for Transitional Justice, 2005), 3
236 Mohammad Amine in: Sahifa al Ousbou’iya, 19 December 2003, Number 141
were to remain closed, especially the dossiers of Mehdi Ben Barka\footnote{Mehdi Ben Barka is a Moroccan opposition figure and leader of the left-wing organization National Union of Popular Forces (UNFP). He was kidnapped in Paris in 1965. The circumstances surrounding his disappearance remain unresolved to this day. Zakya Daoud and Maati Monjib, 	extit{Ben Barka}, (Paris: Éditions Michalon 1996)} and the Rif rebellion of 1958-59.

This was showcased in the controversy surrounding the drafting of IER’s final report. Indeed, Judge Mae el Ainaine reported that only a few commissioners, including IER president Driss Benzekri and CCDH second man Mahjoub el Haiba were included in the process.\footnote{Mae el Ainaine, interview with author, Temara, June 2014.} Others were neither consulted nor given the time to read and review the report before presenting it to the king. This is echoed by Commissioner Abdelaziz Bennani who stated that IER members could not reach a consensus regarding the case of Ben Barka and what to write about it in the final report. According to Bennani, Driss Benzekri gave in to pressures by the secret services and the palace and the IER did not take investigations further because of political considerations.\footnote{I. Rhandi. ‘Abdelaziz Bennani révèle les atermoiements de l’IER, Le journal Hebdomadaire’ in 	extit{Le Journal Hebdomadaire}. Last Accessed March 10, 2016. \url{http://www.yabiladi.com/article-politique-864.html}} Other insiders disclosed to the local press that points of contention between the commissioners included ‘the dossiers of opposition figures Mehdi Ben Barka and Houcine el Manouzi, the violations of the Sahara and the Rif events.’\footnote{‘IER, Le rapport qui divise’ in \textit{Aujourd’hui le Maroc}. Last Modified November 9, 2005. Last Accessed March 10, 2016. \url{http://aujourd'hui.ma/societe/ier-le-rapport-qui-divise-36908}} In his memoir describing his experience as an IER commissioner, Judge Mae el Ainaine was flabbergasted with the inner workings of the commission:

\begin{quote}
I cannot talk about how the IER dealt with the affair of Mehdi Ben Barka simply because it was Driss Benzekri and his close circle that took care of this file… and although Abdelaziz Bennani gave it his utmost dedication, IER presidency and those who controlled it saw otherwise. Hence IER final report and position regarding the dossier of Ben Barka does not represent the rest of IER members.\footnote{Mae el Ainaine, 	extit{Confused Dreams (Adghath al Ahlam)} (Casablanca: Annajah 2013), 159 (my translation)}
\end{quote}

Mae el Ainaine comes from a distinguished family in the Sahara. Parallel to his formal education in Taroudant and Marrakesh, he was schooled by his grandfather Sheikh Mohammad al Imam, the son of religious and political leader Sheikh Ma al-Aynayn.\footnote{Although the judge spells both his first and last names using the French transliteration ‘Mae el Ainaine’, the more common one is Maa el Aynan or Ma al-Aynayn.} Mae el Ainaine describes himself as ‘a proud Sahrawi’ who is loyal to the national cause of the Moroccan Sahara although the enemies he attacked in his memoirs called him a Polisario
supporter.\textsuperscript{243} Looking back on his experience with the IER, he confessed that he thought he was the conservative and the right-wing element of the commission:

I was concerned that some of the progressive and revolutionary militants [in the IER] would label me as reactionary and other names that denigrate anyone who has a connection to authority… I can say with certitude and confidence that those who used to be known as radical and progressive revolutionaries have adopted the right wing, if not the extreme right. This was confirmed to me when I read a newspaper article in 2004 by the distinguished politician and intellectual Abdelali Benamrou who stated that the most conservative elements in Moroccan politics today were those who once called themselves progressive.\textsuperscript{244}

Mae el Ainaine deplored how these IER members used the dossier of human rights to advance their own ‘rights’ and interests at the expense of the destitute Sahrawi victims of repression.\textsuperscript{245} According to him, they compensated victims as they saw fit ‘in their most expensive and fanciest suits and Parisian perfumes, they put victims in the categories [of human rights violations] as they wished and compensated them as they wished’ without fairness.\textsuperscript{246} Thanks to Mae el Ainaine’s prestigious lineage as well as his good reputation amongst Sahrawis, even those who were opposed to the royal truth commission agreed to take part in it. However, the IER did not meet its promises and he clashed with many regarding the amount of compensation for some victims\textsuperscript{247} and the participation of other Sahrawis in the public hearings. ‘I was not consulted in choosing the Sahrawi victims who would testify at the public audiences in Rabat nor was I asked to contact them.’ Indeed, many Sahrawis boycotted the auditions and only ‘those who did not matter to the Sahrawi community took part.’\textsuperscript{248} This is confirmed by the low representation of Sahrawi victims in IER’s public hearings which was limited to only 2\% whereas they made up around 24\% of the total applications received by the commission. Mae el Ainaine was tasked with investigating the systemic human rights violations that the Sahrawis faced between 1956 and 1999. Mae el Ainaine believed that the report he presented at the end of his investigation included recommendations that could have truly reconciled the ‘southern provinces’\textsuperscript{249} with

\textsuperscript{243} Mae el Ainaine, 167
\textsuperscript{244} Ibid, 130-31
\textsuperscript{245} Ibid, 134
\textsuperscript{246} Ibid, 135
\textsuperscript{247} Ibid, 160
\textsuperscript{248} Ibid, 149
\textsuperscript{249} This expression is used in the official discourse in Morocco – and by Mae el Ainaine - to refer to the Western Sahara.
the rest of Morocco. However, the power configuration and political considerations within the IER and its commissioners prevented him from efficiently taking part in this process.

Looking closely at IER commissioners, the CCDH and its truth commission seem like a negotiating platform between two networks of elites: the old elite of the makhzen and the new elite of the former leftist opponents. While the power struggle between Hassan II and the leftists culminated in assassinations, forced disappearances, repression and torture, the balance of power between these two rivals during the reign of Mohammed VI took the form of co-optation, reconciliation and transition. The makhzen did not relinquish control over this episode and, according to insiders; the king’s royal advisors followed its operations minute by minute thanks to loyal servants who kept the palace informed by phone.250

When the IER completed its work in 2005, Benzekri was appointed the president of the CCDH, a position he held until he died of complications from stomach cancer at the age of 57. According to a poll organized by the Moroccan weekly *Al-Jarida Al-Oukhra*, Benzekri was elected as the personality of the year 2005, while King Mohammed VI came in second place. The poll’s results were criticized and condemned by both Benzekri and state officials. The editor Ali Anouzala and his weekly *Al-Jarida Al-Oukhra* were sued for violating the sacred person of the king after publishing the results of this poll.251 Before cooperating with the regime, Benzekri used to have a rather harsh tone towards Moroccan authorities. He was thus severely attacked for leaving FMVJ and changing his radical stance demanding the complete truth about the past and the accountability of the perpetrators. His conviction was that the civil society, the victims and their families needed to extend a hand to the government to help uncover some of the truth. ‘If we uncover 50% of the truth, then it’s a win,’ he noted in an interview with the French daily *Libération*. He added that by uncovering the truth about state repression and the tragic events where state institutions were involved, the non-recurrence of these events and institutional reforms would follow. For him, transitional justice had to be a negotiated deal between the regime and the society to ensure reconciliation and an agreement on future democratization. If the whole truth was the price to pay in exchange of transition, Benzekri was convinced he made the right choice.252 And for this deal to go forward,

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250 An informant who worked closely with the IER and its commissioners, interview with author, June 2014
Benzekri and after him, Herzenni and Yazami believed that they needed a pragmatic alliance with the palace to reform the country from within.\textsuperscript{253}

The monarchy gained legitimacy and credibility thanks to the history of activism of members like Salah el Ouadie, Latifa Jbabdi, Driss el Yazami and Driss Benzekri, all of whom were former political prisoners or forced exiles. The composition of the IER, with former political opponents from the Marxist-Leninist movement, attested to another reality: how the monarchy used political actors to counter the rise of Islamists. According to one member of the Party of Justice and Development (PJD), the Islamist political current in Morocco was excluded from the reconciliation process which the left monopolized. This resulted in the exclusion of many Islamist detainees from the reparations and reconciliation processes, especially the ones from the Salafi jihadist militant group, \textit{al-Salafiya al-Jihadiya}.\textsuperscript{254} Pierre Hazan explains that the monarchy’s alliance with the left was part of ‘a soft war against radical Islamist networks.’\textsuperscript{255} More importantly, the IER saw the light in a new world order governed by the war on terror and the terrorist attacks of 16 May 2003 in Casablanca. As such, the regime needed to distance itself from the Islamists, even the soft ones.\textsuperscript{256}

Many IER members continued to serve on the CCDH board or as consultants after IER’s mandate ended with significant salaries. The makhzen rewarded many of them with high state positions.\textsuperscript{257} Driss El Yazami, the current president of CNDH, also holds the position of the president of the Council of the Moroccan Community Abroad (\textit{Conseil de la Communauté des Marocains à l’Etranger} - CCME), a state institution directly affiliated with the Moroccan king.\textsuperscript{258} Yazami was a member of the Mennouni commission that drafted the Constitution of 2011 as well as the current commission in charge of reforming the judiciary in Morocco. Abdellah Benzakour who served on both the IAC and the IER was appointed in 2011 as the head of the Ombudsman institution and is a board member of many state institutions including the CNDH and the CCME. Mahjoub el Haiba heads the other governmental body responsible for human rights in Morocco, notably the Inter-Ministerial Delegation for Human Rights. Other commissioners like Latifa Jbabdi, Ahmed Shawki Benyoub, Mohammed Mostafa El Raissouni and M’barak Bouderka remained on the CCDH board or, after the

\textsuperscript{253} Hazan, \textit{Morocco: Betting}, 4
\textsuperscript{254} Hassan Mouhib, PJD representative in Fez, interview with author, June 2014, Fez.
\textsuperscript{255} Hazan, \textit{Morocco: Betting}, 5
\textsuperscript{256} Ibid, 5
\textsuperscript{257} Appendix 3 lists the activities and state positions of each member after IER mandate ended in 2005.
\textsuperscript{258} According to informants, the salary of the president of royal institutions like the CNDH and the CCME equal 100,000 Dirham (the equivalent of USD 10,000).
reform of the council, were affiliated with it as consultant or advisor with the benefits a state position entails. In parallel with their careers in academia or civil society, they also served on many commissions such as the Education Reform Commission, Judiciary Reform Commission and the Agency of Social Development. Abdeltif Mennouni, the long-trusted advisor and former royal Professor of Law, was honored by the King as he headed the 2011 constitutional reforms right after the protests of the Arab spring.

The Mechanisms of Truth and Justice in Morocco’s Instance Equité et Réconciliation

We consider your body to be a truth and equity commission. We recognize that truth can never be perfect. Truth can only be relative, even for the most honest historian. In fact, the absolute truth is known only to God, the Most High, who says in the Holy Qur’an: ‘God knows the treacherous eyes and what the hearts conceal.’

To establish independence from the CCDH, the IER developed its statute that was approved by royal decree 1.04.42 on 10 April 2004. Twenty-seven articles clarified and detailed its missions, the nature of violations within its mandate and organizational arrangements of its work. The IER mandate had 23 months to examine a period of 43 years, from the beginning of the country’s independence in 1956 to the date of the establishment of the Independent Arbitration Commission (IAC) in 1999. This is the longest period to have come under investigation in the history of transitional justice. Importantly, the year 1999 was the year Hassan II died, and as such signaled the break with his regime.

IER Mandate and Methodology

Morocco’s truth commission was a consultative body, similar to its parent institution the CCDH. Created by royal decree, it was directly financed by the royal cabinet and reported only to the king who acted as final decider and arbitrator. Articles 6, 7, 8 and 9 of its statute determined the functions of the IER and its non-judicial powers. It also set the important and controversial point regarding individual responsibility in the investigated cases of human rights violations. The competence of the IER was limited both in terms of time and types of violations. On the one hand, it had the duty to investigate abuses and crimes committed during the ascribed period from independence to the establishment of the IAC,

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259 King Mohammed VI’s message on the occasion of the inauguration of the IER [in French]
260 The more recent commission in Tunisia covers a longer period between 1955 and 2013
thus excluding victims detained and tortured in the aftermath of the terrorist attacks in New York in 2001, in Casablanca in 2003 and in Madrid in 2004. On the other hand, the IER was mandated with the investigation of enforced disappearances and arbitrary detentions since these types of violations were systematic and/or massive. However, it did not cover other forms of grave human rights abuse including extrajudicial killings and torture.

It seems that the IER, under the auspices of the CCDH, had the power and mission of revealing the truth, preserving the memory of Morocco’s past and guaranteeing the non-recurrence of past injustices. Article 10 stipulated that for the IER to complete its mission as assigned by the king, all the authorities and public institutions had to provide it with the support needed and necessary information. However, neither the IER nor the CCDH had statutory powers to force state organs and perpetrators to cooperate. And when the police forces and the Minister of the Interior allowed the commissioners and their teams of investigators access to their archives, it was impossible for them to comb through millions of damaged documents stacked without any sort of organization.263 Even worse, commissioner Nesh-Nash reported that not only did the military refuse to cooperate but at times it provided them with false information which hindered the progress of investigating the fate of many disappeared. In sum, the only powers the IER had resided in ruling on compensation questions for each applicant under Article 9.4 and the office of the Prime Minister was required to make the payments.264

The IER was based on a sanction-free approach. Unlike South Africa, which granted amnesties in exchange for an admittance of guilt, and unlike the Peruvian TRC which worked closely with courts to prosecute political crime offenders, Morocco’s IER had no punitive powers and no means to force perpetrators to cooperate in uncovering the truth. Indeed, the IER did not fit the standard truth commission as practiced, theorized and agreed upon by Transitional Justice experts.265 But the government argued, and the IER echoed it, that what worked for South Africa and Peru would not necessarily work for Morocco. This was mainly the argument used by the makhzen and IER supporters who advocated the necessity of adapting international concepts of transitional justice to the local realities of the country. These included the nature of the Moroccan political and judicial systems as well as the

263 Commissioner Mohammed Nesh-Nash, interview with author, June 2014, Rabat
265 See for example Eduardo González, Truth and Memory: Drafting a Truth Commission Mandate: a Practical Tool (New York: ICTJ 2013) and Cherif Bassiouni
specificities of its society. The lack of an independent judiciary precluded the holding of a fair trial. However, unlike the Independent Committee for Arbitration (IAC), the IER allowed victims to seek punitive measures against their torturers in civil courts.

By establishing a truth commission to investigate past crimes without the prosecution of the wrongdoers, the partisans of the IER decided to favor truth over justice. The truth, as debated by many scholars and practitioners, is aimed at establishing reconciliation over justice, but only when it fulfills a certain set of principles and targets (independence and impartiality, identification of responsible bodies and individuals, etc.)266 The reparation program that granted financial compensation to victims and communities that suffered grave violations of human rights targeted the justice aspect of the transitional justice project. It also offered a partial rehabilitation to victims, their families and their communities. By the end of its mandate in 2005, Morocco’s official TRC had examined more than 22,000 applications, conducted fact-finding missions and held victim-centered public hearings that were broadcast on public television and radio. In its final report, it determined the responsibility of state institutions and other parties including the Istiqlal party of and the PDI for past abuses and so established a new official discourse around decades of repression that have been erased from the history of independent Morocco.

Conclusion

The international conjuncture of the 1990s forced the autocratic regime in Morocco to open up the political sphere and include its former enemies in the political game. In an attempt to restore its image and transition into ‘a new era,’ the regime abrogated some of its most repressive laws and adopted new ones that relatively secured more freedoms to Moroccan individuals and businesses. It also established various Human Rights institutions such as the CCDH and the Ministry of Human Rights. This opening occurred in parallel with other liberalization efforts including the release of former political detainees and the return of other dissidents from exile who mounted pressure on the regime to reckon with the legacy of the Lead Years through the publication of victim memoirs, the organization of vigils and Human Rights campaigns. By giving in to the demands of victims and their families to acknowledge the past, the Moroccan regime seized the opportunity to control this process. This was achieved by sowing division amongst the new politically relevant elite and by co-opting

266 See Cherif Bassiouni, the Sharia’a and Islamic Criminal Justice in Time of War and Peace (New York: Cambridge University Press 2013)
former political prisoners and human rights activists who had gained weight and appeal thanks to the global human rights movement of the time. In exchange for promises of democratic transition, the monarchy gained their support and reinforced its legitimacy and claim to power. Thanks to the IER, the regime was able to place itself as the new protector of human rights and the guarantor of societal cohesion and peace, often at the expenses of the truth.

When it is institutionalized, truth is often compromised. Scholars have shown how power configurations and political compromises taint TRCs and that is how a large part of the truth may be obscured to serve the regime in place.  

267 This holds true in Morocco where the IER did not necessarily yield results in truth recovery and compliance with liberal values of justice and the rule of law. Inspired by South Africa’s TRC, IER public hearings sought to define the new narrative of the Lead Years by officially bringing formerly taboo subjects to public consciousness. However, its mandate prohibited victims from mentioning the names of their torturers and signed an agreement to this effect.  

268 The victims were carefully selected and benefited from psychological support and coaching by IER staff on what to cover in their public testimonies.  

269 Yet as Hazan rightly notes, the public auditions marked ‘the beginning of a new era;’ they were ‘a subtle exercise in indirect criticism of Hassan’s reign and an all-powerful monarchy.’  

270 More importantly, as I shall show, they conformed to the traditional red lines of freedom of expression in Morocco: the inviolable and sacred persona of the king(s), Islam and the ‘Moroccanness’ of the Sahara. The following chapter exposes how the Moroccan regime was able to achieve this through the analysis of victim testimonies in IER’s public hearings.


268 Abdeslam Chefchaouni (victim, PMVJ board member and CNDH member), interview with author, June 2014, Casablanca

269 Latifa Jbabdi, interview with author, Rabat, June 2014

270 Hazan, Morocco: Betting, 9
Chapter 5: Transitional Justice Narratives: The Official Discourse about Morocco’s Violent Past

We are part of a generation that witnessed the elimination of Liberation Army combatants [who fought against colonialism]. We lived through the repression and violence against the people of the Rif in 1959 and the sullying of their honor. We witnessed arbitrary mass killings in the streets of Casablanca in 1965 and in Nador, Fez and Oujda in 1981 and 1984. We experienced the horrors of the secret detention centers in Dar Brisha, Dar Mokri, el Kourbis, Derb Moulay Cherif, Agdez, Kalaat Mgouna, and the Fixed Points: PF1, PF2, and PF3 throughout the map of this country. (Witness Mohammed Bouderdara, IER public hearings, Figuig, 2005)

Public auditions of victims’ accounts of years of repression and torture in Morocco are certainly the most groundbreaking achievement of Instance Equité et Réconciliation. The resulting narratives marked a clear break with the past as victims and their survivors broke the wall of silence that had persisted through more than four decades. Victims voicing names like ‘Tazmamart,’ ‘makhzen,’ ‘Ben Barka’ and ‘martyrs of the baguette’ on public TV and radio constituted a first in Morocco’s history and served as a catharsis for decades of oppression and asphyxia. Chapter 5 draws on the testimonies of victims of repression during the state-sanctioned public hearings to extract the narratives emerging from Morocco’s official Truth and Reconciliation Commission. It looks at how the official discourse about a four-decade-long repression was (re)constructed and controlled by state actors using transitional justice mechanisms.

In total, the IER organized seven public audiences throughout the country. Officially, the first hearing in Rabat was transmitted ‘live.’ But according to an informant, the transmission was delayed by some time to make necessary edits should the victims not respect ‘the pact of honor’ that forbade them from naming their torturers.271 The rest of the auditions were recorded, edited then broadcast to the public days later. The first two IER public hearings were held in Rabat on 21 and 22 December 2004. They comprised testimonies of victims who represented different regions in Morocco and different groups of opposition to Hassan II. These included victims of post-independence clashes between Istiqlal, PDI (Hizb al-Shoura) and the monarchy in 1956, 1957 and the Rif events of 1958/59 of the Rif Revolt, socialists (UNFP members), Marxist-Leninists, victims of Moulay Bouazza events in 1973, Sahrawis, Islamists and military detainees of Tazmamart following the coups of 1971 and 1972.

271 Informant M close to IER’s president Driss Benzekri, interview with author, 2014, Rabat
Figure 5: A mixed audience of men, women, elderly, children, Moroccans and foreigners attended IER’s first hearing in Rabat.

In his opening speech, IER president Driss Benzekri addressed a full house of victims, their families, journalists, representatives of local and international human rights organizations as well as officials from various political parties. In the audience, the makhzen was represented by the royal advisor and commissioner Abdellatif Menouni while state institutions’ representatives included the head of the parliament, the head of the house of counselors, the Minister of Justice and the Ombudsman of the country. Set against the portrait of King Mohammed VI, IER auditions showed a united Morocco that had agreed to turn the page and reconcile with its past. Benzekri read, in classical Arabic, the rules of the session stressing ‘the pedagogical role of the public audiences in preserving Morocco’s memory and guaranteeing the non-repetition of the past.’

The inaugural audition of IER public hearings also put forth star witnesses (figure 6) such as Jamal Ameziane, the son of Haj Sellam Ameziane the leader of the Rif rebellion of 1958/59, Rachid el Manouzi, victim of forced exile and also the brother of the famous unionist Houcine el Manouzi who disappeared in 1973 as well as Ahmed Herzenni, founder of Li Nakhdum as-Sha’b (To Serve the People). Ahmad Marzouki, whose best-selling autobiography ‘Tazmamart: Cell Number 10’ exposed the horrendous violations of the regime against the 1971 and 1972 putschists, was also present although not as a witness. This use of famous political detainees to symbolize unity and agreement on the IER was put forth again in Marrakesh with the presence of the famous dissident and Ilal Amam founder Abraham Serfaty in the witness stand even though he did not testify (Figure 10).

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Figure 6: Star witnesses at the IER hearings: (clockwise from left to right) Rachid el Manouzi, Ahmed Herzenni, Jamal Ameziane and Ahmad Marzouki sitting behind a Tazmamart victim giving his testimony in Rabat.

The second session of public hearings took place in Figuig in the Middle Atlas on 29 January 2005. The region was a scene of widespread repression against UNFP members in 1963, following Moulay Bouazza events in 1973 in the Middle Atlas as well as the uprisings of 1984. Presided by Commissioner Brahim Boutaleb, the session opened with a verse of the Quran: ‘Praise to Allah, who has guided us to this; and we would never have been guided if Allah had not guided us.’ This time, the portrait of King Hassan II whose regime was responsible for the violations stood next to the picture of Mohammed VI whose regime was tacitly judging it (Figure 7).

273 The Holy Quran, Chapter 7 (al-A’raf): Verse 43
Testimonies featured women victims of torture and violence mostly as a result of the political activism of their fathers, husbands, sons or brothers which resulted in a very emotional session (Figure 8). The cameras repeatedly focused on foreigners while the audience, who mostly spoke Berber, listened religiously to the testimonies in Arabic (Figure 9).
Figure 9: The local population and families holding portraits of their disappeared kin while the camera focused on foreigners in the room during IER audiences in Khenifra

The fourth audition was held in Errachidia (southern Morocco) on 2 February 2005. It presented victims of 1973 uprising and Islamists (Group 71) detained in the 1980’s. The session also featured the testimony of Brahim Benkhou, the president of Tazmamart Association for Culture and Development testifying on behalf of the village of Tazmamart which suffered from state repression and violence because of the detention center Tazmamart. The fifth session on 6 February 2005 took place in Khenifra featuring victims of 1973 uprising while the session in Marrakesh on 16 March presented testimonies of members of the Black Crescent, victims of repression against UNFP militants in 1963, victims of 1973 and 1984 uprisings as well as accounts by Marxist-Leninists of the ‘Marrakesh trial.’

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274 An underground military organization that carried urban warfare against the French during the years leading up to the independence of Morocco
The seventh and final IER public audience was at al Hoceima, the capital of the Rif on 3 May 2005. The hearing that featured ten victims of the Rif events of 1958-59 and subsequent repression in the 1970s and 1980s was interrupted by demonstrators who protested the impunity of the perpetrators and the constraints put on the victims during their testimonies. The protests were edited out from the video recordings broadcast to the public (but featured on the audio recordings available on IER website). An eighth session was scheduled to take place in Laayoune, the regional capital of the Western Sahara. However, it was canceled due to violent clashes between Sahrawi protesters and police forces in May 2005.  

Seventy-three percent of witnesses were men compared with 27% of women. Eighty-five percent of the testimonies came from victims who were directly affected by state violence while the rest of 15% were victims of ‘repression by affiliation’ because of the activism of a member of their family. These were mostly politically unaware women who endured systemic repression without necessarily understanding the reasons behind it. A noticeable disparity involved the representation of Sahrawi witnesses (2%) while these victims made up around 24% of the applications received by IER for reparations. Similarly, Islamists arrested between 1980 and 1984 were not adequately represented (11%) as were victims of detention following the military coups of 1971 and 1972. Only one witness (Abdellah A‘egaw) from the ‘Tazmamart group’ gave his testimony in IER public audiences (Figure 11).

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**Figure 10:** Abraham Serfaty (in the center), founder of Ila al-Amam and famous dissident to Hassan II in the witness stand during IER hearings in Marrakech.

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According to Driss Yazami, former commissioner and current president of the CNDH, IER wished to offer a balanced representation to Moroccans about the years of lead. However, the discourse was taken over by former UNFP militants and Marxist-Leninists like himself (54%).

Many repressive events were perpetrated by political parties such as the Istiqlal and the PDI around the time of independence which the testimonies did not represent accurately, noted Yazami.

The Moroccan protocol for truth and reconciliation

In its general sense, testimony as remembering and retelling has many limitations related mostly to the working of memory. The recollection of suffering, in particular, is even more problematic as scientists have found trauma to distort memory and render it ‘vulnerable and fallible in reporting events.’ In a setting like that of a truth commission where victims invoke traumatic events of torture and repression before an audience, these limitations naturally multiply especially that these accounts are (re)constructed to fit a specific time period and audience. Unlike in South Africa where victims were not constrained by time, Moroccan witnesses were given between fifteen to twenty minutes to deliver their testimony.

277 The chart is based on data provided by IER in its final report.
278 Driss Yazami, IER commissioner and current president of CNDH, interview with author, June 2014, Rabat
279 Dominick LaCapra, History and its Limits: Human, Animal, Violence, 61
Many had to rush through their account of stories of trauma and repression for fear of being interrupted by the president of the session: ‘it is difficult to summarize my suffering and the sufferings of my father, mother, brothers, sisters, uncles, cousins and many of my family friends in 15 or 20 minutes,’ explained one of the victims. Others simply chose to focus on one element of their suffering and in some cases, they summarized the suffering of years in less than 10 minutes. Mustapha el Amrani, a PDI member, tortured by the Istiqlal in 1956 in the secret detention center Dar Brisha in Tetouan, briefly delivered his testimony: ‘This is in brief because this hurts me. If I go into details, I might have a psychological breakdown.’

This defeated the pedagogical and therapeutic roles set by the IER for these public hearings, which were designed as a national catharsis and a space for the rehabilitation of the victims and the preservation of collective memory. Indeed, IER public hearings were carefully organized, and witnesses were chosen and prepared to fit this narrative. Days before the hearings, victims were shielded from the media and put in a hotel where IER commissioners and administrators helped them prepare their testimonies. Many of them had written down their accounts in classical Arabic which they read out loud to the audiences in a rather mechanical tone.

A number of politically active and aware witnesses confessed to the audiences their hesitation before taking part. Ouidad el Bouab, a UNEM activist, was arrested with her husband Abdelhaq Andalib during the wave of mass arrests of students in 1977 in Marrakesh. She noted:

> I hesitated before agreeing to be a witness because of the opposing views surrounding the IER and these audiences. It is true that most human rights activists around the world are against impunity and favor the accountability and prosecution of the wrongdoers. This pushed me to think hard before coming here. In the end, I think that given the type of transition Morocco is now experiencing, this approach is a positive one and we should support it as long as the perpetrators are vetted from public offices – political and security. And even though we cannot say their names, we know them and their names are in the files.

Jamal Ameziane, whose father led the rebellion of the Rif in 1958 and 1959, was detained at age five with his family for months. Days before his testimony in Rabat, he contacted IER

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280 Rachid Manouzi, IER public audience, Rabat, 2004
281 Mustapha el Amrani, IER public hearings, Rabat, 2004
282 The roles of IER hearings are listed on IER [http://www.ier.ma/article.php3?id_article=638](http://www.ier.ma/article.php3?id_article=638)
283 Salah el Ouadie, Latifa Jbabdi, interviews with author, June 2014, Rabat and Casablanca
284 Ouidad Bouab, IER public hearing, Marrakech, 2005
commissioner Salah el Ouadie to cancel his participation. It took a lot of convincing to get him on the stand. Ameziane opened his account explaining his presence and testimony:

Giving this testimony is a hard and critical worrying task yet an important one: to be here today I had to surpass many obstacles: psychological, intellectual, moral because it will be a good material for historians, lawyers, activists, human rights defenders, theorists and politicians. I had to ask questions: Does what I lived through with my family for 40 years belong to us or was it a human experience like any other Riffian family? How is this testimony going to be viewed by my family and other Riffians? And what would my father think of it from the heavens?

Maria Zaouini, a former Marxist-Leninist detained on 8 June 1977 also needed to explain her choice:

I had a difficult time deciding whether I should partake in these hearings. I asked my friends: some were with and some against. Both sides had valid arguments. In the end, I decided to participate: first and foremost so I can help fill even with little the big gaps of history related to women and state repression so that history acknowledges the role of women beside men in the struggle for freedoms and rights… that they too were detained in prison and that they too endured torture and repression. I also testify because I have hope that these things won’t happen again to our sons, daughters and grandchildren.

Figure 12: IER hearings in Marrakesh: Victims reading their prepared testimonies off the paper while another one checks his watch during his testimony.

State Control of Transitional Justice Discourse

Before engaging in a truth-telling process, the Moroccan regime put in place mechanisms to control the production of narratives around the years of lead. This was ensured thanks to a fine balance in the composition of the commission itself and a mandate that set it up as a consultative body of truth. Yet, this truth commission had no executive or judicial powers (power of subpoena) to enforce cooperation of state institutions or perpetrators of gross
human rights violations to uncover the truth about the past. This control of language started with the creation of the CCDH in the 1990’s to take over the discourse of human rights in Morocco away from the victims and organizations of human rights. When Hassan II decided to definitely close the page on ‘the thorny file of human rights’ back in 1994, he created his own terminology in this regard: ‘we have therefore decided to turn definitively the page on what is called ‘political prisoners’’ (in Arabic: *ma yussama bil mu’taqalin siyassiyin*).\(^{287}\)

After denying for decades the existence of political prisoners in Moroccan prisons and secret detention centers, the regime refused to acknowledge their status as prisoners of conscience even after these detainees reappeared from Tazmamart, Agdez and Kalaat M’Gouna during the series of royal pardons between 1991 and 1994. Similarly, in 1998, the CCDH would create another term, ‘the so-called disappeared’ (in Arabic: *ma yussama bil muhghtafun*) in its memorandum to the king that reduced 40 years of repression to a list of 112 forced disappearances. Ever since, notes Slyomovics, a war of words raged between victims, their survivors and the state.\(^{288}\)

With the enthronement of Mohammed VI, the dispute over semantics continued between the makhzen and the victims. Led by Benzekri, they supported ‘a strategic amnesty’ of the perpetrators in exchange of democratization. The palace, on the other hand, preferred to use the terms ‘pardon’ and ‘forgiveness’ to describe the absence of punishment. In the first case, the principle of amnesty was a political and judicial concept which entailed the possibility of revoking it (as was the case in Argentina).\(^{289}\) In the second one, pardon and forgiveness were spiritual concepts that could not be revoked. More importantly, they reaffirmed the status of the king as the spiritual leader of the country. Other victims, spearheaded by the AMDH and the FMVJ (discussed in the next chapter) simply called it ‘impunity.’ At any rate, the efforts led by former victims and activists to establish a truth commission resulted in the IER whose mandate stipulated ‘the firm royal determination to definitively close, in a fair and equitable manner, the file of enforced disappearance, arbitrary detention and exile for political motives.’\(^{290}\)

The narratives resulting from IER public hearings further show this control by the state of transitional justice discourse. Indeed, victims were carefully chosen, coached on how to

\(^{287}\) Hassan II speech on the occasion of the Youth Day, translated by Slyomovics in the *Performance*, 75  
\(^{288}\) Slyomovics, *the Performance*, 44  
\(^{289}\) Hazan, *Morocco: Betting*, 12-13  
\(^{290}\) CCDH, ‘Recommendations relative à la création d’une commission dénommée Instance Equité et Réconciliation.’ [http://www.ier.ma/article.php3?id_article=24](http://www.ier.ma/article.php3?id_article=24) (June 12, 2016)
present their testimonies and required to sign a legal form consenting not to mention the names of their torturers. This setting implied that the testimonies formed a sort of enforced narrative; this is what Caroline Steedman calls an ‘autobiographical injunction,’ whereby someone who had power requires a testimony of those who did not. Victim testimonies that ‘pushed the envelope’ or did not abide by the rules were simply edited to fit the desired narrative as was the case with IER public audits in al Hoceima. An example was the testimony of Abderrahim Ouazzane, the son of Belkacem Ouazzane who was forcibly disappeared in 1973 and whose fate remained unknown until 2015. His testimony was clearly censored in the video although the transcript, which was published on IER website, contained allegations against the CCDH which had been trying to cover up the disappearance of his father:

We contacted the CCDH, which told us Belkacem Ouazzane died in Agdez. And we heard testimonies of survivors who said that he died in Agdez. OK. Why did the Ministry of Justice on 31 December 2000 send us a document attesting that my father died in Agdez? In 1998, the CCDH was controlled by a known group who used to control everything else back then. They put my father’s name on the list of the 112 disappeared, and the tribunal ordered the authorities to issue his death certificate... I went to Bouarfa and they showed me a medical certificate attesting that Belkacem Ouazzane died in a clinic in Zagoura after falling sick… Now, who should I trust? The judiciary or the people who saw my father die in Agdez?

In a Youtube video, a user who identified himself as Abderrahim Ouazzane denounced IER commissioners Salah el Ouadie and Latifa Jbabdi who allegedly censored his testimony before it was broadcast on national television: ‘they thought they could erase our history and memory.’ Ouazzane took his fight against censorship to social media and opened a Youtube account where he constantly uploaded videos of him and his family members discussing the progress of the CCDH investigation to discover the remains of his dead father. In 2006, the CNDH identified a grave in the secret detention center of Agdez as that of

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293 IER published on its official website transcripts of some victims who testified in IER public audiences. Some of them were transcribed verbatim. See for example Abderrahim Ouazzane’s testimony in Arabic. Last accessed 1 May 2016 http://ier.ma/article.php3?id_article=756
294 Abderrahim Ouazzane, IER Public Hearings in Figuig, 29 January 2005
disappeared victim. Seven years later, a DNA-analysis confirmed that the remains were indeed those of Belkacem Ouazzane, although his family continued to question the whole process.296

Figure 13: Abderrahim Ouazzane holding a letter from his disappeared father Belkacem Ouazzane while he was in the central prison in Kenitra.

*I am not a victim!*

Unlike everyday speech, testimony often occurs in a public setting in order to make a public announcement.297 Hence every testimony aims to transmit a message, a record for posterity.298 In their careful selection of witnesses, the IER ensured survivors’ testimonies fitted the official discourse that put forth messages of reconciliation, forgiveness and break with the past. Ahmed Herzenni, the Maoist activist and founder of ‘To Serve the People’ spent 15 years in prison between 1971 and 1986. His testimony at the end of the second public hearing in Rabat added another narrative. In a poised tone in classical Arabic, Herzenni rejected his victimization status declaring to a packed audience:

> I am not a victim (*ana lastu dahiya*). I am a militant (*ana monadil*) who opposed and is still opposing and will oppose all kinds of injustice, exploitation, arrogance and all forms of self-pity…I joined the opposition with my generation of working-class students when we realized that our right to education was threatened. Thus, in the mid-sixties, I was ready to confront the repression of the state at that time. I blame the state not for repressing me but for the excessiveness of its repression. We wanted a sort of boxing match with the state, but it responded with tanks and canons.299

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297 Henry Greenspan, ‘Beyond Testimony’ *Past Forward: The Digest of the USC Shoah Foundation Institute for Visual History and Education* (Autumn 2010), 11


299 Ahmed Herzenni, IER public hearings, Rabat, 2004
Herzenni’s testimony caused indignation on the part of some victims and activists. ‘I was sitting behind him,’ confessed a former victim, ‘I had to leave the witness stand immediately because I was so outraged.’ This concept, of sharing the blame with the state for its violence and systematic torture against activists and their families, echoed the CCDH memorandum to Hassan II in September 1998 which asked for an amnesty for the perpetrators of repression and torture against ‘those who were fool enough to commit, help, or participate in a crime and threatened the security of the state, and whatever may have resulted in the concerned authorities’ reactions or auxiliaries in order to protect and secure state security.’

He continued his testimony drawing a picture of equal opponents: the state against an opposition that did not necessarily have democratic plans for Morocco:

> Since we are in a moment of equity and reconciliation, the duty of equity and the duty of truth oblige us to acknowledge that the past was not all the time murky and its men were not all evil. There were times during that period when minimal public rights were respected like the freedom of association and expression and most of the time, unfortunately not all the time, formalities of justice were there. Add to that the achievements of that time in the field of territorial unity, foreign policy and economic development. It is difficult not to acknowledge the role of the late King Hassan II, may he rest in peace. We must testify to that, at least for my part, that I was not an angel and my culture was not that of democracy and did not exclude violence to achieve my ideology.

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300 Informant H, interview with author, June 2014, Casablanca
Herzenni, who would end up chairing the CNDH in 2007 after the death of Driss Benzekri, defended his position saying: ‘when Benzekri asked me to give a public testimony, I thought about it a lot. Days before the hearing, I booked a room in a hotel and isolated myself to think about what I was going to say. It was an important moment. I had at that time a historical responsibility.’ Most witnesses and IER officials referred to the IER as a historic and historical moment. They talked about a duty vis a vis history and past victims to give an accurate account of past injustices. For Herzenni, the duty was to appease the fears and disarm the ‘conservatives’ or the masks of steel who opposed the idea of the IER and who were pressuring the young king to halt the public hearings.302

Herzenni concluded his testimony with a prayer for the souls of Hassan II and his opponents including Ben Barka and Polisario founder Mustapha el-Ouali. He then praised the attitude and politics of King Mohammed VI:

Allow me to pray for a long life filled with success to that noble, brave, modest young man who, without his democratic character and his determination to get the country out of danger, we won’t be gathered here to reconcile Morocco with itself. I mean here his Majesty King Mohamad VI, and I pray for him and his collaborators including IER commissioners, human rights activists and democracy seekers.

Throughout the hearings, the regime succeeded in conveying an image of a new Morocco reconciled with its past, living under a new democratic regime that broke with the systematic use of violence and repression against its population. Fatima Ait Tajer, who testified on behalf of her family and her disappeared son, ended her testimony saying: ‘Things are better now thank God. I hope things will continue to get better. I pray that our end is better than our beginning.’ Similarly, Malika Senhaji, whose father died under torture in 1973 in Figuig shared her pride to take part in IER public hearings, ‘a new era of a country that respects human rights and the rule of law and the definitive break with the violent past.’

The auditions also preserved the memory of Hassan II and at times, rehabilitated him as the guarantor of the unity and stability of the country, blaming the legacy of the past on his wicked servants:

The state was conspiring with apparatuses that had nothing to do with law or public prosecution or the king or anything else. They had the freedom to kill an individual with total impunity. Their methods were systematic, not just errors or excesses. No! the repression was systematic, and they had strategies. And that’s what destroyed the

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302 Ahmed Herzenni, interview with author, February 2015, Rabat
Moroccan population.\textsuperscript{303}

Laarbi Lagmiri was an officer of the army. He was detained in May 1964 in relation to the affair of Colonel Benhammou, one of the leaders of the Moroccan Liberation Army who fled to Algeria with 125 other officers. In his testimony, he explained how his fate in prison with other members of the military was carried out outside the orders and knowledge of Hassan II:

When Sheikh Mae el Ainane was appointed by the King to represent Morocco in the UN Security Council, he intervened on our behalf and asked him to release us. The king told him: I had no idea at all. He inquired about us and was informed that we were indeed detained in Kenitra. He ordered them to release us. They bathed us and shaved our hair and beard. They gave us military uniforms and took us to the palace. When the king saw us, he said: I had no idea that you were imprisoned! Do you know who did this to you? We told him No. He said: don’t be sad my sons, there are some people around me who do these things. Maybe you know who they are. Now take two months to rest and go find your children.\textsuperscript{304}

However, despite the constraints and despite the subtle and direct censorship, victims’ testimonies revealed important narratives about the years of lead and the regime of Hassan II, both as Crown Prince and King during four decades of reign.

**State Terror and the Politics of Fear**

Back in 1979, Noam Chomsky and Edward Hermann defined state terror as political intimidation by violence and its threat to maintain the status quo.\textsuperscript{305} Based on this definition, Jeffrey A. Sluka expanded the practice to the ability of a state to deprive a large part of its population of subsistence requirements and produce hunger, malnutrition, high infant mortality rates and other chronic diseases of poverty and neglect.\textsuperscript{306} In 1993, Amnesty International identified ‘arbitrary detention unfair trial, torture, extrajudicial killings and political assassinations as the main forms of state terror.’ As was the case in Morocco, torture of children in front of their parents, as well as rape or threats of rape, were reported in many countries as a form of mass political terror.\textsuperscript{307} IER public hearings were able to reveal many instances of state terror in the Moroccan context alongside other practices aimed at instilling an atmosphere of fear and silence.

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\textsuperscript{303} Abderahman Choujar, IER public hearing, Marrakesh, 2005
\textsuperscript{304} Laarbi Lagmiri, IER public audience, Kenitra, 2005
\textsuperscript{306} Sluka, *Death Squad*, 4
\textsuperscript{307} Sluka, *Death Squad*, 4
\end{flushright}
By the 1980’s, authorities forced many into silence and complicity. Moroccans came to scorn militants and political activists for inviting attacks and repression on themselves, their families and neighborhoods. Fatima Ait Tajer described in her testimony the policy of fear implemented by the authorities to isolate her and her family:

No one could visit us. Our relatives were terrified and constantly threatened. The police forbade them to come to our house. Those who did would be harassed by the police: ‘Why are you visiting them? How are you related/connected to them?’ We lived in isolation from the rest of the society for about a year and three months. No one dared to come near us.

Because of this culture of fear, few Moroccans were willing to utter words like Oufkir, Dlimi or Driss Basri and places like Tazmamart or Derb Moulay Cherif.

Before, we couldn’t even go near a police precinct. We feared they would just grab us and take us inside. Now we can go inside and even look at police officers in the eye and confront them.

The Moroccan regime succeeded during the years of lead in equating political participation with torture and forced disappearance. The repression system in Morocco established a climate of fear and terror that ultimately silenced the opposition and the entire population with it. The regime was able to cultivate a culture of silence and fear of forced disappearance, assassination, illegal arrest and detention, torture, economic and social retaliation against one’s self and loved ones. For Abdenacer Bnouhachem, an opponent to Dlimi who was detained with his group in Agdez and Kalaat Mgouna (1976-1985) explained this culture of fear by a desire of the state ‘to present Moroccan people with an example to intimidate them’.

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308 Slyomovics, the Performance, 57-58
309 Fatiima Ait Tajer, IER public hearing, Rabat, 2004
310 Mohammed Qadda, IER public hearing, Rabat, 2004
and create a situation of fear and alarm to the point that no Moroccan would think of political union or opposition. Following the 1973 uprising in the Middle and High Atlas, the population of Figuig lived under a siege for months. The families of political opponents were particularly targeted. A powerful example illustrating this is Fatema Saaddine’s testimony. Fatema was the wife of UNFP militant Younes Mohammed. Her story neatly summarizes the tactics used by the authorities to repress and instill fear in an entire village that it needs to be reproduced in full:

We used to live all in one house, my husband, his brother, wife and their kids, the grandparents and three of my children. One day my husband vanished and didn’t return from work. After that, the auxiliary forces surrounded our house and from a hill nearby pointed their guns at us whenever we dared to get out of the house. At night, they would climb up the walls and break into our house. They didn’t knock or anything we just found them in the house in front of us. There were no lights or help from anyone; just God’s help. We were too terrorized so we would always be together day and night. We couldn’t understand why the police were targeting us. What did we do? Then we heard that my husband was in jail. They besieged our house for two months. We couldn’t go shopping or even go to our garden to harvest some beans or peas or onion. The forces would point their guns at us and ask us to put down the vegetables and send us back home. We survived on dates and water. We also had dchicha (Moroccan porridge) that we had stored in the house. We would prepare the porridge to eat it with our children but if the soldiers show up, they didn’t let us eat. There were always two or three of them in the house, shadowing us when we did house chores or anything else. They would come inside the house, close the doors and keep the key in their pockets. When we ask them to let the scared and crying kids out so they don’t see those atrocities, they say: no, the door needs to remain closed until we get out that is the law. That is how we spent two months. When they were looking for my brother Boudkhil Mohamamd Saadine things got even worse… We were living in fear and terror, blockaded in the house. We couldn’t send our children to school; we couldn’t go see a doctor when we were ill; we couldn’t go shopping and we starve; we couldn’t see our family members. We were living in a siege. I was pregnant but I lost it because of terror and fear. All Figuig lived in fear. All of them were scared and didn’t get out of their houses. No one visited us and we couldn’t visit anyone. Everyone was besieged, men and women alike.

This constant living in fear and terror is probably best embodied by the population of the Rif, whose rebellious past since the Rif events of 58/59 resulted in a severe repression against them. Abdelhakim Benchemmas, a Rifi victim of the gross human rights violations following the 1984 events noted in his testimony how he lived through decades of repression since his young age:

311 Abdenacer Bnouhachem in Slyomovics, the Performance, 57
312 Fatema Saaddine, IER public hearing, Figuig, 2005
When I was little, I lived in an atmosphere of fear and terror because of the horrific stories my mother, my father and brothers told me about the repressive years of 1958/59 where villages of the Rif were randomly bombarded by military planes… Instead of fairy tales or bedtime stories, my mother told me stories of massacres, illegal detentions, repression and injustices committed in this region by the officers of Ait Boughebbar. Stories about the repression and injustices of fascist individuals of a party that wanted to dominate politics and the entire Moroccan population at the time. I heard stories of deliberate burning of people’s properties, stories of rape, and stories of violence and repression.

