



The political economy of transitional justice in Morocco: toward a social justice

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Abstract :

This paper aims to look at transitional justice in a large perspective beyond the truth commissions, trials and reparation. This analysis includes, on one hand, the nature of human rights abuses that were portrayed in the past and how they have been limited to some aspects in a way that narrowed down the abuses to only tortures, termination and arbitrary imprisonment. Despite the brutality of those acts that are unacceptable, there were some other abuses that are related to other human rights that were subject of a mass violation without being selected up to be part of the transitional justice (Hannah Franzki and Maria Carolina Olarte, 2014) such as economic crimes that restrains social justice. And on the other hand, it expands its analysis to the aftermath of this process. It aims to examine to what extent the Moroccan transitional justice was able to institutionalize a new approach of social justice that includes other rights, such as those related to socio-economic rights and well being.

Key words: transitional justice, social justice, political economy, socio-economic development, .

Résumé:

Cet article vise à examiner la justice transitionnelle dans une large perspective au-delà des commissions de vérité, des procès et de la réparation. Cette analyse comprend, d'une part, la nature des violations des droits de l'homme qui ont été dépeintes dans le passé et comment elles ont été limitées à certains aspects d'une manière qui a réduit les violations aux seules tortures, assassinat et emprisonnements arbitraires. Malgré la brutalité de ces actes qui sont inacceptables, il y a eu d'autres abus liés à d'autres droits de l'homme qui ont fait l'objet d'une violation massive sans être sélectionnés pour faire partie de la justice transitionnelle (Hannah Franzki et Maria Carolina Olarte, 2014) tels que les crimes économiques qui restreignent la justice sociale. Et d'autre part, il élargit son analyse aux conséquences de ce processus. Il vise à examiner dans quelle mesure la justice transitionnelle marocaine a pu institutionnaliser une nouvelle approche de la justice sociale qui inclut d'autres droits, tels que ceux liés aux droits socio-économiques .

Mots clés : justice transitionnelle, justice sociale, économie politique, développement socio-économique,



Introduction

In the context of the liberalization of the Moroccan economy, the problematic of fulfillment of socio-economic development still has a negative impact on the well being of a large part of the Moroccan population; they still suffer from the lack of opportunities to fully develop their capacities and to fulfill their potential (World Bank, 2018)¹. Even though the objectives of many adopted policies are the creation of conditions capable of eradicating poverty, the results remain limited². Despite the importance of the outputs of those policies, which manifest in the creation of institutions, law and organizations that have a role in the promoting of socio-economic developments, there has been a structural problem to spread the outcome to all the population.

To understand the roots of this structural deficit, it is necessary to read contemporary Moroccan history with an emphasis on political economy. The politics of the past was marked by a high tension between the different actors over political power. In the meantime, Morocco couldn't achieve a high level of socio-economic development. The actions taken in that period created an economic system that is marked by a low rate of growth and high social inequalities³.

Thus, the politics has changed considerably with more consent between different actors and the monarchy. Nevertheless, the output and outcomes of the policies of the past still imperil socio-economic development despite the change in policy making. In this context marked by a change in the role of the State in many levels, transitional justice was presented as a solution to correct the human rights violation of the past, and to eradicate its effects in order to move ahead.

Therefore, the way the Moroccan transitional justice is designed seeks to correct the course of action of the State in regard to the human rights abuses, and to end any political propaganda about what had happened, in order to move forward without being worried to look back at the atrocity of the past. From this point of view, the Moroccan process has not put as a goal the correction of distortions of socio-economic development. This problematic is related to politics and economy, which is not reflecting or taking in consideration in this process. However, solving those problems has been assigned to other developmental public policies.

In this perspective, the main question of this paper is to what extent Moroccan transitional justice contributes to support transition to a more developed country, in a way that guarantees the respect of fundamental rights, including socio-economic rights ?