In his analysis of the Moroccan political system, Abdeslam Maghraoui describes how the consolidation of power by the monarchy resulted in depoliticizing the political sphere in Morocco. The series of policies that shifted the country’s focus towards economic issues ended up marginalizing questions of the legitimacy and sovereignty of the regime. The policing system of the years of lead succeeded in further alienating citizens who retreated from politics altogether. It pushed for a relationship between the state and the population based on fear and terror thus resulting in obedience and subservience. The state portrayed political activity as a dangerous business only risk takers, conspirers and greedy people approached it. Hence, they deserved the severe punishment.

**Collective Repression**

I studied in Oujda and in Rabat then became a teacher, and I was always ashamed to say that I was from the Rif. I want justice for myself and for my region. This justice won’t happen until the state acknowledges the geographic and historical exclusion of the Rif... I want them to correct the stereotype and wrong picture they have created about the Rif in the conscious and unconscious mind of Moroccans.

The Rif also exemplifies another trend of Moroccan repression revealed in the testimonies. Collective punishment has been for centuries the preferred method of the Moroccan regime to control tribes in *blad siba*. Under Hassan II, the method proved efficient in domesticating both the urban and rural opposition. At times of crises when the monarchy’s status quo was threatened either by internal or external threats, the retaliation against its opponents was even broader to include family, relatives and larger tribe members. The Riffians refer to this collective punishment as *Iqabbaren*, which means burying in Tarifit, the language spoken in the Rif. *Iqabbaren* describes the brutal repression of the Rif rebellion of 1958/59 executed by

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314 Abdelhakim Benchemmas, IER public hearings, al Hoceima, 20005
315 Historically, *Blad siba* refers to the territories outside the control of the Moroccan Sultan (as opposed to *Blad al-makhzen* where his power extended. See on this David M. Hart, Qabila: Tribal Profiles and Tribe-state Relations in Morocco and on the Afghanistan-Pakistan Frontier (London: Transaction Publishers, 2001)
the Moroccan Army under the commands of Crown Prince Hassan II. This took the form of collective punishment against the entire region and tribes of the Rif which included expropriation of property, crop burning, rape, forced disappearances, torture, mass executions and displacement of the population. The tribe of Ait Waryaghel was distinctively targeted as it was the tribe of bin Abdelkrim and other revolutionary leaders.

I grew up carrying the Rifi complex. This burden that has been suffocating me... I want, as my generation and other generations of Rifis want, to get rid of it forever... What crime did we commit to see the region marginalized and denied the economic and social development projects the rest of Morocco benefited from? What crime did we commit to have all the Rif and the people of the Rif stigmatized?316

The village of Bni Hdifa, the stronghold of the revolt from which the young Mohammed Sellam Ameziane directed the insurgency, was completely destroyed and its population massacred:

I was 13 years old when I walked to the prison in Targuist to visit my father and grandfather. I waited at the gate of the barrack until a soldier came and asked me what I wanted. I told him to see my dad and grandfather. He asked me: ‘where are you from?’ I told him from Bni Hdifa. He said: ‘You too are from Bni Hdifa, you enemy of God!’ He took me inside and started beating me up for three hours. What should I have said? That I was not from Bni Hdifa even if I was?317

In 1973, the local population of the Middle and High Atlas faced a similar fate after the events of Moulay Bouazza. As usual, the Moroccan regime dispensed collective punishment against the region of Khenifra. The Zayan tribe, whose native son Hammou Zayani bravely fought the French during the protectorate, was considered a dangerous center of insurrection and Amazigh rebels. Similar to the Rif in 1958 and 1959, the police conducted massive raids and arrests of the Zayans. For five months, the police established a blockade of the Khenifra region and swept operations, roadblocks, ongoing house searches and arrests punctuated the life of its population.318 The High Atlas near Errachidia and Tinghir was combed by the police forces and military officers of FAR and Gendarmerie Royale.319

Aicha Ouharfou was arrested with her mother, sisters and brothers in Guelmima after terrorist cells were discovered in the region during the events of 3 Mach 1973. Her sister Fadma died

316 Abdellahkim Benchemmas, IER public hearing, al Hoceima, 2005
317 Ahmed Benseddiq, IER public hearing, Hoceima, 2005
318 Diouri, Memoire d’un people
in detention in Agdez and her father Moha was executed in 1974. The family of Sidi Hammou Ouba’ali, a prominent member of the Liberation Army and one of UNFP founders, knew a similar fate. After Hammou fled to Algeria in 1963, his brother and wife were detained and tortured for ten days, and upon his return from exile in 1970, his sons, wife and brother continued to be harassed and arbitrary detained and tortured. His son Sidi Bassou was imprisoned for 5 years then sentenced to perpetuity. His nephew Abdallah el Malki was imprisoned for 7 years while his wife and two-year-old son Abderahman Abdelali were detained for 3 months. His sons were forced to change their family name from Ouba’li to Abdelalim.

The protracted conflict over the Western Sahara also resulted in mass arrests and detention of Sahrawi families who supported the separatist group of Polisario. The opposition of one individual to the Moroccan regime resulted in the automatic arrest and torture of the entire family and tribe. Following Morocco’s control during ‘the Green March,’ El Ghali Bara was arrested in Bouajaj near Tantan with 22 members of his family including his father, mother, brothers, wives and children.

I was detained in Agdez with a group of 366 or 364 other detainees, all of them were families. Fifty-four of them died of ill-treatment and lack of nutrition and health care. I am part of a family of 22 members, all of whom were detained... Seven of us died in prison including a baby born in prison. I was detained with my father and two brothers Mohammed and Ahmed. After throwing us in jail hands and legs tied and blindfolded, they went back to the tents and arrested the rest of the family and other families including the family of Daya Mohammed of over 20 members. Then they gathered all the livestock and shot it. They exterminated them then burnt our crops, our furniture, trees, tents and everything on their way.

Other instances of collective repression include regions that were particularly affected by political violence because they were sites of secret detention centers. The village of Tazmamart offers a good example. Since the military barracks started operating as a prison in 1973, the population of the village was intentionally isolated from visitors and cut off from the rest of the country:

[…] We were also denied public transportation because no one dared to come near Tazmamart. Those who did found themselves questioned and investigated by the police for hours. Sick patients and pregnant women had to walk kilometers to reach the nearest hospital in Rich. […] The authorities monitored our movement inside the village and that of our visitors. Those who got the courage to come to Tazmamart to

320 Aicha Ouharfou, IER public audience, Errachidia, 2005
321 Abderahman Abdelalim, IER public audience, Errachidia, 2005
322 El Ghali Bara, IER public audience, Rabat, 2004
visit their family were harassed and investigated by the police: ‘why are you here? Who are you visiting? What is your job? Where do you live?’ If visitors could not provide exact information, the police did not allow them to enter the village.\textsuperscript{323}

In its final report, Morocco’s truth commission acknowledged this form of collective repression and recommended that regions that were particularly affected by political violence including sites of secret detention centers received collective reparations in the form of social and economic projects:

The commission came to the conclusion that enforced disappearance was practiced against individual or collective persons in connection with political disturbances usually occurring during the temporal competence of the Commission. However, it recorded other cases of disappearance in which the victims involved had no direct connection with political, associational or trade union activity. Most of the time, these cases occurred in special circumstances.\textsuperscript{324}

The special circumstances the Moroccan TRC is referring to here are those family and tribal ties that resulted in mass arrest and illegal detention for many victims. The case of the Oufkir family is probably the most famous one. After the second military coup against Hassan II failed in August 1972, General Oufkir, the most powerful man of the regime after the king, was killed and his family disappeared for fifteen years until their miraculous escape in 1987. The six children and wife of the fallen general, who once were the protégés of Hassan II, were tortured and detained in ‘darkness, isolation and confinement’\textsuperscript{325} in various secret locations without any given reason. Their house in Rabat was razed and their belongings pillaged.\textsuperscript{326}

The story of the Oufkirs echoes the narratives of repression by affiliation that emerged during IER public hearings. Many who were associated with a political opponent either by name, marriage or regional background faced automatic repression. In this sense, arrests and systemic use of torture and illegal detention were not arbitrary. Rather, they were planned and well-reasoned acts. Furthermore, detention or police harassment did not stop after the death or the detention of the dissenters. An example of this is the family of militant Sheikh el Arab whose members were detained in Derb Moulay Cherif and Kourbis even after the police had killed their relative:

\textsuperscript{323} Brahim Benkhou, IER public audience, Errachidia, 2005
\textsuperscript{324} IER Final report (Volume 2). \textit{Establishing Truth and Responsibility Regarding Human Rights Violations}, 105
\textsuperscript{326} Fatema Oufkir. \textit{Les Jardins du Roi : Oufkir, Hassan II et nous} (Neuilly-sur-Seine : Editions Michel Lafon, 2000), 147-8
In Kourbis, I found the wife of Sheikh el Arab Amina detained with her three children. They also detained her father Zakaria. They brought him from Sousse. He didn’t speak any Arabic.

Others struggled to secure a job, housing or simple government services because of this affiliation:

We used to be named Aqchich, but we were forced to change our last name to Mrabet. Our family record book says Aqchich. I have a brother who worked as a civil servant for forty years and they never knew he was an Aqchich. Now he is retired. Naturally, he could never tell them he was the son of Aqchich.

Like Aqchich, many Moroccans were forced to sever ties with their families or tribes to stop the harassment of the state either by relocating, divorcing or changing their family names. This explains why different victims and their survivors in IER hearings did not share the same family name. In her testimony, Fama Adoul, the wife of nationalist leader and intellectual Abdeslam Taoud who founded the party of Free Morocco with Brahim el Ouazzani, recalled how people shunned her and tenants refused to rent her a house because of the name of her children. She explained ‘I used to work as a teacher and I had the right to public housing but they kept delaying my application and told me I had to wait for five years. I was denied my right as a public employee and people refused to rent us their properties because no one wanted to associate with the Taoud family.’

Instances of collective punishment against families, tribes, villages and entire regions are numerous in Morocco. As was the case with the Rif revolt of 1958-59, Moulay Bouazza events in 1973 and the Sahrawi population since 1975, Moroccan repression often transcended the individual to include the family, tribe, friends, neighbors and even passer-bys.

Describing enforced disappearance in Morocco, Slyomovics notes:

As a Moroccan phenomenon, disappearance is contagious. It is a form of collective punishment that first engulfs the disappeared person, then is visited upon relatives, visitors, friends, and perhaps the neighborhood and the clan at large. Entire families, even the larger tribal lineage, disappeared based solely on kinship association with declared political opponents of the regime.

Collective punishment was not limited to forced disappearances, however. The state persecuted, arrested, detained and tortured many victims because they belonged to a family, tribe, village or region.

327 Mohammed Lemrabtin, IER public hearing, Marrakesh, 2005
328 M’hammad Mrabet, son of Hedou Aqchich, IER public auditions, al Hoceima, 2005
329 Fama Adoul, IER public audience, Hoceima, 2005
330 Slyomovics, The Performance, 54
When the events of 1965 happened, hundreds of young men were gone. We knew about some of them, but only God knows the fate of the others. Families could not even report their son was dead, injured or disappeared because if they did, the police would have arrested the whole family.331

Amnesty International reported that the regime engaged in mass arrests and detention that targeted not only known or suspected supporters of the Polisario Front or of the independence of Western Sahara but also women, elders, and children with family links with real or perceived opponents of Moroccan rule in the region.332 In the same way, belonging to an organization or a political party like Ilal Amam, the UNEM or the UNFP was ample reason to be thrown in jails and tortured for months and years.

It did not matter if we were really traitors. We only needed to be members of the UNFP or the SNE (Syndicat National de l’Enseignement) to be targeted by arrests, detentions, and tortures.333

Military affiliation was also a factor that led to collective punishment. Regardless of their participation in subversive acts, the families of military officers were dispossessed of their houses and stigmatized by the society:

After they detained us, they threw our families from the military houses. I used to have my own house in Beni Mellal, they razed it and disposed of my family who became homeless. They became beggars on the streets.334

Economic repression

The testimonies also exposed how economic retaliation is a form of collective punishment aimed at punishing the family, kin and region because of the political activism of few of its members. The regime intentionally put victims and their kin in financial hardship as a means of oppression. For Fama Adoul, the authorities took revenge on her and her family through economic retaliation:

Three months after my husband disappeared, a letter came home firing him from his position as a history teacher and as an administrator of the institute, which means they stopped his salary. If it weren’t for my salary as a teacher I would have starved with my toddlers and baby.

331 Saleh Saadellah, IER Public hearing, Rabat, 2004
332 Amnesty International, Broken Promises, 10
333 Chari el Hou, IER public hearing, Rabat, 2004
334 Laarbi Lagmiri, IER public hearing, Khenifra, 2005
In other instances, the authorities destroyed victims’ properties and belongings and in others simply dispossessed them. Fatema Amezine suffered torture and detention because of her husband’s political activity. She was tortured and detained for nineteen months before she was released:

They destroyed my house and stole all our belongings: furniture, livestock, my jewelry, our money, even the clothes and blankets. They put my family and me under siege for 7 years. Every week during those years I had to go to Gendarmerie to sign [an attendance sheet].

In the Rif, families and tribes lived through severe poverty and real famine because the authorities had deliberately burned their properties, burnt their crops and their stock of grains. Similarly, the region of Khenifra was intentionally excluded economically from the rest of the country. Chari el Hou recounted in his testimony how the population of Goulmima was deliberately put under an economic embargo after the events of 1973 with no paved roads or other infrastructures like hospitals and schools.

Another method was to prevent the children of political opponents from attending school to ruin their future. Moroccan authorities often refused to register the newly born child of a dissident leaving him or her without an identity card. Getting a social service or a simple paper from the public administration was impossible as a result. In this way, the repression in Morocco did not only aim at disappearing dissidents in secret detention centers and prisons. It also sought to vanish their names and their descendants.

I was arrested with my mother when I was 2 months old… I was prohibited from recording my name in the family book because the local authorities delayed my application for years. This forced me to register in school under a false name which is Ba‘ali. I was born in 1973 but wasn’t registered in the family book until 1984.

Fatema Ameziane also saw her children denied schooling because the authorities refused to issue birth certificates for them. The brother of Mustapha Belhouari, who died under torture in 1984, was dismissed from the university because of his sibling.

Victims also had a hard time finding a job because the state impelled employers to fire the victims or their kin as a means of pressure and oppression:

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335 Fatema Ameziane, IER public hearing, Khenifra, 2005
336 Abdelhakim Benchemmas, IER public hearing, Hoceima, 2005
337 Abderahman Abdelalim Ouba‘li, IER public hearing Errachidia, 2005
338 Batoul Tarawat, IER public hearing, Marrakech, 2005
They fired my husband, Omar. He used to be the delegate of workers in a factory. The boss, who was a foreigner, was annoyed by the police and didn’t want them to keep showing up at the factory. So he fired him.339

The detention of Touria Thanani in Fqih Ben Saleh in 1984 had similar repercussions on her family. She explained in her testimony:

I understand that my political activism was the reason why they persecuted me, but why did they have to fire my brother in law just because he was related to me? I understand that I had to pay the price for my opposition, but I can’t understand why my family had to suffer when they did nothing.340

Abdellah Bouddent continued to be persecuted because of his Rifi origin:

I was also denied decent job opportunities although I have completed a master in sociology in 1995. And until now, even though I have succeeded in many entrance examinations for different national and regional civil positions, I cannot secure a job.

In the case of the Rif and Khenifra, the state deliberately excluded these regions from economic projects and others development programs that aimed at improving the living conditions of the local population, including infrastructure.

What did the Rif do to suffer through this? What crime did we commit to see our region marginalized and denied the economic and social projects the rest of Morocco benefited from? … I want equity for me and for my region. This equity won’t happen until the state acknowledges the geographic and historical exclusion of the Rif.341

Although labor migration to French Algeria had been around since the 19th century, Riffians, especially those from Nador, were forced into an internal and external exodus since independence.342 In their testimonies, they equated the deliberate marginalization of the region with a policy of displacement of its people who were forced to ‘to go work for those whom we were fighting during colonialism.’343

**Kinship and State Repression**

After my torture session ended, one of them admitted to me: ‘You the Manouzi’s, I would love to torture you to death, burn your bodies to ashes, put those ashes in a tin can and close it off and put it in front of me to be sure you won’t get out of it.’ I will never forget the name of this person.344

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339 Ibid
340 Touria Thanani, IER public hearing, Khenifra, 2005
341 Hakim Benchemmas, IER public hearing, Rabat, 2004
343 Lahbib Azeryah, IER public hearing, Al Hoceima, 2005
344 Rachid Manouzi, IER public hearing, Rabat, 2004
Several narratives emerged from the public hearings of Instance Equité et Reconciliation which proved to be specific to the Moroccan case. The testimonies of victims exposed the place of kinship in state repression against political activists and human rights defenders in the country. While at times family and friends helped victims escape or alleviated their suffering; the same association was also a cause for their distress and a tool for state violence against them.

**Wasta or the support of family in times of crises**

In the Middle East and North Africa, family, and tribe on a larger level has always been the basic unit of social structure. Life is organized around family which traditionally provides support and protection to its members. Thus, when opportunity comes, one is expected to extend the good fortune to the clan and social connections. Similarly, when a hardship befalls a member of the family, it is expected to use one’s assets and connections to prominent people to help alleviate kin’s suffering. *Wasta* (connection) is a societal practice that has long being a phenomenon that characterized tribal societies, and many authors reported this practice in Morocco. 345 Ibn Khaldun informed us in the fourteenth century on the importance of societal connections where access and a relation to a ruler could determine one’s economic well-being. 346 Now, more than ever, this remains true in the Middle East and North Africa. In their article about intercessory *wasta* in the Arab world, Cunningham and Sarayrah explain *wasta* in an economic setting:

> [It] involves a protagonist intervening on behalf of a client to obtain an advantage for the client – a job, a government document, a tax reduction, admission to a prestigious university. 347

Moroccans refer to this concept as *m’arfa* (acquaintance) or *piston* (pull) which they have been using in every aspect of their daily lives to expedite a government service, get a job or even evade rules. 348 Wasta is also practiced to cover a person’s wrongdoing and to push away harm. Newcomb reports the story of how a matriarch in the city of Fez was able to get the


detained husband of a m’arfa released thanks to her connection with the Moroccan police department. 

It is indeed the norm to use one’s position in the society and one’s connection with an influential individual to help and protect kin and friends. This exchange of favors is essential to one’s survival in a country like Morocco, plagued with economic hardships, corruption, and human rights abuses. Cunningham and Sarayrah note that by taking care of one’s network, the patron is ensured the favor will be reciprocated by another in the family in a time of crisis. This reciprocity serves as a safety net for an uncertain future especially when the state fails to provide free health care, unemployment benefits or adequate retirement assistance.

The concept of wasta is thus important to this research as it explains the role of kinship in times of crises as was the case during the years of lead. The practice is not only kin-based. It also includes exchanges between friends, neighbors, and members of a village and sometimes regions. Narrating the details of his incarceration following the events of 1984 in al Hoceima, Abdel Hakim Benchemmas reports on how his wasta secured him a lower prison sentence than the rest of his Rifian comrades.

I was detained because I was a member of the National Union of Moroccan Students (UNEM) when I was 20 years old. I spent two years in the horrendous prison of Oujda alongside 190 more students. I was supposed to spend more than two years in prison; but thanks to a relative, who had a close relationship with an influential state official, I only spent two.

Thanks to his kin’s connection with a prominent member of the government, Benchemmas was able to reduce his jail time and protect his family from ‘repression by affiliation’ in a period where the regime turned against the entire population to ruthlessly and disproportionately quell social unrest throughout the kingdom. However, because there were clear directions to punish Riffian students harshly, his wasta was not successful in releasing him from jail. Indeed, helping someone during those days was risky and often resulted in dismissal if not detention:

The rest of the students from the Rif received longer sentences than their initial ones when they appealed. I was the only one amongst the Rifian students who spent two years in prison thanks to my relative who spoke to this state official who intervened with the judge. I knew after that he couldn’t get the judge to lower my sentence

Newcomb, Women of Fes, 107-108
Cunningham and Sarayrah, ‘Taming Wasta,’ 36.
Abdelhakim Benchemass, IER public hearing, al Hoceima, 2005
further because orders came from Rabat to give all students from the Rif longer prison terms.

The family of UNFP founder and forcibly disappeared Hemmou Ouba'li were not as lucky. Those who came to their rescue were repeatedly harassed by the authorities. In spite of the risks, some relatives, including an aunt, defied the authorities and helped them:

We were released after three months in detention in Tinghir…. We couldn’t find a house to shelter us from the severe cold of Tinghir. We were kicked out of our house and dispossessed of our property. Hammou el Malki agreed to host us. This resulted in police harassment and constant surveillance of his house for seven years... My maternal aunt Jabouni Roqaya in Tanfit faced all sorts of police harassment and surveillance after she gave us some food.\(^{352}\)

The intervention of prominent lawyer Abderrahim Bouaabid was the only thing that alleviated the sufferings of the Ouba'li family in Tinghir:

In 1980, Abderahim Bouabid intervened on our behalf and spoke to the mayor of Ouarzazate so that the local authorities lessen the pressure on us. However, we were still followed, and whenever we wanted to go somewhere, we had to get authorization from the government and let them know where we would be. If any changes happened, the authorities would take revenge on the people whom we were visiting. This happened to us while we were minors; we had no political affiliation or activity. The only reason was that we were the sons of the militant Sidi Hammou Abdelalim [Ouba'li].\(^{353}\)

**Family as an agent of repression**

While kinship helps maintain one’s social status and economic well-being, it may also hinder them. This can be achieved in two ways. In the first one, the state attacks the victim because he or she is a Manouzi, an Ouba'li, a Sahrawi or a Rifi, hence repression by affiliation. In the second one, the victim is attacked by his or her own kin because they brought shame and danger to the lineage and region of origin. Describing the relationship between honor and violence, Jamous explains that individuals and groups can kill, banish and chase away their kin if they bring shame to them. He relates the story of the Iqar'iyens of the Rif:

The same night, the father of the killer, a notable of patrilineage A, drags his son to the territory of patrilineage B. He calls the men of B and unveils what he discovered, that his son was the murderer. He declares that his son brought him shame and dishonor and kills him before the congregation.\(^{354}\)

\(^{352}\) Abderahman Abdelalin, IER public hearings, Errachidia, 2015
\(^{353}\) Ibid
\(^{354}\) Jamous, *Honneur et Baraka*, 78.
In the same way, many women were divorced by their husbands because of the suspicion and danger they brought to their family. Fatima Ait Tajer explained in her testimony that families of victims suffered in their personal life too:

Many women were divorced because their brothers were detained. The police automatically harassed the rest of the family and most of the time, the husbands preferred to cut off all ties. ‘We have nothing to do with this. I don’t want them to come to my house,’ they would tell their wives before divorcing them.355

Ahmad Bouyeqba was sentenced to death in absentia after the events of Moulay Bouazza in 1973. Before fleeing to Algeria, he hid in the forest for months. The authorities responded by arresting and torturing his old father and ‘anyone who had the smallest family tie with him.’ As a result, his family and the entire village turned against him: ‘My own brother disowned me. He said if you come near me I will be burnt too.’ A similar fate faced Lekbir el Wasti, a member of the youth section of the Shoura party (PDI). He was arrested in 1957 and illegally detained for one year. Upon his return to Khenifra, the village shunned him and his family:

When we went back to Khenifra, they started insulting us and calling us ‘traitors.’ You know what a traitor means? It was worse than calling us killers. We couldn’t live there, so we moved to Casablanca where no one knew us.357

The Moroccan regime was thus able to use kinship ties to repress its enemies. It enacted a non-denunciation law (‘adam al-tabligh), which incriminated family members who did not report the activities of their kin to the authorities. Article 209 of the Moroccan Penal code concerning the ‘adam al-tabligh crime condemned offenders to a minimum of two years and a maximum of five years in prison and a fine ranging from 1000 to 10,000 dirhams. Prison terms were recently increased after the Moroccan parliament passed the anti-terrorist laws of 28 May 2003 following the Casablanca bombings on 16 May 2003.358 The non-denunciation law further facilitated the widespread repression of the years of lead against political opponents and their kin resulting in the breakdown of trust and harmony within the family unit, tribe, village, neighborhood and the Moroccan society at large.

355 Fatima Ait Tajer, IER public hearing, Rabat, 2014
356 Ahmad Bouyeqba, IER hearings, Khenifra, 2005
357 Lekbir el Wasti, IER hearings, Khenifra, 2005
358 Slyomovics, the Performance, sp. 9, 235-6
Repression by Law

There are two methods of fighting, the one by law, the other by force: the first method is that of men, the second of beasts; but as the first method is often insufficient, one must have recourse to the second. 359

The judicial system was instrumentalized by the Moroccan regime to further facilitate human rights abuses against its opponents. The authorities used the same laws enacted by the French protectorate to repress Moroccan nationalists, notably the royal decree of July 1939 which incriminated the production, distribution, and selling of tracts deemed subversive. 360 The inquisitional nature of the Moroccan criminal code meant that the judicial police played the role of both the investigator and the judge ‘presuming the guilt of the prisoners while imagining, indeed foreshadowing the eventuality of criminal charges.’ 361 The police which repressed and illegally detained the victims was responsible for providing police reports (procès verbal) that served as the primary proof before a judge to inculpate the accused. Usually, these reports were obtained under torture and were always forged. The lack of habeas corpus for example and police accountability in Morocco also meant that detainees were presumed guilty until proven innocent. Lawyers could not meet with their defendants during their garde a vue (police custody). This facilitated incommunicado detention for long periods of time, which in many cases ended in forced disappearances.

Atiq Salih Belghali was a member of the Black Crescent, an organization that carried out urban warfare against the French in the eve of independence. In its attempts to dismantle these groups and absorb the former combatants in the royal army and official police force, the Moroccan regime embarked on the assassination of all those who refused to enlist. In 1956, Belghali was kidnapped and illegally detained with other 18 members of the Black Crescent. After months of torture and detention, he was freed.

Once in the office of the investigative judge, he told us: ‘How am I going to build a case against you? There is nothing we can use to sentence you!’ They were threatened. They couldn’t release us and they couldn’t sentence us. After a while, the court freed us. 362

The use of the legal system to suppress the opposition allowed the regime to keep a façade of a democratic country while annihilating its enemies. Two weeks after the Skhirat putsch in

360 Slyomovics, the Performance, 23-4
361 Ibid, 15-19
362 Atiq Salih Belghali, IER public hearings, Marrakesh, 2005
1971 for example, the military justice code was promulgated and used to try those involved in the failed coup. As a result, the trial was qualified as fair and clement by the international press at that time.\textsuperscript{363} Issa Bouyazden was arrested in 1987 due to his involvement in a cultural club that organized a Palestinian film festival. He was charged with drug possession after months of torture and illegal detention:

When they took us to the investigative judge (prosecution), the first thing he asked us: Do you use Shira (hemp)? We were shocked. The torture and interrogations were to get us to tell them about strikes and protests, and now they were asking us about hashish...That was the only thing the judge asked us before they took us to court. In the show trial, the judge asked us: What is your name? Did you do these acts? Then he quickly adjourned the trial. Then they drove us back to prison. On the way, we realized that the trial was over and that we were sentenced to 5 years. In the appeal, the trial was closed, and the sentence was brought down to 2 years and a half.\textsuperscript{364}

To avoid alerting the families and human rights organizations, prisoners were kidnapped and illegally detained until they were indicted with ‘tailor-made’ charges. In the case of Abdallah Ahidou, he was abducted from his house and illegally detained for six months. The police then charged him with acts he supposedly committed although he was in prison at that time:

I was amongst the group of 71. We spent 6 months in Derb Moulay Cherif until the events of 1984 when the state decided to release us, so it charges us officially with what happened in 1984.\textsuperscript{365}

In other instances, the prisoners were kept in prison despite the court’s decision to release them:

The court of Kenitra sentenced 24 to death and others to terms between life and 5 years in prison. Seventy-five of us were acquitted, but we weren’t released. They took us back to prison and at 1 am, the SIIMI forces came to the prison, handcuffed and blindfolded us then took us to a secret detention center, an isolated military barrack. We remained there for 6 months without any interrogation. One night, they came and forced us to sign documents while blindfolded. They took us again to the court in Kenitra. There, they charged us with forming terrorist organizations while in prison.\textsuperscript{366}

\textsuperscript{363} Rollinde, \textit{le Mouvement}, 172
\textsuperscript{364} Isaa Bouyazden, IER public hearings, Rabat, 2004
\textsuperscript{365} Abdallah Ahidou, IER public hearings, Rabat, 2004
\textsuperscript{366} Idriss Souhail, IER public hearings, Khenifra, 2005
The law also allowed the Moroccan state to strike against the opposition without alerting the international community. This pre-emptive repression was carried out through mass trials that targeted members and sympathizers of a movement or a political party, as was the case with the Frontists in 1977 or the UNFP in 1971. Conducted en masse, these trials were sham proceedings aimed at removing dissident voices from the political scene and silencing the entire society. Figure 15 summarizes the major political trials that punctuated the lives of Moroccans over a period of forty years.

Cultural repression

The majority of the opposition to Hassan II came from an educated elite that trained on the works of Arab thinkers and Western philosophers who called for ideas of justice, equality, human rights and ultimately revolution to achieve them. As a result, the regime came to look at everyone with culture and education as a dissident. Mohammed Mehri was a student when he was arrested in 1964. In his testimony, he described how

I was reading a philosophy textbook in my room preparing for my high school examination when the police raided our home with machine guns. They started looking through my bookshelves and ceased books like the Arab nationalism by Sati Al Husari, Arab revolution by Ahmad Said and the Resistance of Teeba by Najib
Mahfouz. The police chief examined the books and said: Is this where you are learning about resistance and fight?

The crackdown on students and activists intensified during the state of emergency imposed by Hassan II. Hence between 1965 and 1970, literary and cultural resistance replaced political opposition to the regime. It also allowed many young Moroccans to discover the Marxist-Leninist thought and other revolutionary ideologies. As a result, many of them were persecuted and for a long time in Morocco, culture and arts came to be equated with dissidence and opposition. In the spring of 1966, a small group of artists and poets, including Abdellatif Laabi, founded the magazine *Souffles* (in French) or *Anfas* (in Arabic). Literally meaning ‘breaths’ and figuratively ‘inspirations,’ *Souffles* was a quarterly literary publication with revolutionary and communist flavors. Laabi and his colleagues were convinced that a revolution was about to happen in Africa and the rest of ‘the Third World’ and they planned for *Souffles* to be its ‘lightning rod.’ It accomplished that through the publication of local art and literature in what Laabi called “cultural decolonization.” The first issue of *Souffles* defied the silence imposed by the regime stating that ‘poetry is the only means left to man to proclaim his dignity.’ In reference to the numbers that replaced the names of political prisoners and their screams that filled secret detention centers, Laabi added: ‘poetry is the only way to be more than just a number so that his breath will remain forever imprinted and attested to by his cry.’

Following the Arab defeat of 1967 by Israel, *Souffles* started publishing more revolutionary pieces advocating Maoist and Marxist-Leninist thought. In the same year, Abraham Serfaty, the fierce communist and anti-establishment militant who led the radical left joined the editorial team to make *Souffles* the mouthpiece of the Marxist underground movement *Ilal Amam*. With Laabi, he called on poets to join the ranks of the revolutionary cause. Serfaty and Laabi were identified as the leaders of the new opposition and hunted down until their arrest in 1973. Meanwhile, poets, like Abdellah Zriqa, were also detained, even if their...

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367 Mohammad Mehri (Bel Bachir), IER public hearing, Marrakesh, 2005
368 Olivia Harrison, Teresa Villa-Ignacio (2016), Souffles-Anfas: A Critical Anthology from the Moroccan Journal of Culture, 1
369 Abdellatif Laabi in Harrison and Villa-Ignacio, 2
371 Souffles series number 1, 1967. The complete series of *Souffles* and *Lamalif* are available online through the website of Morocco’s National Royal Library at [http://www.bnrm.ma/](http://www.bnrm.ma/)
372 Souffles issue 20-21, 1969, editorial, 1
poetry did not necessarily attack the regime.\textsuperscript{373} Issa Bouyazden was arrested in al Hoceima because of his involvement in cultural activities. He explained that

Cultural activities were very popular with students, employees and teachers in the region. When we organized a Palestinian film festival in 1987, authorities conducted mass arrests targeting around 600 students who faced severe torture including \textit{tayara}, \textit{falaqa}, \textit{chiffon} and torture by electricity. I was the only teacher to be arrested because I was the president of the film club. So, they blamed me for the strikes. \textsuperscript{374}

Bouazza Benchra was fired from his public office and threatened to be tried in the military tribunal in Meknes because he was ‘the biggest instigator of the UNFP in Figuig.’ When asked about the proof condemning him, his boss called a witness who attested that ‘Benchra was always seen carrying and reading At-Tahrir newspaper.’ After his release from prison, he started working in a printing house before opening his own. In his heavily edited testimony, Benchra described in detail how the state targeted writers and intellectuals during the years of lead:

Moroccan writers brought their work to me and I started publishing several books for Mohamed Choukri. His work ‘the tent’ was seized. Right after that, I had to sign a police report not to print that book anymore. Soon after, I published a small book by the poet Rahhou, the police came to the printer and seized the books. They told me that I had to bring them the writer in 24 hours else I would be detained instead of him. I went and looked for him... I also published a book of French poetry and again the police came and asked me to bring them the author who lived in Fes. He was sentenced to 15 years and a fine of 100 000 dirhams.\textsuperscript{375}

Benchra used to print magazines such as \textit{The New Culture}, \textit{Moroccan Times}, \textit{al Muqaddimah}, \textit{al Badil} of Abdallah Assaf and \textit{al Furqan} magazine of the leader of \textit{al Adala wa al Tanmiya} as well as the Islamist \textit{Huda} magazine. He also printed cultural magazines that were deemed leftist by the state. In 1985, the French newspaper \textit{Lemonde} published an article arguing that political resistance in Morocco was not carried by political parties anymore, but through cultural magazines like \textit{Souffles}.\textsuperscript{376} As a result, the ministry of interior ordered Benchra to stop printing those magazines. In 1986, the authorities closed down his publishing house:

I went to the royal cabinet and complained… Then I went to see the governor. He told me: ‘no one is prohibiting you from printing as long as you give us a copy of

\begin{thebibliography}{9}
\bibitem{373} Ouidad el Bouab, IER public hearings, Marrakesh, 2005
\bibitem{374} Issa Bouyazden, IER hearings, Hoceima, 2005
\bibitem{375} Bouazza Benchra, IER hearings, Figuig, 2005
\end{thebibliography}
everything you print and before you distribute it.’ I refused and asked them why. He said: ‘Most books and magazines that were banned were published in your printing house.’

Music was also influenced by the political situation during years of lead, and as a result, it was closely controlled and censored by the regime. Abdeslam Bouteyeb was detained and indicted based on the books and music albums found in his room on the university campus:

They asked me about my thoughts on what was going on in Chile, and the reasons behind my interest in the poetry, singers, and literature of Latin America based on what they had found in my room on campus.377

In his analysis of cultural repression in the Soviet Union, Kevin Mulcahy notes that autocratic regimes ‘cannot tolerate any cultural expressions that question their legitimacy or serve to galvanize the opposition.’378 They typically impose restrictions and sanctions to suppress cultural dissent. However, authorities do not necessarily incarcerate non-conforming artists, especially when it is hard to identify subversive content in music. In the case of Morocco, artists used the ‘Palestinian cause’ to disguise the plight of Moroccans. Drawing on the African roots of Morocco, Nass el Ghiwan, Lemchaheb and Jil Jilala mixed African rhythms, gnawa instruments with local singing traditions like the ‘ayta and malhoun379 away from the dominating Arabic music of the elite by Egyptian and Syrian singers.380 They were also inspired by artists like Bob Marley, Led Zeppelin and the Rolling Stones and created a ‘folk music’ closer to Moroccan youth that had taken the streets to protest back in 1965.381

Although Omar Sayid, one of the cofounders denied the political character of Nass el Ghiwan’s songs, the lyrics were immensely engagé and spoke to a wider range of the Moroccan population, in contrast to Souffles and Lamalif which targeted a literate and intellectually aware audience. The group mixed music and politics to create the ‘ghiwani’ concept in the universal protest repertoire. 382 The name itself in Arabic (Nass meaning

377 Abdeslam Bouteyeb, IER hearings, Hoceima, 2005
379 The ‘Ayta (cry or lament in Arabic) is a musical style mostly sung in Arabic by women in rural Morocco. The Malhoun or Malhun (melodic poetry in Arabic) has its roots in Muslim Southern Spain Al-Andalus. For more on this, see Hisham D. Aidi. Rebel Music: Race, Empire, and the New Muslim Youth Culture (New York: Pantheon books, 2014).
381 Hisham D. Aidi. Rebel Music: Race, Empire, and the New Muslim Youth Culture (New York: Pantheon books, 2014), 150
people and Ghiwan chanted philosophy) invited listeners to go beyond the words to understand the true meaning of the sung message, in reference to the tradition of Sufism and mysticism in Morocco and the quartets of the celebrated Moroccan poet and mystic Sidi Abderrahman el Majdoub.

In the musical documentary el Hal (Trance) documenting the rise and journey of Nass el Ghiwane by Ahmed El Maanouni, a clear return to the black African and Amazigh roots in rhythm, clothes and music is sensed with police repression shown in the background of each song. Mahmouma (tormented), an immensely popular song by Nass el Ghiwane was an outcry that condemned repression of people by corrupt oppressors:

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What a torment, my brother, what a torment
This life is nothing but torment
In it, souls have become oppressed
The sons of Adam have worshiped blame
[.....]
They filled jails with tormented children
And men died of letter bombs
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Mahmouma makes many references to Moroccan political realities and the malaise of its youth: the packed jails with young students following the unrest of 1965 and ongoing universities’ strikes, the bloody repression by the police, corruption of the elite and the parcel bombs that injured political opponents including Mohammed el Yazghi and Omar Benjelloun, the leftist leaders and founders of the UNFP. This alarmed the authorities that harassed the group until it publicly announced that the song was instead about the Palestinian plight. To avoid censorship and persecution, musical groups started expressing their distress and resistance to the establishment using the Palestinian cause. Their aim was not to oppose the regime but to give a voice to the voiceless youth of the poor and popular Morocco living in neighborhoods like Casablanca’s Hay Mohammadi where Nass el Ghiwane and Lemchaheb grew up. Hence when Lemchaheb (the torches in Arabic) chanted Ilal Amam (in reference to the name and motto of Abraham Serfaty’s underground movement, to the Front) in 1974, they denounced the dire conditions of Palestinians but at the same time reflected a desperate situation that was not strange to Moroccans:

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384 Abdaim Salami, “Nass el Ghiwan, Innovators because they are Majadib,” al Arab Online, last modified 07 December 2012 http://www.alarab.co.uk/?p=11259
385 English translation by the author
386 Perrault, Notre Ami le Roi, 194-95
How are we to stand this humiliation?
Isn’t this supposed to be a new era?
With weapons in your hands
Every one of you is patient
Waiting on the other to stand up
The enemy found this opportunity
And transgressed beyond limits
[…]
To the front, to the front, to the front…!

Lemchaheb would multiply hit songs dedicated to Palestine, Beirut and Egypt stressing the solidarity of Moroccans with their brethren in the East often referring to pan-Arabism and Islamic unity. Other musical pieces such as Dawini (Heal me), Ya Latif (the Merciful) and Al Madyoum (the oppressed) denounced an era of misery and repression using a religious discourse that could also be found in the music of Jil Jialal and Nass el Ghiwane. According to Rollinde, a return to a rigorous and egalitarian Islam during that period was a normal reaction to the social injustice of the period. Faith was a means of resistance and contestation against the established order. At first, it targeted the social order of corrupt elites with their ostentatious wealth, but by 1976, attacks aimed the political class that was deemed despotic, illegitimate and irreligious. By the mid-1970s, children were singing songs of Nass el Ghiwan, Jil Jilala and Lemchaheb on makeshift drums while the police patrolled the streets looking for youth with Afros or dreadlocks. Two decades later, survivors of the years of lead and their families would perform the same songs during commemoration events and vigils demanding justice and truth from the regime.

**Gendered repression**

My husband and comrade Lemrabet was being tortured in the next room. The torturer told me: ‘If you want equality between men and women, here it is.’ Indeed, there was no discrimination in torture between a man and a woman. On the contrary, the woman received special treatment.

Testimonies by women victims of the repression of the years of lead reveal that the regime did not distinguish between its enemies. Regardless of their origins, ideologies or gender, the same methods were used to silence a political opponent. Maria Zaouini was a Marxist activist who was arrested in 1977. In her carefully prepared testimony, she described the ordeals of

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387 English translation by the author
388 Rollinde, *Le Mouvement*, 157
389 Aidi, *Rebel Music*, 151
390 Touria Thanani, IER hearings, Khenifra, 2005
female prisoners, arrested, tortured and detained in the same way as their male counterparts. While men were assigned numbers while in detention, women were given male names:

In Derb Moulay Cherif, we were six girls in our group. We didn’t know each other. These were Latifa Jbabdi, Khadija Boukhari, Fatna Lbouih, Widad El Bouab, Nguiya Bouda. We were aged between 18 and 22 years old. They put us girls in the hall and the guys were in the cells. They stripped the guys from their clothes and gave them old military uniforms. They intentionally gave tall detainees small uniforms and vice versa. The objective was psychological humiliation. 391

Torturers followed a set routine upon receiving new detainees. Numbers allowed them to strip male victims of their identity, person and humanity. As for women, giving them male names was a way to negate their womanhood. This seemed to be a way for torturers to inflict more suffering on women but also to help them see in them the political enemy they were:

Female detainees were constantly harassed and threatened. They even took our identity as girls. Even our names were changed. The male detainees had numbers but we were stripped of that right to a number. We were given male names. For example, they called me Abdel Moun’im, Latifa was called Said, Khadija was Abdellah, Widad Hamid and Fatna Rashid. 392

Women detainees were tortured and guarded by male prison guards, sometimes in the same cell as men. Their right to privacy and specific needs were ignored because for the regime, they were simple political opponents who needed to be silenced: ‘during our menstruation; blood was mixed with the blood of our injuries’ explained Maria Zaouini in her testimony who added that ‘they constantly threatened to rape the girls.’ 393 While rape was certainly an additional suffering for women during their detention, it should be noted that rape was not limited to women. Men were also raped, and in a rare testimony, Mohammad Mehri described this infamous method that attacked the honor of men in the country:

When I asked to go to the bathroom, the police chief ordered them to take me to the torture room and introduce the bottle in my anus. Houcine Haidoun, a resistance fighter from Ait Ba’emrane, who was suspended and all in blood raised his hands and started shouting: ‘No, please don’t do it, introduce the bottle in my anus, he is just a kid don’t do that to him!’ They kicked him until he fainted. They came towards me, and I started

391 Maria Zaouini, IER public hearing, Marrakesh, 2005
392 Ibid
393 Ibid
fighting them. Four of them controlled me and made me sit on the bottle the way they wanted. For 20 days, blood came out of my body.\footnote{Mohammad Mehri, IER public hearings, Marrakesh, 2005}

Since the events of the Rif, raping women and children was a systemic method of torture that aimed more at sullying the honor of men and the tribe than hurting the victim himself:

One day, a soldier stopped me while I was going to get some grass for the cattle... He charged his gun and pointed it at me. He asked me to walk around 700 meters away from the houses nearby. He asked me to take off my jacket... ‘Strip down naked’ he ordered me. Up until today, I have never told my family, including my mother and my wife, what had happened to me. He told me: ‘You choose, either death or rape.’ I preferred death. He told me: ‘Are you sure? Think again.’ I told him ‘I’d rather die.’ So he told me: ‘All right, dig your tomb towards the Qibla. We are both Muslims after all.’ I told him: how can I dig with my hands? I tried for a bit then stopped. He told me: ‘Face the Qibla and say your Shahada, I will kill you now.’ I thought I was gone, but he told me: ‘Get up you enemy of God, where do you live?’ I pointed towards the houses we passed by earlier. He then asked me to get up, get dressed and go away.\footnote{Ahmed Benseddiq, IER public hearings, Hoceima, 2005}

What happened to Ahmed Benseddiq when he was thirteen years old reflects a state policy that was deliberate and widespread:

What happened to me [rape] happened to everyone else; in Imzouren, al Hoceima, Bouabbus and everywhere else. When I told my story to people, they assured me the same thing happened to them to the smallest detail.\footnote{Ibid}

Describing the atmosphere of terror and fear in Khenifra after 1973, Idriss Souhail noted that the worst torture was humiliation and the violation of honor. He considered it to be a collective punishment that did not target the victim alone:

This region faced collective repression. A pregnant woman in her tent in the forest was preparing food for her children. A soldier stormed inside and raped her after he beat her up killing her and her unborn child. Another Amazigh girl, aged 9, was arrested by the auxiliary forces because her father fled to Algeria. She was tortured and raped by those monsters in the barracks.\footnote{Idriss Souhail, IER public hearings, Khenifra, 2005}

Women did not only have their gender oppressed while in detention. Like their male counterparts, the regime denied them their status of political opponents:

On our way to the tribunal, guards were huffing and puffing. They were annoyed because they were accompanying female prisoners to the investigative judge. For them, women did not deserve all this fuss.\footnote{Ouidad el Bouab, IER public hearings, Marrakech, 2005}
For Ouidad el Bouab, detained in 1977 for her militantism within the UNEM, psychological torture was worse than physical ill-treatment:

We suffered both physical and psychological torture in Derb Moulay Cherif. Women had their share of beating and slaps. But I will never forget the torture that Latifa Jbabdi received. They suspended her and beat her up until she fainted and couldn’t walk anymore. They tortured Khadija Bukhari with electricity. As for me, psychological torture hurt me more. We were constantly blindfolded and forbidden from talking or moving. To go to the restroom, we had to get the guard’s permission, which depended on his whims. The psychological torture also included rape threats. We lived in constant terror. We weren’t given any hygienic pads when we had our menstruation. There were no female guards. We slept in the hallway, and we were watched by male guards 24 hours a day. This was a big humiliation for me.

IER testimonies focused on women as survivors of repression as a result of their political militantism but also as victims of torture even when they were unaware of the political activity of their male kin. Indeed, Moroccan women were abruptly brought into politics as they saw their fathers, husbands, brothers or sons arrested, tortured or disappeared. As Nadia Guessous rightly puts it, women in Morocco were unwillingly politicized.399 It wasn’t until the wave of student and Marxist-Leninist movements against the regime that women penetrated the male-dominated sphere of political activism thus resulting in hundreds of female detainees. Saida Mnebhi, a feminist activist of Ilal Amam embodied this struggle. She would become a symbol for Moroccan women detainees after her death in prison in 1977 while on a hunger strike.

Islamic Transitional Justice Discourse

‘And say: Truth hath come and falsehood hath vanished away.’ 400

Islamic jurisprudence (fiqh) established, through maqasid shari’a, the main purposes of Islamic law. Classified into necessities, needs and luxuries, these echoes some of the liberal concepts of human rights. These purposes are set to preserve people’s interests or maslahah, including the protection and preservation of faith, soul, wealth, mind, offspring and honor (also understood as human dignity or rights in this context).401 These necessities ensure the creation of a just and moral society – which is the ultimate goal of shari’a. Hence when

399 Nadia Guessous, Genealogies of Feminism: Leftist Feminist Subjectivity in the Wake of the Islamic Revival in Contemporary Morocco (PhD Diss., Columbia University, 2011), 48-50
400 Quranic verse (chapter 17 verse 81) cited by the witness Fama Adoul during her testimony in al Hoceima, 2005
massive human rights violations take place, they attack most if not all of these fundamentals. That was the case in Morocco. Subsequently, the ultimate aim of transitional justice - from an Islamic perspective at least - is to restore justice after a period of disorder and chaos (*fasad*) where those objectives were tampered with. In his comparative study of Islamic and international laws, Cherif Bassiouni found that most transitional justice mechanisms, as agreed upon by scholars and practitioners in the field, are found in the Islamic tradition. In addition, it has now been established that for justice and peace to be achieved in a post-conflict setting, it has to utilize local and indigenous concepts of justice and reconciliation.\textsuperscript{402}

That being said, few Muslim states have drawn on these practices when dealing with the legacy of a violent past, and when they did, they were limited.

Morocco was the first Muslim state to establish a truth commission in 2004 where victims often referred to Quranic verses of forgiveness, reconciliation but also vengeance and accountability in their public testimonies. However, transitional justice measures implemented by the regime were not framed in religious terms; although the concept of *Jabr Darar* (do no harm; no injustice) from the Maliki school of thought was used to explain the concept of financial compensation and restitution to victims and their survivors.\textsuperscript{403}

Interestingly, the Moroccan regime stayed away from the concept of *diyya* (blood money) because of the criminal prosecution component to it. More importantly, *diyya* also entails in Islamic law that the victim (or his family) had agreed to it and that the perpetrator confessed and apologized for the wrongdoing. Another argument that may explain why Morocco refrained from using religious principles of justice and reconciliation has to do with the human factor involved. IER commissioners, including the president Driss Benzekri, were former victims who belonged to leftist and highly secular groups with Marxist-Leninist and Maoist ideologies. Finally, bringing in religion in the dossier of human rights abuses in Morocco might have heavier consequences especially that the victims and the population were not consulted in this process. It was rather a top-down approach that aimed more at whitewashing the regime than at redressing the wrongdoings of the past.

Although most of IER commissioners used a neutral language when opening the sessions of the public hearings, a majority of the witnesses used religious greetings, and many of them included Islamic concepts of forgiveness and punishment in their testimonies. Interestingly,

\textsuperscript{402} See for example, Abdullahi Ahmed An-Na‘im. ‘From the Neocolonial ‘Transitional’ to Indigenous Formations of Justice.’ International Journal of Transitional Justice, Volume 7, Issue 2, 1 July 2013, 197–204.

\textsuperscript{403} Slyomovics, *the Performance*, 37
while some witnesses expressed their intention to forgive, they still recited verses of the Quran that called for accountability and vengeance. Before giving his testimony about the repression and torture he faced in Figuig, Mohammad ‘Amara opened with religious salutations and a Prophetic Hadith: ‘No soul shall carry the burden of another soul,’ suggesting that the current king should not be blamed for the wrongdoings of his father. Fama Adoul opened her testimony with verses 42 and 43 from Chapter 14 of the Quran:

Deem not that Allah is unaware of what the wicked do. He but giveth them a respite till a day when eyes will stare (in terror). As they come hurrying on in fear, their heads upraised, their gaze returning not to them, and their hearts as air. Justice always prevails, and Allah gives respite (to the oppressor/unjust, etc.), but never neglects (their punishment).\textsuperscript{404}

The Return of Symbols and the ‘Martyrs’of Violence

The testimonies were able to mark a break with the past by allowing the victims to utter for the first time in public and on television the names of many dissenters and discuss taboo topics like torture and rape. Names like Tazmamart, Derb Moulay Cherif, and Dar Mokri, as well as the Skhirat military coup, were mentioned, and more importantly, witnesses were able to publicly condemn the assassination, torture, and detention of many of their heroes. Were also mentioned slogans and expressions that were once deemed acts of subversion like ‘Shuhada’ Lkoumira’ (the martyrs of the baguette) - in reference to the bread riots of 1981 and 1984 - who chanted two decades ago: ‘how are you supposed to live you poor Moroccan when the baguette is worth 160 centimes?’ Jamal Ameziane opened his testimony by proudly stating his belonging and identity. ‘I am the son of Haj Sellam Ameziane, the leader of the Rif revolt of 1958-59.’ He continued:

I am a Rifi. The only thing my father did is oppose a pseudo-independence. He openly asked for total independence, for the return of Bin Abdelkrim el Khattabi, to close foreign military bases and for free elections, democracy, and a free Morocco for everybody. As a result, he was detained for two years without trial. Then when the rebellion of the Rif occurred, and mass trials followed, my father was sentenced to death in absentia. He was forced to exile.\textsuperscript{405}

\textsuperscript{404} The Holy Quran, verses 42 and 43 from Chapter 14 recited by Fama Adoul in her IER testimony in al Hoceima, May 2005
\textsuperscript{405} Jamal Ameziane, IER public hearings, al Hoceima, 2005
Mohammed Elmrabtin was a member of the UNFP and the group of Sheikh el Arab. Ahmed Agouliz, commonly known as Sheikh el Arab, led guerrilla warfare against the regime in the wake of Morocco’s independence in 1956 until he was gunned down in Casablanca by the security forces of Oufkir. Elmrabtin used his testimony to set the records straight:

We didn’t wait for orders to come from Fqih Basri. We decided to coordinate our fight with Tanzim Sheikh el Arab because it was the best one. A lot of people don’t like to mention his name that is why he is not known. The same thing is true for Omar Dahkoun who played a big role in our resistance.\textsuperscript{406}

For Hamid Zrikem, his testimony was an occasion to mention the names of his friends in the fight for democracy and real independence. He asked that the state acknowledges them and grants them the status of combatants and martyrs:

Moulay Shaf'i, Caid el Bachir, Caid Houcein Bziwi, Barkatou, Ben Heddou Lmekhzni, Brik Sheikh, Lahcen Roudani were all assassinated except for Bziwi. That is why we ask from the IER to expose the affairs of the great leaders Moulay Shaf'i, Houcein Bziwi and the rest of the group. The least is to honor them as resistance fighters and innocent martyrs.\textsuperscript{407}

Lahbib Azeryah demanded that the state rehabilitates the dignity and memory of the Rif and its people by:

uncovering the whole truth about the events of the Rif through the identification of group cemeteries in the entire region, the rehabilitation of the symbols of the Rif and the preservation of the memory of the Rif including the re-writing of the history of Morocco and by encouraging studies in questions of collective reparation.\textsuperscript{408}

And although he does not mention it by name, Hakim Benchemmas asked the regime to take the restrictions off the memory of the Republic of the Rif established by Bin Abdelkrim in 1926:

I want the state to acknowledge the heroic fight of Mohand [Mohammed] Bin Abdelkrim el Khattabi against French and Spanish colonialism. It [i.e., the Republic of the Rif] was an experience of freedom, and we have the right to be proud of it. They [i.e., the regime] should let us be proud of it. They should let us teach it to our children in history textbooks.\textsuperscript{409}

The testimonies were also an occasion to mention the names of victims and their legacies.

Saida Mnebhi, Mehdi Ben Barka, Sheikh el Arab, Fqih Basri, Hajj Sellam Ameziane and many other names were celebrated and honored in the accounts of the witnesses. They gained

\textsuperscript{406} Mohammed Elmrabtin, IER public hearings, Marrakesh, 2005
\textsuperscript{407} Hamid Zrikem, IER public hearings, Marrakesh, 2005
\textsuperscript{408} Lahbib Azeryah, IER public hearings, al Hoceima, 2005
\textsuperscript{409} Mohammad Benchemmas, IER public hearings, al Hoceima, 2005
the status of ‘martyr’ because they died while fighting the enemy. According to the Islamic
tradition, the title of ‘martyr’ is conferred on anyone, male or female, who dies while fighting
in the name of Islam:

Think not of those who are slain in Allah’s way as dead. Nay, they live, finding their
sustenance in the presence of their Lord. They rejoice in the bounty provided by Allah
(the Quran, Chapter al Imran, verse 169)

Thus, a shaheed or shaheeda is supposed to live eternally and enjoy the highest rewards from
Allah for giving up his or her life. This partly explains the popularity of the concept of
martyrdom in Muslim societies. During the years of lead, the concept came to encompass
those who died under torture or while fighting oppression in the form of colonialism or
authoritarianism, regardless of their beliefs. These included Muslim militants as well as
Marxist-Leninist dissidents who were known for their rejection of religion. And even when
political prisoners died from ‘natural’ causes, they were still considered ‘martyrs’ because
they suffered injustices and because they died while in detention, in a site of injustice.
Interestingly, shaheed comes from the same root word as witness ‘shaahid’ and testimony
shahaada in Arabic, giving the term a double meaning in this context: a witness of injustice
and wrong suffered at the time.410 Mustapha Belhouari gained his status of shaheed following
his death while on a hunger strike in 1984. He was a UNEM militant close to the Marxist-
Leninist movement Ilal Amam. During the strikes of 1984, he was arrested then subjected to
torture along with hundreds of students and teachers. Describing his death in her testimony,
Batoul Tarawat introduced herself as ‘the mother of the martyr Mustapha Belhouari’:

When the corpse of Mustapha arrived in Marrakesh, 4000 people were in my house
waiting for him, from every part of Morocco. The police surrounded the house... The
funeral procession was enormous. They said this is the funeral of a martyr. They all
wanted to take part and pray for him at the mosque. Many journalists came as well.411

In the same way, Zahra Lakhder introduced herself as ‘the mother of the martyr Mohammed
Grina.’ He was a UNEM militant and USFP member from Marrakesh. The security forces
arrested him on 17 April 1979 after he took part in the protests organized by the Democratic
Labor Confederation (CDT, La Confédération Démocratique du Travail) to celebrate ‘Earth
Day for Palestine.’ He died under torture days after. In her testimony, Lakhder proudly spoke
of her martyr son:

410 For an interesting discussion of testimony and women in the Moroccan context, see Slyomovics, the
Performance, 145 – 150.
411 Batoul Tarawat, mother of Mustapha Belhouari, IER public audiences, Marrakesh, 2005
I am proud of the funeral of my son because he was a martyr and all Morocco took part in it. The funeral procession was immense, and it went through the city although the authorities forbade us to go through it. But thanks to the militants we were able to march, and we prayed for him in Lebanon mosque in the city center. I received letters from Sudan, Palestine, and all Gulf countries. Thank God.\(^{413}\)

**Prison, Torture and the Hajj**

My God! Where am I? And who are these pilgrims? And when did they go to Hajj?\(^{413}\)

IER public auditions gave victims the opportunity to explain the reasons behind their arrest before they delved in describing the sufferings they endured as a result. They stated their political affiliation and beliefs and defended them as reasonable and rightful demands to establish a democratic society based on equality and justice. Abderahman Choujar was a UNFP militant and companion of ALM leader Sheikh el Arab. Choujar started his testimony by describing how:

Moroccans rallied around King Mohammed V and the monarchy. Thanks to the Liberation Army, to merchants, peasants, and all nationalists, we were able to free our country in the hope that we would have a democratic, free and equitable state based on democratic institutions. Alas! That didn’t happen. And because we said no, we faced repression. That’s how it all started.\(^{414}\)

Atiq Salih Belghali was also a member of the Moroccan Liberation Army and the guerrilla group the Black Crescent that fought against French colonialism. He described in his testimony the regime’s clampdown on his organization following independence:

I am here to give my testimony, so people know the truth about what happened since 1956 until 1990…When the king returned, they asked us to put down our arms. So I went to hand in my weapons. Some of us joined the police. I was only 17 years old, so I decided to go live in the countryside. Sometime later, we heard that they eliminated Abdallah Glaoui in l’Oasis. Then Haddaoui came to Marrakesh and told us: ‘beware and don’t trust anyone, these people are eliminating everyone!’ Eight days later he was killed in Casablanca. After that, Zayani was killed. Another one nicknamed ‘Big 20’ was also eliminated. We panicked here in Marrakech. Everyone went into hiding in different directions. We didn’t know what was going on.

In the same way, Mohammed Elmrabtin started his testimony explaining the reasons behind the armed struggle chosen by the Tanzim, the armed wing of the UNFP:

\(^{412}\) Fatma Lakhder, IER Public hearings, Marrakech, 2005

\(^{413}\) Fatna el Bouih, *Hadith al ‘atamah* (Casablanca: Le Fennec, 2001), 16.

\(^{414}\) Abderahman Choujar, IER public audience, Marrakesh, 2005
The UNFP was blocked. We decided to resort to armed resistance because they closed every democratic means for us to carry the fight.

After that, most victims described the way they were arrested, interrogated and tortured. Mohammed Bel Bachir, who changed his last name to Mehri, was a student when he was arrested in June 1964. His edited testimony was one of the few ones that referred to torture by rape:

They took me to Derb Moulay Cherif and there I saw hell on earth. Three naked men were roasting on a stick like chicken. One of them had blood running out of his anus. I didn’t understand why until I was subjected to the same bottle introduction in my anus.

Issa Bouyazden, who was arrested and detained in 1987 along with 600 students, explained,

The students and I faced all sorts of torture methods: tayyara, falaqa, chiffon, torture by electricity, the parrot … I used to be suspended for four hours per day; sometimes twice a day until my right hand was paralyzed. For eight months, I couldn’t move this hand and worms would get out of it. The chiffon was a cloth soaked in urine and excrements as well as other strong chemicals and then used on our mouths and noses to suffocate us.

These torture methods had been described in detail in Amnesty International reports and in victim memoirs prior to the IER. However, verbal and written descriptions could never translate the horror of the practices and the pain endured by the victims. In 2000, Abdelaziz Mouride, a Marxist-Leninist prisoner tried illustrating these in his graphic novel On affame bien les rats! (They starve rats, don’t they?). Based on his own experience and conversations with fellow detainees in the Kenitra prison, he was able to draw torture scenes, secret detention centres including Derb Moulay Cherif, mass trials and police repression during social uprisings. Mourid smuggled his sketches between 1974 and 1984 which helped human rights organization like Human Rights Watch and Amnesty International intensify their campaign against the Moroccan regime. In the same way, Khalid Bakhti, a former victim and graphic designer, sought to replicate in images the postures and torture methods used by the regime during the years of lead. Bakhti was arrested in August 1983 for posting anti-monarchist posters and graffiti. He was tried with the group of 71 ‘Islamists’ in 1984 in Casablanca. In his indemnification application to the National Council of Human Rights

416 Susan Slyomovics, the Performance, 34
(CNDH) in 2000, he used graphic design software (Poser) to reproduce the torture methods endured by prisoners (Figure 16).417

Figure 17: Torture methods by state agents against victims: Tayyara, Shabah, al Falaqah418

Blindfolded, prisoners were tied to a wooden or iron bar from the hands and feet then suspended to apply pressure on the spine. Beatings, electric shocks and suffocating were inflicted on them at the same time. In its final report, IER listed 10,758 cases of torture and 386 cases of sexual assault.419 However, the six-volume report limited its mention of torture methods to a list that included: ‘Suspension’ in its different forms, accompanied by beatings on the soles of the feet or other parts of the body; burning with cigarettes; pulling out finger and toenails; forcing victims to drink polluted substances; forcing victims to sit on a bottle.420 Victim testimonies during the hearings were then a much needed addition that provided detailed descriptions of the sufferings endured by victims in Arabic, Amazigh and French. Lahbib Azeryah, a UNEM member, also shared his story providing his audience with a full picture of the methods of arrest and detention conditions:

They dragged us barefoot, blindfolded and handcuffed while it was raining for 500 meters with other comrades to the land rover car that took us to an unknown destination. It wasn’t the national police or the judicial police but to a secret detention center located in front of the Wilaya (municipality) of Fes. Then they took us to

417 Ibid, 188-189
418 Khalid Bakhti in Susan Slyomovics, the Performance, 189
419 IER final report, Volume 2, 63 [French version]
420 IER final report, volume 1, 70 [English version]
another secret location where I spent one night and then to the infamous Derb Moulay Cherif in Casablanca where we were stripped out of our clothes. They gave us khaki uniforms to wear and gave us numbers. They put each one of us in a small cell. Then came my first lesson: ‘the rules of the house: from now on, you don’t have a name. Your name is number 3; every time you hear number 3, stand up and get ready! And if you want to go to the bathroom, then you have to take the permission of the hajj. He has to accompany you to the toilet.’

During these testimonies, perpetrators were referred to in different ways. Victims used both Arabic and French to describe the people responsible for their sufferings: *al jalladun* or *tortionaires* (torturers), *les bourreaux* (hangmen), *ayadi al dolm* (the hands of injustice), *zuwar al laîl* (the visitors of the night), *al-mujrimeen* (criminals), *kuffar* (infidels), *masakhit* (the object of hate and disapprobation of God) and *al-hujjaj* (the pilgrims). The latter was the term mostly used by both victims and perpetrators to refer to the prison guards. *Al hajj* (sing.) is the name used by Muslims in general to refer to a man who completed the fifth pillar of Islam ‘Hajj’ or pilgrimage to Mecca in Saudi Arabia. Such people are considered of high piety and religious spirituality. In Morocco, *al hajj* is often used to refer to an old man or an important person even if they did not perform this religious duty. In Derb Moulay Cherif, however, this term was used as a nickname for those who guarded and tortured the prisoners. A survey of the Moroccan prison literature, as well as testimonies of former victims, reveals that in fact, *al hajj* was sort of an official pseudonym for prison guards who used it to hide their real identity. They were all pilgrims (*hujjaj*). Nevertheless, most prisoners of the years of lead found a way to distinguish between their torturers: there was the smelly *hajj*, the *fassi hajj* (from Fez), the foul-mouthed *hajj*, the *hajj* with the feminine voice and so on.

Saleh Saadellah was among the UNFP leadership arrested in 1963, 1971 and 1973. He echoed in his testimonial how:

> Prison guards called themselves *al hajj* so we don’t distinguish between them. But with time, we could tell the difference between them. We put them in categories based on the curses they used against us or expressions they would repeat.

In his testimony, Rachid Manouzi, who was detained with seventeen other members of his family in September 1970, called the *hujjaj* infidels and men without mercy who had no respect for human beings. He also explained how prison guards followed their prisoners in every detention center:

> Our prison guards, whom we called *hujjaj*, followed us everywhere: in Derb Moulay Cherif, they were wearing civilian clothes. When we were transferred to the military prison, they came with us and wore military uniforms. When they took us to the civil prison of Marrakesh, the same *hujjaj* wore uniforms of civilian prison guards. This means that they were part of different administrations. This also means that in forced
disappearance, all state organs were involved: the Ministry of Justice, the Ministry of Interior… Everyone took part in forced disappearances in their own way.

Reconciliation and Forgiveness

While most victims focused on the description of methods of torture and secret places of detention, the message of forgiveness always prevailed in the end. Unlike AMDH hearings where victims stressed the need for the accountability of the perpetrators, IER testimonies repeatedly put forth a discourse of reconciliation and tolerance.

Personally, I don’t want the prosecution of those miserable torturers because I simply consider that I have won. I beat them when I preserved my sanity and some of my psychological balance, thanks to the support of my family and thanks to the support of my older brother. I don’t want them prosecuted because I am convinced our country does not need to get into these mazes. I only want to know the truth.421

Lahbib Zeryah was also against revenge and preferred a forward-looking justice that focused on truth and building a free and democratic Morocco:

I came to testify in this public hearing not to get revenge against anyone. I am here to contribute as a former political detainee and a Moroccan citizen in building the future Morocco where law rules and law is above everyone and against all sort of repression, against what we call ‘the police state’ that was once our country for a long time, especially in the Rif region, to build a modern and democratic Morocco.

Similarly, Atiq Saleh Belghali stressed the need to forgive and move forward while looking towards the stand of IER commissioners:

Those who died, I personally forgive them. And for those who are still alive, God knows, if I see them I will hug them and tell them that I forgive them and ask them to forgive me because I know they didn’t come at me on their own. We know they were carrying orders. I thank this commission. We never realized such a thing would happen. I pray God this won’t happen again. I ask God that we become brothers and that we love each other. That’s all we want. This is democracy. Salam Alaikom

Despite the ‘reconciliation’ theme that was put forth in many testimonies, few victims expressed their inability to forget and forgive until wrongdoers were punished. Fama Adoul was one of them:

421 Abdelhakim Benchemass, IER Public Audition in al Hoceima, 2005
Why wouldn’t they prosecute them when they prosecuted and killed our men? All my life was tears. I won’t forgive them. I won’t forgive those who died and I won’t forgive those who are still living. And I ask God to punish them while I am still alive.422

Mhammed Mrabet, who saw his father, brother and grandfather detained and his entire tribe and family repressed during the Rif revolt of 1958 and 1959, hinted in his testimony to his inability to forget and forgive past sufferings:

Those who killed my brother are known, but I won’t say their names. God will punish them. Everything is out in the open now. Nothing is left to hide. As for us, we have already forgotten and turned the page on this black period a long time ago. As did many of us including Heddou and Si Abdeslam Taoud. We left it to God. And now it is like a rebirth, but we are in pain. Even if we are smiling, we are still hurting inside. God only knows our state.

The messages against impunity occurred in the Rabat sessions where the broadcast was live. In other sessions, testimonies were edited out to stress forgiveness over vengeance, reconciliation over accountability. In a testimony that was hard to follow because many parts were edited out, Hamid Zrikem stated:

When we hear that the person who executed the death sentence is innocent, we ask ourselves: how come? Where does this innocence come from? They claim that some of them wanted to respect the law, but they were obliged to carry out orders.423

Chapter conclusion

Transitional justice in Morocco did not come about easily. In a duplicitous attempt to swiftly turn the page on past violations, the regime offered victims - through the indemnity commission (IAC) - substantial amounts of money in exchange for their silence. However, pressures by both the international and local human rights movement forced the regime to face its past actions and uncover them through a truth commission. The monarchy responded by adopting and adapting this mechanism to produce the narrative of a new regime that transitioned from an autocratic political system to one respectful of the rule of law and human rights. As seen in the previous chapter, the mandate and composition of the IER were negotiated to ensure the continuity of the makhzen, even if that meant a renewal of the politically relevant elite, mainly composed of former leaders of the leftist opposition of the 1960s, 1970s, and 1980s who had formed strong ties with the international community while in jail or in exile. Behind the scenes, the makhzen could control the proceedings of the

422 Fama Adoul, IER public hearings, al Hoceima, 2005
423 Hamid Zrikem, IER public hearings, Marrakesh, 2005
investigations and closed testimonies that condemned its men. During the public hearings, however, new tactics helped divulge just the right amount of truth needed to whitewash the regime and preserve the status-quo.

Although victims and their survivors were carefully selected and their prepared testimonies seemed mechanical at times (especially those in classical Arabic or French, as opposed to the Moroccan vernacular or the native Amazigh language), the public catharsis of Morocco’s dark past included representatives of almost all repression episodes between 1956 and 1999. They included men and women from different social groups and divisions who narrated their traumatic stories as activists, political dissidents and bystanders or as wives, mothers, daughters and sons living through systematic state violence. The official discourse emerging from these official hearings focused on the break with the past and the discontinuity of the state’s practices of torture and oppression against its people. Perpetrators were not identified and thus, were spared public shaming or prosecution. The common message heralded by the testimonies presented a transitioning and democratizing Morocco respectful of human rights.

This was happening at the same time hundreds of victims were illegally detained and tortured in Moroccan prisons in the aftermath of the terrorist attacks that hit Casablanca in 2003 and Madrid in 2004. Nevertheless, IER testimonies succeeded in portraying a new Morocco where victims could talk about the past, criticize the government, denounce injustices and celebrate symbols like Mehdi Ben Barka, Houcine Manouzi, Bin Abdelkrim el Khattabi and many others. Most importantly, the regime succeeded in positioning itself as the new guarantor of human rights after changing its status from oppressor to protector. Thanks to bodies such as the IER and the CNDH, the Moroccan regime evolved from being non-existent in the field of human rights to active and from being the oppressor to being the protector of human rights in Morocco. This narrative was further enhanced ever since King Mohammed VI granted more rights to Moroccan women in the new moudawanna (family code) of 2004. This was sensed in IER public auditions where victims often thanked and praised the young king for establishing the truth and reconciliation commission and initiating the democratic transition in the country. The next chapter analyzes the alternative discourse presented in the public hearings of victims of the unofficial truth commission organized by the Moroccan Association of Human Rights (AMDH). Held at the same time as the official public audiences of Instance Équité et Réconciliation, AMDH testimonies succeeded in

424 Morocco/Western Sahara: Broken Promises: The Equity and Reconciliation Commission and its Follow-up, Amnesty International Report, January 2010
complementing at times and countering at other times, the official discourse about the repressive past of Morocco.
Chapter 6: Testimony as Resistance - The case of ‘Testimonies without Chains for the Truth’

‘I thank the honest militants of the AMDH for this initiative, and we hope this will give us back our dignity that the IER took away from us with its attempt to impose on us a disfigured and crippled truth.’ Ibrahim Dahhan, al Hoceima, 2005

Truth-telling is an old practice that originated with the human rights movement that sought to record victims’ stories of sufferings, document violations and expose the past through truth inquiry, commemoration days and various other memorialization efforts. In Morocco, human rights organizations formed as a reaction to the regime’s repression of any form of political opposition. Each political party sought to set up its own NGO through which it lobbied for the protection of human rights. The Istiqlal took their political struggle to the terrain of human rights activism with la Ligue Marocaine de Defense des Droits de l’Homme (LMDDH). The USFP (formerly the UNFP) and Marxist and Leninist underground movements like Ilal Amam and 23 March Movement founded the AMDH. Because of this, the civil society in Morocco is highly politicized. As a result, the human rights discourse in Morocco was often used to justify political action or disguise it. In contrast, a movement of the families and mothers of victims formed informally after each mass repression such as the 1972 wave against the Marxist-Leninist activists or the 1983-84 one against Islamist militants.

The core group of the families of the disappeared formed around the kin of the syndicalist and leftist militant Abdelhak Rouissi (disappeared on 4 October 1964), the trade unionist Houcime Manouzi (abducted in Tunisia on 29 October 1972), Belkacem Ouzzane (an officer of the auxiliary forces who disappeared on 30 August 1973) and the family of Jilali Dik (a military officer who disappeared in the secret detention center at Tazmamart in August 1973).

1 Victim’s testimony during AMDH public audiences ‘Testimonies without Chains for the Truth’ in al Hoceima, 2 April 2005
2 Bickford, Supra note 30 William Korey, NGOs and the Universal Declaration of Human Rights (1998); Margaret E. Keck & Katherine Sikkink, Activists Beyond Borders: Advocacy Networks in International Politics (1998)
3 By civil society, I mean the non-governmental organizations, local associations and grassroots groups in which people pursue the shared interests and will of citizens. See the UNDP note: ‘NGOs AND CSOs: A Note on Terminology,’ http://www.cn.undp.org/content/dam/china/docs/Publications/UNDP_CH03%20Annexes.pdf
4 For a discussion of civil society in Morocco, see James N. Sater, Civil Society and Political Change in Morocco (New York: Routledge, 2007).
These were supported by UNFP and Marxist-Leninist militants in exile in France through the Organization of the Parents and Friends of the Disappeared in Morocco (l'Association des parents et amis des disparus au Maroc - APADM) and Amnesty International which circulated their communiqués. Spearheaded by Khadija Rouissi (Abdelhak Rouissi’s sister) and Manouzi’s brothers Jamal and Abdelkrim, the group succeeded in alerting the national and international communities to the critical human rights situation in Morocco. By the 1980s, they had marched every Labor Day on 1 May beside the unionists of the Moroccan trade union UMT (Union Marocaine du Travail) and were themselves disappeared and tortured as a result.5

At the same time, the Algeria-based Association of Families of Sahrawi Prisoners and Disappeared (Asociación de Familiares de Presos y Desaparecidos Saharauis - AFAPREDESA) documented and compiled lists of the disappeared and detained victims from the Western Sahara since 1975.6 A third group was set up by the families of the detainees such as Abdellatif Laabi’s wife Jocelyne, Amine Abdelhamid’s wife Latifa and Abraham Serfaty’s sister Evelyne, after the mass arrests of the frontistes (23 Mars, Ilal Amam and Servir le Peuple), UNEM militants and UNFP members between 1973 and 1977.7 They frequently met in front of prisons while waiting for hours to visit their detained kin. They coordinated their actions and sent delegations to the Ministry of Justice, the prison directorate and the Ministry of Interior to demand fair trials and better detention conditions for their relatives. As a result, the mothers, wives, sisters and daughters of victims were frequently detained and abused.8 In a similar way, the families of Islamist detainees formed groups in Marrakech, Casablanca and other cities following their mass arrests between 1981 and 1984 and faced the same regime persecution as the mothers of the Marxist militants.9

Unofficial Truth-Telling Initiatives in Morocco

These grassroots initiatives formed a network throughout Morocco that compiled lists of the disappeared and detainees and documented the abuses perpetrated by the state against the victims. Private ceremonies were held to commemorate the lives of the young activists who gained the status of ‘martyrs’ like Mohammed Grina, Mustapha Belhewari, Abdelhak Chbada or Saida Mnebhi. Their abrupt death under torture fueled their families with a strong will to

5 Frédéric Vairel, Politique et Mouvements Sociaux au Maroc, 149-150
7 Rollinde, le mouvement marocain, 215-218
8 Slyomovics, the Performance, 157-158
9 ibid,160

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confront the security forces that led siege to their houses. Detained in April 1984 in Marrakesh, Abou Bakr Douraidi died after a 58-day hunger strike protesting at his conditions of detention. His sister Fatema Douraidi described in her testimony before the AMDH how:

Each year, the families of the martyrs commemorated Mustapha and Abu Bakr on the day of their death despite the repression of the makhzen. Every time, we would invite other families from around the country as well as the national and foreign press and human rights organizations such as Amnesty International, the International Federation for Human Rights (FIDH) and AVRE. 10 These commemoration days would turn into conferences where the families gathered to charge the wrongdoers with crimes and organize activities to push for the release of the political prisoners and the forcibly disappeared.11

By the 1990s and after the first wave of royal pardons in favor of hundreds of political prisoners, survivors of the years of lead and their families organized themselves in groups that lobbied for state reparations and acknowledgment of past human rights violations. Their efforts were spearheaded by local human rights NGOs such as the AMDH and the OMDH. Some of them formed according to their detention places like the Tazmamart group or the victims of Kalaat Mgouna. Others formed based on the date or place of their mass trial like the victims of 1977 Casablanca trial or group of Abdennacer Bnouhachem. The willingness of Hassan II to negotiate with the opposition and his desire to redress the wrongdoings of the past at the end of his reign offered a golden opportunity for these groups to move forward with their demands.

In April 1998, the leftist Prime Minister Abderrahman el Youssoufi opened the discussion in the parliament around the issue of the disappeared.12 The CCDH list of 112 disappeared further angered the survivors and their families. The regime invented its own terminology in the official discourse. In contrast to the AMDH (and other Human Rights organizations like Amnesty) which used ‘the forcibly disappeared,’ ‘political prisoners’ and ‘prisoners of conscience’ to refer to the victims of the years of lead, the regime - including the CCDH memorandum - used the term ‘the so-called disappeared’ or Ma-yussama bil mukhtafun. In 1999, the advent of the young and seemingly modern King Mohammed VI encouraged the civil society and groups of victims to challenge that discourse and publicly started advocating their cause. On 10 October 1999, victims, their families and human rights activists gathered in Casablanca to openly ask for a commission of inquiry into the past, rejecting the silencing

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10 A French organization for the victims of repression in Morocco
11 Fatema Douraidi, Testimonies without Chains, 16 April 2005, Marrakesh
12 Slyomovics, the performance, 44
policy of the Independent Arbitration Commission (IAC). Seven days later, their leaders, including former political prisoners such as Driss Benzekri and Salah el Ouadie as well as members of the families of victims such as Khadija Rouissi, met to agree on a strategy to force the regime to open the files of the past, expose the truth and bring the responsible individuals to justice. The Moroccan Forum for Justice and Truth (FMVJ) was created as a result ‘to mobilize efforts for comprehensive and equitable settlement of past abuses and the establishment of a true reconciliation based on the restoration of truth and justice.’ These included the collection of information from family and political networks as well as victim testimonies.  

The Art of Truth-Telling in Morocco

In his comparative study of unofficial truth projects, ICTJ former director Louis Bickford lists other unofficial truth-telling initiatives including victim memoirs and artistic projects that narrate and commemorate the past: theatre, poetry, museums and memorials. Moroccan victims and artists excelled in this ‘Art of Truth-telling’ in different languages (Arabic, French, Berber/Tamazight and Spanish) with many memoirs, novels and oral histories turning into international and national successes such as Ahmed Marzouki’s ‘Tazmamart: Cell No 10,’ Salah el Ouadie’s ‘the Groom’ and the acclaimed memoir ‘Stolen Lives’ by Malika Oufkir, the daughter of the fallen General Mohammed Oufkir. Although contested by both the regime and the victims, a unique case of truth-telling from the perspective of a perpetrator featured Ahmed Boukhari, a former secret service agent who confessed in 2001 to acts of torture and forced disappearances in local newspapers and later on in a memoir. Once banned under the regime of Hassan II, Moroccans manifested a hunger for these novels and memoirs, making the fortune of publishing houses. Book after book and testimony after testimony, the regime was confronted with its past and a new discourse: that reparation without exposing the truth and rehabilitating the victims could and would not occur.

Performances of human rights which also triggered the process of transitional justice in Morocco, include conferences, sit-ins, vigils, rallies, public testimonies, funeral eulogies and

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13 FMJV founding statement in Slyomovics, the Performance, 30
14 M’barek Bensalem Afid, Shahadat ‘an Atta’dib (Testimony about Torture), Forum Marocain Pour la Justice et la Verité in Slyomovics, the Performance, 30
commemorative days.\textsuperscript{18} Slyomovics adds to these other local rituals of oral story-telling dubbed the *halqah* (or *halaqah* in classical Arabic) whereby a narrator shares – in prose or rhyme – his story before tens of onlookers standing in a circule.\textsuperscript{19} The first public vigil on 14 November 1999 commemorated the death under torture of political prisoners Amine Tahani and Abdellatif Zeroual.\textsuperscript{20} The event took place in Complex Anoual, a public space owned by the Municipality of Casablanca whose name commemorates the victory of bin Abdelkrim el Khattabi over Spain in the Rif War in 1921 (discussed in Chapter 7).\textsuperscript{21} For the first time in public then, the commemoration at Complex Anoual in 1999 celebrated the lives and accomplishments of Marxist-Leninist militants with testimonies from survivors calling for the prosecution of wrongdoers and the establishment of a Moroccan truth commission.\textsuperscript{22} In the same month, activists surrounded the house of the Prime Minister and silently protested the honoring of Hassan II’s henchman and former Ministry of Interior Driss el Basri that the government had announced days before.\textsuperscript{23}

On most of these occasions, militants lit candles and sung the candle song ‘*Sham’ah*’ to commemorate the death and disappearance of hundreds of Moroccan activists. Part of the malhoun musical tradition, ‘The Candle’ was the protest song par excellence in the 1970s and 1980s when pop-bands like Jil Jilala and Nass el Ghiwane mixed rock-and-roll with African rhythms and traditional Moroccan music to give voice to the disenchanted youth and silenced opposition of the years of lead. In an imagined dialogue between the interlocutor and the candle, the protestors implored the regime to stop muzzling them and urged the victims to tell their stories without fear:

\begin{quote}
O candle, I ask you, by God, tell me what happened to you?
Why do you cry? What is on your mind?
What’s your story, what’s your pain
That made you suffer, that made you feeble?
What’s this pain that makes you weep in front of your friends and foes?
Complain to me without fear about what is inside you,
\end{quote}

\textsuperscript{18} Slyomovics, *the Performance*, 41
\textsuperscript{19} ibid, 90
\textsuperscript{20} ibid, 86-87
\textsuperscript{22} Slyomovics, *the Performance*, 87
\textsuperscript{23} Mohammed Chaoui, ‘Youssoufi reçoit Basri’ in L’Economiste (N°:655 Le 08/12/1999)
And tell your story, I am listening to you
While I, with my story, I go beyond and add to yours.  

When the FMJV organized a sit-in in Derb Moulay Cherif in Casablanca on 4 March 2000, former prisoners made a pilgrimage (hajj) to their old detention and torture center. In the Islamic tradition, hajj is to be performed as a religious duty. Every capable Muslim, male or female, must travel to Mecca in Saudi Arabia at least once in his or her lifetime to visit the holy sites of Islam. Once completed, they gain a new honorific title: the pilgrim or hajj in Arabic, the same word used to refer to a torturer or a prison guard (although the pronunciation differs a bit). In Morocco, people also travel to mausoleums of their venerated saints to perform what they call ‘the smaller hajj.’ These ziyarah (visits) are supposed to bring blessing and good luck (baraka) to the pilgrims who seek the saints’ interference with God to achieve it. The tradition is adopted by both Muslim and Jewish Moroccans who often light candles and leave donations in the hope of seeing their petitions fulfilled. Both cultural and religious pilgrimages hence are completed on a site deemed holy and sacred by the petitioners. In the case of Derb Moulay Cherif, victims made their hajj to establish the truth about the secret torture site that was this detention center. They sought to achieve recognition of their sufferings and open the files of the past to seek redress. At the same time, they marked the place as holy since it was the location where many of their ‘martyred brothers and sisters’ were tortured and killed. Other secret detention centers such as Dar el Mokri, Tazmamart, Kalaat Mgouna and Agdez embodied the concept of shrines since they housed the graves of victims who died on site.

On 4 March 2000, demonstrators sat in a circle (halqah) in front of Derb Moulay Cherif. They lit candles and shared their stories while holding pictures of martyrs and forcibly disappeared victims. They were joined by over a thousand Moroccans who made a human chain encircling the prison holding posters that called for the state to shed light on the dark past of Morocco. Other pilgrimages organized by the FMVJ occurred months later to the remote Tazmamart and Kalaat Mgouna secret detention centers in the desert and again to Paris where militants stood in silence commemorating the opposition leader Mehdi Ben

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24 The song is available on Youtube https://www.youtube.com/watch?v=KjhFOc3MccU [Accessed 20 July 2016]
Translation by the author and Susan Slyomovics, the Performance, 201

25 See for example, Issachar Ben-Ami, Saint Veneration Among the Jews in Morocco (Detroit: Wayne State University Press 1998)

26 Slyomovics, the Performance, 90-91
Barka in the same street where he was kidnapped.\(^27\) These performances paved the way to both official and nonofficial truth commissions that were organized in 2004 and 2005.

**Testimony as Resistance**

Although truth-seeking initiatives are inherently local and specific to the groups of victims and their families, truth commissions as we know them today started as government-led initiatives.\(^28\) In the 1980s and 1990s, many countries in Latin America and Europe reckoned with their violent past through official commissions of truth and inquiry established by the transitioning regime to reckon with the legacies of its predecessor and break with the violent past.\(^29\) Others, however, opted for non-official truth initiatives led by the civil society and grassroots organizations. These included academic institutions, victim groups and churches such as Brazil’s secret report *Nunca Mais* (Brazil: No more)\(^30\) and Guatemala’s Commission for Historical Clarification (*Comisión para el Esclarecimiento Histórico*) led by a group of scholars.\(^31\) In other instances, non-state truth commissions were launched by the local community or group of victims but under the auspices of international organizations like the United Nations or the International Center for Transitional Justice (ICTJ) as was the case with East Timor’s Commission for Reception, Truth and Reconciliation mandated by the UN Transitional Administration for East Timor in 2002.\(^32\)

The founding of the ICTJ in 1991 and the UN acknowledgement of the importance of transitional justice mechanisms in the establishment of democracy and the rule of law in post-conflict societies led to more international interference in these justice processes whereby governments were encouraged and funded to adopt commissions of truth and inquiry after a period of conflict or political transition. As a result, the world witnessed the proliferation of top-down approaches with ‘one-size-fits-all’ commissions that often ignored the local realities of the transitioning society.\(^33\) In her study, Patricia Lundy acknowledges that these

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27 Chefchaouni, interview with author, Casablanca, February 2015
28 Uganda’s Inquiry Commission was state sanctioned in 1974 as was its truth commission in 1984. Argentina in 1983, Chile in 1990, Germany in 1992, Ecuador in 1996 (and again in 2007) and Uruguay in 2000 were all state-led initiatives.
32 Bickford, ‘Unofficial Truth Projects’
33 Patricia Lundy, *Community, Truth-telling and Conflict Transformation*
models often lack local ownership which in turn results in political disengagement of the concerned communities. In Morocco, ICTJ ‘experts’ proposed the mechanisms and the people involved in the transitional justice process as agreed upon with the palace. Although the latter sought to involve the local population with thematic roundtables, truth and reconciliation caravans and regional bureaus throughout Morocco (including Western Sahara), it failed to include it in every step of the process. Lundy argues that a grassroots approach to transitional justice involving the local population in the conception, design, decision making and management achieves a sustainable and effective reconciliation.

Moreover, and as discussed in the previous chapter, the ICTJ and the IER did not deem important the use of local, traditional or Islamic concepts of justice and reconciliation, despite their abundance in the Moroccan context. For Abdullahi an-Na‘im, the inclusion of these principles in any human rights approaches is necessary to obtain legitimacy for and successful implementation of universal concepts of justice and rights. This resulted in an episode of ‘reconciliation’ that did not involve the local population. As Moroccan journalist and former prisoner of conscience Rachid Nini put it: ‘Moroccans were not involved in this process. For them, the IER was between two groups: the makhzen and the opposition. In the past, they were fighting, and now they are reconciling. It had nothing to do with them.’

This lack of ownership was one of the reasons victim groups and actors from the Moroccan civil society looked for an alternative to the IER. FMVJ and AMDH militants jumped at the opportunity to provide another platform for victims and their families to speak their truths without the constraints of the regime. They set up truth caravans that toured remote areas to collect thousands of victim testimonies. Other local associations and victim groups sought to replicate the experience such as the Forum des Alternatives du Maroc (FMAS) whereby

34 Habib Belkouche, interview with author, June 2014. Belkouche is the director of Centre d’Etudes en Droits Humains et Democratie (CEDHD) in Morocco. He was an advisor to the minister of human rights between 1998 and 2002. He was trained by the ICTJ in transitional justice mechanisms and worked as a UN observer to monitor IER proceedings. He since then joined the CNDH as a member.
38 Belkouche Lahbib, interview with author, June 2015, Rabat
40 Rachid Nini spent one year in prison after a Casablanca tribunal found him guilty of charges of ‘offence against national and citizens security’ in 2011.
41 Rachid Nini, interview with author, Rabat, 2015
victims themselves worked towards compiling lists with the names of victims, dates of arrest or kidnapping and period and place of detention. In so doing, they were able to alert the families to the fate of their disappeared kin. In 2001, the FMVJ, the AMDH and the OMDH organized a national conference in Rabat to discuss the appropriate responses to the legacy of the years of lead. Their recommendations included the establishment of a truth commission, state acknowledgment of the past and official apologies to the victims, memory preservation programs as well as constitutional, legal, institutional and educational reforms to guarantee the non-repetition of past violations. The question of the accountability of the perpetrators divided the three organizations which agreed to hold a second national symposium to discuss it. However, the proposal for a Moroccan truth commission was submitted to the king by Driss Benzekri, the FMVJ Secretary-General at the time.

The Impact of Morocco’s Unofficial Truth-Telling Project

Generally, non-official truth commissions precede, replace or complement official ones. The Iraq History Project in 2005, for instance, was set up as a commission of inquiry to pave the way for an official truth body and other transitional justice mechanisms including criminal trials of the perpetrators. Brazil in 1984, Uruguay in 1985 and Northern Ireland in 1998 all followed a nonofficial approach to truth-telling because an official TRC could not take place at the time. Bickford explains different reasons for that: a tense political setting, distrust in the state by the civil society or state opposition to truth-telling altogether as was the case in Cambodia. In Guatemala, Proyecto de Recuperación de la Memoria Histórica (Recovery of Historical Memory Project, REMHI) preceded as a nonofficial truth-seeking project run by the Catholic Church in 1995. Guatemalan volunteers (including indigenous ones) travelled to the most isolated villages in the country and collected 65,000 testimonies of victims of the four-decade-long civil war. After three years, the REMHI identified over 55,000 human rights violations and compiled lists of victims and their torturers which it published in the four-volume final report Guatemala: Nunca Mas! (Guatemala: Never Again!). When the UN sponsored an official truth commission Comisión de Esclarecimiento Historica (Commission

42 Kamal Lahbib, interview with author, Casablanca, 2014
43 A noteworthy example includes the case of Abdelkacem Ouazzane who was declared dead from natural causes in the hospital of Bouarfa but fellow detainees reported seeing him in the secret detention of Agdez where he died. Chapter 7 discusses his case at length.
45 Mohammed Leghtas, interview with author, Rabat, June 2015
46 International Human Rights Law Institute, Iraq History Project: Testimonies (DePaul University, 2007)
for Historical Clarification, CEH) in 1997, the latter built on REMHI’s previous work and incorporated its findings in addition to their investigations and testimonies carried by the CEH.  

The REMHI and the CEH are an example of official and nonofficial truth-telling projects working together to offer different ‘truths’ about a violent past. The unofficial REMHI preceded the official CEH and its work was validated and even incorporated in the official final report. In the case of Morocco, AMDH unofficial victim audiences ‘Testimonies without Chains’ occurred at the same time as the IER hearings as a counter truth-telling project that challenged the official proceedings and findings of the state-sanctioned commission. And while the regime allowed it to take place and even provided a public space for the AMDH to hold its audiences like conference rooms owned by the Ministry of Culture, it did not validate nor did it incorporate these testimonies in IER’s final report or in any of CCDH’s publications. In fact, ‘Testimonies without Chains’ were barred media access and many pro-state newspapers labeled them as radical voices that aimed at spreading discordance and chaos in the country by publicly disclosing the names of Hassan II’s henchmen and denouncing the official IER. Others condemned AMDH’s decision to include Sahrawi separatists and Polisario sympathizers. FMVJ President Mohammed Sebbar welcomed the added value of the initiative. However, both the FMVJ and the OMDH refused to take part in the project ‘because they were not consulted.’ As for the IER, they unofficially expressed their ‘unease’ with AMDH hearings. IER president Driss Benzekri, on the other hand, did not comment on the initiative, especially after his faux-pas months before where he qualified all opposing voices that criticized him and the IER as ‘small mafia groups’ that presented themselves as NGOs and militants of human rights.