The hypothesis of this research paper is that the Moroccan transitional justice is separated from developmental policies in a way that it excluded the social and economical rights from this process. Not considering the respect of human rights in its globalist approach during the transitional justice process explains the limits of this process to address the socio-economic issues.

Before outlining the argument in more detail, it is necessary to highlight three points: first socio-economic development is one of the priorities of Morocco. Second, there is a shift to more political liberties respect. Third, Morocco has adopted a liberal economy, even if the State still has power and control over all its components.

¹ Jean-Pierre Chauffour (2018) *Morocco 2040 Emerging by Investing in Intangible Capital* International Bank for Reconstruction and Development / The World Bank

² "In 2019, Morocco scored 0.69 in the Human Development Index (HDI), which indicated a medium level of development. From 2002 until this date, the country remained at the said stage of human development. On the other hand, Morocco registered scores of 0.53 and 0.54 in 2000 and 2001, respectively, which were indications of low human development". Mariam Saleh, May 19, 2022, <https://www.statista.com/statistics/1244435/human-development-index-of-morocco/>

³ Le **Rapport** sur « 50 ans de développement humain au Maroc et perspectives pour 2025 » 2004.



We begin our argument by distinguishing transitional justice as a field that is reduced to reparation of the damage of violation of human rights that begs a political change that aims for more security, stability and prosperity. Reparation has been historically individual, though of course, Morocco offered collective reparations. So, unlike a systemic political transformation, a systemic economic transformation is not envisioned or implemented. In contrast, there is a sort of separation between the political and economical sphere of transitional justice in Morocco. We illustrate the effects of this omission by discussing two examples. First, the political change was conducted in a continuous context of socio-economic development that still holds dimensions of conflicts, especially the question of the distribution of wealth. Second, the transitional justice process didn't include reparation of socio-economic injustices that consider economic dimension as part of social justice. At the end, we outline the solutions presented by Morocco to adjust the situation for more equity and social justice .

Part I: theorizing the political economy of transitional justice in Moroccan context

Transitional justice has gained an importance to correct the violation of human right abuses of the past, it includes a range of mechanism and institutions, including tribunals, truth commissions, memorial projects, reparations in order to redress for past wrongs, vindicate the dignity of victims and provide justice in times of transition.⁴

This part seeks to examine the political and economical context of human right violation, and how those rights were excluded from the transitional justice processes. This raises the questions: why are they excluded? Is it because of their high cost, or because of the change that could bring and that is qualified as a liberal economy and democracy, or are there other reasons? To begin this analysis, it is essential to present the evolution of political and economical context that was marked by the human right abuses and the efforts to correct them.

1.1 In the origins of human rights abuse and the adoption of transitional justice

parts of the violation of human rights in Morocco was portrayed during the three decades after the independence in 1956. This period was marked by the instauration of the Moroccan political and economical systems.

The new king Hassan II who just gained power after the death of his father Mohamed V in 1961, inherited a political and economic situation that wasn't easy after the independence of the country. Those times were marked by a political struggle between the monarchy and parties of the National movement which delayed the adoption of the first constitution and the organization of the first elections. This first constitution adopted in 1962 put the king in the center of political dynamics marked by a multiparty system, a year after the first parliamentary election was held . The result of the election showed that many parties such as the Istiqlal party lost popular support, this party accused the State of manipulating the election, this was the beginning of a stigma that marked all elections that came after. Then , the first Moroccan parliament was established, however The king was unsatisfied with its work, It was suspended in 1965, and the monarch monopolized all the powers. Running the country in this state of exception lasted till 1970, when he began a new opening to political parties. Meanwhile, two unsuccessful military coups (1971-72) tried to take over power. The aftermath of those attempts was marked by harsh political repression and violation of human rights. Those coercive measures of force lasted till 1990. During this period marked by political tensions, the socio-economic demand of the population degenerated to violent riots in many cases. The state dealt with it in an arbitrary way that was considered a violation of human rights⁵.