According to experts in transitional justice, ‘truth’ needs to move from ‘knowledge’ to ‘acknowledgment’ for it to heal the wounds of the past. UTPs have less weight in general given that the lack of resources and state support often hinder the acknowledgment of

47 Bickford, ‘Unofficial Truth Projects,’ 1004-5

48 In 2004 and 2005, the IER set up a website in Arabic, French, Spanish and English where it shared official documents related to the truth commission and public hearings’ proceedings as well as transcripts of some of the testimonies. This effort of transparency also included media articles and civil society statements that both criticized and acclaimed the IER. The AMDH, however, was never allowed a space on the website.


50 Abdellah BenAbdeslam, interview with author, Rabat, June 2016

victims’ sufferings. Morocco’s UTP was ineffective in this sense as it could not reach a wider audience even though many stakeholders attended the hearings. These included former victims and their families, civil society actors, representatives of foreign NGOs and embassies as well as media. Interestingly, official media outlets, notably The Moroccan Press Agency (MAP) as well as state TV channels (RTM and 2M), recorded the sessions but never aired them or included them in their newsfeed.

Anticipating this embargo, the AMDH followed a strategy of including IER opponents who were at the same time famous political prisoners or their surviving families. In so doing, the AMDH was able to attract many observers especially when the victims refused to cooperate or accept IER monetary compensation. Maria Charaf, the wife of *Ilal Amam*’s leader Amine Tahani was among the few who initiated criminal prosecutions in Moroccan courts against her torturers and the killers of her husband. Her testimony was a direct message to the king, ‘the top of the pyramid’:

> I filed a lawsuit in Casablanca to determine who killed my husband and the court case needs to take its right path without interference. The real accountability resides at the top of the pyramid. My lawsuit is currently at the tribunal, and I ask the top of the pyramid to give his orders to establish accountability for these acts and expose the truth … Bargaining over one’s life and living must stop. I faced two assassination attempts. The first one was on my way from Marrakech to Casablanca and the second one in my house.

Maria Charaf is a public figure. She is a feminist with many professional successes in her career as an engineer. She published *Être au Féminin* (*Being a Woman*) in 1997 narrating her story of victimization.

Other star witnesses included victims of the military coups of 1971 and 1972. Only one of the prisoners of the ‘Tazmamart group’ gave their testimonies in IER public audiences. While Ahmed Marzouki sat behind him on the witness stand, Abdellah A‘egaw described the appalling conditions at Tazmamart and denounced the local authorities that still harassed him and the rest of the group in IER’s televised auditions in Rabat. Brahim Benkhou, the president of the Tazmamart Association for Culture and Development, testified on behalf of the village of Tazmamart in IER hearings in Errachidia. The AMDH had Marzouki himself.

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52 Bickford, *Unofficial Truth Projects*, 1029
53 Abdelilah Benabdeslam, interview with author, Rabat, June 2016
54 Maria Charaf, Testimonies without Chains, 30
55 Charaf has a personal website where she offers coaching lessons to Moroccan women entrepreneurs and where she also talks about issues related to feminism and human rights [accessed 25 July 2016]
http://www.mariacharaf.com/
56 Maria Charaf, *Être au Féminin* (Casablanca: Editions La Voie Democratique 1997)

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He had already described his eighteen years of detention with his military comrades in Tazmamart in the successful and acclaimed memoir *Tazmamart: Cell No. 10*. Upon his release from the secret detention center in 1991, Marzouki turned author and activist. Supported by the AMDH, he lobbied for the rehabilitation of the victims of Tazmamart and obtained initial compensation for his group. After the release of his book, he multiplied his media interventions in Aljazeera and French televisions before he was kidnapped by the secret services for the second time:

They blackmailed me. They gave me a blank check and asked me to forget about my comrades. They said they would help me get married and send me to France and to Mecca to perform my pilgrimage. They took me overseas with my mother and took in charge our medical expenses. I conclude my testimony by thanking the AMDH that stood by us from the beginning. I wish for a better Morocco, and I hope the torturers go away. They are still holding official positions.\(^{57}\)

Other AMDH testimonies by the Tazmamart group or their families included Aziza Zoubane, the wife of Jilali Dik who died in detention in 1980. Like Marzouki, he was a military cadet in the Ahermoumou military school that conducted the Skhirat military coup of 1971. She refused to reconcile or turn the page on the past. She demanded a true rehabilitation from the state for the victims and their families.\(^{58}\) The most controversial witness of the Tazmamart group was probably Abdellatif Ababou, the nephew of General M’hamed Ababou, the director of the Ahemroumou military barrack and the son of Colonel Mohammed Ababou, his brother and deputy. Along with General Medbouh, they both organized and led the Skhirat coup. M’hammed was shot dead on the same day while Mohammed disappeared. The family met with French President and First Lady François and Danielle Mitterrand in 1978 to lobby on their behalf with Hassan II but in vain. In his testimony, he called on the Moroccan regime to uncover once and for all the fate of his father:

In 1981, we received a letter with the list of the Tazmamart detainees. Both the names of my paternal uncle Abdelaziz and my maternal uncle Belkouar were there. In 1983, the Moroccan state sent us a letter to the effect that my father was still in prison serving his sentence. In 1991, we met the Bouriquat brothers in France who told us that my father had been detained with them in Point Fixe 3 in Rabat but they hadn’t seen him since 1975 when the Bouriquats were transferred to Tazmamart.\(^{59}\)

In 1994, the regime handed a death certificate to Colonel Ababou’s family declaring him dead. They claimed that he died in 1976 while in detention in Tazmamart. However,

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\(^{57}\) Ahmed Marzouki, *Testimonies without Chains*, 90-91

\(^{58}\) Aziza Zoubane, *Testimonies without Chains*, 120-11

\(^{59}\) Abdellatif Ababou, *Testimonies without Chains*, 165-65
Tazmamart detainees, including the Bouriquats, attested to the opposite. Abdellatif demanded from the authorities to hand in his father or his remains: ‘we submitted the file of my father to both the CCDH and the IER, but to no avail.’ In total six witnesses came forward to share their stories about the death camp that was Tazmamart.

The AMDH succeeded in drawing more renowned figures with international ties to take part in their unofficial truth-telling projects. Sion Assidon, a Moroccan Marxist opponent and human rights activist from Agadir, spent twelve years in prison for charges of conspiring against the Moroccan regime and disturbing its security in 1972. With Abraham Serfaty, Assidon were the most notable Jewish Moroccans to fiercely oppose Hassan II and his regime. Yet while Serfaty became a royal advisor to King Mohammed VI and was featured on the witness stand during IER public hearings in Marrakesh, Assidon, the founder and director of Transparency Maroc, chose AMDH hearings to narrate his story. His testimony provided specific details of torture sites and torturers’ names. He considered it a duty to preserve Morocco’s collective memory and history:

Torture has become part of the daily life of Moroccans. This is not because they are tortured but because torture sites are constantly present in their lives. When I roam the streets of Casablanca, I pass by a number of secret detention centers on a daily basis. That is a form of torture practiced on me and on all Moroccan citizens as part of state terror. And this ‘daily repression’ is considered a grave abuse of human rights.

He continued:

Abdelmalik el Hemiani, the head of the judicial police at that time, supervised these torture sessions. And this Abdelmalik el Hemiani is still alive. He owns a small restaurant in Ain Diab [in Casablanca] called ‘Le Petit Rocher.’ Assidon stated that he had documents to prove the implication of all the violators he named in his testimony. He also stressed that these acts are still taking place in Morocco.

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60 Ibid, 165-65
61 The other Tazmamart witnesses were army officers Mohamed Moujahed, Mohammed Ghelloul and Aida Rachidi, the wife of Salah Hachad who was charged with taking part in the second military coup against the plane of Hassan II in 1972.
62 Assidon was amongst the first detainees to report human rights abuses to the international community in a letter to Amnesty International Group 30 of San Francisco in 1978
63 Transparency Maroc is the Local branch of Transparency International, a non-governmental organization that works towards documenting and eradicating corruption worldwide.
64 In 2016, le Petit Rocher has become one of Casablanca’s fanciest restaurants overlooking the Atlantic Ocean, in one of the trendiest neighbourhood in the city.
65 Sion Assidon, Témoignages, 116-117
Similarly, Ali Mrabet, the editor in chief of the widely-read daily *Demain* testified before the AMDH about the persistence of human rights abuses during the regime of Mohammed VI. At the time, he made international news when the Moroccan state banned his publications and charged him with violating the sacred values (the monarchy and Islam) and territorial integrity of the country. In 2003, he was sentenced to three years in prison and a fine of 30,000 Dirhams (approximately 3000 Euro). After narrating how the regime personally harassed him and fabricated proofs to indict him, he noted:

> The truth is that the circumstances of repression have changed, but the regime hasn’t. The regime of Mohammed VI is the same as the regime of Hassan II.

In this sense, the AMDH could garner public support and may have achieved the move from knowledge to acknowledgment of victim sufferings. However, given the high illiteracy rate of Moroccans (49% in 2004 and over 70% for rural women), the AMDH had limited impact despite the participation of many international figures including renowned lawyers such as Abderrahman Benamrou, Abderrahim Berrada, Mohammed Sebbar and Abdellatif el Hatimi who had been serving on the board of many international legal institutions. In total, sixty-one testimonies were published in a book in both Arabic and French by the Moroccan publishing house ‘Dar el Qalam.’ Its distribution, however, was limited to human rights activists and AMDH sympathizers. And although AMDH officials reported transcribing the testimonies verbatim, the video recordings of the public hearings attest to the opposite. Some testimonies were indeed transcribed word by word while others were summarized and paraphrased without giving the witnesses the right to edit or change their input.

**Counter Transitional Justice Narratives for a Shared Collective Memory**

Louis Bickford listed benchmarks against which he evaluated both state-sanctioned truth projects and UTPs. They need to be part of an overall transitional justice plan, focus on human rights violations as defined by international law, emphasize the value of truth, focus on the recent past, focus on systemic and on-going patterns of abuse and how they were established, reinforced, tolerated or hidden, listen to victims’ voices through oral histories or

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66 Ali Mrabet, *Témoignages*, 146-7
68 Rabea Bouzidi, AMDH member and administrator, interview, June 2015, Rabat
public hearings, have temporary duration of the commission and submit a final report. However, while UTPs may replicate the structure and process of official TRCs many of them lack funding, commissioners or final reports. ‘Testimonies without Chains’ did not set up a formal commission as IER did. Instead of commissioners, some of AMDH board members served on the organizing committee. These included Abdelilah Benabdeslam, Latifa Beshwar, Mohammed Loukili, Mustafa Shaf’I as well as Hicham Cherkawi. They set up four points around which they organized their unofficial truth-telling project ‘as part of a comprehensive and equitable solution for past human rights abuses.’ These are (1) the complete truth about all types of abuses including the names of the perpetrators, (2) the identification of individuals and institutions responsible for these crimes, (3) equity for all the victims, the state’s official and public apology to the victims and their families as well as the preservation of Morocco’s collective memory, and (4) constitutional, legal, institutional and educational reforms as guarantees of non-occurrence of the past. Haj Ali Nasser was a communist activist and a UNEM militant who escaped the police of Oufkir in 1977 after being sentenced in absentia to life imprisonment. He summarized these objectives in his testimony during AMDH’s session in Paris for the exiled victims:

I declined IER’s invitation to testify because I didn’t agree with the nature of this commission and the limits imposed on its mandate. I also rejected the constraints put on the witnesses during the public hearings. On the other hand, if I accepted to testify before the AMDH, it is because this commission is not an imposed one. This one is a project that emerged from a sovereign organization with a militant history and a democratic structure which set independent objectives and a transparent approach. This initiative represents the natural will of the people as carried out by the civil society.

The output of the Moroccan UTP took the form of public hearings, compiled in a book published in Arabic and French. These victim audiences were unique as they happened at the same time and in parallel with the official ones. With ‘Testimonies without Chains for the Truth’ AMDH aimed at completing, countering and at times rejecting the national discourse formed around Morocco’s past in IER audiences. Furthermore, the AMDH provided victim groups with the opportunity to include all forms of state abuse. The IER limited those to arbitrary detention and enforced disappearance. The AMDH exposed all types of violations including extra-judicial killings, disappearances, unlawful detention, torture as well as crimes

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69 Bickford, ‘Unofficial Truth Projects’
70 Benabdeslam, interview with author, June 2015, Rabat
71 AMDH, Testimonies without Chains, 6-7
against humanity, genocide, and violations of political and civil rights as defined by international conventions. It did not put any constraints on the witnesses like those imposed by the IER, namely time limits and the naming of torturers. The AMDH also refused to limit the period of these violations to the regime of Hassan II and his father Mohammed V [1956 – 1999] and extended it to 2005 at the time of the commission’s proceedings [1956 – 2005]. In so doing, the AMDH underlined that human rights abuses continued under the regime of the new King Mohammed VI especially after the terrorist attacks on the World Trade Center in 2001 and in Casablanca in May 2003. More importantly, the unofficial hearings that took place in parallel to the official ones stressed the continuity of the regime that perpetrated grave human rights abuses against 60,00073 victims over a period of more than 50 years and thus refuted the official discourse of a democratic transition in Morocco. This was put forth through testimonies of witnesses who denounced the current regime like Ali Ammar, a lawyer who exposed the dire conditions of the detention and prosecution against current political militants:

The question that we need to ask ourselves now is: Are these violations part of the past as it is claimed by the regime? Not at all, there are other prisoners that belong to the Salafiya Jihadiya movement who are facing the worst abuses of all.74

As discussed in the previous chapter, IER narratives sought to mark a break with the past while providing a partial truth about the violations and the violators in total impunity. By historicizing the past, the regime aimed at cleaning its present and starting anew. The AMDH, on the other hand, sought to complement as well as challenge the narratives emerging from IER public audiences. According to Hicham Cherkawi who designed and supervised the parallel public audiences, the AMDH tried to replicate the characteristics of the official truth commission by having public audiences in the same cities as IER hearings; with the addition of one session in Paris that allowed exiles to take part in the process.75 It also dedicated one audience to the lawyers who shared their stories of repression and police harassment against them as defenders of victims but also as witnesses to the excessive state violence against its own population. More importantly, ‘Testimonies without Chains’ aimed at providing a platform for the ignored and silenced voices and those witnesses whom IER commissioners deemed too controversial. These included Sahrawis victims of state repression because of their support to the Polisario as well as survivors who refused to take part in ‘the corrupt

73 Note that the figure advanced by the AMDH is more than double the number of victims compensated by the IER.
75 Hicham Cherkawi, Abdellah Benabdeslam, interviews with author, 2015, Rabat
project of the state-sanctioned IER. Jimmy el Ghalia was one of them. She is a Sahrawi activist whose grandmother was forcibly disappeared in 1975 ‘because her tent was a meeting point for all the Sahrawis in Agadir in the 1950s.’ She opened her testimony by thanking the AMDH for the opportunity to speak and urged the audience to keep an open mind:

I first thank the AMDH for allowing me to give this testimony. I hope that the audience has enough empathy to listen to me because my testimony might be different from their convictions and [political] beliefs. Through this stand I direct my message to the international community and the Arab world: I am not for or against anyone. I am here for the truth, nothing more.

Herself detained and tortured; she recounted how the disappearance of her militant and ‘true’ Sahrawi grandmother pushed her to investigate the fate of many Sahrawis:

When I went abroad, I was shown videos of the conflict and army interventions in the village of my grandmother Drija and the village of Aljadiria [in Western Sahara]. I saw children, women and elderly massacred. And this video is available to whoever wants to see the horrific things that went on in the Sahara … I worked as a human rights activist and militated for the rights of Sahrawi women who suffered repression and detention. Their only fault was that they supported the Polisario or had a family member who did.

El Ghalia concluded her testimony by imploring Moroccan intellectuals and the international community to shed light on what is happening in the Sahara to help end the conflict.

More Islamist victims were given the opportunity to speak during AMDH public hearings, including members of the Shabibah al Islamiyah and those detained in relation to ‘the war on terror.’ Azzedine el Houari, an Islamist activist from the group of 71, was detained in 1983 and sentenced to 20 years in prison. He exposed in his testimony what the IER edited out from the recorded public hearings:

The conditions of our detention were brutal, sadistic and criminal … In a country that declares itself Muslim in its constitution, we were forbidden from talking, moving, praying, from getting a copy of the Quran, from making our ablutions, except in some specific times … One day, some brothers dared to pray el Fajr together without the permission of the hujjaj (the guards). They came in late because they were busy playing cards. They brutally beat them up.

El Houari denounced the regime that has been tailoring its political system based on security calculations. He described how many political associations such as al Adl wal Ihsan (Justice

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76 Ibrahim Dahhan, ‘Testimonies without Chains for the Truth’ 2 April 2005, al Hoceima
78 Ibid
79 Azzedine el Houari, ‘Testimonies without Chains’ 12 February 2005, rabat
and Charity) and Harakat al-Ummah (the Movement of the Ummah) were still banned. He also rejected the palace’s reconciliation when fellow detainees Ahmed Shahid and Ahmed Shayeb were still in prison since 1983:

Families are asking the regime to release their sons and to expose the fate of their disappeared. These include the detainees of al Adl wal Ihsan and the innocent victims detained after May 16 [2003].

**The Fight against Impunity**

The organizers of the alternative forum said they would give the victims the freedom to name their oppressors. At the end of the hearings, the AMDH published the list of wrongdoers as identified by victims in the symbolic trial, making it available online. The list was headed by former Interior Ministers Mohammed Oufkir, Driss Basri and Hmed Dlimi (all three are deceased) as well as top army generals and heads of the secret service Hosni Benslimane (still in office) and Hamidou Laanigri (dismissed in 2006). When the AMDH first published this list back in 2000, twelve members of its board were immediately arrested. In the AMDH hearings in 2005, some witnesses singled out and named – which was also published in the book summarizing the proceedings of the alternative Truth Commission – individual police chiefs and prison guards they described as being responsible for their sufferings. This time, the regime did not react. Witnesses referred to perpetrators as ‘chief torturers’ and accused the head of the police at Derb Moulay Cherif and in Kenitra, the directors of Ghbila and Kenitra prisons the governor of Laayoune and others. In the Paris hearings, some victims denounced the complicity of King Hassan II while others criticized King Mohammed VI for perpetuating the regime of his father. The AMDH offered people who were named in this way the chance to come forward with a response but none of them did, nor did they file a suit for defamation.

Describing what happened to the Rif region in 1958-59, Ahmed Mrabet, who was arrested in 1956 and again in 1973, quoted Hassan II’s televised speech following the popular uprising of 1984 where he threatened to use brutal repression against Rifis, just as he did in 1958:

They used French and American planes to exterminate the population of the Rif. There is one quote that summarizes what happened to us then and this is Hassan II’s

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80 Ibid
81 Benzakour, interview with author, 2015, Rabat
82 AMDH, Shahadat bidun qoyud min ajl al haqiqah, 354
speech in 1984. He said: ‘you knew me as Crown Prince and I advise you not to know me as King.’

Ahmed Benjelloun, a socialist activist and chief editor of *al Massar* and *al Tariq* echoed the responsibility of the king:

> We need to write our history correctly and identify the wrongdoers. It is the regime with its policies and institutions that is the first responsible for these crimes. We should not blame el Ach‘achi or el Hemiani or Laanigri or Driss Basri. Basri said that he was only the henchman of Hassan II, executing his orders. This is the truth. The accountability of the regime does not cancel that of individuals though. I remember times when I was tortured for no reason.

Testimonies openly accusing Hassan II were multiple. Witnesses recounted Hassan II’s brutal repression and public threats against Moroccans. Abdella el Baroudi was the general secretary of the UNFP. In 1971, he was sentenced to fifteen years in prison in the Marrakesh trial against UNFP members. He directly accused Hassan II for ordering mass killings in his testimony in AMDH public audience in Paris:

> I am originally from Ahermoumou. After the Skhirat coup in 1971, the whole region was massacred: 400 cadets of the Ahermoumou academy were assassinated between 4 and 5 in the morning in the Moulay Ismail camp. And Hassan II was present.

Fouad Abdel Moumni was detained while still a high school student for his affiliation with UNEM. He noted that:

> what happened to Bnou Hachem group aimed at instilling fear and terror in the society at large. What threat did these students and teenagers constitute to be thrown in jail for nine years? I remember the day when Hassan II threatened in one of his speeches to punish whoever greeted a member of the Palestinian commission. He literally said: ‘I will brush his door with excrement.’ That was when the Palestinians welcomed Polisario representatives in their national congress that they held in Algeria.

Fatema Douraidi, testifying on behalf of her family and her martyr brother Abou Bakr, confidently stated:

> The responsibility of the king is established. The accountability of the minister of interior Driss Basri is proven. The responsibility of some of the doctors who were torturers at the same time is also proven; on the top of the list is Professor Qmiha. The responsibility of the torturers I will name is proven too… The torturers of the group of 84 in Marrakesh are known. They were the following: the called Najd, Sebti, Khalili,
Zriket, Zahidi who is now the police chief of Sidi Youssef Ben Ali (in Marrakesh), Kaddour el Youssfi, Jabli and many more.89

The naming of wrongdoers was probably the strongest point of Morocco’s unofficial truth-telling project. Victims exposed the perpetrators, both dead and alive, who were responsible for their sufferings. Ahmed Benjelloun openly incriminated Oufkir sharing how ‘el Ach‘achi told me while I was hung from the ceiling: either talk or I will rape your mother…. The next day it was Oufkir himself who interrogated me.’90 Witnesses who participated in both IER and AMDH public audiences were given the opportunity to complement their testimony without constraints. Rabea Grina testified on behalf of her mother Zahra Lakhder ‘who could not attend due to personal reasons.’91 She told her mother’s story that she had been hearing since the death of her brother Mohammed Grina:

She found my brother Mohammed dying in the hospital. He informed her about the conditions of his arrest, his detention and torture by the named el Bahbah, Ahmed el Rifi, Hussein ben Rahal and Mustafa Jilidi. My mother always remembers that moment: ‘my son was blue and was constantly throwing up,’ she would say.92

Four days after her daughter’s testimony, Zahra Lakhder gave hers in an emotional session before IER commissioners, a large public audience and national and international press. Lakhder shared all about the killers of her son, except their names:

The next day I went to see him in prison. They told me Mohammed Grina was sick at the hospital. I hurried to visit him. He was dying. He told me: Mother, are you mad at me? I answered: of course not, I am proud of you. If you live, you are a man and if you die, you are a hero. I asked him: who did this to you? He told me the names of those torturers. May God punish them!93

‘Testimonies without Chains’ lack of media coverage might have shielded the AMDH and the witnesses from the repercussions the public condemning of wrongdoers might have led to, especially since some of them were still in power. The regime of King Hassan II was attacked, as was the regime of his son, although not in a direct manner.94 Abdallah Za‘za‘ explained in his testimony that his problem has always been with the makhzen. According to him, the regime that buried tens of his neighbors in mass graves in Casablanca in 1965 was the same regime that impoverished the hopeless youth of the slums and pushed them to blow themselves up in the terrorist attacks of 16 May 2003. He added:

89 Fatema Douraidi, ‘Testimonies without Chains’ 16 April 2005, Marrakesh
91 Rabea grina, ‘Tetsimonies without Chains’ 12 March 2005, Rabat
92 Ibid
93 Zahra Lakhder, IER public hearings, 16 March 2005, Marrakesh
94 Criticism of the person of the king and any member of the royal family, dead or alive, is punishable by law
Today in Morocco when the head of the state dies, his son takes over and says: ‘You are mine.’ Reconciliation is not possible under these conditions. We see him handing bags of cookies to people. Is this his policy? Impoverishing and marginalizing people then deluding them with harira (Moroccan soup)?

Witnesses also attacked the official truth commission and its commissioners. Najat Queshtali took asylum in France in 1986 with her two sons after her husband Ibrahim Sais fled arrest in 1985. She denounced the IER and ‘the regime’s new rabid dogs whose only aim was to whitewash the regime and fabricate a democratic façade for the country.’ She noted:

In summary, people like [Abraham] Serfaty, Driss Benzekri, Salah el Ouadie and many other servants of the new regime cannot cover the truth about what happened to us in the past. They will not be able to hide the true nature of the repressive tyrant regime of the makhzen.

**The Fight for the Complete Truth**

The decision to include human right violations committed during the reign of the current king stemmed from the firm belief of the AMDH that no transition has occurred in Morocco especially when torture is still a common practice in secret detention sites such as the Temara prison. According to the AMDH and other human rights bodies like Amnesty International and HRW, the Temara site, located few miles away from the capital Rabat in the administrative headquarters of the DGST (Direction Générale de la Surveillance du Territoire), the domestic surveillance and intelligence agency in the country, has been serving as an interrogation site run by the CIA for its extraordinary rendition program that transferred detainees to a foreign country for ‘enhanced’ questioning and outside any legality. While Morocco has repeatedly denied the existence of such site, testimonies by former detainees and a 2014 Senate Committee’s Report on the C.I.A.’s Use of Torture revealed Morocco’s potential role in the program alongside the existence of two ‘black sites’ near Rabat in Morocco, one in Temara and one in Ain Aouda.

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95 Abdallah Za’za’, ‘Testimonies without Chains,’ 19 March 2005, Khenifra


98 For more on this see Ann Marie Wainscott, 2017. *Bureaucratizing Islam: Morocco and the War on Terror* (Cambridge: Cambridge University Press), especially pages 48 and 49


In this light, the AMDH welcomed the opportunity to shed light in its public hearings on how Morocco has not broken with its past practices, illustrated in the arbitrary arrests and illegal detentions of members of the Salafiya Jihadiya in Temara. Mohammed Naciri testified on behalf of his brother Mustapha who was abducted on 12 July 2003 in Berkane. He was charged with forming a terrorist cell belonging to the Salafiya Jihadiya movement and sentenced to ten years in prison. Mohammed described the conditions of arrest, detention and torture of his brother that echoed the practices of the years of lead as narrated by both IER and AMDH witnesses:

 Armed to their teeth, different types of security forces in civil clothing and uniforms stormed the house with police dogs without informing us. They looked around the house, terrorizing the children and insulting my sick mother who fainted moments later. These people had nothing to do with the police of Berkane. They handcuffed and blindfolded my brother and took philosophical and religious books that they found in the house. They also took CDs of the Quran and its exegesis as well as songs by Marcel Khalifa and Said el Maghribi.  

Mustapha Naciri was held incommunicado for more than three months by the secret police including ten days in Temara. He was arrested with a group of other people from Berkane, who according to his brother, had nothing to do with the movement of Salafiya Jihadiya:

 Since the arrest of my brother the police surrounded our house and started surveilling us and whoever visited us … In Temara, Mustapha endured torture evidently. They threatened to detain his wife. They actually arrested his father-in-law then released him.  

Alternative versions of important political events in Morocco’s history were shared. These included Hassan II’s ‘Green March’ that allowed Morocco to establish its control over the Western Sahara since 1975. Omar Dahhan described how the ‘so-called peaceful march’ resulted in terrorizing the whole local population and the abduction of many Sahrawis:

 Until the beginning of 1976, we didn’t know much about Morocco. We only knew the Spanish who colonized us until 1975. Suddenly, we saw military tanks and army officers with combat helmets invade the city of Laayoune. I was a kid back then and didn’t know what kind of weapons they were carrying. I distinctly remember how they stormed people’s houses to carry out thorough inspections. I also remember how they used to stop our car day and night on my way to the Quranic School. They


[102]Marcel Khalifa is a Lebanese composer and singer internationally known for his engaged music about the Palestinian and Arab causes, people’s resistance and other concepts like freedom and justice. Similarly Said el Maghribi is a Moroccan singer who was forced into exile in France in the 1970s because of his songs against racism, hunger and poverty and his support for the political prisoners in Morocco.

installed checkpoints everywhere. They would stop people in the streets and ask them: ‘where are you coming from? And where are you going?’

He also denounced ‘the theatrical farce’ of April 1991 when the UN established a commission for a Referendum in Western Sahara (Minurso) and brokered a cease-fire:

Moroccan officials brought some notables from the Sahara and organized a ‘reconciliation’ meeting with Hassan II. In front of TV cameras, they asked the king for his forgiveness. Why would they ask for a pardon when our people committed no crimes? They didn’t kill a single fly! How can they ask him to pardon people who weren’t even judged in a tribunal? This was a show that had no sense.

More importantly, witnesses were able to tackle the sensitive dossier of Ben Barka openly. Abdellah el Baroudi, the former Secretary General of the UNFP, was forced to take refuge in France after 1965. He lived through the kidnapping of Mehdi Ben Barka from a street in Paris as well as the assassination of his friend Abdelkrim Diouri on 20 May 1971. He incriminated the secret services of France, Israel and the USA, which, according to him, conspired with the Moroccan regime to kill Ben Barka.

*The Syndrome of the Exiled Victims of Repression*

Many witnesses hesitated before giving their testimony in AMDH special hearing for the exiled victims of repression. They did not deem their sufferings worthy compared to the horrible stories of other political prisoners. Ali Nasser thanked the organization for presenting exiles with the opportunity to share their stories of victimization. However, he noted his reluctance:

Before the accounts of torture endured by our heroes in prisons in Morocco, I feel ashamed to describe the sufferings borne by the exiled political activists. Except for a few, many of us lived in precarious conditions. The impossibility to go back to our country and families, the hazards of the exile and the lengthy and difficult proceedings to obtain refugee status pushed us in the downward spiral of depression and suicide.

Abdellah Zniber, who took asylum in France after the tribunal of Casablanca sentenced him in absentia to life imprisonment in 1977, echoed this guilt and reluctance to identify as a victim of repression:

I honestly hesitated before accepting to testify. I asked myself whether I had the right to flaunt my sufferings when we know the horrific accounts of abductions,

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103 Ibrahim Dahhan, ‘Tetsimonies without Chains’ 2 April 2005, al Hoceima
104 Ibid
sequestrations, and assassinations that the regime of Hassan II carried out against an entire population … Like most exiles, I developed this feeling of guilt because unlike the majority of Moroccan victims, I was able to escape these torturers. Nevertheless, I thank the AMDH for organizing a special audition to expose the sufferings of another sample of Moroccan victims.  

The Paris hearings also exposed the reach of the Moroccan regime overseas. Zniber described how French authorities cooperated with Morocco to put pressure on victims in exile:

It is in France that I discovered the other facet of the despotic Moroccan regime, which didn’t hesitate to form partnerships with local police forces and the fake unions set up by the employers in France. Big companies, which employed Moroccan immigrants such as Penarroya, Chausson, Talbot, Citroen and Peugeot, sought the cooperation of the Moroccan regime to break the strikes organized by the Moroccan workers at that time.

Similarly, Hassan II sought to intervene in internal French politics to force the exiled to return to Morocco. In 1983, he welcomed in his palace in Rabat Jean-Marie le Pen, the president of the far-right political party Le Front National and publicly declared his objection to Moroccan immigrants in France having equal civic rights, including the right to vote. Abdeslam Mnebhi, in forced exile in the Netherlands, explained the reach of the Moroccan regime overseas. To stop him from engaging in workers’ unions and strikes when he worked for Citroen, the French secret services threatened to hand him to the regime of Hassan II. He then moved to Holland where the Moroccan embassy constantly surveilled him and sent commandos to attack him and other activists:

We were harassed by a group of thugs, supervised by the Moroccan and the Dutch secret services. They accused me of being a terrorist to stop me from getting refugee status. One time I was detained after the Moroccan embassy spread rumors that I had weapons. These mafias were spearheaded by the employees of Moroccan embassies and consulates. These violators, who are well-known to human rights organizations, are still in their public offices.

**Remembering the Past, Honoring the Victims and Complementing the Truth**

As explored in this chapter, Morocco’s unofficial truth project allowed for the acknowledgment and honoring of the victims of the years of lead, including those rejected by the official commission. In so doing, it complemented the official truth project and offered a platform for the more politically engaged and aware victims and their survivors to further their political actions and demands. These were mostly urban and educated citizens. They

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108 Ibid
109 Ibid
agreed to use AMDH public hearings to voice their demands and lobby for more transition. Ahmed Benjelloun urged his audience to refrain from lamenting about the past as IER victims did:

I condemn IER public hearings, and I warn our brave militants and honorable people of the AMDH against engaging in the same sort of public lamentation about the dark past. The makhzen seeks to instill terror in the new generation through these public hearings who would refrain from political action because so and so happened to such and such.111

Unlike IER victims, most AMDH witnesses were intellectuals and politically aware citizens. Many of them have written books or memoirs, including Maria Charaf, Ahmed Marzouki, Aida Rachidi and Zoulikha Akhdari. The AMDH offered only one testimony in Berber while the IER featured many Amazigh accounts by victims or their mothers. These were mostly old women who endured repression without knowing how or why it was happening to them and their families. Mothers and housewives like Fatema Saadine, Mrou Hemmi, Aicha Ouherfou and Roqaya Ouhabou could only speak and understand their local Amazigh dialect. They are natives of conservative villages that still considered shameful girls’ education in the 1980s. Hence it is safe to say that witnesses from rural villages in Hoceima, Errachidia and Figuig, where high female illiteracy rates were recorded, were not only politically unaware and disengaged, but they were also illiterate.

While the AMDH presented mothers who were actively involved in denouncing the regime’s repression against their children, especially famous martyrs like Saida Mnebhi, IER focused many of their public hearings on apolitical mothers who simply endured their fate in silence. These were not versed in international concepts of justice and human rights, so they were easily convinced of the change ‘granted’ by the new magnanimous young king. These housewives and mothers gladly carried the regime’s message of reconciliation and forgiveness of the torturers of their sons.

But although many of AMDH testimonies attacked the regime and accused the IER of being the monarchy’s puppet, others acknowledged Morocco’s transformation and praised the achieved transition. Zniber admitted that:

The actual situation in Morocco has nothing to do with the dark years of Hassan II. However, this transition is weak and witnesses ups and downs … Unlike what they

are claiming, whatever freedoms and liberal laws we accomplished are thanks to our struggle and fight. They were not given by the 'prince.'\textsuperscript{112}

However, he denounced how local authorities still harassed exiles on the borders every time they returned to Morocco:

Despite the official discourse of reconciliation and transition, the practices of the police haven’t changed. Each time I return to Morocco, I undergo interrogations. This is to tell us that we are still on probation.

Ali Nasser also acknowledged Morocco’s change but called his fellow Moroccans and activists to continue the fight: ‘Morocco has definitely changed. Does that mean that our fight for democracy, social justice, peace and equality has become obsolete?’\textsuperscript{113}

\textit{Collective Punishment and the Double Victimization of Moroccan Women}

Other testimonies in the unofficial hearings echoed IER witnesses who condemned collective punishment and repression carried by the regime against entire regions, tribes and families. Although the structure and witnesses differed, the same stories emerged in both hearings. Zahra Said Oukhouya was arrested with her five other sisters and her mother to pressure her father Said Oukhouya and his partner Moha Ouherfou to surrender:

Before my father Said Oukhouya and his friend Moha Ouherfou were arrested, five of us girls, aged between 7 and 16 years, were detained, including my newborn sister and my mother in Bouzemmou. Then they transferred us to Errachidia. My baby sister was breastfeeding at that time and because of torture, she would sometimes breastfeed blood with milk. My sisters and I were suspended from our feet like sheep and they repeatedly tortured us and asked us: ‘where is your father? What is he doing? Which country is he collaborating with?’ They would starve us for 15 days, for a period of 3 months. My mother was also tortured for 15 days, and my paternal uncle was also detained. They did not release him until they arrested my father.\textsuperscript{114}

Even after the arrest of her father, the regime turned the entire village against the Oukhouya family. She told AMDH’s audience in Rabat:

When we used to go to the villagers to ask for help or for some food, they would chase us away because they were scared. Some would insult us and insult our father, but my father was a combatant.

Sahrawis were particularly targeted by this form of repression. Jimmy el Ghalia described how thousands of them were kidnapped and detained for a long period before being released.

\begin{flushright}
\textsuperscript{112} Abdellah Zniber, ‘Testimonies without Chains’ 26 March 2005, Paris
\textsuperscript{113} Ali Nasser, \textit{Testimonies without Chains}, 26 March 2005, Paris
\textsuperscript{114} Zahra Oukhouya, \textit{Testimonies without Chains}, 56
\end{flushright}
Others were taken to secret detention sites in Agdez and Kalaat Mgouna without any trial. ‘The kidnapping machine was harvesting neighbors, families and entire tribes,’ explained another Sahrawi victim in his testimony.\textsuperscript{115}

Women were also targeted as a group by the regime which carried its repression against political action through attacks on honor. Thus daughters, wives and sometimes mothers of militants were detained and sexually assaulted to shame the militant amidst the tribe and the community. Describing the mass repression against the entire Ait Khouya tribe in the region of Khenifra following the rebellion of 1973, Mohammed Qasmi noted how:

Entire families became homeless. Little girls were raped, including Fatima al-Ajini. Her father was al-Haj Al-Ajini who was detained in 1973. Fatima was only 8 years old. I remember them attacking a pregnant woman who was in labor. Her son came and informed his father (who was detained with me) that his mother was a martyr.\textsuperscript{116}

Fdeh Aghla Menhoum is a Sahrawi who was detained during Laayoune events of 1991. She described many rape cases that occurred to her cellmates as well as the sexual assault she suffered repeatedly. She explained that:

They knew the Sahrawi woman was stubborn and the only way to break her is by destroying her honor and rape her. Kalthoum el Wallaf was raped during interrogation by four torturers. This girl was my cellmate in detention, but she could never share her story because of the stigma, fear and her despair to get out. They moved her to a military barrack in Agadir where she was sentenced to 20 years in prison. She recorded her story of rape on a tape in her voice describing her suffering and the people responsible as well as those who ordered them to do so. Kalthoum was able to give the tape to Red Cross officers when they visited her in jail. There was another rape case. But the victim wouldn’t reveal her name given society’s discrimination, as you all know.\textsuperscript{117}

Other themes of kinship reemerged in many testimonials, confirming the use of familial ties to perpetuate repression against victims. In her account before the AMDH, Maria Charaf described how the police arrested her and her husband Amine Tahani because of his involvement with the underground leftist movement \textit{Ila Amam}. Released after fourteen days of detention and interrogation, Charaf continued to be harassed and watched even after the death of her husband under torture. She exposed how the regime adopted a Stasi style of spying on her and her family:

In 1989, I met my new fiancé. Upon his arrival to the airport in Morocco, the secret police took away his passport to pressure him to collaborate with them and spy on me.\textsuperscript{115}\textsuperscript{116}\textsuperscript{117}

\textsuperscript{115} Ibrahim Dahan, \textit{Testimonies without Chains}, 176
\textsuperscript{116} Qasmi Mohammed, \textit{Testimonies without Chains}, 86
\textsuperscript{117} Fadh Aghla Minhoum, \textit{Testimonies without Chains}, 76
He agreed under duress. I found out about this later when the authorities purposely delayed the paperwork for our marriage [...] I asked him ‘why didn’t you tell me?’ The regime has not changed. Not only did they kill my husband but now they want to control my life. In 2004, another suitor asked for my hand in marriage. He was progressive, well-educated with a fine job. I found out afterward that he was working with the secret services.  

At other times, the Moroccan authorities used kinship ties to pressure activists to surrender or cease their fight against the monarchy. While in exile, Abdeslam Mnebhi organized meetings and held protests against the Moroccan regime since 1972. In tears, he recounted during AMDH hearing in Paris how:

The regime spread rumors that I wasn’t a Moroccan citizen but an Algerian funded by the Polisario. They said I was a Jew and a terrorist who belonged to the underground movement Ilal Amam … The gravest violation was the attacks on my family in Morocco which the regime forced to disown me publicly … They forced my elderly mother to say that she gave birth to a traitor. 

In the audience dedicated to lawyers, Mohammed Sebbar, at the time president of FMJV, confirmed the regime’s use of kinship to inflict harm on the victims. He explained how media were used during the events of May 16 to intensify and inflate news against the accused and the detainees. ‘They even got a person to disown his son on television,’ he added. In other cases, allegations of sexual abuse and rape against female detainees forced parents to disown their daughters. Radia Benhdouba, an activist in the National Union for Moroccan Students (UNEM), was arrested after the student protests in 1984. After a trial that her father refused to attend, she spent a year in the civil prison in Rabat. He refused to visit her in jail and when she returned home ‘my family members and friends were not there to greet me. My father refused to see me.’

Moroccan women were indeed a double victim during the years of lead. As Halima Zine el Abdidine explained, she was the victim of the regime which constantly oppressed her because of her husband and the victim of the society:

Many female detainees were victims of their husbands too. Upon their release, the husbands would leave and divorce the victims. One of the husbands is presiding over the IER.

For Zoulikha Akhdari, women suffered more repression and injustices than men:

118 Maria Charaf, , Testimonies without Chains, 12 February 2005, Rabat
119Abdeslam Mnebhi, , Testimonies without Chains, 26 March 2005, Paris.(book, 251) – (CD Paris 1, minute 50:00)
120 Mohammed Sebbar, Testimonies without Chains, 214.
121 Radia Benhdouba, Testimonies without Chains, Khenifra, 19 March 2005, 104
122 Halima Zine el Abdidine, Testimonies without Chains, 64
Men lived through a big ordeal when they were arrested, kidnaped and detained. And this is normal. However, women including mothers and wives lived through a greater ordeal. Women suffered as soon as their husbands, fathers or sons were kidnapped.¹²³

She explained how the detention of her husband was hard on her as a wife and as a woman. It destroyed her life because she found herself in an unstable situation. She was neither married nor divorced and was neither a widow nor a single woman. In addition, she endured the moral and psychological pressure of the society:

The wife of a political detainee is looked at with suspicion and is a constant subject of questioning, which multiplies her sufferings. She not only faces the authorities and the makhzen but she has to face the society’s pressure and perception of her. This ultimately leads to serious consequences including separation of the couple at times and other psychological issues.

Akhdari was forced to relocate to Khenifra with her in-laws after the detention of her husband. There she faced more pressure to abide by certain rules:

I had no privacy. I became a hostage to many rules: a detainee’s wife had to be strong to face the new situation. Eyes were following me all the time. I could not wear what I wanted and I had to start praying even if I didn’t pray before. So in addition to my ordeal with the makhzen, I had to face new problems and heavy pressure from the society.¹²⁴

Fadh Aghla Minhoum also shared how Sahrawi women saw their lives ruined after the arrest of their husbands:

Sahrawi women tend to marry young. Once they lost their husbands to forced disappearances or to detention, they lost their most basic rights like having children and living a normal life. Our customs prohibit the Sahrawi woman from putting make-up, putting perfume or wearing nice clothes in these cases.¹²⁵

Not all women could share openly what they endured in prison. Besides stories of sexual assault and lack of hygiene during their detention, they still feared the stigmatization that could result from their participation in public hearings. Khadija el Hamed only gave her testimony after her friends Malika Taitan and Abdelilah Ben Abdeslam urged her to take part in AMDH audiences. ‘If it weren’t for them I wouldn’t be here today. There are other things that happened to me, but I am not ready and can’t mention them,’ she noted.¹²⁶

Chapter Conclusion

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¹²³ Zoulkha Akhdari, Testimonies without Chains, 70
¹²⁴ Ibid, 71
¹²⁵ Fadh Aghla Minhoum, Testimonies without Chains, 77
¹²⁶ Khadija al Hamed, Testimonies without Chains, 143
Morocco’s official IER received mixed reactions from the population and the civil society actors. While some praised the initiative for uncovering the truth about the years of lead and redressing the wrongs of the past, others criticized it for hijacking the transitional justice experience and instrumentalizing it to silence the victims and whitewash the regime. The last camp included human rights organizations such as the Moroccan Association for Human Rights (AMDH) and the Moroccan Forum for Truth and Justice (FMVJ) as well as victims or their survivors who rejected financial compensation without the accountability of the perpetrators. These mainly included Islamist victims who were still detained in relation to the global war on terror and Sahrawi civilians who challenged the ‘Morocanness’ of Western Sahara.

The AMDH translated this opposition to the state-sanctioned truth into an alternative truth-seeking initiative. Unprecedented in the history of transitional justice, Morocco saw the creation of an unofficial truth-telling project (UTP) organized by a non-governmental organization at the same time as the official truth commission and its public hearings. Usually, UTPs either replace, come before an official truth commission or turn into one after the state adopts their findings. However, the AMDH, which refused to negotiate the truth-telling process with the palace, organized ‘Testimonies without Chains for the Truth’127 to oppose the IER and allow victims to speak freely, name their torturers and criticize both the former and current regimes. The project also included a symbolic trial of perpetrators where individual responsibility was highlighted, and symbolic sentences were handed. The counter-narratives resulting from the AMDH hearings were thus able to resist and complement the official discourse around Morocco’s violent past, especially regarding impunity.

In this process, witness accounts were central. Because it occupies a central place in transitional justice and memory studies, testimony is found to be controversial by both scholars and policymakers, especially when memories of past injustices are used to provide legal redress and compensation. The most notable achievement of Morocco’s transitional justice project in this regard was the organization of both official and unofficial public hearings where victims exposed their truth about past human rights violations. Despite the impunity of the wrongdoers, the public audiences allowed Moroccans to recover historical facts that were once erased from their collective memory and national history. However, the IER, the CCDH as well as the Royal Institute for Research on the History of Morocco, which

127 In Arabic, Shahadat bidoun Qoyoud min Ajl al haqiqah and in French Témoignages en toute liberté pour la Vérité
was established by royal decree to officially research the history of the kingdom, maintained that this version of truth was subjective and fallible since it was extracted from a memory with traumatic experiences, and thus cannot serve as a historical truth. As a result, the regime sought to impose its version in public fora, notably in cinema, memory sites, education and history books. Lacking the resources and platforms, the Moroccan civil society responded with individual initiatives (victim memoirs) or engaged in the memorialization process implemented by the CNDH to try and contribute to the formation of Morocco’s collective memory and history.
In his *Lieux de Mémoire*, Pierre Nora explained how rupture from a traumatic past often called for the pursuit of remembrance, \(^\text{128}\) constructed from memory or memories for ‘there are as many memories as there are groups.’ \(^\text{129}\) This self-conscious pursuit of memories is often triggered by change, whether in society, politics or religion, and is aimed at comprehending the past and searching for a sense of closure. In Morocco, the abundance of cultural production and narratives commemorating the histories and memories of the past emerged as part of the liberalization experienced in the country since the 1990s. They reflected the diverse groups of Moroccans who used political struggle to establish their identities (Amazigh, Riffian, Arab, Sahrawi, Islamist, secular, communist and so on) against the regime that attempted to unify these under the banner of one Arabic and Muslim ‘Moroccanness’ obedient to the king, the ‘descendant of the Prophet’ and the ‘Commander of the Faithful’. \(^\text{130}\) The proliferation of independent victim memoirs, films and testimonies about the years of lead outside the control of the regime forced the latter to engage in the creation of the history and collective memory of the Moroccan past. This has been achieved through the very official truth commission, the IER, which produced a discourse that was attuned to the palace’s strategy of marking a break with the past while preserving the same politics and men responsible for its past violations.

This chapter examines the selective process of remembrance in Morocco through the analysis of cinematic work and educational programs set up by the regime to commemorate, write, and teach its violent past to Moroccans. The first section introduces the project *Instance Equité et Réconciliation 2* (IER 2) - a state-sponsored and EU-funded project launched in 2011 in different fields of memorialization including archives, cinema, memorial sites, historiography and education - and looks at how many initiatives, notably archives, museums

\(^{128}\) Nora, ‘Between Memory and History’, 9

\(^{129}\) Maurice Halbwachs and Lewis A. Coser, *On Collective Memory*

\(^{130}\) The commandership of the faithful was assumed by King Mohammed V after Morocco’s independence and his son King Hassan II after him in an attempt to establish legitimacy as the religious and political leaders of Morocco, hence demanding obedience from the population to their caliph, as once was the case with Prophet Mohammed and his caliphs after him, most probably based on the Quranic verse ‘Obey God and obey the Apostle and those invested with command among you’ (4:59). For more on this, see John Waterbury, *The Commander of the Faithful: the Moroccan political élite – a study in segmented politics* (Columbia University Press; New York, 1970)
and memorial sites were cut short because of the unwillingness of the state to seriously engage in this process. The second section examines educational reforms launched after the 2004 transitional justice episode through the analysis of history and civics education textbooks in Morocco. The objectives are, first, to explore the narrative of the past presented to Moroccans in official school curricula, and second, to assess other historical initiatives launched by the state to produce an official modern history of Morocco. To this aim, the chapter examines how the official history of modern Morocco is (re)constructed and how it is presented and taught to Moroccans after four decades of erasure from national curricula. Finally, the chapter looks at how cinema as a genre was used by the regime to provide Moroccan audiences with a packaged narrative around decades of repression. Overall, this part seeks to answer the question why Morocco, with the support of its northern neighbors, seemed to encourage memorialization as a means to close the files of the past while other countries in the region, notably Lebanon and Algeria, adopted a policy of oblivion after their bloody civil wars.

The Positive Preservation of Moroccan Memory: a Work in Progress

In the transitional justice field, remembrance and memorialization are held to be necessary and important mechanisms to achieve peace and reconciliation. On the one hand, commemoration acknowledges the sufferings of the victims and honors them as well as their families and the entire society that lived through repression. On the other hand, it is intended to serve as a guarantee of non-recurrence. By converting political detention centers and torture sites into community projects and museums, the society recognizes its repressive past but also maintains the awareness of its people and future generations. Cognizant of this, Morocco’s truth commission stipulated in Chapter 7 of Article 9 that one of IER’s strategic goals was to ‘contribute to the development of the culture and means of dialogue, foster the constituents of reconciliation, bolster the democratic transition in the country based on a state

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131 The Taif Agreement in 1990 ended the Lebanese civil war of 25 years and the Amnesty Law in August 1991 granted blanket amnesties to warring factions in exchange for peace at the expense of the needs of victims and the thousands of disappeared. A culture of impunity and a state-sponsored amnesia regarding the civil war developed in Lebanon as a result, leading to more factionalism and violence in the last years.

132 In addition to the Civil Concord Law of 1999 that ended the internal conflict in Algeria, a new law was enacted in 2006 that prohibits the opening of any case in regard to the civil war of the 1990s in Algerian courts and criminalizes whoever engages in a public debate over it.


134 On Remembrance as a transitional justice tool, see for example Judy Barsalou and Victoria Baxte, ‘The Urge to Remember: The Role of Memorials in Social Reconstruction and Transitional Justice’, *United States Institute of Peace, 2007*
of justice and law, and advance the values and culture of citizenship and human rights.’ Remembering the past was thus intertwined with constructing the future.

The IER sought to achieve these goals through ‘dialogue’ and ‘building of a common memory.’ In 2005, it adopted in its final report important recommendations in relation to archives, history and memory as bases for community reparation and reconciliation. It called for the creation of a national institution in charge of the archives to ensure the maintenance, development and access to the archives, especially those relating to the period known as the years of lead. The report also suggested the transformation of former detention centers into memorial sites and the creation of educational programs at the graduate level to research, examine and write the contemporary history of Morocco. This ‘positive preservation of memory’ as the CNDH termed it, happened within royal and state institutions, manned by pro-makhzen servants that have already proved their loyalty. And although the IER had no power to effect big policy change or undertake institutional reforms, its members could mobilize support from outside sources such as the local provinces, government ministries, UN bodies or the European Union to finance some of its projects, especially those relating to memory.

The first phase of the program came two years after the IER handed its final report to the king, who entrusted the CNDH, an advisory state institution with no executive powers, with the follow-up and implementation of its recommendations. Under the chairmanship of Ahmed Herzenni, in 2007 the CNDH funded a number of projects as part of the collective reparations (jabr ad-darar al-jama‘i) program. These redirected state resources to communities that had been severely affected by state repression following an uprising or due to the presence of a detention center, such as Tazmamart, Khenifra, Casablanca, Nador, Figueig and al-Hoceima. The projects varied from income-generating activities (cattle breeding, tapestry and eco-tourism micro-projects) to capacity building of civil society actors, women empowerment programs, financing of short documentaries and the building of ‘memory centers’ named after former victims.

137 Ahmed Herzenni is the former Marxist-Leninist political prisoner whose controversial testimony before the IER noted that both the opposition and the regime were responsible for the repressive acts of the years of lead.
The second phase (IER 2) was launched in 2011 with a budget of eight million euro donated by the European Union. The program was also funded by public and private stakeholders in Morocco, including the local government (*les collectivités territoriales*), the Ministry of Culture, research centers as well as civil society actors. Europe’s and specifically France’s eagerness to invest in a human rights project contrasts with its reluctance to act when mass repression and torture took place in Morocco during the 1960s, 70s and 80s. Given its political and economic ties with Morocco, the European Union is now interested in building a stable southern neighbor that is respectful of the rule of law. More importantly, it is thanks to the strong ties CNDH president and former IER Commissioner Driss Yazami had developed with European elites while in exile that secured the financing of the IER 2 program. However, as shall be seen later in the chapter, Morocco was not always keen on implementing effective memorialization initiatives and ended up returning a part of the funds.

Through the IER 2, the CNDH aimed to support the establishment of a national archive institution and a post-graduate program to encourage historical research on Morocco’s recent past. It also sought to ‘positively’ preserve the memory of Morocco through the encouragement of cinematic work that represented the human rights breaches of the years of lead. Nevertheless, numerous projects planned by the CNDH to support activities related to the memory and history of the past remained unfinished. An obvious example that illustrates the unwillingness of the regime to open the files of the past is *Archives du Maroc*. While the creation of an archive institution stood as an obvious recommendation in IER’s final report, the law regulating the access to the sensitive and enormous amount of information collected during the mandate of the IER did not come through smoothly. Ten years after the enactment of a national archive law, the CNDH and *Archives du Maroc* agreed on the terms of reference that would regulate the archivization and access to IER’s files. These stipulated that the files which documented and acknowledged the repressive past of the regime should remain closed at present, in spite of IER’s recommendation to organize, preserve, and *facilitate* access to them in 2005.

Similarly, efforts to acknowledge the past through the conversion of detention and torture centers into museums or memorial sites were limited. The memorialization program, which concluded in February 2015, was hindered by property issues and the communities’ strong

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139 Driss Yazami in his introductory note in *L’enfermement et Le partage*, 16
140 Yazami, interview with author, June, 2015, Rabat, Morocco
preference for development projects, noted Naima Senhaji, the coordinator of the IER 2. 141 According to official sources, 1,605,000 Moroccans in 2014 were living with less than 2.6 USD per day, and 79.4% of them lived in rural areas. 142 These regions, Drâa-Tafilalet, Beni Mellal-Khenifra, Marrakech-Safi, Nador- Hoceima, Fes-Meknes and Souss-Massa, were the most affected by wide state repression during the years of lead. The poorest, according to the 2014 Moroccan census, was the region of Drâa-Tafilalet and its population of 1,635,008 living in Errachidia, Ouarzazate, Goulmima, Tazmamart, Agdez, Kalâat Mgouna, Tinghir and Midelt at a poverty rate of 14.6%. Hence erecting memorials for their fathers and mothers was not a priority compared to their need to feed and educate their children.

In her testimony before the IER, Roqaya Ouhabou shared in Berber the ordeals that befell her family when her husband Said Boudriq was arrested in March 1973 in Errachidia. Roqaya seemed distraught while recounting the beatings she endured with her children, one of whom died under torture. She abruptly ended her testimony:

I ask God to forgive us all and that’s all. That’s it… I don’t want to remember. I don’t want to continue. 143

Roqaya Ouhabou’s discomfort evokes an important trait specific to conservative communities in regions such as Errachidia and Goulmima. The shame (‘aib, ‘ar or hshoma) felt by older generations, even when they were the victims, prohibits them from publicly talking or reminding others of the moral and physical transgressions they or their families endured. Even when they accepted to testify before an official commission, victims repeatedly confessed that ‘they would rather not remember’ or ‘that it was too painful and shameful to recount what happened to them.’ Others recited their testimonies in a rather lethargic manner as if they were forced to be there and they simply wanted to get it over with. 144 In this sense, memory becomes a burden and its exposure does not necessarily result in individual healing or societal reconciliation. Forgetting for these victims has become a form of survival. In fact, even their Islamic teachings recommended them not to hold on to pain and sorrow, for sometimes forgetting ‘al nisyan’ can be a blessing from God (as opposed to forgetting brought about by Satan to induce men’s transgression against God.) When trials and

141 Naima Senhaji, interview with author, June 2015
143 Roqaya Ouhabou, IER public hearings, Errachidia 2 February 2005
144 IER testimonies in Figuig for example by both men and women. Al Amrani, IER public hearings in Rabat, 2004
tribulations strike, Muslims are instructed to be patient and seek refuge in Allah and only complain to him.\textsuperscript{145}

In the past, repression and fear silenced victims, so they sought refuge in their mundane life away from politics. Today, the same regime is asking them to remember, publicly. This injunction to remember, imposed by both the IER and the new generation (the post-generation) who wants to expose the truth, risk being another form of violence and repression. Marianne Hirsch’s concept of post-memory, whereby a generation has the duty to preserve the memory of the past and pass it on to the next generation, has to be re-examined here because not all acts of forgetting are malign. Forgetting can also be a desire to liberate the memory from too much knowledge and too many memories as an act of survival or formation of a new identity.\textsuperscript{146}

Regardless, the CNDH sought to join the trend of memorialization to establish the break with the past and signal the liberal turn of the Moroccan regime. By institutionalizing the process of memorialization, it responded to two kinds of reconciliation: remembering and forgetting, in order to heal.

\textit{Centre Belkacem Ouazzane pour la préservation de la mémoire}

In 2012, the CNDH opened the Belkacem Ouazzane Center for the Preservation of Memory (Centre Belkacem Ouazzane pour la préservation de la mémoire)\textsuperscript{147} in Figuig. As part of the community reparation program launched in 2007, the state allocated a sum of approximately 50,000 Euros to the project, which was executed by the local association \textit{Annada Figuig}. The center was named after the forcibly disappeared army officer who was kidnapped from his work at the borders with Algeria in the aftermath of 1973 uprisings. The Moroccan state did not disclose his whereabouts until 2015. The CNDH had commissioned a DNA test of unknown cadavers buried by the walls of the secret prison in Agdez. The CNDH introduced

\begin{footnotesize}
\begin{enumerate}
\item[145] In ‘Patience and Gratitude’, Islamic scholar Ibn Qayyim al jawziyyah discusses God’s commands to Muslims to always exercise patience or sahr in the face of adversity. The root word of Safr means to refrain, stop and control one’s ‘tongue from complaining, and to stop our hands from striking our faces and tearing our clothes at times of grief and stress.’ For more see Ibn Qayyim al Jawziyyah, \textit{Patience and gratitude (Uddat as-Sabirin wa dhakhirat ash-shakirin)} (London: Ta Ha Publishers, 1997) Moreover, Muslims are instructed to only direct their complaints to their God, as demonstrated by Prophet Youssef (Joseph) story in the Quran: ‘He said: ‘I only complain of my grief and sorrow to Allah, and I know from Allah that which you do not know.’ (Quran 12:86).
\item[146] Connerton, \textit{Seven Types of Forgetting}
\item[147] The CNDH, ‘La ville de Figuig a dépassé les questionnements de la justice transitionnelle pour s’engager dans les questions du présent relatives au développement, à la démocratie et aux droits de l’Homme’ \texttt{http://www.cndh.org.ma/fr/actualites/driss-el-yazami-figuig-depasse-les-questionnements-de-la-justice-transitionnelle-pour} (accessed June 1, 2017)
\end{enumerate}
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the Belkacam Ouazzane center as ‘a site of collective memory and reconciliation,’ with a library comprising publications about Figuig and the years of lead as well as video and audio recordings of IER hearings. The center also features a remembrance stone to commemorate victims fallen to repression in Figuig. Part of the same program was the creation of a cooperative for the local women to produce and distribute couscous, a youth center, an environmental club as well as a Centre d’hébergement de Ksar Oudaghir which is a housing center, to encourage tourism in the region. A total of twelve projects with a budget of 4,930,00 dirhams were implemented as part of the income-generating and development projects financed by the Moroccan government, the EU as well as UN Women.\footnote{148}

These income-generating projects, which mix local development with commemoration objectives, risk obscuring the element of memory and its intended aim as a guarantee for the non-occurrence of past wrongdoings. Speaking against the Agdez community project, former political prisoner Abdennacer Bnouhachem, who spent four years imprisoned in Agdez’ secret detention center, stated: ‘The regime is trying to erase the memory of sites that saw the struggle and the sufferings of many Moroccans. It is our duty to preserve the memory of these secret prisons and pass it on to the next generation.’\footnote{149}

Negotiations between the CNDH and former victims stalled as other issues hindered the creation of the Agdez museum and rehabilitation project. On the caravan road connecting Marrakesh to Timbuktu, the Kasbah el Had was built by Pasha Thami El Glaoui, the former governor of southern Morocco during the protectorate. Expropriated by the state after its independence, the crumbling Kasbah was turned into a secret prison that housed around 400 prisoners, half of them were Sahrawis. When the inheritors of Pasha el Glaoui reappeared asking for their Kasbah back,\footnote{150} the CNDH abandoned the project and limited its memorialization plan to the restoration of the two cemeteries where 29 Agdez detainees are buried.\footnote{151} Their remnants were identified thanks to the DNA tests after which the CNDH erected tombstones with their names in 2015. One of them was Belkacam Ouazzane.

\footnotetext[148]{\textit{Ibid}}
\footnotetext[150]{It is worthwhile to note that Pasha El Glaoui, the Lord of the Atlas, was one of the richest men of the last century. He owned palaces, Kasbahs and vast amounts of lands across Morocco, most of which were seized by the monarchy following his exile. For more on the confiscation of Thami el Glaoui’s property see Pennell, \textit{Morocco since 1830}, 300, 306, 307}
\footnotetext[151]{Naima Senhaji, interview with author, June 2014 ; Lamlili, ‘Maroc : Dans les prisons secrètes de Hassan II’}
Similar issues emerged when the CNDH planned to turn Ben Abdelkrim el Khattabi’s land in Ajdir (near al Hoceima) into a community center for the people of the Rif. However, Omar Lamaallem, a civil society actor from the association of Dhakirat Al Rif (The Memory of the Rif), claims that property rights were never an obstacle:

The children of the hero of the Rif did not object to the building of a hospital along with other projects for the public good and in the general interest of Riffian people. On the contrary, the state has been attempting to erase the memory of Ben Abdelkrim by allowing squatter settlements on el Khattabi’s properties and imposing projects (public roads, schools, clubs) that ‘ate’ away of his land little by little.152

During the transitional justice process, King Mohammed VI publicly announced that Ben Abdelkrim el Khattabi was a member of the resistance (muqawim) and a fighter (mujahid). His son S’id was in the delegation that welcomed the monarch in Ajdir in 1999, signaling reconciliation between the monarchy and the Aith Waryaghal tribe. However, the relationship between the two is still marked by mistrust. IER public hearings in al Hoceima were conducted under close surveillance by the local authorities and were not aired on public television. Known for their bluntness and stubbornness, the Ait Waryaghals, together with the Ait Yetteft, joined in the demonstration against the impunity of the IER process and organized a sit-in to protest against the constraints put on the witnesses (to not name their torturers) during the public hearings in al Hoceima in May 2005.153 The state, although it was officially in favor of the memorialization of the Rif events and its victims in a museum, has been dodging local attempts to commemorate their victims:

We proposed to the Ministries of Culture and Education to name our schools, sports complexes and public parks after our symbols Sellam Ameziane, Abdeslam Taoud and Haddou Achkich but they keep ignoring us. We also want to have regional curricula so we can teach our kids the history of their ancestors but we got no response. In 2013 the CNDH promised to finance the commemoration of Ben Abdelkrim’s 50th anniversary, but they never delivered.154

The failure of these memorialization initiatives to materialize shows the intricacies of the Moroccan political system. The CNDH, the royal institution which directly answers to the king and translates his wishes in matters of human rights, actively worked towards the creation of the Rif Museum in al Hoceima. The project was moved to the old building of al Bashawiya of al Hoceima, owned by the Ministry of Interior, and which was to be renovated

152 Omar Lamaallem, La Memoire du Rif, interview with author, al Hoceima, December 2016
153 Twelve local associations, including ‘L’association Memoire du Rif” signed a petition and proclaimed I’lan al Rif (the declaration of the Rif) that protested against the IER hearings.
154 Omar Lamaallem, La Memoire du Rif, interview with author, al Hoceima, December 2016
and converted into a museum and a documentation center about the Rif. The CNDH commissioned the Spanish firm TARJE in 2013 to restore the beautiful building and repurpose the old secret services quarters behind it into a community center. The process was open, and the CNDH held meetings and roundtables to consult the local community and former victims on the best way to rehabilitate the victims of the Rif, including Ben Abdelkrim and Haj Sellam Ameziane.

Driss Yazami was eager to present the international community with a regional model of reconciliation, a Moroccan version of Chile’s Museum of Memory and Human Rights. He even hired a French Public Relations firm to produce a documentary film showcasing the Rif Museum and its achievements in matters of memorialization. However, his plans were cut short. Indeed, the military was identified by the IER report as well as victims testifying at the public hearings as the responsible institution for their sufferings, the assassination and the illegal disappearance of many Riffians since 1959. Off-the-record sources claimed that despite the palace’s will to establish a museum for the Rif, the military was against the idea of having a memorial for Ben Abdelkrim and Sellam Ameziane and a constant reminder of their wrongdoings. Officially, the blame was put on the Spanish company TARJE which could not deliver the project by the set deadline. ‘We do not know what happened. There were problems from the beginning. We do not know how or why,’ noted Mohammed Mrabti, member of CNDH’s regional office in al Hoceima, who supervised the project. Meanwhile, the building in ruins serves as temporary housing for the homeless of the city while security forces are stationed in its vicinity.

155 Mrabti, interview with author, December 2016, al Hoceima
157 Mrabti, interview with author, December 2016, al Hoceima
Figure 24: ‘Le musée du Rif’ in downtown al-Hoceima

By April 2014, the CNDH had returned the funds to the EU, and the Rif Museum project was handed to the regional authorities in Tangiers. The latter incorporated the plan in the royal initiative ‘Al Hoceima, the Flagship city of the Mediterranean’ (Al Hoceima, manarat al Moutawassit) which specifically targets the economic and cultural development of the city and its region. Launched by King Mohammed VI in October 2015, the project boasts a budget of 6,515 billion dirhams (approximately 650 million USD) with plans to build infrastructure (roads, hospitals, community centers, parks, mosques, sports complexes, an oceanographic museum and an airport), as well as other rural and urban projects aimed at poverty and unemployment alleviation in the Rif. Villages such as Targuist, Imzzouren, Beni Bouayach and Ajdir that experienced marginalization and repression during the years of lead would also benefit from the development projects, financed and implemented by the Moroccan state. Among the plans is the creation of a theatre, a music conservatoire and a cultural museum (une maison de culture). According to Omar Lamallem of ‘La Memoire du Rif Association,’ the state has no genuine will to establish a museum of the Rif commemorating the bloody events that took place in the region. He explains his fears:

This cultural house would probably end up exhibiting artefacts and traditional clothing instead of displaying historical documents from the archives and facts exposed by survivors. The regime is trying to ‘contain the Rif’ instead of doing it justice.\(^{159}\)

The recent demonstrations in al Hoceima that demanded justice for a local fisherman who was crushed to death in a rubbish truck, further echo this malaise. The gruesome video that sparked nationwide outrage shows Mouhcine Fikri, 31, jumping in the truck to retrieve his confiscated fish only to be crushed by the compactor mechanism, under the directions of the police.\(^{160}\) The incident reflects a heavy legacy and the tension between the makhzen and the Riffians who see in Fikri’s death a continuation of the state oppression against the region and its children. Although ben Abdelkrim’s daughters have been touring the country praising the reconciliation achieved through the IER, many Riffians judge that the regime is not genuine about the reconciliation and truth process in the region.\(^{161}\) For critics like Lamaallem, the makhzen has not changed its tactics at all. Rather, its PR initiatives, aimed at marketing the ‘new era’ of Morocco (al ‘ahd al jadeed) under Mohammed VI, are designed to cover up its past and conceal ongoing violations. The reluctance of the regime to acknowledge past sufferings and commemorate their heroes in a visible built space such as a museum has been viewed similarly, as the persistence of state repression against their memory and symbols.

**Mass Graves and Sites of Trauma**

In contrast, the project to document Morocco’s sites of trauma and torture in an official publication succeeded in bringing former detention centers into Moroccan consciousness while marking the break with the past. In 2015, the CNDH published a photobook as part of the IER 2 program. This identified ten of the main and most infamous secret prisons of the Lead Years: Kalâat Mgouna, Agdez, Skoura (Ouarzarate province), Tagouninte (Zagora), Tazmamart (Errachidia), Dar Brisha (Tetouan), Dar el Mokri, le Complexe (Rabat), Derb Moulay Cherif and Courbis (Casablanca). The book also features a mass graveyard that commemorates the victims fallen to the mass killings during the bread riots of 1981 in Casablanca, known as the ‘martyrs of the baguette’ (shouhada’ el koumira). Faced with the lack of archives on the topic, *L’enfermement et le partage: lieux et mémoire*\(^{162}\) (Confinement

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159 Omar Lamaallem, interview with author, Al Hoceima, December 2016
161 Hisham Aidi, ‘Is Morocco Headed Toward Insurrection?’
and Sharing: Places and Memory) used IER’s investigations and interviews with former
detainees and prison guards, complemented by the work of historians like Mustapha Bouazizi
who wrote extensively on the period.

Figure 18: The Kasbah of Kalaat Mgouna and Dar Mokri: two historical sites repurposed as torture centers

Interestingly, the collection juxtaposes the beautiful natural scenery of ‘tourist Morocco’ with
the harsh realities of the torture sites. Each narrative includes the detailed description of the
place, the prisoners’ cells and the guards’ quarters, the dates when it opened and closed and
the category of detainees who occupied them. In most cases, the book lists the names of the
victims who died while in detention and who were buried in a makeshift cemetery nearby. It
also explains (in both Arabic and French) how historical sites like the Kasbah of Pasha el
Glaoui in Agdez or Dar el Mokri, the former palace of the family of Morocco’s Grand Vizier
during the protectorate in Rabat, were turned into secret detention centers and cemeteries for
innocent victims. Exceptionally, in the account of Dar Mokri and Tazmamart, General
Mohammed Oufkir, the former minister of Interior, is named as the main torturer and
perpetrator, \(^{163}\) in clear breach of the IER rule of not naming perpetrators.

Thanks to this work, partial memory was restored to places like Tazmamart and Kourbis which the regime had leveled to the ground in 1990s. Another attempt at physical erasure was carried out in 2005, in the middle of the transitional justice episode, when the former Tazmamart prison was bulldozed, leaving just the guards’ quarters and the cemetery where 32 victims were buried.\footnote{Ibid, 325} The official CNDH publication does not identify those who destroyed the site. A villager remembers seeing big trucks that came overnight to level the caserne to the ground: ‘We didn’t know who they were, or how long they stayed there. We didn’t want to know.’\footnote{Nadia Lamlili, ‘Maroc : dans les prisons secrètes de Hassan II’ in Jeune Afrique 8 June 2016 http://www.jeuneafrique.com/map/329104/societe/maroc-prisons-secretes-de-hassan-ii/?utm_source=Facebook&utm_medium=Articles&utm_campaign=PostFB_08062016 (May 10, 2017)} This again showcases how two agents of the same regime (the CNDH and the military/Ministry of Interior) have carried out conflicting actions to serve the same purpose: to resist the demands for change and to preserve Morocco’s memory.

Against this, activists multiplied their pressure on the CNDH and the local authorities to preserve the former illegal detention centers and transform them into memorial sites that would welcome visitors and pilgrims to celebrate the lives of and the waged resistance by former detainees. Agdez, which saw the death of 32 detainees, was to host a regional museum similar to the museum of the Rif. However, the project ground to a halt because of ownership issues, or so the CNDH claimed. ‘Why didn’t the Glaoui family, [the owners], voice their right to the property when it was a secret prison and we were rotting inside it?’ asked Abdernacer Bnouhachem, a former political detainee. According to the former victim, if the
claims of the CNDH were true, then the state should have expropriated the Kasbah for the public interest of Moroccans and to preserve their collective memory.166

Others demand that the state acknowledge and publicize the complete list of detention centers. Indeed, not all secret prisons have been identified and many remain a mystery, including the houses of governors in Laayoune or private villas in Marrakech and Fez. Point Fixe 3, a villa in the neighborhood of Zaer in Rabat, was repeatedly mentioned by IER witnesses as the place of detention of USFP leader Omar Benjelloun, unionist Houcine Manouzi, the Bourequat brothers, Mohammed Ababou’s brother and his aide Akka who took part in the Skhirat putsch in 1971, as well as the French kidnappers of Ben Barka.167

![Figure 20: Le cimetière des sans nom commemorating the victims of 1981 in Casablanca](image)

‘We are in the face of a regime that plays us against the clock’ noted Abdelkrim Manouzi, the brother of Houcine Manouzi and the president of the medical association for the rehabilitation of victims of torture (l’Association médicale de réhabilitation des victimes de la torture). Many former detainees or their survivors are sick or simply old. Once they are dead, their demands and memories will die with them. Memorialization in Morocco started as grandiose projects of turning torture sites into museums and community centers that would commemorate the past and generate income for their impoverished communities. Many of these projects entailed the involvement by and funding from multiple actors including the CNDH, the Ministries of Habitat, Culture and Interior, the local authorities, the European Union and the United Nations. That few of them materialized was due to a multitude of reasons: ‘hidden agents,’ logistical problems, property issues, etc. Museums, which keep the

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167 As reported in many memoirs such as the Bourequats’ (Mort-Vivant, 18 ans de solitude).
memory alive, and where visitors can re-live Morocco’s violent past, seem to have encountered many obstacles. Former secret prisons such as Tazmamart and Kourbis were demolished, or simply stripped of reminders of their past, as was the case with Dar Brisha, Dar Mokri and Derb Moulay Cherif. In the latter case, the dark room - where many prisoners were tortured and upon which Jaouad Mdichech based his memoir La Chambre Noire ou Derb Moulay Cherif – was painted white and serves today as the new kitchen for a family of squatters. A former detainee, while showing the former illegal detention site to a United Nations delegation in 2016, noted ironically: ‘in the past, they used to hang victims and militants here. Today, they are hanging chickens in the darkroom of Derb Moulay Cherif.’\textsuperscript{168}

According to Eyal Weizman, the idea of forensic architecture means that scenes of violence and torture can be seen or reconstructed in the locations where human rights and international law violations occurred, including prisons and mass graves.\textsuperscript{169} Museums, especially those that are erected to commemorate a traumatic past, serve the purpose of translating past sufferings into material representations.\textsuperscript{170} It has obviously been problematic for the Moroccan makhzen to accept a physical presence that constantly reminds the local population of the regime’s grave violations against them and their predecessors. Because of the lack of genuine political transition in the case of Morocco, creating sites that preserve historical memory through material representation serves to undermine the legitimacy of the regime and keeps in view the continuity of its oppressive measures. In line with the IER narratives emerging from the public hearings, the Moroccan regime has thus preferred to invest in and promote projects that mark a break with (rather than a recreation of) the past: cemeteries, publications, stone memorials and so on. Two case studies are offered here in further illustration of this point. An examination of education and cinema will reveal how the makhzen has opted for a form of forward-looking justice based on forgiveness and reconciliation instead of one that looks back at the past to investigate, understand and commemorate historical injustices.

\textsuperscript{168} Abdeslam Chefchaouni, interview with author, Casablanca, January 2017
\textsuperscript{170} Susan Slyomovics, ‘Inside the Inside Life in Prison’, \textit{Middle East Research and Information Project}, No. 275. Vol. 45. No. 2 (Summer 2015), 30
Education Reforms in Transitional Justice Contexts: Memory Studies versus Human Rights Education

I want the state to acknowledge the heroic fight of Mohand [Mohammed] Bin Abdelkrim el Khattabi against French and Spanish colonialism. It [the Rif Republic] was an experience of freedom, and we have the right to be proud of it. They [the regime] should let us be proud of it. They should let us teach it to our children in history textbooks.’ (Hakim Benchemas, former victim of repression, Instance Équité et Réconciliation public auditions, Hoceima, 2005)

In 2010, as part of the IER 2, the CNDH launched an educational program *L’Histoire du Temps Présent* (History of Contemporary Morocco) at the University of Mohammed V in Rabat to encourage research into and study of Morocco’s contemporary history and post-independence memory. The program faced many obstacles after the CNDH failed to secure funding and, more importantly, access to IER archives for researchers. Instead, the council supported the establishment of ‘Citizenship and Human Rights clubs’ in primary and secondary schools throughout the country in order to cultivate a culture of human rights in the future generation of Moroccans. This section investigates Morocco’s educational initiatives as two distinct transitional justice strategies. The lack of genuine political transition has heavily influenced the choice of education reforms implemented by the regime. While *Histoire du Temps Présent* aimed at teaching the past through historical inquiry and investigation into IER archives, ‘Citizenship and Human Rights Clubs’ encouraged a forward-looking form of peace education that stressed the break with the past without learning about it.

**Memory Studies: l’Histoire du Temps Présent**

The post-colonial history of Morocco has long been contested and erased. Even when the state-sanctioned Truth and Reconciliation Commission investigated its violent past based on victims’ testimonies and key witnesses, the official discourse reminded the public that these historical narratives were subjective.\(^{171}\) Stressing the traumatic nature of past experiences, the fallible nature of memory and the enforced structure of the testimonies, Moroccan officials endeavored to differentiate between historical truth and personal memories and called for a sound exercise of history writing based on scientific methods.\(^{172}\) With this in mind, they

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171 Driss Yazami, the president of CNDH, interview with author, June 2015, Rabat  
172 These include Driss Yazami, CCDH’s president and Mohammed Kably, the director of the Royal Institute for Research on the History of Morocco
encouraged academic research and intellectual inquiry into the recent and immediate past of Morocco through the establishment of *l'Histoire du Temps Présent*. The program recruited Morocco’s most renowned historians, including Mohammed Kenbib, Jamaa Baida, Abdelahad Sebti, Mostafa Bouaziz and Abdelhay Moudden. Each one of them offered a course (a unit) on his subject of expertise: research methods, archives, oral history, memory studies, globalization, movements of contestation and the history of elites.

The program was offered to history graduates who wished to carry out postgraduate studies in contemporary history, oral history, memory studies or movements of contestations based on five research axes: (1) the world in the 20th and 21st centuries, (2) the contemporary Maghreb, (3) the Colonial Experience in Morocco, (4) the Challenges of Nation-State Building, and (5) the state and the society in modern times. The master’s program also sought to link theoretical knowledge with the practical aspects of history through training in data collection and evaluation provided at partnering institutions including the CNDH and *Archives du Maroc*. Other partner institutions included the Faculty of Law and the University of Communication in Morocco, the April 9th University in Tunis, the Institute of Contemporary History in Paris and la *Maison Méditerranéenne des Sciences Humaines* (MMSH) in Aix-en-Provence. Students could also undertake archive research in the Moroccan Cinematographic Center (*Centre Cinématographique Marocain* – CCM) which hosted important video clips and documentaries produced during and about the years of lead.

Despite the robust program and the expert faculty members running it, *L'Histoire du Temps Présent* was a lost opportunity for memory recovery. The proposed syllabus aimed at forming competent researchers by tapping into available sources (written, oral, and visual) inside and outside Morocco to help re-write parts of its independent history (including archives in Spain and France, for example). It also offered students contact with contemporary sources and eyewitness testimony thanks to an engaged civil society that understood the importance of documenting and teaching the past to prevent its recurrence and to fight impunity. This included NGOs like the AMDH, the FMVJ and the FMAS-Maroc (*Forum Marocains des Alternatives Sud au Maroc*). Unfortunately, educational initiatives as part of a transitional justice project have proved to be challenging. Scholars and practitioners alike have agreed that due to many political and social factors transitioning societies often struggle to implement effective education reforms. In the case of Morocco, the course turned out to be a frustrating exercise in historical research. Students reported their inability to choose their research topics freely. Thesis supervisors often censored them because their research
questions were problematic and touched upon sensitive issues. More importantly, access to the written and media archives of the IER was limited as were the archives of the royal palace.

As a result, the postgraduate program, set up by IER 2 to encourage research into and study of Morocco’s contemporary history and post-independence memory, was terminated after only two years because students were rarely granted access to sources. ‘I put full responsibility on the CCDH and its chairman Driss Yazami for the failure of this master program. How could students research the memory of Morocco without access to IER archives?’ asked Hicham Cherkaoui, an AMDH member and law professor at the University of Mohammed V in Rabat. When the council signed a convention with this university to create a master’s degree in contemporary history at the faculty of Arts and Humanities, the CNDH vouched to support its field investigations, secure books and other resources, invite international lecturers in contemporary history to conferences and seminars, just as it promised students full access to IER archives. The program could not sustain itself without funding, explained Jilali el Adnani, a history professor and the coordinator of the Histoire du Temps Présent program at the University of Mohammed V.

The master’s program ran for two years and had a capacity for twenty students per year. This promised an abundance of research into Morocco’s recent history and memory using sound research methods. However, the Moroccan regime seems to have favored a forward-looking approach to peace education. In contrast to l’Histoire du Temps Présent that encouraged students to undertake research on the post-independence history of Morocco using IER archives, Citizenship and Human Rights clubs in secondary schools throughout the kingdom focused on cultivating a culture of citizenship and human rights without necessarily relating them to the violent past and the socio-political realities of the country. The CNDH showed more enthusiasm to support these initiatives through multiple regional partnerships with the Ministry of Education and the actors of civil society. Before addressing this, however, the

173 Hicham Cherkaoui, interview with author, June 2015, Rabat.
174 The author approached the CNDH to access the archives of IER in June and July 2015 but her request was turned down. Susan Slyomovics was able to access Fatna el Bouih’s IER file because she seems to have had the consent of the victim and the cooperation of CNDH presidency, often granted to foreign researchers in comparison to Moroccan ones.
175 Hicham Cherkaoui, law professor at the Mohammed V University in Rabat and coordinator of Moroccan Coalition to the International Criminal Court, interview with author, June 2015, Rabat.
177 Jilali El Adnani, Professor of History at the Faculty of Humanities and Social Sciences at the University of Mohamad V in Rabat, interview with author, June 2015, Rabat.
following section examines Moroccan textbooks of history and civics education in order to expose how Morocco’s experience in transitional justice influenced their content.

**Independent Morocco in Moroccan History Textbooks**

When in 1990 Lucette Valensi analyzed the process of official memory formation in Morocco, she noted that many blank pages punctuated its postcolonial history. The skeletons in the closet (*les cadavres dans le placard*), as she ironically referred to them, concerned many events and actions of political leaders that negatively impacted on the legitimacy of the monarchical regime. Amongst these were the establishment of the Rif Republic by bin Abdelkrim in 1921 when the rest of Morocco grappled with colonialism; the military coups that sought to depose King Hassan II in 1971 and 1972, and also the uprisings of 1959 in the Rif, 1965 in Casablanca, 1973 in the region of Khenifra as well as periods of unrest in 1981 and 1984 throughout the country that called for social and political justice and which saw the killing and illegal detention of thousands of Moroccans. When the thorny topic of Western Sahara is broached, it is presented as part of Morocco’s rightful struggle for independence from colonialism. As such, the Green March, which allowed Morocco to take back control of the territories in 1975, is celebrated as one of the main achievements of King Hassan II, without mentioning the human costs that resulted from the protracted conflict with the separatist movement the Polisario Front. Valensi explained that the regime constructed an official memory based on two main protagonists, King Mohammed V and King Hassan II, while other liberation heroes or political opponents were consigned to anonymity or incorporated into abstract concepts like ‘the country,’ ‘the nation’ and ‘the people.’

Mustapha Hassani Idrissi, a Moroccan historian and specialist in didactics, noted that Moroccan textbooks presented a national history ‘with neither head nor tail.’ It started with the advent of Islam in the region and stopped with the country’s independence in 1956. Indeed, it wasn’t until 2002 that the Ministry of Education implemented a series of reforms that revisited school textbooks. Carried out in complete secrecy and opacity, the 2002

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179 Lucette Valensi, ‘Le roi chronophage’, 292
181 Before 2002, Morocco’s educational system saw two other reforms. The one in 1970 implemented an arabization policy that replaced French as the main language of learning. The second one in 1987 removed philosophy and other critical thinking subjects from national curricula. These were replaced by Islamic studies that stressed archaic concepts like obedience to the ruler and the unity of the Islamic community. In 2006, King
reforms did indeed allow for a new pedagogical method of teaching that moved away from mere historical fact learning to methods based on critical thinking and fact formation. That said, although the new reform offered multiple textbooks to students (sanctioned by the Ministry of the Education), the curriculum still focused on one narrative: the official history as depicted and constructed by the winners, that is, the regime that perpetrated those human rights violations.

In Moroccan history textbooks, the focus is maintained throughout the grades on the national identity that transcended the pluralist culture of the Moroccan society. Students are invited to think about their country as a nation that had been under attack by foreign covetousness since the advent of Islam. Since 2002, the contemporary and post-colonial history of Morocco is taught starting in the third year of middle school; however, the focus is put on the movement leading to the independence of the country and the period immediately following it.

The symbols of independent Morocco are presented as King Mohammed V, the ‘liberator’ of Morocco, and King Hassan II, who built the modern state that it is today. When names and portraits of liberation leaders such as Mohammed Bel Hassan el Ouazzani or Allal el Fassi are included, they are mentioned in relation to both kings and relegated to secondary roles.

Ben Abelkrim el Khattabi is cited as a resistance fighter (muqawim) who defeated Spanish colonialist troops in the Battle of Anoual in 1921. However, nothing is mentioned about the independent Rif Republic he established following his historic win and which he run as a modern nation-state for five years before it was crushed by the Spanish and French armies; reportedly using chemical weapons against the Rifians. Instead, the battle of Anoual has been appropriated by the regime as the precursor of the nationalist movement that secured

Mohammed VI created a national council of education and in 2009, an emergency program for education. For more on this see, http://www.men.gov.ma/Ar/Pages/Accueil.aspx At the time of writing, another education commission is looking into reforms of the Moroccan educational system and curricula. Latifa Jbabdi, a former IER commissioner, is taking part in this process.

182 This analysis uses secondary school textbooks published after the 2002 reforms called ‘3rd generation manuals.’ These are printed by different publishing houses but their content (units, sources, photos, charts…) is the same: al Shamil fi al Tarikh, 2nd year of High School (lycee), (Casablanca: al Nashir al Atlashi, 2007), Fada’ al ifti’ma’ iyyat, 2nd year of Junior High, Cycle préparatoire (Rabat, Imprimerie El Maarif, 2004), fi rihab tarikh, Year 2 of high school (Rabat: dar al alamiya lil kitab, 2007), an-najah fi al-ftima’ iyyat, year 2 Junior High (Casablanca: Imprimerie Najah al Jadida, 2004) and manar al ftima’ iyyat, year 3 of junior high (Casablanca: Top Editions, 2006)

183 The Moroccan educational system resembles the French one. Primary school starts at age 7 and has six levels. The first cycle of secondary school ‘collège’ (middle school or junior high) has three levels and the second cycle ‘lycée’ (high school) comprises three grades.

Morocco’s independence, led by King Mohammed V, and thus celebrated as the achievement of the Alaoui dynasty.

The glossary (al-mo’jam) introduces the Moroccan student to the main figures of Morocco’s history. These mini-biographies usually include the name of the personality, the date and place of his birth, educational level and political career. They sometimes include political affiliations, ideologies, publications as well as their contribution to the resistance movement. In some cases, the biographies also mention the consequences of their activism (exile by place and period). For Mehdi Ben Barka, the two-line biography notes his date of birth and death, his political achievements as the co-signer of Morocco’s declaration of independence as well as his detention by the French colonial government until 1945 and again in 1951. Also included are Ben Barka’s appointment as the chairman of Morocco’s first parliament (advisory council) in 1956 and his election as president of the political committee of the Asian-African solidarity organization in 1960. This brief biography comes in a unit that introduces the national resistance movement to France in Morocco.\textsuperscript{185} Nothing is mentioned, however, of Ben Barka’s leadership of the opposition movement against the regime which eventually led to his exile and his ‘disappearance’ in 1965.

History curricula produced after 2002 repeatedly refer to ‘the democratic principles upon which modern Morocco was built.’ However, details are not provided, and focus is put on the institutional building instead of the political system. More details are provided in the 12\textsuperscript{th} grade (Year 3 of lycée). The last unit of the history curriculum presents the contemporary history of Modern Morocco through three periods: the rules of Mohammed V, Hassan II and finally Mohammed VI in a total of five pages. For the first era, students are invited to compare the political systems in Arab countries: while Algeria, Syria, Iraq, Egypt and Tunisia adopted the single party system, Mauritania and Libya witnessed several upheavals including revolutions and military coups.\textsuperscript{186} In contrast, King Mohammed V was hailed for his ‘democratic vision’ for the new era of Morocco with a multi-party system and modern constitutional institutions. The book notes that this ‘democratic vision’ was hindered by internal and external factors without explaining them or probing the student to think about them through a critical thinking activity. Similarly, Hassan II’s reign is represented through his projects in the field of economy and social development. The emphasis is put on the Green March as one of Hassan II’s main achievement that saw the Southern provinces, as the

\textsuperscript{185} Al Shamel fi al Tarikh, year 2 of baccalaureate (Casablanca: al Nasher al Atlassi, 2007), 167

\textsuperscript{186} Ibid, 205
Moroccan regime refers to the Western Sahara, ‘return to the rest of the country.’\textsuperscript{187} The king is presented as the unifier of Morocco while there are no mentions of the separatist front POLISARIO or the large numbers of Sahrawi victims that endured state repression in the aftermath of the Green March.

Most notable is the addition of Hassan II’s economic and political measures between 1961 and 1999. These are summarized in three categories: (1) economic, (2) constitutional and administrative, and finally, (3) a political and human rights category. The economic achievements are explained through additional figures that describe the economic imbalances faced by Morocco in 1980 and introduce the responses of the state to counter their disastrous social and economic effects.\textsuperscript{188} There is no mention, however, of the political upheavals or ‘imbalances’ of the period, and especially that these economic measures resulted in protests by the population struck by hunger and the brutality of police forces.\textsuperscript{189} Cautiously, the book also refers, in the end, to the political and human rights measures implemented by King Hassan II in the 1990s. The list is presented without further explanation:

- The Advisory Council for Human Rights (Conseil Consultatif des Droits de l’Homme – CCDH) is established in 1990
- The release of political detainees and the return of exiles in three waves: August 1991, July 1993 and May 1994
- The establishment of administrative courts and a ministry in charge of human rights in 1993.
- The establishment of the Advisory Council for Social Dialogue in 1994
- The Constitutional Council
- Appointment of the democratic alternating government in 1998 headed by Abderrahman el Youssoufi.\textsuperscript{190}

This is the first time the student is introduced to the question of political prisoners in Morocco; and significantly, the first time they are mentioned is in relation to their release or return from exile. Although this brief mention comes at the end of the school year and is subject to self-censorship by many teachers, the incorporation of the concept of political

\textsuperscript{187} Ibid, 207
\textsuperscript{188} Al Shamel fi al Tarikh, year 2 of baccalaureate, Figure 6 and 7, 208
\textsuperscript{189} The hundreds of death killed during these events between 1980 and 1984 are commonly known in Morocco as ‘the martyrs of the baguette/bread stick’ (shuhada’ al kumira)
\textsuperscript{190} Al Shamel fi al Tarikh, year 2 of baccalaureate (Casablanca: al Nasher al Atlassi, 2007), 208
prisoners is of utmost significance. Less than a decade ago, the regime of Hassan II invented a new terminology to qualify victims of the years of lead, referring to them as ‘the so-called disappeared’ and ‘the so-called political prisoners.’

The third generation of Moroccan textbooks was clearly influenced by the political liberalization introduced to Morocco after the ascent of Mohammed VI in 1999. The rule of the current king is introduced through a series of pictures featuring his charitable actions and excerpts from his speeches stressing his commitment to the establishment of a country based on the rule of law and the protection of human rights. A chart also explains the advancements of Morocco in the 21st century including its transitional justice experience. Amongst these is ‘the establishment of Instance Équité et Réconciliation in December 2003 in order to close the files of human rights abuses and turn the page on the past.’ No further details are provided and teachers are given ample control and choice of whether to discuss the topic. In general, the section is skipped because of its sensitive nature, explains a Moroccan history teacher. In the end, students are invited to critically think about Morocco’s ‘liberal choices’ compared to other countries in the Middle East and North Africa, especially in terms of civic duties and human rights protection. More importantly, the 2002 reforms updated the national curricula for civics education basing it on universal concepts of human rights and individual liberties.

Civic Education and Human Rights Club

Civics education in Morocco is usually part of the History and Geography textbooks, referred to as ‘Social Sciences’ (al ’ouloum al ijtim’ia’ya or simply al ijtim’ia’ya). This program received a lot of attention after the enactment of the National Education and Training Charter (CNEF) of 1999 that set as national objectives building citizenship awareness and social cohesion through education. Concepts of human rights and democracy were taken into

191 These expressions were used by King Hassan II in his speech and stated in CCDH memorandum in 1998
192 Al Shamel fi al Tarikh, year 2 of baccalaureate (Casablanca: al Nasher al Atlissi, 2007), 209, 210
193 manar al ijtim’ia’ya, year 3 of junior high (Casablanca: Top Editions, 2006), 71 and fi rihab tarikh, Year 2 of high school (Rabat: dar al alamiya lil kitab, 2007), 211
194 Anonymous informant (teacher), interview with author, June 2015
195 In 1994, the ministry of human rights entered a convention with the Moroccan ministry of education to include a human rights curriculum. In 2004, a commission for human rights and citizenship took over the program to supervise the implementation of this in the Moroccan educational system.
196 Al jaded fi al ijtim’ia’ya, year 6 of elementary education (Rabat: Dar Nachr wal Maarifa, 2003)
consideration in new textbooks for French, Arabic, Social Sciences and Islamic Education, although these concepts remained conditional on the local realities of Morocco, including, for example, Islamic views on gender equality and freedom of conscience. In Morocco, civic education programs run for six years, starting in the fourth grade (Year 4 in primary school) and continuing through the tenth grade (Year 3 of middle school). Based on the Vienna Declaration and Programme of Action (VDPA) of 1993, the Moroccan student is taught rights and duties as a member of the society through concepts like equality, individual liberties, justice, solidarity, peace and religious tolerance, democracy, the rule of law and human rights. In the eighth and ninth grades (Year 2 and 3 of middle school), the program also introduces the political system and state institutions of Morocco. It explains the role of political parties as well as of unions and the press, yet without necessarily relating this to the socio-political issues of the country. For instance, when students are taught concepts such as illegal detention and political prisoners, these are not linked, at least in the textbooks, to their systematic use by the Moroccan authorities in the past. And because the educational system is based on a teacher-centered approach, learners are not encouraged to think critically about these concepts. Given the repressed memory of the past and the reluctance of public media to deal with such topics, it is unlikely that students can make their own connections to these topics either.

‘Human Rights Clubs’ were established with this in mind. By 2004, the civil society represented by the Moroccan Association for Human Rights (AMDH), the Moroccan Organization for Human Rights (OMDH), and Amnesty International in Morocco (AI) entered into a convention with the Ministry of Education to provide students with workshops and opportunities to apply their human rights knowledge. To this end, the AMDH organized several training workshops for ‘Social Sciences’ teachers (History, Geography and Civics Education) to equip them with the methods and educational tools appropriate for the teaching of human rights, children rights and citizenship values. These were based on the universal concepts of human rights. Hundreds of participating educators decided to found HR clubs in their schools and train students and staff to run them.

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198 see for example An-Najah fi l-ijtima’iyyat, Year 2 of Junior High (Casablanca: Imprimerie Najah al Jadida), 157 – 166
200 Abdelilah Ben Abdeslam, AMDH board member, interview with author, Rabat, 2015
The effects of all this were enhanced by the National Education Emergency Programme designed by the Ministry of Education in 2009 to address the shortcomings of the 2002 reforms. The program established a commission of regional offices in the Ministry of Education to monitor and encourage gender equality in education and also to provide a safe learning environment for students through fostering respect for human rights in public schools. It aimed at creating ‘citizenship clubs’ and the organization of human rights events in all secondary schools in Morocco. In 2009, the state put in motion its 2006 national program for a ‘Citizenship platform for the promotion of a culture of human rights’ through education, awareness campaigns and training. The CNDH joined efforts with other governmental institutions to organize activities and establish HR clubs in secondary schools, universities, vocational training colleges and youth clubs. Al Wassi (the Ombudsman of the country), the Royal Institute for Amazigh Culture (IRCAM), Hassan II University in Casablanca and the ministries of education, interior, justice, communication, Islamic affairs and youth, as well as non-governmental organizations (AMDH, OMDH, Amnesty Morocco and others), were all involved in these initiatives. The AMDH for instance partnered with the Ministry of Education and held four training courses: Prometheus, Averroes, Amal and Mashtal in September 2004, April 2005, October 2007 and April 2008. These benefited more than 2000 students and 2000 teachers from secondary schools, 5400 students and 1220 teachers from elementary schools and 750 university students. Moreover, the AMDH organized a series of 31 human rights summer camps in collaboration with the ministry of youth and sports since 2003 which saw the participation of over 5000 young Moroccans.

These workshops clearly aimed at raising awareness and educating Moroccans on the liberal concepts of human rights. The AMDH hoped that the trainees would train other students and teachers; as well as translate their knowledge into attitudes that would impact the daily lives of Moroccans thus spreading the culture of human rights in the country. The Moroccan government, on the other hand, had to fulfill the United Nations Millennium Development


202 Association Marocaine de Droits Humains, Jami’at Ibn Rochd li tarbiya wa takwin ala haqq al insan (Averroes University for human rights education and training) (Rabat: manchurat tadamun, 2005); Association Marocaine de Droits Humains, Jami’at Ibn Rochd li tarbiya wa takwin ala haqq al insan (Prometheus University for human rights education and training) (Rabat: manchurat tadamun, 2006); Association Marocaine de Droits Humains, Jami’at Ibn Rochd li tarbiya wa takwin ala haqq al insan (al Amal University for human rights education and training) (Rabat: matabi’ al ribat, 2012);
Goals (MDGs) it had endorsed since 1990 to reduce poverty, achieve universal primary education and promote gender equality; among other objectives.\textsuperscript{203} By 2008, the Ministry of Education was aggressively implementing the blueprint set by the different UN agencies in terms of education in order to meet the 2015 deadline.\textsuperscript{204} The same year, the European Union granted Morocco an ‘Advanced Status’ that translated into larger trade exchanges and significant funds for the kingdom to invest in literacy, medical care, and other development projects.\textsuperscript{205}

The Millennium Development Goals came as a response to various shortcomings of the Moroccan education. High rates of illiteracy, school dropout and unemployment of graduates forced the Moroccan state to put in place a national strategy aligned with the MDGs to reform its educational system since 1999. This was further pressed on by the European Union which saw a growing number of minors illegally immigrating to Europe, especially from the regions of Tangiers-Tetouan and Taza-Alhoceima-Taounate).\textsuperscript{206} Like the context that brought about the IER, pressures from international bodies such as the UN as well as local NGOs were able to push for more Human Rights content in textbooks and organize workshops and training around Human Rights education. The Ministry of Education as well as the CNDH funded and promoted these new developments, especially through human rights clubs that burgeoned in secondary schools and universities thanks to the training and workshops provided, for example, by the AMDH.

However, neither students nor teachers in Moroccan schools pay civics education the attention due to it. Teachers do not always spend the sixty minutes per week nominally allocated to it. When they do, students are expected to learn concepts by heart solely for the purpose of examination, and without necessarily thinking critically about them. For this reason, HR rights clubs were transformed into learning and training spaces for students and teachers alike. These citizenship and human rights clubs are usually run by volunteer staff and teachers from the school and involve members of local associations such as the AMDH,

\textsuperscript{206} Ibid
the OMDH and Amnesty International in Morocco. Students are encouraged to be club
leaders and board members, but this is not always possible due to student and teacher
workloads. The clubs follow a participatory approach in learning methods and include
activities such as roundtables, theatre, cinema, music, competitive sport, visits to ministries
and state institutions as well as human rights organizations. These are organized around
concepts of human dignity, equality, accountability, democracy, freedom of expression,
tolerance, solidarity and other values. And because these activities are conducted outside a
classroom setting centered on a teacher, students are encouraged to think critically about the
meaning and application of human rights in a Moroccan context. This is even more so when
activities and discussions are facilitated by a member of the civil society and particularly by
the AMDH members who do not shy away from giving examples from the past.207

In a first period between 2005 and 2009, the CNDH sought to support human rights education
for students and teachers in primary and secondary schools. Their training also targeted
university students, professors and staff as well as civil servants and military officers. Since
then, the CNDH showed interest in the Citizenship and Human Rights clubs and its regional
offices multiplied partnerships with the Ministry of Education and other civil society actors
involved in the clubs. The council also partnered with UNESCO and published in December
2015 a Guide For Citizenship and Human Rights Education208 that ‘complied with the best
practices and tools necessary for successful activities and the smooth running of an HR club.’
According to the publication, the toolkit was compiled in consultation with civil society
actors and HR clubs around the country in an attempt to standardize and facilitate the
establishment of this type of clubs across Moroccan schools. Alongside the international and
national conventions of human rights, the guide also includes the steps, regulating laws,
samples of action plans, Monitoring and Evaluation tools, partnership agreements and
funding sources to help students and teachers organize themselves. The CCDH also presented
a set of activities and events that HR clubs can arrange to cultivate citizenship skills and
attitudes respectful of human rights, insisting on the support and capacity building the CCDH
regional offices can provide for club members.

From a transitional justice perspective, education can further the achievements of measures
like truth commissions and memorialization initiatives when it clearly acknowledges the

207 Rabia el Bouzidi, AMDH administrator, interview with author, June 2015
208 CNDH, Manuel de l’éducation à la citoyenneté et aux droits de l’Homme (Rabat, 2015)
legacies of the past. Scholars and practitioners alike recommend that the findings of a TRC should be taught in schools to allow for counter-narratives to be discussed and foster a dialogue within the classroom.209 Without the opening of the IER archives, students who enrolled in the memory program *Histoire du Temps Present* could not engage in a genuine investigation of Morocco’s violent past. The program itself was abandoned by the CNDH which turned its funds and support to Human Rights education through the support of HR clubs and content in school textbooks. Yet, even when the official history curricula sketchily acknowledged the human rights abuses endured by a group of Moroccans for over four decades, Moroccan teachers still struggled to rid themselves of self-censorship and anxiety when talking about the past. As for HR clubs, almost six years after the launch of this initiative, many schools are struggling to maintain the interests of students and teachers.

Omar Lamaallem, the principal of a high school in al Hoceima, noted that not all teachers had the time or the resources to invest in extra-curricular activities, especially that schools in regional Morocco tend to lack teaching staff and budget, compared to educational institutions in the big cities such as Rabat or Casablanca.210

Regardless of their impact and sustainability, the CNDH promoted both initiatives as a success representative of Morocco’s democratic transition. Through the IER in its various stages (monetary reparations, investigations, public hearings, memorialization…), the Moroccan regime considered the past closed. The CNDH, the state institution responsible for the promotion and protection of human rights issues in the country, shifted its focus to new matters that were deemed urgent by both the Moroccan state and the international community, notably poverty reduction, women empowerment and the fight against illegal immigration and terrorism.211 The next section discusses the use of cinematic work to further promote this narrative of a new Morocco through the analysis of Moroccan movies about the years of lead.

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210 Omar Lamaallem, interview with author, June 2016, al Hoceima
211 These new concerns were repeatedly voiced by the president of the CNDH in an interview with the author, in various media outlets and are also reflected in the campaigns and reports by the CNDH.
Transitional Cinema as Sites of Memory and Reconciliation in Morocco

The moment Morocco stepped forward to commemorate the past; cinema was acknowledged and adopted as a vehicle of representation and memorialization. By 1999, the state institution CCM (Centre Cinématographique Marocain, Moroccan Cinematographic Center) was subsidizing and sanctioning a number of movies depicting state repression and systematic torture of perceived dissidents during the 1970s and 1980s, signaling the regime’s readiness to reckon with the violent legacy of the years of lead. In 2007, the CNDH funded a number of short films and documentaries as part of its community reparation program that targeted groups that experienced collective repression such as the village of Tazmamart or the neighborhood of Derb Moulay Cherif in Casablanca.212 However, these shorts were not widely distributed or publicized. Their distribution was limited to the local associations and human rights organizations in the country. In contrast, the CNDH was later to select six of the feature films, produced between 2000 and 2004, and release them as a DVD box set as part of the memory and history program, the IER 2. For two weeks, a mobile theatre ‘La Caravane du Cinema des Droits de l’Homme’ toured six cities in Morocco to show these movies and discuss their content with young audiences mostly.213

The mission statement of the movie collection entitled Fiction et Histoire du Temps Present (Fiction and Contemporary History) released by the CNDH concerns itself with ‘paying tribute to victims and to artists writing about them, and to adopt these narratives as part of the official history of Morocco.’ According to the president of the CNDH, these films contribute to ‘an informed and pluralistic reading of Morocco’s history.’214 It is not clear however how a cinematic act would play this critical role effectively. This section examines all six movies215 selected by the Moroccan state as part of its strategy for national reconciliation and commemoration of the past. Ahmed Boulane’s Ali, Rabea and the Others (2000), Kamal Kamal’s the Specter of Nizar (2002), Abdel Hay Laraki’s Mona Saber (2002) Saad Chraibi’s Jawhara, Jail Girl (2003), Jilali Ferhat’s Memory in Detention (2004) and Hassan Benjelloun’s The Darkroom (2004) are all movies that mixed fiction with historical events to relay a reality based on stories of illegal incarcerations, torture, trauma and post-trauma.

215 See Appendix 4 for the complete filmography of these films
Produced after the enthronement of King Mohammed VI, they were authorized and partially funded by state institutions for production before the creation of the IER in 2004. They were subsequently packaged and presented to Moroccans via the state-owned channels as well as validated by the CNDH as part of Morocco’s collective memory and history.

In addition, this section looks at *Rif 1958-59: Break the Silence* by young Moroccan director Tarik El Idrissi, a documentary that was also funded by the CNDH and the EU as part of the IER 2. The objective of both assessments is to look at film as a historical text to understand what these narratives are saying about Morocco’s dark past, either as intended by their creators or as understood by audiences. The study also aims to reveal how themes of transitional justice: truth, reconciliation, accountability, justice and memory were developed in film content in order to comprehend why and how the Moroccan regime wished to project itself and its heavy legacy on film.

**The Re-Enactment of Memoires of Incarceration and Torture to Recount ‘The Real’ in Fiction**

I apologize in advance as I can’t express in front of you all what we’ve been through during our imprisonment. Since I accepted to be on the list of victims who would testify in these public hearings, I kept thinking about how to describe all the sufferings in one or two words. I could only find these two: atrocity and barbarism (Abdeslam Bouteyeb in IER’s public hearings in Hoceima)

The inability of witnesses to depict the horror of the torture they endured during the years of lead renders the cinematic genre about this period of utmost importance. The reproduction of the lived past through moving images and cinematic discourse can attempt to translate the ineffable nature of fear and repression (*hogra*) experienced by many Moroccan victims. What Hayden White called *historiophoty* (the representation of history and our thought about it in visual images and filmic discourse)\(^{216}\) is capable of depicting challenging historical events such as wars, torture, and emotions.\(^{217}\) From here stems the importance of cinematic productions about the violent periods in Morocco. Besides their ability to attract ‘the illiterate masses’ and disengaged youth, the accessibility and longevity of films compared to books and reports, movies that narrate the past in Morocco become important sites of memory par excellence where the past is narrated and victims commemorated.


The representation of socio-political issues in Moroccan films is a fairly new thing. Cinema in Morocco has been used as a propaganda tool by the monarchy since independence in 1956. Based on the French model, the Moroccan Cinematographic Center (CCM) is the state institution that funds movies and controls their content with the aim of building a national identity and a collective unity subservient to the king.218 By the 1980s, the Third Cinema movement would reach Morocco and result in cinematic work on political themes, although in a more subtle manner and as long as the red lines of the monarchy, religion and the issue of Western Sahara were not crossed.219 In the 1990s and early 2000s, directors continued to adopt a bolder social-realist style and made movies that depicted the social and political transition that Moroccan society was experiencing. Similar to the commitment sensed in the prison literature that burgeoned in the late 1980s and 1990s, filmmakers provoked a debate on the screen through their narration of the violence experienced by their compatriots, and demanded truth and justice for them.

However, constituting scenes in a traumatic aesthetic in a Moroccan context has many implications, especially in the absence of a written history that one can use as a backbone to understand these modern movies. For this reason, most films that reckoned with the past were based on memoirs and novels produced by former political prisoners or authors fictionalizing their stories. In 2000, Jaouad Mdidech, a former political prisoner incarcerated for his involvement with the Marxist-Leninist movement of the 1970s, wrote his memoir La Chambre Noire ou Derb Moulay Cherif (the Darkroom or Derb Moulay Cherif)220. The book is a dark tale of horror, anguish and agony during fourteen years of psychological and physical torture. ‘Through this book, I wanted to exorcise an evil past that still lives in me,’ noted the author. Mdidech wrote to document his pain and that of his comrades, to honor the memory of the past and those who died in their struggle against tyranny. Like other prisoners who took the pen to narrate their stories, he wanted to make sense of the past through the act of writing. And through the process of publication (and subsequently the production of the film based on the memoir), his victimization, his suffering and his memories were acknowledged by the state and shared by the rest of the society.

219 Sandra Gayle Carter, What Moroccan Cinema, 9-10
220 Jaouad Mdidech, La chambre Noire ou Derb Moulay Chérif (Casablanca : Eddif, 2000)
Similarly, when Moroccan filmmakers projected victimization on film, their objective was to uncover the truth about the past and rescue its memory from oblivion. In all movies analyzed here, there is a sense of urgency to tell the story of the victims of repression and regain their lost memories. *The Darkroom* (2004) adapted from Mdidech’s story exposes state repression in all its forms: arbitrary detention, forced disappearance, torture, the struggle of families to locate their kin as well as the manipulation of social and family relationships by the authorities to instill fear and silence in the society. These themes are reminiscent of the narratives produced at both the IER and the AMDH truth commissions. At the end of the movie, the protagonist is finally able to speak and publishes his story as a memoir, providing him (and the viewer) with a sense of healing and closure.

In a *Memory in detention (Dhakirah Mo’taqalah)*, Jilali Ferhati built the plot of the film around the idea of the enforced loss of memories that affected victims of torture, their family members and reached beyond to the new generations. Through an amnesiac prisoner named Mokhtar, the movie takes the viewer on a quest to find Mokhtar’s real identity. Confusion around the character of Mokhtar is heightened as another man with the same name emerges in the story. This time, he is an embezzler who moved to jail at the same period. One of them benefitted from an amnesty and was released from prison after the royal pardon, while the other remained in detention. Here, the director alludes the blurred and confused memory of the years of lead. He also depicts the arbitrariness of state’s actions in regards to arrests, detentions and amnesties.

The search for the past is performed by Zoubeir; a young criminal who leads Mokhtar in his journey. The plot evolves to show that the entire mayhem of discovering Mokhtar’s identity (the effaced past) is the reason behind Zoubeir’s delinquency (chaotic future). Unlike his activist father who died under torture, Zoubeir, who represents the new generation in Morocco, lacked adequate guidance, proper education, political awareness and certainty about the future. Memory is only recovered when Mokhtar relives the past, including the episodes of torture that led him to betray his comrades and beliefs. It is by going to the now deserted site where the torture had taken place that Mokhtar recovers the memory he had buried in flowers and poetry. The message of the film reveals a form of forward-looking justice: to examine the past with its trauma and violence in order to move forward and recover a decent present and a better future.
As fundamental mechanisms of transitional justice, ‘the right to know’ and ‘the right to tell’ are embodied by the main protagonists in their pursuit of the truth to comprehend their agony (*The Darkroom*), the search for the disappeared (*Mona Saber*) and also the search for a lost memory (*Memory in Detention; Ali, Rabea and the Others*). The post-memory generation is depicted by the children who attempt to expose and recount the stories of their parents, silenced by the state via lengthy imprisonment (*Jawhara: Jail Girl*) or through forced disappearance (*Mona Saber; Memory in Detention*). A sense of healing and acknowledgment is reached at the end of each film, when the protagonists finish the act of narrating and truth-telling, succeed in locating their disappeared or regain their lost memory.

In addition to themes of truth and memory, the movies translate an incessant need for justice and closure. *Mona Saber* (2002) is the movie that best translates this because it benefited from the strength of the human rights movement during the first years of Mohammed VI’s rule. The files of the past are clearly exposed in the film, including a clear terminology around once-taboo topics like ‘the years of lead,’ ‘the disappeared,’ ‘Derb Moulay Cherif’ and ‘Tazmamart.’ The director benefited from the support and guidance of *Forum Marocain pour la Verite et la Justice* (FMVJ) that was founded by prominent political prisoners like Driss Benzekri and Salah el Ouadie, both future IER’s commissioners. The movie seeks to add historical accuracy to its narrative through camera shots of pictures of real victims of the years of lead (Mehdi Ben Barka, Saida Mnebhi, Houcine el Manouzi and Belkacem Ouazzane), set against the protest music of Nass el Ghiwane that galvanized militants in the 1970s and 1980s.

The transitional justice theme is also evident in *Mona Saber*, especially in the dialogue (in French) between the main characters. In one scene, the male protagonist Yacine asks Mona, who came from France looking for her disappeared Moroccan father: ‘The years of lead don’t ring a bell? It’s a dark hole in our country: kidnappings, torture and disappearances.’ Against his wife’s plea to ‘turn the page’ and move forward, Yacine echoes victims’ demands that were subsequently translated in the IER project: ‘Before we can turn it, we should read it first.’ Another scene between Mona and Yacine offers viewers an interesting image of the liberalization of the Moroccan regime as experienced upon the advent of the new king in the early 2000s. In both actual events and film, the period is marked by a lenient regime that allows for freedom of expression and prohibits police violence against protesters and dissidents. The Ministry of Interior and the police forces that were once responsible for the
killing of dissidents and terrorizing of an entire population are now cooperating with the families of the disappeared. Despite their skepticism, the protagonists seize on the softness of the regime and its willingness to cooperate to demand truth; truth about Mona’s father and truth about the leaden years. Interestingly, this echoes the logic as explained by Driss Benzekri, Salah el Ouadie, Driss Yazami and the other victims who agreed to negotiate a democratic transition with the regime. The aim was to use the uncovered truth, even if it was an incomplete one, to push for institutional and constitutional reforms towards democracy.

Reconciliation, Justice and the Break with the Past

Censorship and illiteracy during the years of lead prevented most arts in Morocco from addressing historical events creatively and freely. In fact, history itself is lost in the labyrinth of government offices and with the death of the witnesses of Morocco’s violent past. The historical fact that repeats itself in all these movies is plotted in a way that presents Morocco crossing a phase of illegal incarcerations filled with torture and ill-treatment to reach a point of time where it is all behind them. All of these movies look back at a past period where both the victim/narrator and the audience are invited to reflect on what happened in the past. None of them are placed in the past and remain in it. Time is distilled in each of these movies, jumping from the dark phase inhabited by a character in the past to a modern time from which he or she looks back, or can be seen heading towards a new safe temporality; while all other historical events are buried and minimalistic. Except for brief definitions, none of the movies explain the ideological background of the regime’s opposition which led the main characters to a traumatic fate. There is no mention of any other real political or historical personalities, except in The Darkroom where a few first names hinted at famous dissidents. Abraham Serfaty, leading oppositionist and founder of Ilal Amam was referred to as ‘the Jew’ by his detractors while ‘the martyr Mustapha’ referenced Mustapha Belhewari, Ilal Amam’s militant who died under torture. However, the struggle of these two symbols of Moroccan political opposition is lost when the majority of the new generation is oblivious to this period of their history. Even more dangerous is the ambiguity surrounding the perpetrators, portrayed in the movies as sadistic individuals in contradiction to the systematic and institutionalized violations perpetrated. Scenes of torture and trauma seem to happen in dark, unidentified locations. While this may hint at the secrecy of various detention centers at the time, the lack of images of the regime in these premises mirrors the impunity found in the Moroccan transitional justice model where violators were neither identified nor prosecuted.
Further, the movies portray former political prisoners, namely the Marxist-Leninist militants, as morally corrupt, engaging in drug and alcohol consumption and loose sexuality, acting against the traditions and conservative image maintained publicly in Morocco as a Muslim country. Each of the protagonists is engaged in extra-marital sex with the female lead as if this is the main factor to explain the liberalism defended by the leftist activists. This approach would not be as problematic if other concepts of liberty and freedoms were addressed. Focusing on secular behavior and loose sexuality in relationships torn by incarcerations risks to arousing criticism of rather than sympathy for the victims, as if the injustices they suffered were a form of punishment for their disrespect of the Islamic faith, embodied by the king, the commander of the faithful. More importantly, these movies rarely explain the principles and political convictions of the victims, thus erasing the militants’ ideologies of social justice and democracy they fought for during this time.

Figure 21: Scenes from Ali, Rabea wal Akharun depicting the opposition as morally corrupt and un-Islamic.

Like the narratives emerging from the state-sanctioned truth commission, the movies mark a break with the past, presenting ‘a new Morocco’ respectful of human rights and the rule of law. Repression, torture and violence happened in the past and remain in the past. What these movies fail to depict, if we are to consider them a reference to the collective memory of Moroccans, is the historical background where the stories were plotted. The vagueness of the plot is not necessarily an invitation for the viewer to look at questions of human rights and freedom in a universal context, as Valerie Orlando suggested in her analysis of these
movies. Rather, refusal to situate the repression in the historical timeline of Morocco is the filmmaker’s way of refraining from directly attacking the regime as the main wrongdoer and may also hint at the continuity of the repression. Plagued with self-censorship, Moroccan filmmakers have always been careful and subtle in their depiction of controversial topics. This is also reflected in the scenes of torture and prison, filmed in dark and unidentified locales where the spectator is invited to ‘guess’ the responsible agent.

Viewed as sites of memory and reconciliation, this collection of movies remains a ‘better than nothing’ addition to the history and collective memory of Morocco. Most of them were produced at the beginning of the rule of Mohammed VI when negotiations were occurring between the makhzen and groups of former victims and their families on how to reckon with the heavy legacy of the past. The dramatization of real stories as lived by victims such as Jawhara (evocative of Fatnah el Bouih’s account of one of her co-detainees mixed with the ordeal of the Oufkir family in a desert prison) was probably necessary to introduce slowly but surely themes related to torture, rape and Hassan II’s most infamous henchman and victim. However, the master narrative produced by this DVD collection focuses exclusively on the 1970s and 1980s. This is problematic because it limits the victims of the years of lead to the Marxist-Leninist opposition while neglecting to portray and acknowledge the others, including the Sahrawis, the Riffians, the Islamists as well as the military officers detained after the coups of 1971 and 1972.

The last movie in the box-set Tayf Nizar (The Spectre of Nizar, 2002) complements the master-narrative put forth by the CCDH. Dubbed in classical Arabic, the film looks at questions of justice and accountability from a philosophical standpoint. It achieves this through the use of the acclaimed work of Syrian and revolutionary poet Nizar Qabbani. The plot revolves around a judge who has to decide the fate of a man accused of burning his wife and children with acid. The judge mistrusts the narrative as presented by the prosecution and hesitates between issuing his sentence of capital punishment and carrying further investigation. The movie is purposely ambiguous and does not evoke the years of lead in a direct manner. However, it echoes the mistrust of Moroccans in their state institutions and questions the fairness and impartiality of the judiciary system. In the end, the film concludes

221 Valerie K. Orlando, Screening Morocco: Contemporary Film in a Changing Society (Athens, Ohio University Press, 2011), 112
222 Fatnah I Bouih, Hadith al-’atamah (Casablanca: Le Fennec, 2001)
223 Michèle Fitoussi and Malika Oufkir, la Prisonnière (Paris: Editions LGF, 2000)
that justice is not an ideal concept, often compromised by reality. Including such a narrative in the DVD box set mirrors the realities of the transitional justice episode in Morocco where justice is deemed relative, subject to the specificities of the Moroccan society and regime. Despite his innocence, the victim does not resist his punishment while the real culprit denies his responsibility and refuses to come forward with his past crimes. On his deathbed, he spells out the motto of the Morocco’s transitional justice episode championed by the IER: ‘not all truth must be told.’

On the question of language, the use of classical Arabic in Tayf Nizar reflects the elitist auteur-style often produced by Moroccan cineastes. This limits its reach to a cultured audience that comprehends classical Arabic and is familiar with the meanings and parallels of Nizar Qabbani’s poetry. At the same time, it opens it to the larger audiences in the Arab world that find the Moroccan dialect difficult to follow. In contrast, the other movies in the collection may use classical Arabic or French in specific scenes, and Moroccan Darija or Berber (Amazigh) in others. This translates the realities of the linguistic diversity in Moroccan society. Hence the use of French subtitles in all these movies raises the question of why the CCM and filmmakers care to translate the dialogue for foreign viewers. According to Orlando, this is explained by the origins of the monies used to co-finance the films, with meager funding by the CCM. This means that more often than not, Moroccan filmmakers seek external support from France, Belgium, Spain, Canada and other regions with significant Maghrebi communities; and the movies are usually screened in Moroccan and European theatres at almost the same time. This transnationality of Moroccan creative arts is exemplified in the next body of work analyzed below. It also highlights the reason behind the regime’s support for work about the past, directed to a foreign audience.

Representing Historical Memory in the Documentary Genre

Rif 58-59: Break the Silence (2014) is a documentary film financed by the EU, the Dutch Embassy as well as the CNDH as part of its IER 2 program on memory and history. Based on survivors’ testimonies as well as archival research carried out by academics, the film narrates one of the bloodiest events in Morocco’s modern history. The filmmaker, Tarik el Idissi was born and raised in al-Hoceima, the capital of the Rif. Like all Rifians. he grew up hearing

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224 Carter, What Moroccan Cinema, 9
225 Orlando, Screening Morocco, 16
stories about the violent past and had himself lived through the decade-long repression of the Moroccan regime against the Rif and its population. After completing film studies in Madrid, he co-directed with Spanish journalist Javier Rada Arrhash (Veneno in the Tarifit language) in 2007, a documentary about Spain’s use of chemical warfare in the Rif War between 1921 and 1927.

Figure 22: The documentary Rif 58-59 commemorates Sellam Ameziane (on the left) and Mohand Ben Abdelkrim (on the right) as two heroes of the Rif

El Idrissi considers his work to be a work of memory that he owes to his region and fellow Riffians. He claims historical authenticity for his documentary by offering different narratives of the Rif Revolt. He searched for victims of the 1958-59 repression in the remote Rif mountains as well as survivors in exile in Belgium and Holland. He also utilized a team of researchers that combed through archives in Nantes in France as well the military archives of Spain, Egypt and the United States. Nabil Mouline, a researcher at Le Centre National de la Recherche Scientifique (CNRS) in France, was one of the specialists who represented the academic perspective of the event. ‘We did a great job backing the documentary with scientific research. They [the regime] did not expect us to.’ This is perhaps the reason why the documentary faced stalling and obstruction by the CCM before it was awarded a screening authorization in Morocco. One of the controversial aspects of the discourse is the indictment of the monarchy Hassan II as a crown prince, who personally led the troops that crushed the Riffian rebels and civilians alike (see Figure 23 below):

Under the command of Crown Prince Moulay Hassan, Oufkir directed military operations in Northern Morocco, especially against the tribe of Beni Ouriaghel.

226 Tarik el Idrissi and Javier Rada, Arrhash (Veneno) https://www.youtube.com/watch?v=Ime5c2qNPOI (accessed May 13, 2017)
227 Tarik el Idrissi, personal correspondence with the author, May 2017
228 Nabil Mouline, interview with author, Paris, June 2013
229 Tarik el Idrissi, personal correspondence with the author, May 2017
230 In the documentary, Nabil Mouline uses the Arabic al qiyadah al fi’liya (actual leadership) that stressed the direct involvement of Hassan II.
In contrast, the documentary presents the regime’s narrative of the events, presented by journalist Mustapha el Alaoui, known for his close ties to the palace:

In truth, those were times of political maneuvers...a political power struggle between a French-oriented Moroccan army, and a regime which Mohammed V wanted to make democratic. This power struggle shows that what happened was not a revolt of the Rif against the regime. I believe it was an uprising led by the Popular Movement party (Haraka Shaabiya) of Dr. El Khatib and Mahjoubi Aherdane against the Istiqlal party.

The CNDH was also given a platform to emphasize the consensus reached between the makhzen and the former victims of the years of lead, who were managing the Transitional Justice project. In the documentary, Driss Yazami reiterated the discourse put forth by the IER: ‘it [the documentary] may give expression to a pain, or a suffering that the region endured at a given moment in time. But to reach a truth that comes close to the historical truth is a problematic question.’

Figure 23: Stills from the Rif 58-59 documentary showing Hassan II (right) and General Oufkir (left), leading the army against the Rif rebellion.

On the power of what he calls ‘history in images,’ Robert A. Rosenstone notes that cinematic work, including documentaries, can never satisfy the criteria of truth and verifiability valued by historians in their work. Commenting on his involvement when two of his written works were rendered on cinema, he notes that despite their evocation of the past with authentic historical details at times, through powerful and moving words, scenes and characters/witnesses, the resulting narratives rendered are closer to memory than to history.232

231 Mustapha Alaoui recently published a new book in defense of King Hassan. The book was entitled ‘Hassan II, al Malik al Mazloum’ (Hassan II, the misjudged King). See Mustafa el Alaoui, al Malik al Mazloum (Rabat: Editions Bouregreg, 2015).

232 Rosenstone, ‘History in Images’, 1173-74
But questions of truth and accuracy are only secondary when a moving image concerns itself with the portrayal of trauma and violence as lived and remembered by witnesses. Instead, the focus is on the platform provided to the victim and survivors of war and repression to narrate and share their stories of victimization. Tarik el Idrissi’s documentary may represent the untold histories of the Rif Rebellion of 1958 and 1959 and the state repression that left tens of villages in ruins. What is more important though is the fact that it informs us on how Riffians feel now about the past, while trying to come to terms with it:

What can I tell you? Kill my torturers? It would be too little. Killing who did those things to me wouldn’t be enough. Burning him wouldn’t put down the fire in my heart, to be quite honest with you. Someone who did immoral things [rape] to you and against God’s laws, what could you do? Would you still want to look at his face? But there’s nothing we can do. Let’s leave things to God’s power and justice.

Contrary to the reconciliation message heralded by the majority of witnesses during the IER public hearings, all the victims featured in the documentary objected to ‘forgiving’ their wrongdoers:

I don’t know the army officers who tortured me but I remember the others, but none of them is alive. If God forgives them, I will too. If not, I…. Who ever forgave me for me to be able to forgive them? Who ever forgave me? We shall be brought under the judgment of God and his justice. ‘God is not ashamed of the truth.’ (Surat al-ahzab, 53). Isn’t that so? If he is survived by a son or a grandson, I won’t be able to look him in the eye. No. Absolutely not.

Because he was of Riffian origins, Tarik el Idrissi could pierce the wall of silence that the locals embraced out of fear and resignation since the bloody events. This is best depicted when an elderly woman who lived through the repression hesitates before giving her testimony in Tarrifit:

Our men left and had no weapons, I swear to God. Not a rifle, not a gun, nothing. They put figs and bread in their hoods and left...[silence]... You weren’t sent by the makhzen, were you?

Although the interviewer and cameraman reassure her, she nervously admits being ‘afraid to talk.’ But when asked if she agreed to the reconciliation brought about by the IER, her answer was resolute:

Forgive them? On Judgement Day! There will be no forgiveness, son. I won’t forgive them. I was still a young girl, and they ruined my life, they made me

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233 White, ‘Historiography and Historiophoty’, 1193
suffer and took everything I had. They spared nothing, only the walls remained, and only because they couldn’t take them.

Except for Rifffians’ objection to reconciliation evident in the Rif 58-59 documentary, the filmic discourse presented by the CNDH as part of its memory program, the IER 2, echoes the message and memory framed in the legal settings of the IER 1. The monarchy, as well as the memory of late King Hassan II, was somehow safeguarded, and the individual perpetrators were not named, except for one. Indeed, even when Hassan II was indicted in the documentary, the responsibility was clearly put on General Oufkir. In any event, the involvement of King Hassan II in the Rif events of 58-59 had already been documented in a televised speech following the bread riots of 1984. The video that has recently resurfaced on the Internet shows Hassan II threatening the ‘savages and ‘thieves’ of the Rif who needed to ‘go back to reason’ and cease the protests. Again, witnesses in the documentary refer to the menace of Hassan II: ‘the people of the North [the Rifffians] knew me as a Crown Prince. It would be better for them not to know me as a King.’

Unlike the Box DVD, Rif 58-59 did not benefit from a wide distribution across Morocco or a cinema caravan. When local associations in the Rif organized screenings of the film, they were often met with resistance from the authorities, especially in places like Ajdir (birthplace of Ben Abdelkrim) and al Hoceima. The CNDH organized screenings and roundtables in Rabat as part of the memory preservation of the Rif but did not necessarily push for it to be included in a national broadcast on state-owned channels. Against this limited distribution, Tarik el Idrissi opted to make the documentary available on the net, with subtitles in French, Spanish and English.

Other historical films that would not reach Moroccan audiences include the docudrama J’ai vu tuer Ben Barka (I’ve seen Ben Barka Killed, 2005) and Nos Lieux Interdits (Our Forbidden Places, 2008), despite the fact that they were financed by the CCM and the CNDH to cover themes directly related to the years of lead and their legacy, which begs the question why the regime, through the CCM, the CNDH and the CCME (Council of the Moroccan Community Living Abroad) was keen to finance them in the first place.

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234 ‘Hassan 2 et l2awbach , nador , tetouan , al hoceima , el ksar Ikbir,’ YouTube video, 4:17, from a televised speech of King Hassan II by the Moroccan TV in 1984, posted by ‘Mly Slimane Alaoui,’ January 18, 2013, https://www.youtube.com/watch?v=lnHR7Zh5QR4
235 Omar Lamallem, interview with author, al Hoceima, December 2016,
*Our Forbidden Places* by young Moroccan director Leila Kilani creates a malaise and leaves the viewer with many questions regarding the transitional justice episode in Morocco. The documentary was acclaimed in many Moroccan festivals and abroad; however, it was not included as part of the IER 2. The documentary was commissioned and partially funded by the CNDH, allowing its director an insider look into the process of truth-telling and reconciliation between the regime and its victims. For three years, Kilani’s cameras followed four families who sought reparation and truth of the state-sanctioned truth and reconciliation commission, the IER, between 2004 and 2007. Kilani was not concerned with divulging past wrongdoings to the viewer or preserving Morocco’s historical memory. Rather, she examined the emotions and malaise of the victims and their children (post-generation) in this process. The documentary reveals how the state, through the IER, demanded that victims and their families revisit the past and come to terms with it, regardless of their ability or willingness to engage in the act of remembering. Because the regime needs to purge itself of its crimes in order to break with the past, it imposes the abrupt decision on victims to ‘remember,’ speak and relive the traumatic experience of the past. The injunction to remember is experienced by victims in the same way as the repression and silencing they endured during the years of lead.

*Our Forbidden Places* did not face censorship and won awards in many film festivals inside and outside Morocco. However, a very limited audience is interested in movies with political content. *J’ai vu tuer Ben Barka* falls in this category. Financed by France, Morocco and Spain, the historical film uses real footage and characters to recount the enigmatic disappearance of Morocco’s most prominent opposition leader. Although it was partially funded by the CCM and Moroccan TV channel 2M, the movie, which opened in France, Belgium and the United States in 2005 and 2006, was not distributed in Moroccan theatres or televisions. In her analysis of the movie, Orlando asks whether *J’ai vu tuer Ben Barka* can be considered as a Moroccan film. Looking at the international cast of the movie (the directors are French and Moroccan while Ben Barka is played by an Armenian actor), she concludes that the movie reflects an international commitment to human rights on a

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236 Olivier Barlet, *Contemporary African Cinema*
237 Roy Armes, *New Voices in Arab Cinema*, 162
global scale. However, this can also suggest that if the CCM funded this movie, it is with the idea to promote a ‘new Morocco’ to its European neighbors, one that does not shy away from tackling issues like Ben Barka on screen. Although the movie did not reveal anything new in the Ben Barka affair, it still shed light on one of the most embarrassing and infamous episodes of Moroccan and French history, pointing fingers mainly at French authorities and the Moroccan regime. Again, General Oufkir is depicted as the main perpetrator, acting with the help of the French. This corroborates Hassan II’s take on the question. After Oufkir allegedly committed suicide following the attempted coup of 1972, he was posthumously accused by the king of having eliminated Ben Barka. Despite this, the movie did not make it to Moroccan cinemas or TV channels nor was it promoted by the CNDH. The topic of Ben Barka remains a controversial and unfinished dossier that neither the IER nor the CNDH was able to elucidate.

Through their content and form, the movies presented by the CNDH as part of Morocco’s positive preservation of history and memory offer a sense of closure, thanks to a combination of careful framing of the past, vagueness of plot and events as well as messages of reconciliation carried throughout the collection. Films that contradicted these narratives were limited in their reach to the national audience, or were framed so as to depict a new Morocco to a foreign one. Even when raw scenes of torture and repression were portrayed, they were able to mark a break with the past. On the one hand, ‘flushing a suppressed memory’ in a relatively short period of time may lead to ‘information overload’ or ‘memory overload,’ potentially resulting in the further disengagement of the post-generation. On the other hand, depicting scenes of trauma and torture may outrage viewers at first because of the emotional bond forged with the victims/characters. This might not last, however. The spectators may feel ‘morally improved by having momentarily ‘shared’ the suffering of the victims, without going on to make any connection with the present.’ As a result, the momentum and outrage gained through sensational scenes of trauma might fade without further action or engagement.

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239 Orlando, Screening Morocco, 111
240 Pennell, Morocco since 1830, 330
241 Orlando, Screening Morocco, 36
242 Rosenstone, ‘History in Images’
243 Jo Labanyi ‘Memory and Modernity in Democratic Spain: The Difficulty of Coming to Terms with the Spanish Civil War.’ Poetics Today 28 (1),112
244 Judith Butler, Frames of War: When Is Life Grievable? (London: Verso, , 2010), xvi
The interest of the Moroccan regime to provide an institutional framework for the construction of a collective memory around its violent past through the IER and the IER 2 transcends the simple idea of remembrance as theorized by transitional justice scholars and practitioners, to ultimately help achieve reconciliation and social cohesion and guarantee the non-repetition of the past. Rather, memorialization in Morocco – as were other human rights mechanisms – was able to purge the present from the past by expunging it from the crimes that the regime committed. The memorialization of former victims occurred in books, movies, and commemorative stones. Memorialization initiatives that investigated the past such as memory studies and museums which allow visitors to re-live the past in the present were deemed too controversial, especially when perpetrators were still holding the reins of power in the country.

This legitimation through transitional justice in general and memorialization in particular would prove to be critical later on when the Arab streets rose against their regimes in what it is known as the ‘Arab Spring.’ When Tunisians, Egyptians and Libyans deposed their dictators in 2011, Moroccans joined in the movement that called for change and social equality, but rarely targeted the regime. Indeed, the latter was able to swiftly contain the movement by first reminding Moroccans of the ‘preemptive’ change the new benevolent king granted them upon his enthronement in 1999. Months later, a new constitution that translated IER’s recommendation was enacted while those who still called for genuine change were either co-opted or imprisoned.
Chapter 8: Discussion of Findings

Transitional justice, including the establishment of a truth commission, usually follows a period of conflict or political transition. What Morocco experienced during the last years of Hassan II and the beginning of his son’s rule were sporadic liberalization efforts, amounting to a political transition of sorts, and projected as such by the regime. Beginning in 1992, this ‘democratic process’ – as described in the official discourse – served to relax political repression, and enforce the rule of law and respect for human rights via a series of reforms. Yet these liberalization initiatives, in fact, did nothing for democratization. Moroccan political scientist Abdeslam Maghraoui argues that King Mohammed VI uses the same medieval mechanisms as his father used to exercise political authority. The sacking of the notorious Minister of Interior Driss Basri in 1999 without consulting the Prime Minister showcases how these reforms lacked any democratic base. More importantly, the official discourse around the IER and other reforms such as the family code of 2003 also reinforced the image of ‘the benevolent despot’ whose personal initiatives granted more rights and liberties to Moroccans.

This type of political liberalization without regime change was taking place in the Arab world well before the ‘Third Wave’ of transitions to democracy triggered by the fall of the Soviet Union. Key mechanisms of regime maintenance are the relaxation of political oppression and restrictions over the media, the proliferation of NGOs, and enjoyment of greater individual liberties. Albrecht and Schlumberger refer to Bahrain’s political liberalization through parliamentary elections back in 1971 and 1975 as well as Sadat’s *infìtah* politics in Egypt which led to both economic and political opening in 1970s. In 1989, Jordan allowed freer parliamentary elections and Yemen followed suit in 1993. In Saudi Arabia, the regime produced a code for civil liberties in 1992 and established a consultative body. Algeria

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246 Abdeslam Maghraoui, “Political Authority in Crisis: Mohammed VI’s Morocco,” *Middle East Report*, Number 218, Spring 2001, 14
247 Huntington, *The Third Wave*
allowed for more changes with relatively free elections in 1990 that saw the Islamist party *Front Islamique du Salut* (FIS) win the majority of municipalities in the country.²⁴⁹ In Morocco, Hassan II implemented liberalizing steps that granted more civil, political and economic liberties to Moroccan citizens. He closed secret detention centers and released waves of political prisoners. In 1996, he invited his former political foes from the leftist opposition to form and lead the government. Yet Hassan II was intransigent when it came to his loyal servants, who continued to enjoy his full support and held powerful official positions whatever their past abuses of power.

By the beginning of 2000s however, Arab regimes in Tunisia, Lebanon, Jordan and Egypt experienced a wave of de-liberalization with harsher media laws and massive clampdowns on opposition movements.²⁵⁰ This also holds true for Morocco, which engaged in a series of human rights abuses and repression against the Islamists as part of the global war on terror and in order to neutralize the political appeal of Islamist parties. At the same time, the media was muzzled with many local and international publications censored and Moroccan journalists jailed for publishing articles that violated the ‘sacred institutions’ of the country, namely the nation (including the army and its incontestable budget), the monarchy, and Islam.

Similarly, when Morocco initiated its transitional justice experience in 1999, it echoed previous attempts in Algeria — and more recently in Egypt and Tunisia — to break with the past in order ensure the survival of its regime without actual transition. Thanks to a more exposed process of transitional justice, Morocco imposed a performance of a series of initiatives including a truth commission, financial and community reparations and memorialization projects to mark the break with the past. And although perpetrators were not identified or named in official proceedings or publications, victims or their survivors could still file charges against their torturers to prosecute them, as no blanket amnesties were offered in Morocco.

In contrast, Algeria imposed a silence when it ended its ‘dirty war’ between the military and the Islamists in 1999 by extending a series of pardons in a Civil Concord Law. In 2006, another law granted de facto amnesties to both state officials and Islamist militant involved in human rights abuses during the civil war. To the horror of both Algerian human rights activist and international organization, this new law prohibits the opening of any case in regards to

²⁴⁹ Ibid, 374
²⁵⁰ Ibid, 374
the dirty war of the 1990s in Algerian courts and criminalizes whoever engages in a public debate over it. Article 46 of the Charter stipulates that:

Anyone who, by speech, writing, or any other act, uses or exploits the wounds of the National Tragedy to harm the institutions of the Democratic and Popular Republic of Algeria, to weaken the state, or to undermine the good reputation of its agents who honorably served it, or to tarnish the image of Algeria internationally, shall be punished by three to five years in prison and a fine of 250,000 to 500,000 dinars.

Morocco has indeed succeeded in juggling measures of liberalization and de-liberalization as a strategy for regime survival. This pattern is not new. As Chapter 3 of this thesis has shown, the makhzen has been alternating periods of harsh repression and elite co-optation with policies of reconciliation and liberalization as part of its regime maintenance and power negotiation ever since the independence of the country in 1956. Transitional justice in the 2000s was among the mechanisms designed to achieve legitimacy and mark ‘a change for stability.’ While peaceful protestors were clubbed unconscious and arrested in front of the parliament in Rabat and Islamist detainees held incommunicado and tortured in the secret Temara prison few miles away, the IER heralded a new era in Morocco and a new regime that broke with past practices and injustices.

So what results ensued from the transitional justice episode in Morocco? And how can we measure its impact when the experience has just ended? Which actors in the country benefited the most from this mechanism: the makhzen, the opposition or the victims?

Some observers argue that the episode of transitional justice in 2004 changed and reshaped the balance of power between the opposition (Islamists and Leftists mainly) and the monarchy and that civil society, which is heavily politicized in Morocco, was strengthened as a result. Luke Wilcox, for instance, maintains that the IER was a political tool used by the regime to remodel the relationship between the civil society and the state, which has forced the monarchy to rethink its survival strategy. This might have been true in the years that immediately followed the establishment of the IER, especially given the political uncertainties surrounding power takeover by the young and inexperienced king. As discussed

253 Albrecht and Schlumberger, “Waiting for Godot,” 375
in the previous chapters, Hassan II attempted to prepare the way for his son to take over smoothly after his expected death. He released his political foes from prison, allowed the exiled ones to return home and offered the most moderate of the leftist opposition a place in the government. His death in 1999 coincided with an international turn away from tolerance of human rights abuses and crimes against humanity. In this context, Mohammed VI managed to run an excellent public relations campaign presenting himself as a modern liberal young monarch close to his people. In fact, he married among the people. His bride was an engineer from the middle class of Fes, who took up a public and official role, a first in the history of the Alawite dynasty. He sacked his father’s henchmen, signaling a break with the past. He also visited public places, and established a name for crowd-mingling and charitable giving as well as for development projects in the most isolated and disadvantaged areas of the kingdom, winning himself the title of ‘the King of the Poor.’

At the same time, his cabinet and close advisors engaged in lengthy negotiations with the new elite of human rights militants who had developed strong ties with the international community while in detention or in exile. Pressured by groups of former victims who launched a series of non-official truth-telling initiatives including memoirs, vigils, pilgrimages to secret sites of detention, sit-ins and conferences, the regime had indeed to rethink its relationship with civil society. It agreed to reckon with the legacy of Hassan II’s violent regime while preserving his memory and granting amnesties to wrongdoers. Trade-offs and compromises had to be made. A group from civil society, led by Benzekri, the OMDH and a group of the FMVJ, believed that their role was to seize this opportunity to push for more liberalization and democratic transition. Their notion of justice was forward-looking, stressing the need to reconcile, forgive, forget some things and remember others in order to move forward and help Morocco transition into a more liberal and democratic country. Another group, led by the AMDH and victim groups that rejected reparation without accountability, did not accept the partial truth. It called for ‘a complete truth without chains’ and accountability on the part of violators. This had to include wrongdoers’ admittance of guilt and their exclusion from office as well as official apologies to the victims and their families. The complete truth needed to be exposed and the fate of all the disappeared needed to be known for Moroccans to forgive and reconcile. They argued that only when these guarantees of non-repetition occurred, alongside other institutional and legal reforms, could Morocco transition into a fully democratic country, respectful of international conventions and universal concepts of human rights.
The AMDH held its parallel unofficial truth-telling project to resist the master narrative about Morocco’s dark past. While the regime allowed this counter-narrative to be constructed alongside the official discourse of the IER and the CCDH, its reach was limited as it lacked financial resources and media access. Both the official and alternative truth-seeking projects in Morocco allowed for the rehabilitation of the memories of the years of lead through an official discourse that acknowledged the collective sufferings of the victims and a counter-narrative that reaffirmed and completed these testimonies. The narratives emerging from AMDH “testimonies without chains” opposed IER’s official discourse of the break with the past. The victims emphasized the continuity of the practices and ongoing repression by the state. The IER covered a limited period of human rights abuses between 1956 and 1999, demarcating – even temporally – the regime of the father and that of the son. The AMDH however, extended the period to the present day because thousands of victims were illegally detained and tortured after the terrorist attacks of 9/11 and the bombings of Casablanca in May 2003. The unofficial hearings included representatives of different groups of victims but allowed for more radical voices. Sahrawi separatists who supported the Polisario front in Western Sahara were given the platform to share their traumatic stories of practices of state repression that have been ongoing since 1975. AMDH public hearings added voices of victims who refused reconciliation and demanded the moral if not the legal accountability of the wrongdoers. Victims – most of whom were politically aware and educated in the international concepts of human rights – fiercely attacked the IER and its commissioners as well as the makhzen whom they blamed for hijacking the dignity and true memory of the victims.

In this respect, civil society actors (and the opposition they represented) were strengthened temporarily because they could push at the time for more than what the makhzen was ready to hand Moroccans, especially the public hearings that were broadcast on national TV and radio channels. Some of them achieved individual gains, peer recognition, and official political positions. Other more radical voices such as the AMDH with its leaders from Annahj Addimocrati and the Parti Socialiste Unifié (heirs to the clandestine Marxist-Leninist movements of the 1960s and 1970s Ilal Amam and the 23 March Movement) gambled on parallel public audiences to achieve their own political agenda and heighten their opposition to the palace. This scenario would be repeated in 2011 when Annahj Addimocrati and the AMDH supported the Feb 20 movement of protests. However, while the regime controlled the entire process of the IER, the public hearings (victim selection and video editing) and the
final report it produced, it furthered its hold by freezing this process of ‘transition’ after the production of the final report with its recommendations and the sealing of the IER archives. The death of Driss Benzekri in 2007 and the takeover by Ahmed Herzenni further halted the progress of the transitional justice project in Morocco. It was not until the protest movement hit Morocco and the Arab world in 2011 that the state engaged in implementing some of IER’s recommendations, which were transposed to the new constitution.

Given the political circumstances at the time, the regime could only agree to let the AMDH hold its parallel public audiences, even if it meant undermining the official hearings taking place at the same time in the setting of the IER. Ten years later, the regime increased its repression of the organization, banning its meetings and detaining its members. In his own words, King Mohammed VI revealed in an interview to the Spanish daily el Pais back in 2005 that the role of the IER was to ‘consolidate the monarchy and democracy in Morocco while anchoring it once and for all in the universal principles of human rights.’

By allowing the opposition a limited and controlled space to counter and challenge the official discourse of transitional justice, the regime ensured that the master narrative produced by both projects was minimally leavened by additions of alternative versions of truth. As Antonio Gramsci argued, rarely do movements of resistance succeed in countering the hegemonic power of the regime. Indeed the makhzen quickly intervened in 2004 and 2005 to domesticate the opposition and replace the radical voices by adopting and adapting their stories and narratives.

More important in this process was the debate around the ‘truth’ that had been recovered as a result of victim testimonies. Priscilla Hayner notes that many factors impact upon the quality of the truth produced. Among these are the mandate, the scope and the politics and power configurations of truth commissions, and the enforced nature of victim testimonies. As a result, the relationship between ‘transitional truth’ and history is fragile. However, when stories of victimizations are recounted and validated by a large number of people in the society, this experiential truth is transformed into historical narratives that find place in the

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official history of the country and the collective memory of its people. The state-sanctioned truth commission sought to use these narratives to expunge the present from the crimes of the past and mark a break with it. In contrast, the alternative public hearings aimed at keeping the historical injustices as recounted by the victims in the present by refusing to push the violations into the past.

In their different ways, both the AMDH and the IER strove to rewrite the history of independent Morocco. Thanks to their non-state status, UTPs provide a viable alternative especially when official truth commissions might be politically compromised or ineffective. As exposed in Chapter 4, the IER lacked impartiality and independence from the palace’s interference. Its commissioners behaved cautiously in accordance with the norms of the makhzen which sought to preserve the memory of Hassan II and assured the impunity of the wrongdoers. The AMDH on the other hand, unequivocally adhered to universal concepts of human rights as agreed upon in international conventions and rejected any form of cooption of justice and freedoms, whether by religion, customs (‘urf) or any other ‘specificities’ of the Moroccan people. This has always been the main point of contention between this local NGO and the monarchy which sought to use religion and local traditions to give it legitimacy and ensure its survival.

This is clearly depicted in the 2011 constitutional amendment. Using a liberal discourse, the Moroccan state declared in its new constitution its adherence to human rights in their universality but at the same time referred to the ‘immutable national constants’ and ‘the permanent character’ of the kingdom. These generally refer to the monarchy, Islam in its Maliki version, and Moroccan territorial integrity, the latter including the Western Sahara. This two-track approach was also deployed in the transitional justice project of 2004 when the regime adopted a discourse of transition, reconciliation, truth and justice and at the same time refused to exclude the wrongdoers from office and expose the truth behind important cases of disappearances and abuses. Unlike the OMDH and various individuals from the FMVJ who cooperated with the regime, the AMDH refused to compromise its principles of truth and justice as universal rights in exchange for the palace’s promise for more liberalization. At the same time, however, opposition parties like Annahj Addimocratî (The Democratic Way) and the Parti Socialiste Unifié (The Unified Socialist Party - PSU) used the platform of the AMDH to gain more political weight against the traditional parties that

historically supported the regime, including the Istiqlal and the USFP. They thus engaged in a fierce campaign to expose the hypocrisy of the regime and discredit IER and its commissioners. Meanwhile, and thanks to its access to funds, structures, media and agents throughout the country, the regime was able to influence further the discourse about the years of lead through memorialization initiatives, which again stressed a forward-looking justice to close the book on past violations once and for all.

Similar to its truth-telling initiative with the IER public testimonies, the regime used memorialization as a way of cleansing the present. By pushing the crimes the regime committed back into the past and ‘exposing’ them in the IER final report, cinema and books, it effectively removed those crimes from the present. The AMDH, on the other hand, wanted to pull the crimes of the past forward into the present. When the AMDH encouraged victims to name their perpetrators, it emphasized the continuity of the practices of the regime and its agents: perpetrators are still among us (in the parliament, running restaurants, on the streets and in former secret prisons) to ‘infect’ the present with the crimes of the past. At heart, the AMDH adheres to its parent’s revolutionary ideology of the new left of the 1970s (as espoused by Ilal Amam and the UNEM) and as such seeks to undermine the monarchy and change the political system. The AMDH is multiplying initiatives to this end. A case in point is how the AMDH (and Annahj) was the first opposition force in the country to adopt and support the 20 February movement in 2011.

The final report of the IER is undeniably a travail de memoire (a work of memory) in itself. Thanks to a series of investigations carried out by IER commissioners and staff, it was able to detail and document the violations, their contexts, their sites and the names of the victims. Although the report is incomplete insofar as it intentionally disregarded many ‘hot’ cases such as those of the emblematic Mehdi Ben Barka and the unionists Houcine el Manouzi, the fact remains that IER’s five-volume report is the only official document that acknowledged the illegal abuses towards many victims, naming them one by one. Human Rights organizations, most notably the AMDH, was a pioneer in this field as its raison d’être was to document the abuses and record the names of the victims, the officially recognized ones as well as the forcibly disappeared. Memoirs by survivors such as Ahmad el Marzouki’s Tazmamart, Cell Number 10 and Jaouad Mdidech’s La Chambre Noire ou Derb Moulay Cherif also added to this work of memory, sometimes identifying both victims and their

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259 Hichan Cherkawi, interview with author, February 2015, Rabat
torturers.²⁶⁰ Up until 2016, the IER had a website (www.ier.ma) in Arabic, French, English, and Spanish that offered many relevant documents including regulating laws, reports, pictures, audio recordings as well as transcripts of some of the victims’ public testimonies.

The website was an attempt by the IER, the CNDH and thus the regime they represented to signal the transparency of the transitional justice process as well as their desire to break with the past. The website also featured the list of publications about Morocco’s past: victims’ memoirs, Amnesty International’s damning reports and other books about the political history of Morocco. These included banned works such as Gilles Perrault’s Notre Ami le Roi and Malika Oufkir’s La Prisonnière, which directly incriminated King Hassan II and his regime. The list was compiled by le Centre de Documentation, d’Information et de Formation, a Moroccan research and training center inaugurated in 2000 thanks to funds by the United Nations Development Program (UNDP) and the Office of the United Nations High Commissioner for Human Rights (OHCHR). The center was established to disseminate information, documents as well as capacity building to Human Rights organizations, teachers and local authorities with the aim to educate and instill a culture of human rights in the country.

By posting such a list on IER’s official website and through the organization of roundtables that discussed la littérature carcérale (prison literature) in Morocco, the regime tacitly acknowledged the independent work of memory by former victims and their survivors. Interestingly, the memoirs of the Bourequat brothers, the cousins of King Hassan who spent over eighteen years in Moroccan prisons after their fall from grace are featured on the list although they were not acknowledged as victims in IER’s final report. Similarly, the family of General Oufkir who were imprisoned following their father’s failed coup against King Hassan in 1971 were also absent from the official report even though their memoirs are best sellers inside and outside Morocco.

The indifference of the regime towards limiting and banning controversial books that directly incriminated the monarchy stems not from the freedom of expression gained by Moroccans after the ascension of King Mohammed VI. Rather, this is to be explained by two main factors. The first one concerns the accessibility of these books online. Thus even though the Ministry of Communication banned recent books attacking the current king such as *Le Roi Prédateur*\(^{261}\) (2012) by Catherine Graciet and Eric Laurent and *Journal d'un Prince Banni*\(^{262}\) (2014) by the king’s rebellious first cousin Hicham el Alaoui, they are easily accessed on the internet. More importantly, the readership amongst Moroccans is very low. While the illiteracy rate has decreased in the recent years (32% in 2014 compared to 43% in 2004),\(^{263}\) a study by the Moroccan Ministry of Culture in 2001 found that 50% of Moroccans read between 2 and 5 books per year and 1 out of 10 Moroccans does not read at all. A 2009 market research confirmed this when only 49% of their respondents affirmed they had read something (newspapers, magazines, books) in the last twelve months. To counter this trend, Moroccan civil society has launched different programs to encourage the population to read more, notably a book fair in operation since 1987.

In 2014, *Le Salon de Livre* in Casablanca gathered national editors, libraries, authors and their literary productions with stands dedicated to prison memoirs and academic work on the Years of Lead. In their immediate vicinity were the stands of three human rights national institutions, the CNDH, the Inter-Ministerial Delegation for Human Rights (DIDH) and *al Wassit* (the Ombudsman), all chaired by former IER commissioners.\(^{264}\) Their staff organized talks, projected videos and eagerly distributed to the public their work and publications hailing Morocco’s performance in human rights.

In contrast, when Morocco was honored as the distinguished guest of the international book fair in Paris in 2017, the regime dismissed important and outspoken intellectuals such as Abdellatif Laabi, the editor of banned magazine *Souffles* and himself a former political prisoner with controversial books. More surprising was the absence of the rich Moroccan littérature carcériale. None of the 200 prison memoirs, including Malika Oufkir’s and Ahmad


\(^{263}\) The 2014 census found that the rate of illiteracy among urban women is 30.5% whereas 60.4% of women in rural areas. For more, see [http://rgph2014.hcp.ma/Presentation-des-principaux-resultats-du-RGPH-2014_a374.html](http://rgph2014.hcp.ma/Presentation-des-principaux-resultats-du-RGPH-2014_a374.html)

\(^{264}\) At the time of the book fair (February 2014), Driss el Yazami was the president of CNDH, Mahjoub el Haiba was the president of DIDH and Abdelaziz Benzakour was the president of Al Wassit.
Marzouki’s international bestsellers, were featured in the book fair. The appointment of Younes Ajarrai, a member of both royal institutions the CNDH and the CCME (The Council of the Moroccan Community Abroad)\(^{265}\) to supervise the Moroccan wing in international book fairs shows this clearly. The selection of the authors, publishing houses and books presented at the fair was restricted and seemed arbitrary, with books by unknown authors. Bichr Bennani, the president of the Moroccan publishing house *Tarik éditions* (which was responsible for the publication of many prison memoirs including Jaouad Mdidech’s *La Chambre Noire ou Derb Moulay Cherif*) as well as other authors like Abdelhak Serhane (who wrote extensively on Tazmamart) signed a petition deploring the un-democratic process of selection.\(^{266}\) The Moroccan pavilion at *le Salon du Livre du Paris* was inaugurated by Princess Lalla Meryem, the eldest sister of King Mohammed VI, signaling even further that Morocco ought not to be defined by its past, especially in international venues. Driss Yazami, the president of the CNDH, has been declaring this ever since the end of the IER 2 in 2015: “The process of transitional justice has finished. Morocco needs to move on to other important human rights issues in the country, including the rights of migrants and women.”\(^{267}\) This has been portrayed in the recent publications of the CNDH’s thematic reports “Gender Equality and Parity in Morocco” and “Foreigners and Human Rights in Morocco.”\(^{268}\)

*Instance Équité et Réconciliation*, in both its first and second phases, also informs us on the dual political system in Morocco. Indeed, the obscurity often particular to a storeroom echoes the opacity of the makhzen because as it has often been the case, a regime is not one bloc or one entity but an aggregation of different forces. Even a fully autocratic regime, a populist dictatorship or an absolute monarchy does not revolve around one person or a group of people. Rather, and as the case of Morocco shows, the king has to negotiate power with different agents. These include the established elite of royal advisors, the royal court, religious authorities (including Sufi orders), senior military officers and heads of security organs as well as urban and rural notables. These power brokers do not necessarily work together towards the same direction, whether democratization or de-liberalization. At times, they work against each other to serve their own various interests, preserve the status quo, and


\(^{267}\) Yazami, interview with author, June 2015.

undermine change. With the advent of the new King Mohammed VI in 1999, a schism divided the makhzen into the young progressive clan of the young king and the old guards who surrounded and benefited from the policies of his father Hassan II. 269 Often referred to as ‘the steel masks,’ these powerful notables (especially in the army and security organs), sought to preserve the status quo and regarded some of the young king’s policies as worrying. A case in point is the 2003 family code (mudawanna) that ensured more rights to women in Morocco. Initially, the reforms were envisaged as granting more equality to women, especially in inheritance which currently grants a woman only half the male’s share. The Islamic establishment labeled the project as an attack on the shari’a and organized one of the largest popular demonstrations since independence. As a result, the king was obliged to withdraw the points of contention regarding polygamy and inheritance rights. 270

The same was to happen in the 2000s during the Transitional Justice episode. The steel masks, who had been resisting any change to the power structure, would mobilize their networks to ensure impunity to the perpetrators and shield them from public shaming and legal prosecution. When the AMDH published a list of the violators as identified by victims and their families, twelve of its board members were immediately arrested and detained. Pressing for a forward-looking justice based on reparation for and reconciliation with the victims, IER commissioners were forced to curtail the type of truth presented to Moroccans about their past. In the same vein, and although royal directives pressed all state organs to cooperate with the IER to divulge the truth about past violations especially regarding the disappeared cases, many institutions refused to cooperate with IER investigative teams. The same agents opposed memorialization efforts to commemorate the victims in a genuine manner by converting former torture centers like Tazmamart, Agdez or Derb Moulay Cherif into memory sites that narrated the past. ‘Unknown agents’ bulldozed Tazmamart while the CCDH was working on a project that would commemorate the 32 victims who had slowly died in the horrendous desert prison. The same scenario would unfold in Agdez in 2013 because of ‘property issues;’ and again with the Rif Museum in al Hoceima whereby ‘hidden agents’ obstructed the completion of the project regardless of the CNDH strong determination to launch the museum; and yet again with the thwarting of Mohand Ben Abdelkrim el Khattabi’s children in their desire to offer their land in Ajdir to build a community center for the Riffians commemorating their father and the victims of 1958-59. These hidden or

269 Maghraoui, ‘Political Authority in Crisis’, 1-7
270 Ibid, 16-7
unknown agents constantly referred to by observers and insiders are in fact the clients of the makhzen, including the mayors, governors, caids, pashas, judges and police chiefs. These foot-soldiers are as important as the army generals, religious scholars, tribal chiefs and urban notables, in keeping change at bay. When the Rif documentary was finally given approval by the CCM and the CNDH to show around the country, the obstruction in Ajdir or al Hoceima, for example, came from the local authorities (mayor, caid, police chiefs).

Although it has many supporters and agents, the regime’s reluctance to genuinely amend the wrongs of the past and commemorate its victims has real limits. Memories of past injustices are as powerful as the injustices themselves. Their strength resides in public fora including media, film, literature, the arts, education, and even urban graffiti. In Argentina for instance, cultural and artistic representation of past trauma by the new generation helped renew the debate on amnesties, which led to a series of prosecutions of perpetrators. Without these post-memory processes, it is difficult for the society (especially the post-generation) to come to terms with the past. The evidence that this is yet to happen in Morocco is clear in the Rif. More than a decade after IER, the incident of a fisherman who was inadvertently squashed in garbage disposal truck has ignited a series of demonstrations by the Riffian youth in al Hoceima, ongoing since October 2016. In every march, the demonstrators have carried pictures of Ben Abdelkrim el Khattabi and the flag of his Rif Republic with slogans against the regime and its half-a-century long repression against the region. Hirak al Rif (literally the movement of the Rif) echoed the voices of the victims in the IER, the AMDH and the Rif 58-59: Break the silence documentary, who called out the historical and economic debt the regime had towards the Rif and the Riffians. It also echoed their demands to honor their past, their heroes and their republic.

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271 Maghraoui, ‘Political Authority in Crisis’, 17
272 Andreas Huyssen ‘Memory Culture and Human Rights’ in Historical Justice and Memory, ed. Klaus Neumann and Janna Thompson (Madison: The University of Wisconsin Press 2015), 33
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Manouzi, Mustapha. Interview with author. Personal interview. Mohammedia, June 2014.
Mouhib, Hassan. Interview with author. Personal interview. Fez, June 2014.
Oulamine, Reda. Interview with author. Personal interview. Casablanca, June 2014.

MOROCCAN GOVERNMENT & OFFICIAL SOURCES

The Moroccan Government


**Amnesty International**


**AMDH**


**Human Rights Watch**


**ICTJ**


**OMDH**

The United Nations


**Wikileaks Cables**


Others


BOOKS


**Memoirs**


Textbooks


JOURNAL ARTICLES & CONFERENCE PAPERS


Labanyi, Jo. ‘Memory and Modernity in Democratic Spain: The Difficulty of Coming to Terms with the Spanish Civil War.’ Poetics Today 28 (1).


Maghraoui, Abdeslam. ‘Political Authority in Crisis: Mohammed VI’s Morocco.’ Middle East Report, Number 218, Spring 2001, 14


Nora, Pierre. ‘Between Memory and History: Les Lieux de Mémoire.’ Representations, No. 26, Special Issue: Memory and Counter-Memory (Spring, 1989): 7-24


E-zines (Jadaliyya – Sada)


Multimedia/Videos


## Appendix 1: Morocco’s timeline of repression

<table>
<thead>
<tr>
<th>Year</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>1912</td>
<td>Fes treaty and Madrid accords put Morocco under French and Spanish protectorates</td>
</tr>
<tr>
<td>1922</td>
<td>Mohand bin Abdelkrim el Khattabi defeats Spanish in Anoual and establishes the Rif Republic</td>
</tr>
<tr>
<td>1926</td>
<td>Rendition of Mohand bin Abdelkrim el Khattabi</td>
</tr>
<tr>
<td>1930</td>
<td>Proclamation of the Berber Dahir dividing Moroccans into Arab-Muslim natives and Berber-</td>
</tr>
<tr>
<td>14 Nov:</td>
<td>Creation of the Moroccan Communist party (<em>Parti Communiste du Maroc - PCM</em>)</td>
</tr>
<tr>
<td>1943</td>
<td></td>
</tr>
<tr>
<td>1944</td>
<td>Manifesto of Independence and creation of the Istiqlal party (PI)</td>
</tr>
<tr>
<td>1946</td>
<td>The creation of Democratic Party of Independence (<em>Hizb Shoura and Istiqlal - Parti Democratique de l’Independence</em>) by Mohamad Hassan El Ouazzani</td>
</tr>
<tr>
<td>1948</td>
<td></td>
</tr>
<tr>
<td>10 Dec:</td>
<td>UN Declaration of Human Rights</td>
</tr>
<tr>
<td>1953</td>
<td></td>
</tr>
<tr>
<td>20 Aug:</td>
<td>Mohamad V is exiled in Madagascar</td>
</tr>
<tr>
<td>1955</td>
<td></td>
</tr>
<tr>
<td>20 Mar:</td>
<td>Creation of Union Marocaine du Travail created (Moroccan Union of Workers)</td>
</tr>
<tr>
<td>16 Nov:</td>
<td>Mohammed VI returns from exile</td>
</tr>
<tr>
<td>1956</td>
<td></td>
</tr>
<tr>
<td>Mar/Apr:</td>
<td>Morocco obtains its independence from France and Spain</td>
</tr>
<tr>
<td>15 May:</td>
<td>The creation of the Royal Armed Forces (FAR)</td>
</tr>
<tr>
<td>22 June:</td>
<td>Kidnapping and assassination of Liberation Army leader Abbess Messadi</td>
</tr>
</tbody>
</table>
20-27 Aug: Caid Lyoussi organizes rebellion pockets against the Istiqlal government in the region of the Rif and Middle Atlas

26 Dec: Union Nationale des Etudiants au Maroc (UNEM) holds its first symposium

1957

Jan-Feb: Rebellion of Addi Ou Bihi in the Tafilalet region crushed by the royal army (FAR) led by Crown Prince
9 Jul: Crown Prince Moulay Hassan declared heir to the throne at age 28

1958

10 Feb: Operation Ecouvillon: French and Spanish troops crush the Liberation Army (ALN-south)
12 May: Istiqlal government led by Ahmed Balafrej
May – Nov: The Rif rebellion
24 Dec: Leftist government headed by Abdallah Ibrahim

1959

Jan: The Rif revolt is crushed by FAR under the commands of Crown prince Hassan
6 Sep: Creation of UNFP after splitting from Istiqlal by Mehdi Ben Barka and Abderahim Bouabid

1960

9 Jan: The Moroccan Communist Party banned
14 Feb: UNFP militants arrested after being accused of plotting against the crown Prince (5 death sentences)
29 May: First municipal elections grant 40% of seats to Istiqlal, 25% to UNFP and 6% to MP

1961

Feb/Mar: Death of Mohamad V and enthronement of Hassan II
8 June: Promulgation of the Fondamental Law (la Loi Fondamentale)
July: UNEM severs ties with the palace

1962

14 Dec: Hassan II establishes the first constitution of the country granting him absolute power

1963

2 Jan: Istiqlal leaves the government and joins the opposition
13 May: First legislative elections
16 Jul: UNFP accused of conspiracy against the regime (July plot)
<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jun - Jul</td>
<td>UNFP members arrested and its leader Ben Barka forced to exile</td>
</tr>
<tr>
<td>Oct</td>
<td>War of the Sands with Algeria</td>
</tr>
<tr>
<td>Nov</td>
<td>Mehdi Ben Barka is sentenced to death in absentia</td>
</tr>
</tbody>
</table>

1964

<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>14 Mar</td>
<td>Trial of 102 accused in relation to the July plot and death sentence for 11 “traitors” of the UNFP including Fqi⁡h Basri</td>
</tr>
<tr>
<td>Jun</td>
<td>Confrontations and public order disrupted at the Moroccan-Algerian borders</td>
</tr>
<tr>
<td>7 Aug</td>
<td>Death of Sheikh el Arab</td>
</tr>
<tr>
<td>20 Aug</td>
<td>Oufkir appointed Minister of Interior in the new government</td>
</tr>
<tr>
<td>5 Oct</td>
<td>UNEM loses its status as an association of public interest.</td>
</tr>
</tbody>
</table>

1965

<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>21 - 23 Mar</td>
<td>Students’ uprising in Casablanca</td>
</tr>
<tr>
<td>27 Mar</td>
<td>Execution of 14 people in relation to the events of June 1964 at the Moroccan-Algerian borders</td>
</tr>
<tr>
<td>Apr</td>
<td>Hassan II pardons political prisoners</td>
</tr>
<tr>
<td>7 Jun</td>
<td>Hassan II suspends the constitution and declares the state of emergency</td>
</tr>
<tr>
<td>29 Oct</td>
<td>Ben Barka is kidnapped in Paris</td>
</tr>
</tbody>
</table>

1966

Creation of opposition magazines *Souffles* and *Lamalif*

1967

<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>Feb</td>
<td>UNEM president and members arrested. They are forced into military service then exiled in Tan Tan</td>
</tr>
<tr>
<td>14 Jul</td>
<td>Opposition journalists detained (Istiqlal, UNFP and Democratic Popular Movement) Baathist plot</td>
</tr>
</tbody>
</table>

1970

<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>31 Jul</td>
<td>Second constitution ends the state of emergency</td>
</tr>
<tr>
<td>Aug</td>
<td><em>Ila al-Amam</em> splits from the Moroccan Communist Party (PCM)</td>
</tr>
</tbody>
</table>

1971

<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jun</td>
<td>Trial of 180 UNFP militants jailed since 1969 in Marrakech</td>
</tr>
<tr>
<td>10 Jul</td>
<td>Military attempts coup against Hassan II in Skhirat and fails</td>
</tr>
<tr>
<td>13 Jul</td>
<td>Execution by firing squad of top army officers accused of the coup (Eid Adha)</td>
</tr>
</tbody>
</table>

1972

<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jan - Mar</td>
<td>Mass arrests of radical leftist militants</td>
</tr>
<tr>
<td>12 Feb</td>
<td>Trial of soldiers involved in the Skhirat coup</td>
</tr>
<tr>
<td>1 Mar</td>
<td>Third constitution is promulgated</td>
</tr>
<tr>
<td>11 May</td>
<td>Creation of the Moroccan League for the Defence of Human Rights</td>
</tr>
<tr>
<td>16 Aug</td>
<td>Second military coup fails and Oufkir is assassinated</td>
</tr>
<tr>
<td>Aug</td>
<td>The creation of the Front of the Progressist students (Frontists)</td>
</tr>
<tr>
<td>2 Sep</td>
<td>UNEM president Abdelaziz Mnebhi arrested</td>
</tr>
<tr>
<td>Oct</td>
<td>Creation of <em>Ila Amam</em> after seceding from PLS</td>
</tr>
<tr>
<td>6 Nov</td>
<td>Execution of 11 detainees in relation to the airplane coup</td>
</tr>
</tbody>
</table>
1973

24 Jan: UNEM is disbanded
March: Moulay Bouazza events
Students’ uprising in the Middle Atlas and mass arrests of students and board of SNL (Syndicat national lycéen)
2 April: UNFP is suspended
April: Creation of 23 March and Li-Nakhduma a-sha’b (Servir le Peuple)
10 May: Polisario is created
25 Jun - 30 Aug: Kenitra Trial of UNFP militants (16 death sentences)
31 Jul - 2 Sep: Casablanca Trial of 80 Marxist-Leninist militants (19 sentences of 10 – 15 years)
7 Aug: Military prisoners kidnapped from Kenitra prison and “disappear” in Tazmamart
1 Nov: Execution of 15 accused in Moulay Bouazza events
23 Dec: The Oufkir Family disappears in Tazmamart until 17 April 1987

1974

13 May: Allal al-Fasi dies in mysterious circumstances
June: Abdeslam Yassine addresses letter to the King: “Islam or the Deluge”
August: Creation of PPS (Parti du Progrès et du Socialisme)
15 Sep: USFP is created (ex-UNFP- Rabat)
Nov: Mass arrests of 120 Marxist-Leninist militants
14 Nov: Abdeltif Zeroual dies under torture
Dec: UNFP (Casablanca section) holds its assembly

1975

Jan: First congress of USFP
6 Nov: The Green March
18 Dec: USFP leader Omar Benjelloun is assassinated

1976

27 Jan: War with Algeria in the Sahara
20 May: SARD is declared (Sahrawi Arab Democratic Republic)

1977

3 Jan - 14 Feb: Casablanca trial of 178 Frontists (5 condemned to life, 18 to 30 years, 43 to 20 years and 36 to 10 years of imprisonment)
7 Mar: Frontist prisoners regrouped in the Kenitra prison
11 Dec: Saida Mnebhi dies after 34 days of hunger strike

1979

Mar: Driss Basri appointed Minister of the Interior
24 Jun: Creation of AMDH

1980

July: Amnesty of USFP members who were jailed in 1973-74
<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mar:</td>
<td>Delegation of Amnesty International visits Morocco and 23 Frontist prisoners are freed from Kenitra prison</td>
</tr>
<tr>
<td>28 May:</td>
<td>Protests in Oujda, Barkane and Nador</td>
</tr>
<tr>
<td>18 June:</td>
<td>UMT calls for a general strike</td>
</tr>
<tr>
<td>20 June:</td>
<td>General strike of CDT</td>
</tr>
<tr>
<td>20-21 June:</td>
<td>Bread riots in Casablanca</td>
</tr>
<tr>
<td>22 June:</td>
<td>AMDH leaders arrested</td>
</tr>
<tr>
<td>25 June:</td>
<td>King Hassan II announces referendum for the auto-determination of Western Sahara</td>
</tr>
<tr>
<td>13 July:</td>
<td>Trial of 82 detainees from AMDH</td>
</tr>
<tr>
<td>21 Sep:</td>
<td>Trial of 5 USFP leaders after opposing the referendum</td>
</tr>
<tr>
<td>Sep:</td>
<td>Sheikh Yacin founds <em>Al ‘adl wal ihsan</em></td>
</tr>
<tr>
<td>Jan:</td>
<td>Mass arrests of students</td>
</tr>
<tr>
<td>24 Oct:</td>
<td>Arrest of 26 USFP militants</td>
</tr>
<tr>
<td>8 May:</td>
<td>11 USFP leaders suspended</td>
</tr>
<tr>
<td>30 May:</td>
<td>Rabat trial of 34 USFP militants</td>
</tr>
<tr>
<td>Dec:</td>
<td>Beginning of students’ strikes in Marrakesh</td>
</tr>
<tr>
<td></td>
<td>Arrest of Sheikh Abdeslam Yacine</td>
</tr>
<tr>
<td>5 Jan:</td>
<td>Students’ strikes in Marrakesh</td>
</tr>
<tr>
<td>20 – 21 Jan:</td>
<td>Violent protests in Northern Morocco (Hoceima, Nador, Barkane)</td>
</tr>
<tr>
<td>Jan:</td>
<td>33 Frontist prisoners released</td>
</tr>
<tr>
<td>24 May:</td>
<td>Abdeslam Yacine condemned to life sentence in Sale</td>
</tr>
<tr>
<td>July:</td>
<td>Casablanca trial of 71 Islamists</td>
</tr>
<tr>
<td>Summer:</td>
<td>Students start hunger strikes in prison resulting in the death of: Abdelhakim Meskini, Moulay Boubker Douraidi, and Mustapha Belhouari</td>
</tr>
<tr>
<td>29 Aug:</td>
<td>Students transferred to Averroes hospital in Casablanca</td>
</tr>
<tr>
<td>Sep:</td>
<td>Trial of 26 detainees accused of belonging to Jihad group (5 death sentences)</td>
</tr>
<tr>
<td>Oct – Nov:</td>
<td>Mass arrests of radical leftists</td>
</tr>
<tr>
<td>6 Nov:</td>
<td>Amine Tahani dies under torture</td>
</tr>
<tr>
<td>3-12 Feb</td>
<td>Trial of 27 <em>Ilal Amam</em> militants</td>
</tr>
<tr>
<td>Year</td>
<td>Event</td>
</tr>
<tr>
<td>------</td>
<td>-------</td>
</tr>
<tr>
<td>1987</td>
<td>Oufkir family escapes from prison and alerts international community</td>
</tr>
<tr>
<td>12 July</td>
<td>King lays the foundation stone of Hassan II mosque in Casablanca and calls Moroccans to donate money</td>
</tr>
<tr>
<td>11-12 Dec</td>
<td>National Conference on Human Rights in Oujda</td>
</tr>
<tr>
<td>1988</td>
<td>10 Dec: Creation of the Moroccan Organization for Human Rights (OMDH)</td>
</tr>
<tr>
<td>1989</td>
<td>7 May: Release of political prisoners</td>
</tr>
<tr>
<td></td>
<td>Sep: FIDH mission to Morocco</td>
</tr>
<tr>
<td></td>
<td>Aug: Abdelhaq Chbada dies from his hunger strike in Laalou prison (Rabat)</td>
</tr>
<tr>
<td>1990</td>
<td>Feb: Amnesty International’s visit to Morocco</td>
</tr>
<tr>
<td></td>
<td>11 Apr: Creation of the CCDH</td>
</tr>
<tr>
<td></td>
<td>27 June: Minurso (UN mission to the Sahara) formed</td>
</tr>
<tr>
<td></td>
<td>10 Dec: Charte Nationale des Droits de l’Homme</td>
</tr>
<tr>
<td></td>
<td>14 Dec: Riots in Fez</td>
</tr>
<tr>
<td>1991</td>
<td>Publication of <em>Notre Ami le Roi</em> by Gilles Perrault</td>
</tr>
<tr>
<td></td>
<td>Amnesty International launches campaign against Morocco</td>
</tr>
<tr>
<td></td>
<td>Aug: Royal pardon for 500 political prisoners, release of Tazmamart detainees and 300 disappeared Sahrawis and 3 prisoners on hunger strike since 1985</td>
</tr>
<tr>
<td></td>
<td>13 Sep: Abraham Serfaty is released from jail and exiled from Morocco</td>
</tr>
<tr>
<td>1992</td>
<td>March: Last three political prisoners of Kenitra released</td>
</tr>
<tr>
<td></td>
<td>April: CDT secretary general is sentenced to 2 years in prison for insulting members of the government in his interview to the <em>Pais.</em></td>
</tr>
<tr>
<td></td>
<td>21 Aug: New Constitution promulgated</td>
</tr>
<tr>
<td>1993</td>
<td>Abderahman Youssoufi returns to Morocco from exile. Second royal pardon and exiles invited to return to Morocco</td>
</tr>
<tr>
<td>Jan:</td>
<td>Morocco ratifies Convention against torture and discrimination against women</td>
</tr>
<tr>
<td>Mar:</td>
<td>Prosecution of Commissaire Tabit charged with rape and torture of more than 500 women</td>
</tr>
<tr>
<td></td>
<td>21 July: Release of 352 political prisoners</td>
</tr>
<tr>
<td></td>
<td>Dec: Establishment of Ministry of Human Rights</td>
</tr>
<tr>
<td>Year</td>
<td>Event</td>
</tr>
<tr>
<td>------</td>
<td>-------</td>
</tr>
<tr>
<td>1996</td>
<td>Revision of the constitution and creation of a bi-cameral legislature</td>
</tr>
<tr>
<td>1998</td>
<td>Government of <em>Alternance</em> (rotation of Prime Ministers) led by Abderahman Youssoufi, second leftist PM after Abdlalah Ibrahim</td>
</tr>
</tbody>
</table>
| 1999 | July: Hassan II dies and Mohammad VI becomes King  
30 Sep: Abraham Serfaty returns from exile  
Oct: Forum Justice et Verite (FJV) founded by Driss Benzekri, Salah al Ouadie, Mohammad Sebbar and other former exiles and political prisoners and their families  
9 Nov: Driss Basri is sacked  
1999: CCDH presents memorandum with infamous list of 112 disappeared people to King Hassan I  
1999: King Mohamad VI establishes The Independent Arbitration Commission for the Compensation of Moral and Material Harm Suffered by Victims of Disappearance and Arbitrary Detention, and by their Beneficiaries (IAC) |
| 2000 | Sheikh Abdeslam Yacine released from house arrest that lasted 10 years |
| 2001 | 7 Oct: Gathering of former victims in front of Tazmamart prison  
2 Dec: Ban of Le Journal, Demain, Assahifa newspapers  
10 Dec: Arrests of *Adl wal Ihasan*, AMDH and FVJ members (upon the publication of the list of perpetrators) |
| 2003 | 16 May Casablanca bombings  
5000 members of *Salafiya* movement arrested |
<p>| 2004 | <em>Instance Eacute et Reconciliation</em> established by royal decree and led by Driss Benzekri |</p>
<table>
<thead>
<tr>
<th>Year</th>
<th>Event</th>
</tr>
</thead>
</table>
| 2005 | Dec '04- May '05  
IER public auditions  
AMDH parallel auditions  
Mohammad VI receives families of victims in his palace |
| 2010 | 20 February  
The beginning of street protests in Morocco led by the 20 Fevrier Movement |
| 2011 | 1 Jul:  
New constitution adopted at 98%  
25 Nov:  
Islamist and monarchist PJD wins elections with Abdellah Benkirane as Prime Minister  
2011:  
the CNDH launches IER 2 for memory and history |
| 2016 | 28 Oct:  
Death of fishmonger Mouhcine Fikri in al Hoceima  
10 Dec:  
Riffians protest in al Hoceima to mark the 40th day since the death of |
| 2017 | 5 Feb:  
Riffians protests in al Hoceima to celebrate the death anniversary of Ben Abdelkrim  
5 Mar:  
The beginning of al Hirak (protests) in Al Hoceima to protest the marginalization of the Rif  
29 May:  
The leader of the Hirak, Nasser Zefzafi, is arrested and detained in Casablanca |
Appendix 2: Biographies of IER commissioners

Driss Benzekri:

Without him, Morocco wouldn’t have been able to write about its darkest history”
José Garcon

“If we are close to the truth by 50%, then it’s a win.” Driss Benzekri

“Driss was always at the heart of efforts to address abuses past and present in Morocco. Thanks in no small measure to his efforts, victims of past human rights abuses finally began to obtain redress and recognition decades after their torment.”
Joe Stork, deputy Middle East and North Africa director at Human Rights Watch

Head of the IER then president of the CCDH, Benzekri was a former leftist and one of many Moroccan activists who were illegally detained, tortured and imprisoned by Hassan II’s regime from 1950s to the 1990s before he decided to cooperate with the new regime of Mohammad VI in closing the books and turning the page on the Leaden Years.

Born in 1950 in Ait Ouahi in the province of Khemisset, Driss Benzekri was born to a modest Amazigh family. At the age of 15 years old, he moved to the city of Tifelt, then Khemisset to finally settle in Rabat where he carried out his studies at Gouraoud High School. Benzekri was a brilliant student of linguistics and specialized in the Amazigh language and culture. His political convictions and activism were influenced by the likes of Ben Miloudi, the former chief of the Liberation Army that carried out the Oulmes Revolt in 1958 and Si Amer Benbouzekri, one of the signatories of the Independence Manifesto of 11 January 1944 that guaranteed Morocco its independence in 1956 and a notable member of the Istiqlal party. At age 18 years old, Benzekri decides to embrace Maoist ideology and joins the extreme leftist Marxist-Leninist group *Ilal Amam*, led by Abraham Serfaty. The later had just seceded from the Liberation and Socialist party PPS (Parti de la liberation et du socialism) in 1970 [check the dates]. Before settling on *Ilal Amam*, Benzkeri tried the political game at the communist party before he decided that the party was too extreme and too audacious for him.

A teacher, Benzekri was an active member of the outlawed group *Ilal Amam* where he was one of the engineers of the proletarian movement of 1980s. [insert quote from foundation Benzekri]. He started infiltrating student and labour unions and recruiting members for the leftist group. By 1972, the police crackdown on him and his friends intensifies. Two years later, he gets arrested at the same period as Abraham Serfaty in 1972. He is tortured and incarcerated in the infamous Derb Moulay Sherif until January 1976. He spends 15 months in the civil prison of Ghabila before he is transferred to Kenitra’s central prison in March 1977. Benzekri joins his fellow prisoners in the first prison hunger strike to protest against ill-treatment in prisons and demand more decent conditions for political detainees. In 1981, Benzekri announces his break up with *Ilal Amam*.

In 1983, Benzekri completes his Bachelor’s degree in linguistics and literature at the University of Mohamed V in Rabat while in prison. After that, he takes on postgraduate

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1 José Garcon, Deces de Driss Benzekri, memoire d’un Maroc sombre, available at http://www.liberation.fr/monde/2007/05/22/deces-de-driss-benzekri-memoire-d-un-maroc-sombre_93803

2 Driss Benzekri, – Interview with Liberation, http://www.liberation.fr/monde/2007/05/22/deces-de-driss-benzekri-memoire-d-un-maroc-sombre_93803

studies at the University of Aix-Marseille in France and receives his Master’s degree in linguistics in 1988, again while in prison. Upon the royal pardon of 1991 that encompassed most of the political prisoners, Benzekri is freed after spending seventeen years in incarceration. He fully immerses himself in human rights work and sets up with other activists various human rights NGOs such as Forum Verite et Justice, Amnesty Maroc and Espace Associatif. Meanwhile, Hassan II creates the CCDH on 8 March 1990 modelled on the French institution CNCDH, Commission Nationale Consultative des Droits de l’Homme. However, the former does not follow the same working principle as the French institution, namely the Paris treaty that organizes Human Rights National Commissions. Hassan II gives directions to its president and members to look into human rights cases in order to close the dark chapter of repression in Morocco.

In 1993, he joins the Moroccan Organization for Human Rights (OMDH) at the Rabat headquarters⁴ [get more info from the blue book written by la francaise sur le movement des droits de l homme au Maroc.] Meanwhile, he completes an LLM at the University of Essex in England from the Faculty of Law where he specialized in International Law and Human Rights. His thesis “The Status of International Law in the Moroccan Legal System: Domestic Applicability and the Attitudes of National Courts” analysed the complex and myriad ways in which Moroccan constitutional law evades or ignores international human rights law.

“The national courts failed, until now, to contribute to the recent development of international human rights culture the predominant legal culture among them rests on the while on a traditional and uncertain Islamic jurisprudence mixed with a selective approach to the French jurisprudence. The absence of an express and comprehensive reference to universal human rights norms is one the salient features of that impoverished culture.”⁵

Driss Benzekri, who travelled intensively in South America and Eastern Europe, became very active in the field of transitional justice observing which mechanisms were used in various political contexts: amnesties, truth commissions, trials, memoriales and so on. Meanwhile, Abderhaman El Youssfi is appointed Prime Minister to lead the government of alternance in 1998. On 28 September 1998 CCDH handed its infamous memorandum to Hassan II which outrageously stated that Human Rights activists and political prisoners were basically troublemakers and instigators and hence were responsible for the harsh state repression against them.⁶ According to the report, both the victims and the torturers shared an equal responsibility and hence perpetrators were granted de facto amnesties. The memorandum created such an outrage amongst victims, their families and other human rights activists who responded by denouncing this through roundtable’s, seminars and workshops around the country.⁷

Benzekri was amongst the leading activists who campaigned against the CCDH memorandum and against the Indemnity Commission (IAC) in 1999. He gained expertise in international law and travelled to places like Chile and Argentina to observe how truth telling and investigation of past crimes were essential in democratization and reconciliation. This motivated his drive to keep the book open and not close it until there is a truth telling process.

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⁶ Slyomovics, the Performance, 22
⁷ Memorandum, Susan Slyomovics, p 21.-23
He decided then along with some of the other victims and their families to found Le Forum de Vérité et d’Équité (Moroccan Forum for Truth and Equity) or al-Muntada in 1999. Benzekri was elected President of Forum and started speaking out about the necessity of conforming local laws to international human rights agreements. In the Forum’s 1999 conference, Benzekri proposed complementary action to the IC by pursuing perpetrators in civil courts, as opposed to criminal courts. He unequivocally called for the truth to be dug out. [include here what he did or how he changed his mind and with Rouissi, El Ouadi and others were OK for a partial truth after negotiating with Al himma – see interviews and talk to Moha]. His campaign for a truth commission continued until he was approached by the makhzen to negotiate a deal of truth telling, a deal that culminated in his appointment as the president of IER in 2003.

Benzekri was severely attacked for leaving Forum and changing his harsh and radical stance against truth about the past. His conviction was that the civil society, the victims and their families needed to extend a hand to the government to help uncover some of the truth. “If we uncover 50% of the truth, then it’s a win” he notes in an interview with […] . He adds that by uncovering the truth about state repression and the tragic events where state institutions were involved, the non-recurrence of these events and institutional reforms would follow. Most importantly, transitional justice has to be a negotiated deal between the regime and the society to ensure that there is reconciliation and an agreement on future democratization process. If the whole truth is the price to pay to have democratization, Benzekri was convinced he made the right choice. [ quote Moha leghtas and maybe Forum, AMDH, and OMDH – interview with Salah al Wadi].

When IER completed its work in 2005, Benzekri was appointed the president of the CCDH until he died of complications of stomach cancer at the age of 57. According to a poll with 100 Moroccan personalities, Benzekri was elected as the personality of the year 2005, with King Mohamed VI in the second place. The poll’s results were criticized and condemned by both Benzkeri and state officials. Ali Anouzala and his weekly Al-Jarida Al-Oukhra were

Abdelhay Moudden

Born in 1953 in Moukrissat in the province of Chefchaouen in in the northern part of Morocco, Abdelhay Moudden completed his law degree from the Faculty of Law at the University of Mohammad V in Rabat before going to the United States to do his postgraduate studies in political sciences at the University of West Florida and a PhD in the same field at the University of Michigan. He has been teaching political science and international studies ever since at the Law Faculty at the University Mohamad V in Rabat. He authored numerous studies on political culture and political economy. He also founded with his wife the Center for Cross Cultural Learning in Rabat, a private institution that offers foreigners Arabic language courses, seminars and lecture series on Moroccan society and Arab and Islamic cultures. He recently co-founded the Arabic electronic book review journal www.ribatalkoutoub.ma which recently organized an international history seminar about the contemporary history of Morocco where historians such as Paul Rivet, Edmund Burke III, Mohamed el Moudzen, Ahmad Sebti and Susan Miller [add more] presented their recent works on Moroccan history and debated on the historiography of Morocco after IER.

A pure academic, Abdelhay Moudden never engaged in political or human rights activism. He was appointed a member of IER as a scholar trained in scientific inquiry and academic
integrity\textsuperscript{8}. This would positively impact the work and methodology of IER: “When I was asked to be a member of IER, I asked why me? I had no political affiliation and never engaged in human rights or political activism. They answered that it was important to have an academic and a scientific mind in the IER, someone neutral and objective.”\textsuperscript{9} That been said, it is important to note that Moudden has written a myriad of articles and books about the recent history of Morocco, its economic and political culture. Upon the completion of his work with IER, Moudden served on the board of CCDH until 2007 and resumed his work as a Professor of IR and PS at the University and as Director of his institute CCCL.

**Driss El Yazami**

“Driss Yazami: from Mao to M6\textsuperscript{10}”

Driss El Yazami is nicknamed “Mister Human Rights” in Morocco. He is the current president of the CNDH. He also holds the position of the president of the Council of the Moroccan Community Abroad (Conseil de la communauté des Marocains à l’étranger - CCME), a state institution affiliated to the Moroccan king. Criticized for his close ties with the makhzen, Yazami is everywhere. He was a member of the Mennouni commission that drafted the constitution of 2011 as well as the current commission in charge of reforming the justice system in Morocco.

Born in 1952, Driss Yazami comes from a modest family that valued education. He left his native Fez at age 18 years old upon receiving a scholarship from France. In 1970, he arrives in Marseille to pursue his studies in business and commerce. Yazami embraces the revolutionary ideology of Mao and becomes very active in political and human rights activism. He joins Comité Palestine in support of the Palestinian Movement and fiercely advocates for the rights of the Maghreb immigrants in France. He conducts a hunger strike in support of illegal immigrants in France upon which he is expelled back to Morocco in 1975. He is held in “le complexe” a sinister detention centre in Rabat for three months and upon his release, he remains under surveillance but succeeds to return back to France in […]. He is condemned to life sentence in absentia with the “frontist” group in February 1977 and his brother Abdelali is condemned to a sentence of 22 years in the same trial. He actively works towards alerting the international community to the grave human rights abuses in Morocco and start campaigning for the release of his brother and all other political detainees.\textsuperscript{11} Yazami decides then to drop his studies in commerce and moves to Paris in the 1980s to study journalism at the Centre de formation et de perfectionnement des journalistes. Meanwhile, he continues his work and activism for the rights of immigrants and political detainees and joins different human rights organizations such as la Fédération internationale des droits de l’homme (FIDH) where he is the secretary general up until this day. In 2005, Yazami joins Benzekri to work on the case of human rights abuses in IER.

Currently, he occupies the official positions of CNDH president, CCME President since 2007 and member of the Economic and Social Council (Conseil économique et social (CES) and member of the High Instance of Dialogue on Justice Reform of 2011\textsuperscript{12}. He also serves on the

\textsuperscript{8} Abdelhay Moudden, interview with author, June 2015, Rabat  
\textsuperscript{9} Ibid  
\textsuperscript{10} M6 is the nickname given by Moroccan to the Moroccan king Mohammad VI, Youssef Aït Akdim, Jeune Afrique Magazine, [http://www.jeuneafrique.com/Article/JA2684p046-047.xml](http://www.jeuneafrique.com/Article/JA2684p046-047.xml)  
\textsuperscript{11} Jaouad M’didech, Driss El Yazami, intellectuel voué aux droits de l’homme, à la tête du CCME, la vie économique, 28-12-2007  
\textsuperscript{12} Centre Consultatif des Marocains a l Etranger, Driss EL YAZAMI, Président du CCME [http://www.ccme.org.ma/fr/ccme/le-president/2253](http://www.ccme.org.ma/fr/ccme/le-president/2253)
board of the 3 Cultures Foundation, a cooperation project between the Spanish Andalusian regional government and the Moroccan Ministry in charge of the Moroccan Living Abroad and Migration Affairs. The CNDH and CCME positions are equivalent to a ministry rank and Yazami seems to enjoy a great deal of power and money thanks to his official and state portfolio. In France where he holds the French citizenship, he is on the board of “Generiques”, an association that specializes in the history of foreigners and immigration in France. He is also the founder and editor in chief of Migrance, a magazine concerned with the rights and issues of migrants in France. He is the General Secretary of FDH and president of the Euro-Mediterranean Foundation for the Defence of Human rights as well as a board member and an advisory member of “la de la Cité nationale de l’histoire de l’immigration en France”, a museum of immigration in Paris.

Mohamed Berdouzi

Mohamed Berdouzi (1948-2011) held a doctorate in public law and political science. He was a law professor at Mohamed V University in Rabat. He was also a consultant specializing in the areas of education, public policy and institutional development strategies. He was a member of the Advisory Council of Human Rights (CCDH) and member of Morocco 2020, an organization that promotes free market economy and private entrepreneurship. Before these positions Berdouzi was an advisor to the Ministries of Public Works, Agriculture, Agricultural Development and Professional Training. He served on different committees including, the Supreme Education Council, the Advisory Committee on Regionalization and was part of the scientific committee headed by Abdelaziz Meziane Belfkih that drafted the report on 50 years of human development in morocco and perspectives for 2025.

Mohamed Berdouzi authored a book about education entitled “Renewing education: From the charter to acts.” He also translated into Arabic the book “Psychology and Pedagogy” of Jean Piaget. He was famous for his role as part of the committee that drafted the National Charter for Education and Training before being part of the advisory board in charge of the new constitution.

Berdouzi died in Rabat 11august 2011.

Latifa Jbabdi

Latifa Jbabdi was born on 26 January 1955 in Tiznit to a Berber middle class family. She was second in a line of six siblings; three males and three females but was the only child engaged in political activism since high school. She studied in Tiznit for her primary and secondary school and moved to a boarding school in Agadir as small villages lacked high schools at the time. Soon she was expelled from it in 1971 as she started her activism in a Marxist movement that criticised the government and touched most high schools at the time. As a result she started working in teaching to try and resume her studies later on. In an interview in the Moroccan first channel Al Oula, she stated that she loved activism inspired by her father and mother who championed equality and spoke against all sort of injustices and inequalities. Her father, Mohamed Jbabdi, was part of the NGO Friends of Tiznit and

16 50 years report
17 Based on a televised interview
often hosted cultural meetings with his intellectual friends in his house where they discussed books and current political situations witnessed by Latifa. Her mother as she recalls was a vivid defender of the rights of their domestic worker and opened her house to cultural encounters.

As she recalls Jbabdi endured political imprisonment as early as her high school years. She said she constantly hid from the police since the age of 15 years old in small villages in the south when the political police started to arrest the leftist/Marxist movement in the capital Rabat. She was in constant threat to be kidnapped but was protected by her friends. They finally kidnapped her father who was threatened that if he does not stop his daughter’s political activism and surrender her to the police he would be held accountable for her actions and never see her again. They used him to corner her in a cemetery where she was hiding and as they humiliated him she surrendered willingly. When they arrested her, her friends escalated the political unrest and she was released to engage in forming institutions for democracy based on communist values. In 1977 she was arrested/kidnapped from her parents’ house late at night. While she remained two years and a half in detention without trial, during the first eight months none of her family members knew where she was or what happened to her despite every effort to find her. Her father looked for her in every police station in vain. She was held in Derb Moulay Sherif secretly where she was interrogated day and night and tortured constantly. Torture did not discriminate between men and women as she explains. She said that during her resistance while tortured she felt that she did not only resist a political system but a social/cultural system as a woman herself bearing the words and methods of humiliations to her womanhood. She was given man’s names (Said and Doukali) and her eyes were constantly shut. Before her transfer to prison Sidi Said in Meknes the police commissioner threatened her that they would continue hunting and bringing her back for torture but confessed that although she was at the opposing side she managed to gain his respect and changed his mind about Moroccan women, Jbabdi recalls. She was nicknamed by those who tortured her “Passionaria”; in reference to Dolores Ibaruri. Lawyers Abdelrahim El Jamii, Abderhman Ben Amr and Nezha El Alaoui volunteered to free Jbabdi and kept her informed about the outside world while in secluded prison.18

Jbabdi is a Moroccan human rights activist who campaigned for women rights in Morocco and the Middle East for over 40 years. She is a permanent consultant to the Agency of Social Development in Rabat. She is currently a member in the Advisory Council on Human Rights (CCDH) and the National Observatory of Child Rights (WAVE). She is as well a PhD candidate in development sociology. She is a founding member of the Moroccan Association for Human Rights (AMDH).

In 1987 when Jbabdi became president of the Women’s Action Union (UAF) and was director of the newspaper ‘March 8’ (1983 to 1994) she tried to bring changes the Moroccan Code of Personal Status (The Moudawana). After leading a national campaign accumulating one million signatures as a petition to reform the Moudawana she was instrumental in the landmark changes implemented. After 35 years of struggle she coordinated the National Council for the Reform of the Code of Personal Status of 1992 under Hassan II. As the Personal Code was based on Islamic law at the time and Jbabdi adopted a secular approach she was confronted by Islamists as an infidel. She believed that women could find room for equal rights within Islam. In 2003 her efforts were culminated when king Mohamed VI decided to reform the family code.

18 http://www.febrayer.com/11972.html
She was also a former member of the Equity and Reconciliation Commission (IER) – the only female in the commission- and has been a CCDH member since 2002. She was named in 1998 ambassador of civil society to the United Nations Commission on Human Rights and a coordinator of the world’s movement of women for Morocco and the Arab world. She was a coordinator of the Preparatory Regional Conference of African women’s NGOs for the Vienna Conference on Human Rights in 1993. Jbabdi participated in the creation and animation of several Moroccan platforms for the implementation of women’s rights. In 2005, Vital Voices honoured her with the Global Leadership Award.

**M’barek Bouderka**

Lawyer Mbarek Bouderka was born in 1948 in Ida or Gnidif, Tafrouat, in the Sous region of Morocco. He studied in Meknes, Sale, and Algiers then Rabat. He practiced law at the office of Abderrahim Bouabid, the political activist who was one of the architects of the manifest of independence presented to French colonial authorities in 1944. It was in Sale that Bouderka was initiated to political activism with his classmates at the famous Nahda high school, established by Moroccan nationalist figure Aboubakr Kadir. He was recruited by the National Union of Moroccan Students (UNEM) and served in dormant cells under the leadership of Fqih Mohamed Basri in relation to what is commonly known as “the conspiracy of July 1963.” Nicknamed ‘Abbas’ in the sixties and seventies Bouderka was one the most prominent political figures in the National Union of Popular Forces (UNFP), the party from which emerged the Socialist Union of Popular Forces (USFP) in 1975. The military court sentenced him to death in 1973 on charges of conspiring against the regime. He was charged with smuggling weapons from Algeria to overthrow the monarchy. Consequently, he spent 28 years in exile as a political refugee in France from 1973 to 2001. Few years after the issuance of a royal pardon in 1994, Bouderka did not return to Morocco until the death of King Hassan II, stating that the political situation has improved. A number of Moroccan ministers including the head of government at the time Adderrahman El Yousoufi and prominent opposition leader Abraham Serfaty welcomed and applauded his return.

Bouderka served in many positions including IER. He is a founding member of the association “The Circle of Friends of Bahi” (1996), a founding member of “the Rally of Moroccan Politicians Exiled in France” (1992) and a founding member of the Congress of the Arab Organization for Human Rights (1987). He is also a founding member of the Arab Organization for Human Rights in France (1985) and the Centre for Mediterranean Research and Studies (1980). Bouderka was an active member of the Association of Education and Training of Immigrant Workers (1975) and a founding member of the Association of the family and friends of the missing in Morocco (1975). In 1974, he was a coordinator of the Social Organization of Moroccan refugees in Algeria and Libya. He is currently a member of the Advisory Council of Human Rights (CCDH).

**Mahjoub El Haiba**

Mahjoub El Haiba who was appointed by King Mohammed VI as head of the Inter-Ministerial Delegate for Human Rights in 2011 was a professor of higher education at the Faculty of Law at University of Hassan II in Casablanca. He was the Vice- Dean of the

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Faculty of Law of Casablanca from 1997 to 2000. El Haiba completed a Doctorate in political science after receiving a Graduate Diploma in Public Law from the same faculty where he teaches in Casablanca in 1982. He also received the Graduate Certificate in International Relations (1980) and a Graduate Certificate in political sciences (1979) from Hassan II University in Casablanca and a Diploma in International Law from The Hague Academy (1978). He supervised the continuous training of professionals from the private and public sectors in the field of environment and sustainable development. He also framed many university researches in environmental law and international law, and facilitated the communication and spread of information in this regard.

He is an advisor to the United Nations Environment Programme and founding member of the Moroccan Organization for Human Rights (OMDH). He is also member of the Centre for Studies and Research on Migration and Human Rights (CERMEDH). El Haiba is a founding member of the Moroccan network of international humanitarian law and member of the Moroccan Association of Sea Sciences. He is also a member of the Arab Network for Environment and Development and the jury of the Prix Hassan II for the environment. He is also president of the jury of the Arab Environmental Award and member of the Advisory Council on Human Rights (CCDH). On 11 July 2005, El Haiba was appointed Secretary General of the Consultative Council for Human Rights (CCDH) and served as such until 2011. He is since the Inter-ministerial Delegate for Human Rights

In 2014 he slammed what he called a “deliberate confusion” Human Rights Watch report about Tindouf as uninformed thus siding with Algeria and placing Polisario as an “equal” to Morocco.

Abdelaziz Bennani 21

Abdelaziz Bennani was born in Fez in 1939. He holds a law degree and is member of the Casablanca Bar Association since 1965. He was vice President of the National Union of Students of Morocco (UNEM) from 1959 to 1964. His political activism led to his detention at Derb Moualy Cherif in 1973. Bennani was a member of the Defense Committee and the Committee of Human Rights in the International Union of Lawyers and held the position of Vice President of the International Association of Young Lawyers. He also served as Secretary General of the Moroccan Organization for Human Rights (OMDH) (1988 -1990) and became Vice President since May 1990 till he acceded to its presidency in January 6, 1992. Elected member of the liaison committee of African NGOs in November 1992 in Tunis, Bennani served as President of the Euro-Mediterranean Network of Human Rights until December 2003. He was also elected in 1998 in the Council of Delegates of the World Organisation against Torture (OMCT).

Abdelaziz Bennani is the only commissioner to openly criticize the work of IER. In an article published by “Assafiha al-Maghribia,” he denounces the IER approach and its findings. He condemned IER’s lack of commitment to truly uncover the truth about the Ben Barka Affair as well as other political assassinations. He explains that neither IER nor CCDH has the judicial statute to allow for real investigations. “Without the collaboration of the secret services, no truth commission will be able to uncover the truth and turn the page on the Years of Lead,” he notes. He explains that Moroccan secret services refused to cooperate with IER,

21 Not to be confused with the army general with the same name
although the commission was able to interview former secret agents allegedly related to the affair of Ben Barka. IER members, he adds, could not reach a consensus regarding the case of the UNFP leader and what to write about it in the final report. In sum, and according to Bennani, Driss Benzekri gave in to pressures by the secret services and the palace and IER did not take investigations further because of political considerations.

Ahmed Chaouki Benyoub

Ahmed Chaouki Benyoub was born in July 20, 1957 in Marrakech. In 1984, he obtained a law degree in Public Law from the Mohammad V University in Rabat. He is member of the Bar association of Rabat and works as a human rights consultant for many Moroccan and international institutions. He also served as Secretary General of OMDH and as a consultant at the National Observatory of Children Rights (ONDE). Benyoub is a member of CCDH since 2002 heading different working groups on human rights and legislation and public policy.

He is the author of several publications, including the books “Human rights and the questions of the democratic transition in Morocco” (an edited work in Arabic) and “National institutions for the promotion and protection of human rights”. He is also the author of a book on “disappearances and Moroccan Jurisprudence” (published by the Centre for Studies on Human Rights, Cairo).

Mustapha Iznasni

Mustapha Iznasni was born November 22, 1939 in Tetouan. He holds a degree in social sciences from the University of Sofia in Bulgaria. Between 1965-1967 he was a newspaper editor of “Al Kifah Al Watani” (The national Struggle) and editor of the daily “Al Alam,” the flagship newspaper of the Istiqlal party. From 1970 to 1971, he became editorial assistant in the state’s news Agency “Maghreb Arabe Presse” (MAP), Press attaché, then by 1975 responsible of Moroccan affairs at the Embassy of Morocco in Nouakchott. He was the director of the daily “Al Mithaq Al Watani” (the national charter) and “Al Maghreb”. He is also a former member of the national office of the National Union of the Moroccan Press (SNPM). Iznasni is also a former member of the national office of the Union of Writers of Morocco (UEA). He is a founding member and former member of OMDH, a member of the Advisory Council of Human Rights (CCDH), and the IER.

Mohamed Nesh-Nash

Mohamed Nesh-Nash was born April 24, 1936 in Tetouan. He is a Doctor in Medicine and Surgery from the University of Madrid since 1963. He was a surgeon at Oujda Public Hospital from 1961 to 1965 before directed the polyclinic of Tanjah Tibiah and clinic (Mutualiste) of Tangier. Member of the Central Committee of the Moroccan Red Crescent from 1979 to 1990, he served as Vice-President of the Health Commission of the International Federation of the Red Cross and Red Crescent then the Commission of the Rules of Red Cross International. Dr. Nesh-Nash took part in several humanitarian missions in Kosovo, El Salvador, Lebanon, Iraq and Sudan.
Founding member of OMDH in 1988, he is responsible since 2002 of the organization’s
international relationships. He is also in charge of the health record of the transit operation
and reception of Moroccans residing abroad within the Mohammed V Foundation.

Mohamed Mustapha Raïssouni

Mohamed Mustapha Raïssouni was born in 1939 in Tangier. He was the President of the bar
of Tangier from 1977 to 1980 and Secretary General of the Association of the Moroccan Bar
from 1985 to 1997. He was president from 1997 to 2000 of the Moroccan Bar Association
and became a member of the Advisory Council for Human Rights (CCDH) in 1990. Former
member of the Independent Commission of Arbitration, Raïssouni is currently President of
the Association for Development of the province of Tangier and of the Association of support
for Academic Institutions.

Abdelaziz Benzakour

Abdelaziz Benzakour was born in 1943 in Marrakech. Founding member of the Moroccan
Organization for Human Rights (OMDH), he was appointed member of CCDH/CNDH since
1997. He was president of the Bar of Casablanca from 1983 to 1985 and president of the Bar
Association of Morocco (1986-1989) before assuming the position of President of the African
Union of Lawyers from 1988 to 2002.

being a member of IER. In 2010, he was appointed by the king to be a member of the
National Commission for Protection of Data Base and in March 2001, Mohamad VI
appointed him as the Ombudsman of the Kingdom of Morocco “Al-Wassit.23” As the
Ombudsman of Morocco, Benzakour automatically serves as a member of different state
institutions, including le Conseil Supérieur du Pouvoir Judiciaire, CNDH, Conseil de la
communauté Marocaine à l etranger and Conseil (CCME), and the Economic, Social and
Environmental Council.

Benzakour is a member of the commission appointed by the king to reform the judicial
system in Morroc (Haute Instance du Dialogue National sur la Réforme du Système de la
Justice (2012-2013).

Some of his publications include «L’Islam et la Liberté de Culte» (Editions AL Ofok -1992)
and «Le Statut Juridique du Dirigeant d’Entreprise au Maroc» (Editions Dalloz et Barreau de

Salah El Ouadie

Salah El Ouadie was born in Safi on 4 August 1952. His father, Mohamed El Ouadie El-
Assafi, was an important opposition figure and member of UNFP. He was also a close
companion of Mehdi Ben Barka for which he was imprisoned in 1973.24 His mother was no
other than the feminist Touria Sekkat, who was also an active UNFP member. His older
sister, Assia Al Ouadie or “Mama Assia” as lovingly called by Moroccans, was a fierce
activist for the rights of children and women in Morocco. She was also an advocate for the
rights of prisoners, especially minors, and had held different official positions in state
institutions including HACA and CNDH. Mama Assia was a founding member and General

Secretary of the Moroccan Observatory of Prisons (Observatoire marocain des prisons (OMP) as well as a member of Mohammad V foundation responsible for prisoners’ rehabilitation.

Similiarly, Salah El Ouadie seems to have been raised and educated in a culture of political activism and leftist ideology. At a young age, El Ouadie joined 23 Mars movement and was condemned in 1974 to 22 years in prison but was released in 1984.

El Ouadie holds a degree in philosophy from the Faculty of Arts in Rabat in 1982 and a post-graduate degree in political science from Montpellier. He teaches at the Institute HEM (High Management Studies) Casablanca since 1996 and lectures in political science at the Faculty of Economics and Management in Casablanca. He also hosted a Poetry TV show poetry on state TV channel.

Founding member and former Vice President of the “Forum for Truth and Justice” and founding member of the Moroccan Organization for Human Rights (OMDH), El OUadie served on many state institutions including the High Authority for Audio- Visual Communication (HACA) before joining CCDH and IER commission. Ouadie joined the palace’s political party (Parti authenticité et modernité PAM) and served as its spokeserson until he decided in 2004 to retreat from political parties.

Just like his father, Salah is a poet and has authored many books of poetry in Arabic including the much acclaimed narrative text “Al Ariss” (the BrideGroom , 1998) and the famous “An Open Letter to My Executioner (Lettre ouverte à mon tortionnaire, 1999) where he deals with the impunity of people responsible for torture and killing in Morocco. His works provoked a strong reaction form the Moroccan society, including “Tazmamart” (2003) where he describes the horrors of the notorious secret detention.

**Brahim Boutaleb**

Brahim Boutaleb was born in 1937 in Fez.

Professor of Contemporary History at the University Mohammed V in Rabat and Fez former MP (1977-1983)

He is president of the association of translation and editing of the Encyclopaedia of Morocco.

Boutaleb, who is also editor of the journal" Hesperis - Tamuda", is the author of several publications, including “History of Morocco” (Hatier).

**Mae El Aïnine Mae El Aïnaine**

Mr. El Ainaine Mae Mae El Ainaine was born in 1948 in Tiznit. He holds a law degree and is also a graduate of the National Institute of Judicial Studies (1971).

He currently holds the rank of exceptional magistrate (President of Chamber at the Supreme Court) and first president of the Court of Appeal in Laayoune. Mr. Mae El Ainaine is a founding member of the Association of Jurists of Agadir (1977).

Licensed lawyer in the Supreme Court, Mr. Mae El Ainaine also served as a judge in the trial courts of Rissani, Errachidia and Guelmim, and in Agadir and Settat appeal courts.
Mr. Mae El Ainaine who is the founder of the Writers Union of Morocco of Agadir is the author of several books on Sheikh Mohamed Al Imam Ibn Sheikh Mae Ainaine and literature and resistance. He is also a researcher with a particular focus on the history of the Moroccan Sahara.

He has published several political, historical and literary articles in Moroccan and Arabic newspapers and magazines.

**Abdellatif Menouni**

Abdellatif Mennouni was born in Meknes in 1944 to a father who was a *faqih*, a Muslim scholar, a historian and a former teacher of Hassan II. Mohamad VI would also study under Abdellatif Mennouni while studying law as a prince. He was appointed by both kings to draft the kingdom’s constitutions, including those of 1992, 1996 and 2011. Before being a loyal pro-makhzen servant, Mennouni was part of the National Union of Moroccan Students (UNEM), Moroccan Progressive Youth and UNFP as soon as 1959.

Mennouni received a BA in elementary mathematics in 1962. He obtained a law degree in 1965 as well as a degree in public law from the University Mohammed V in 1971 and PhD in Public Law from the University of Grenoble in 1976. Professor, chair holder in the Rabat Faculty of Law since 1969, he was appointed professor for life in 2008 by king Mohamed VI. He is a member of the Constitutional Council, professor of constitutional law at Mohammed V University and president of the Moroccan Association of Constitutional Law.

Since 2008 he became the representative of Morocco to the European Commission for Democracy through Law, which also bears the name of Venice Commission. He is a founding member of many NGOs, and has served on many commissions

- Member of the Constitutional Council from 1994 to 2008
- Member of IER 2004-2006
- Member of the Executive Committee of the International Association of Constitutional Law from 2002 to 2005
- Vice President of the International Academy of Constitutional Law from 2002 to 2005
- Member of the commission to develop the project of autonomy for the provinces of the Moroccan Sahara 2003
- Member of the Committee for the revision of the Constitution of the Emirate of Bahrain – 2001
- President of the Moroccan Association of Constitutional Law since its foundation from 1994 to 2008
- One of the founders of Toubkal Editions in 1985
- Founding member of the Association of North African Jurists.
- One of the founders of the Democratic Confederation of Labour in 1978
- Head of the Department of Public Law, Faculty of Law of Rabat in 1977
- Founding member of the Moroccan Association of Political Science.
- Member of the Administrative Committee of the Moroccan Labour Union 1973.
- Member of the National Union of the National Bureau of Higher Education from 1969 to 1974.
- Member of the Administrative Committee of the National Union of Popular Forces in 1968.
- Member of the Administrative Committee of the National Union of Popular Forces
- President of the National Union of Students of Morocco (UNEM) 1968
- In 1969 after becoming chair at the University of Law in Rabat he became a member of the National Office of the National Union of Higher Education, where he remained until 1974.
- President of the **National Union of Students of Morocco (UNEM)** in 1967
Committed personality Abdellatif Menouni is a member of numerous boards and is among the founders of the Democratic Confederation of Labour (1978) editions of Toubkal (1985), the Association of North African Jurists, of the Moroccan Association of Political Science. Abdellatif Menouni taught law in Fez, Rabat and Casablanca and the National School of Administration. In 2003, he participated in the commission to develop the project of autonomy for the provinces of the Moroccan Sahara. Member of the Equity and Reconciliation Commission from 2004 to 2006, he chaired the Moroccan Association of Constitutional Law. In August 2010, he joined the Advisory Board of regionalization.

Mennouni was appointed by King Mohammed VI on 9 March 2011 to chair the committee responsible for a major reform of the Constitution of Morocco. Five months later and after the new constitution of 2011 was adopted, Mennouni becomes Advisor to the king.

Abdellatif Menouni is the author of several publications: “Political Institutions and Constitutional Law”, “History of Political Ideas”, “The labour unionism in Morocco” and “The National Union of Students in Morocco”

Outside the actual members of IER and CCDH who were involved in resolving the issues of the Leaden years in Morocco through different working groups and committees, key personalities and royal advisors were directly influencing the process and constantly monitoring the work and findings of the IER. This is why it is important to give brief introductions of these behind-the-curtain engineers of IER and TJ in Morocco. 25

**Ahmed Herzenni**

Ahmed Herzenni is another example that showcases how the regime appreciates and uses intellectual elites and human rights activists to consolidate its position and legitimize its discourse. Ahmed Herzenni was born in 1948 in Guercif. He holds a post-graduate degree in Sociology from the Faculty of Arts and Humanities of Rabat and received a PhD from Kentucky in 1994 entitled “The Cultural Economy of Technical Innovation in Semi-Arid Rural Morocco”.

Amid his appointment by king Mohammad VI as Chairman of CCDH on 31 March 2007 the Moroccan daily “Aujourd’hui Le Maroc” (Morocco Today) published a short biography about him. They stated “he began his professional career as a teacher in secondary and high school (1971-1986)”27. Unless this happened during his jail sentence that started in 1972 and lasted twelve years and a half, which they dismiss, Herzenni could only have been teaching in jail.

Indeed, Herzenni had a busy career since his release from prison. After his PhD (1994), he trained as a researcher at the National Institute of Agronomic Research in Settat (1986-1995), then in Rabat and Settat (1997-2006). He also served as a professor at the university of Al

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Akhawayn University in Ifrane (1995-1996). He was director of the magazine “Al Muzari’ Al Maghribi” (The Moroccan Farmer). He became member of Party of the Unified Socialist Left (PGSU Parti Gauche Socialiste Unifiée) formed by his friend Mohamed Bensaid Ait Idder in 2002 and known since 2005 as the Unified Socialist Party (PSU). In 2001, he became a member of the Executive administrative committee of the international group on collective action and property rights until his appointment as member of the Board of education. In November 2006, he was appointed by King Mohammed VI to be General Secretary of the Supreme Education Council soon after receiving the 2005 FAO prize.

Herzenni held the positions of national and international consultant on agricultural issues, rural development, and management of natural and environmental resources, participatory approaches and was involved in training staff in the public sector. In addition he worked as a director of INRA magazine. He is an active member in the training and research units in the Faculty of Arts and Humanities in Rabat-Agdal. He is also a member of the Maghreb Network of the Social Sciences Experts, member of the Maghreb forum of Sociological Studies, the Scientific Committee of the Treatment of Results of the General Census of Population and Housing (2004), and member of the Scientific Committee of the 50 years of human development report in Morocco. Herzenni, held the positions of national secretary of “Citizen Call” (Appel Citoyen) and coordinator of the National Observatory of Democratic Transition and is the founder of the National Research Group on Local Democracy.

Before he rose to all these positions Herzenni was part of a dark phase of Moroccan history during the 60s and 70s. He was arrested in 1972 and spent twelve and half years in prison after being a key figure in a number of leftist radical groups such as Al Lajna Al Siyassiyya (part of UNEM in 1967), Al Shabiba Al Maghrabiyya Al Taqadumia (Moroccan Progressive Youth), Halakat Fas (The Fez Circle) and Group “B”. It all started amid the students’ uprisings of 23 March 1965. The popular anti-government uprisings by the Maoist students who opposed the Monarchy protested a sequence of events and governmental approaches. They objected to the 1962 referendum of the first constitution, refused the rise in the price of sugar, and criticised the directive from the ministry of education which excluded overage students from schools and universities. As a result many members of the National Union of Popular Forces (Union Nationale Des Forces Populaires) UNFP were arrested on the 16 July 1963. General Oufkir repressed the protests brutally killing over a thousand of students. Amid the disappearance of Mehdi Ben Barka (October 1965), many Moroccans became as dissatisfied with the regime as the students. “A number of People including Muhammad Al Habib Al Talib, Mustafa Masdad and Al Husayn Al Kuwar met in 1966 at one of the offices of the UNFP in Darb Al Sultan to organise. They decided to develop an alliance between students and workers and had members enrol in particular universities for explicit purpose.” After the UNFP split amid the uprisings disaffected UNFP members Organized in Casablanca, Fes and Marrakesh in the late 1960s. In Casablanca, a related group, Al Shabiba Al Taqadumiya Al Maghribiyya (Moroccan Progressive Youth) was organized by Ahmed Herzenni, Mohamad Dahbi, Mhammad Tirida and Muhammad Al Mahjubi in Mohammed V high school. In Fes they formed the Marxist-Leninist Organization called Halakat Fes (Fez
Circle) compromised of members of both the Casablanca and Marrakesh groups and included Hamama Bu Abid from *Hizb Al Taharrur Wa Al Ishtiraki* (Freedom Socialist Party). This group which included many former members of the National Union of Students of Morocco (UNEM) was centred around *Halakat Fes*, Mohamed Herzenni, Asidon, and Al Karfati. A number of students who returned from France after the French 1968 demonstrations started to collaborate with Herzenni to publish a report called *Ruba Shararat Al Ahraaqat Sahlan* (One Spark can Ignite a Plain).

In 1970 after the Rogers Plan (The Middle East Peace proposal regarding Palestine by the secretary of state on the 9th of December 1969) was adopted by *Hizb Al Taharru Al Ishtiraki* its members split from their leader Al faqih Al Basri under the leadership of Ibrahim Serfati and Abd Allateef Al La’ibi. A similar group in *Khenifra* called *Al Najm Al Ahmar* (The Red Star) was led by Muhammad Al Karfati who was in contact with Herzenni and who approached Abd Al Jabli and Bensaid to get them to join a clandestine group referred to as group “B” (1970). After a meeting in 23 March 1970 in Casablanca, these Marxist-Leninist groups decided to venture into a secret armed struggle so group “B” became *Harakat 23 Mars*. Later the same year a new group *Ilal Amam* was formed by Serfaty, Abd Alateef Al La’bi, Jamal Bel Lakhdar, Abd Lateef Zerwal and Hassan Ben Addi and was referred to as group “A” or *Mjmu’at Ilal Amam*. Group “B” attempted to organise militarily quickly but faced a wave of arrests thus many went into hiding. In 1972 Herzenni and others were arrested while the remaining formed alliances under leaders based in Algeria and France.  

**Omar Azziman**

Omar Azziman31 was born October 17, 1947 in Tetouan. He currently serves as an advisor to King Mohammad VI. Azziman holds many law degrees including a Bachelor’s in Law from Mohammad V University’s Faculty of Law in Rabat and a PhD in law from the University of Nice Sophia Antipolis in France. He started his academic career in 1972 at the Faculty of Law at Mohamed V University in Rabat, The National School of Public Administration (ENAP), The National Institute of Urban Planning and Development (INAU) as well as in the Military Academy. He taught abroad as well, notably at the Faculty of Law in Algiers, Tunis, Aix-en-Provence, Institute of the Arab World (IMA) in Paris, and Idli in Rome. Since 1996 he has been in charge of the UNESCO Chair for teaching, training and research in the field of human rights at the Mohammed V University and is a member of the Academy of the Kingdom of Morocco. Azziman has two publications in French; a book based on his PhD thesis called *Droit civil, droit des obligations* (1996) and *La profession libérale au Maroc* (1980).

In the 1990s Azziman led most of the judicial reforms foreseen by late Hassan II. In 1993, Hassan II chose him to lead the highly sensitive Ministry of Human Rights. By that time, Azziman had already had an impressive human rights record as the founding director of the Moroccan Organization for Human Rights (*Organisation Marocaine Des Droits Humains* - OMDH) since 1988. In the new reign of Mohamed VI he was appointed by the king on 10 December 2002 as a Chairman of the advisory board in charge of CCDH reform (the Aadvisory Human Rights Council). Between 1993 and 1995, Azziman served as a Minister Delegate for Human Rights in the governments of Prime Ministers Lamrani and Filali.

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31 Ibid, p. 74-5
Between 1997 and 2002, he served as a Minister of Justice in the Filali and Youssoufi governments. In April 1998, he headed a widely covered investigation inquiring into a case of corruption committed by 60 magistrates where he returned their cases for review to the Conseil Supérieur de la Magistrature (Higher Judicial Council, or CSM). When asked about the flexibility of the Department of Human Rights in Morocco he told Jeune Afrique in an interview:

“It was very tricky, because we had to defend human rights from within the state institutions. My idea was simple: spread the culture of human rights in schools, universities, the media ... By definition, it was a fleeting department and its sole purpose was to hand over the torch to civil society. Yet before moving to these actions, it was vital to address the big issues of political prisoners, disappearances ... I presented my roadmap to Hassan II and he said: “This is a very good approach, work in this direction.”

On 22 November 2004, King Mohamed VI appointed him Ambassador to Spain. In March 2007, he was named an honorary member of the Carlos III Foundation in recognition of his contribution to the agreement between Morocco and Spain. After six years of service in Madrid, Omar Azziman returned home to fulfil the next mission entrusted to him by the King. On 3 January 2010, he was appointed Chairman of la Commission consultative de la régionalisation-CCR (the Advisory Committee on Regionalization). After the Arab Spring and following the elections held on 25 November 2011 where Islamist Justice and Development Party won the majority, Azziman was appointed advisor to the Royal Cabinet. His latest royal appointment happened during the ceremony commemorating the 60th anniversary of the “Revolution of the King and the People” on 20 August 2013 where the King appointed him President-Delegate of the Higher Education Council. Azziman received many decorations and honours. In 1988 the republic of Portugal awarded him the Grand Cordon of the Order of Merit. In 1995, Mohammed VI decorated him with the Order of the Throne. In 1999 France honoured him with the Commander of the Order of the Legion of Honour and Spain decorated him with the Grand Cross of the Order of Civil Merit in 2000. In 2006 King Mohamed VI honoured him with the Alaouite Ouissam, a National Order of the Legion of Honour in Morocco.

Mounir Majidi

Mounir Majidi was born the 19 January 1965 in Rabat. He is the personal secretary of King Mohammed VI since 2000. Majidi is the son of civil servant who grew up in a low-income household and area in Rabat. He was chosen to be home-schooled in the company of the late cousin of the King Naoufel Osman, the son of Ahmed Osman and Princess Lalla Nuzha (Hassan II’s sister). In 1985, he moved to Strasbourg, France, to study computer science at the Louis Pasteur University. Upon graduation, he moved to New York where he completed an MBA in finance at Pace University. He returned to Morocco and worked at the

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Commercial Bank of Morocco, ONA and at the Caisse de dépôt et de gestion (CDG). In 1997, he founded First Contact Communication (FC COM), a billboard advertising company with its own-patented model of billboards.

Soon after his appointment by the king, he became the president of the royal holding SIGER which is owned by King Mohamed VI. The company owns Morocco's key investment companies such as the National Investment Company and les Domaines Agricoles which is the largest Agribusiness in the Kingdom controlling over 12000 acres of irrigated land. Majidi happens to lead the biggest business firms in the kingdom and is rumoured to have multiplied the fortune of the King. He is president of Maroc Culture, the organization behind Mawazine festival that receives vivid critiques by the Moroccan population as a corrupt institution.

Fouad Ali El Himma

Fouad Ali El Himma was born 6 December 1962, in Ben Guerir, Morocco. As a close friend and advisor to the king he is one of the most influential politicians in Morocco who benefited from being selected to form the class of then crown prince Mohamed VI a the royal college. As close friends they finished high school in June 1981 together and a degree in law from the faculty of legal, economic and social studies of Rabat in1985. Soon after in 1997 he became head of the court of the prince at the time and rose to the most powerful and sensitive positions in the kingdom. Once he became Secretary of State in the Ministry of the Interior in November 1999, he has played a distinctive role in the Moroccan State. In 2008, he founded the Authenticity and Modernity Party.

While the Prince was being prepared to become King Fouad Ali El-Himma finished in the same faculty a degree in Comparative Law in 1986 two Graduate Certificates (CES) in political science in 1988, and a degree in Administrative Sciences in 1989. At the same time he prepared a capstone on the finances of local authorities. El Himma performed for nine years in the Ministry of Interior from 1986 to 1995, at the side of the hand of steal of King Hassan II, the Minister of the Interior of Morocco at the time (1979 -1999) Driss Al Basri.

In 1992 he returned to his native region to present himself as an independent candidate in local elections and became president of the municipal council of Benguerir. He then presented no political party but became a member of Skhour Rehamna constituency (El province Kelâa Sraghna) Moroccan lower house in the 1993 legislative elections until 1997. In 1999 he became Secretary of State in the Ministry of the Interior for one year then a Minister Delegate to the Interior in 2002. In 2007 he resigned from the ministry of interior to run for elections in Rehamna collecting three seats ended up resigning from his political party creating a big ease among other politicians. El Himma Resigned from his Partisan work in 2011 as he became the King's consultant leaving the security services as well.

El Himma owns the firm MENA Media Consulting that collaborates with the Moroccan Ministry of the Interior for surveillance and intelligence spying over social media platforms. Just before the King’s visit to Spain in 2013 El Himma allowed the name of Daniel Galvin who was convicted with raping Moroccan children in the list of the Spanish convicts due for a royal pardon. Unprecedentedly the Moroccan society criticised the
king with anger putting him in one of the most difficult situation that he had to apologize. The Moroccan press reported that the king shouted at Al Himma stating that it was him who should spend the remaining 28 years that Galvin should have spent in jail.
Appendix 5: Discussion Guidelines for Semi-structured/Expert Interviews

(HREC 1443451.1 – English version – 15/11/2015)

- **Part A:** General attitudes towards the Transitional Justice experience in Morocco
- **Part B:** Evaluation of the Transitional Justice process in Morocco
- **Part C:** Attitudes towards IER 2 and the memorialization of the past in Morocco

**Part A: General attitudes towards the Transitional Justice experience in Morocco**

1. What do you know about the TJ experience in Moroccan?
2. What do you know about the Instance Equité and Reconciliation (IER)?
3. What other mechanisms were used besides the IER?
4. What was the role of the state in this IER?
5. How were IER commissioners selected?
6. How did the IER choose whose testimonies to include?
7. To what extent were the testimonies in the IER public auditions representative of the victims and types of human rights abuses?
8. To what extent did the IER have a representative sample of major events that triggered mass arrests and forced disappearances in the hearings (Rif events of 1956 – The failed coups of 1971/73 – the general strikes of 1981, victims from Western Sahara and Tazmamart)?
9. What was the role of the civil society in this Transitional Justice process?
10. Have you heard about the alternative truth commission initiated by the Moroccan organization for Human Rights (OMDH)? In your opinion, why was it established in parallel with the official truth commission (IER)?

**Part B: Evaluation of the Transitional Justice process in Morocco**

1. How do you evaluate the experience of the Moroccan transitional justice as a whole?
2. How do you evaluate the IER as a state-initiative to expose and document the truth about the Years of Lead?
3. How do you evaluate the alternative truth commission by the AMDH?
4. To what extent do you think Morocco achieved all the requirements of a complete and successful TJ, i.e. admittance of guilt, guarantee of non-recurrence, memorialization, financial reparation for the victims, reforms, etc.)?
5. What do you think of the mock tribunal held by AMDH against key wrongdoers? Who attended it and what did it accomplish?
6. What are the main complaints and issues voiced by victims and Moroccans regarding the IER?

**Part C: Attitudes towards IER 2 and the memorialization of the past in Morocco**

1. What do you think about the planned memorial sites and museums which will commemorate the Years of Lead?
2. In your opinion, what should be exhibited in these memorials sites/museums??
3. How did you select the sites to be converted into museums or memorials?
4. What do you think about the master degree set up by the IER 2 to teach students/Moroccans about their past? Who decided of its content/curriculum?
5. In your opinion, why are Moroccan police, judicial, and TV archives not accessible to the public? How can Moroccans know/learn about their past and Years of Lead in this case?
6. In your opinion, what do you think Moroccan youth should learn about the Years of Lead?
7. In your opinion, to what extent are people/teachers more willing to engage in a discussion about the Years of Lead?
8. In your opinion, to what extent did the transitional justice experience in Morocco achieve its aims of reconciliation, justice and memorialization?
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