⁴Susanne Buckley-Zistel, Teresa Koloma Beck, Christian Braun and Friederike Mieth(2014) *Transitional justice theories: An introduction* Routledge, P:1.

⁵ the reports of IER, 2004



The beginning of the nineties was marked by a new politics. The importance of including the opposition in power is essential in this era marked by the liberal democratization of the world. No one wants to stand alone especially if you were in great need of help from the liberal democratic countries. The reforms of constitutions of 1992 and 1996 were conducted to facilitate the entrance of the opposition to government. In 1998, historical political opponent Mr Abderhman El Youssefi, condemned to death three times, was nominated at the head of government. A year later, the king passed away.

The new king Mohamed IV continues the strategy of elections to establish democracy, but this is not enough without popular legitimacy and an international good image. In that context, the strategies that work well are based on promoting socio-economic development and more liberties and freedom. Therefore, The atrocities of the past should not be a taboo anymore, or an obstacle to the democratization and the development of the country. It didn't take Mohammed VI long to announce the creation of the Instance d'Arbitrage Independante (Independent Arbitration Commission, IAI). There was an urge to finish with the heritage of the past to be able to move forward. Other measures had followed; a remarkable experience took place in a region that still finds it difficult to admit some of the basics of human rights. The IER was eventually created on 7 January 2004. It was more than an instance of political change. A change that was hard to maintain with the rise of Islamism and terrorism all over the Islamic world, even though Islamism was integrated in the government. Moreover, they were at the head of the government for ten years, this was done through elections surrounded by many guarantees to ensure its credibility. The Islamist party lost its electoral legitimacy in 2021. A new government took place; a liberal party led the government with a social discourse in a socio-economic development context weakened by the different crises and by years of muddling through policies.

thus, The new king still has to fight a roaring poverty. It is a multidimensional phenomena that entails multiple forms. It is not only reduced to low income but it concerns also the lack and inadequacy of public service, the exclusion from power, the absence of economic opportunities.

Thereby, He made from the fighting of poverty one of his mean concerns, and its ultimate objective is to provide the conditions that preserve the dignity of people. He has called for rule of law, development, equity and a modern society. His opponent is poverty and not political opposition. The openness of the sphere of decision it's not excluded to politicians but other components of civil society and ordinary citizens are endowed to participate in public decision making. It's a way to say that all Moroccans have a common destiny and they shall work as one to overcome the challenges that face the country, and that are directly affecting economic and social development. The decline of growth, the repeated drought, increasing prices of energy and food, the absence of social protection, poor access to basic infrastructure. The main solution adopted was the reform of state and the introduction of a new concept of authority that works to develop not to control or oppress.

1.2 In the origins of socio-economic distortions in Morocco

The post-independence conception of economy was marked by an intervention of the State in all its aspects. Even so, the regime in transition needs support and legitimating (Teitel 2000, de Greiff 2010). The economic arrangement was legitimized by political processes of election of parliament and local councils. In this context, the notion of democracy is reduced to a kind of electoral process which merely consists of institutional guaranteeing of socio-economic development. And to use less power, to do so, the economic policy is oriented to create more prosperity, at least temporarily to calm the tensions down. Nevertheless, the rising prosperity was incomplete. The nature of the Moroccan economy is marked by many distortions and



weaknesses, and also by state controls over many productive sectors, all these delivered a weak growth. This deprived Morocco from reaping the benefits of economic opportunities presented at that time. This was amplified by the lack of land reform, which decreased the egalitarian impact of weak growth. This led to failure to shift labor from agriculture to labor-intensive manufacturing.

Thereby, the Moroccan economy was in worse shape by the end of seventies and the beginning of eighties. The period marked by a high rate of violation of human rights. The State is aware that the violence is not a perpetual solution. The beginning of the nineties was marked by an adoption of more liberal economic policies. The regime started to rationalize its takeover as necessary to restore economic reforms. But a careful examination shows that from the perspective of prosperity and with regard to social justice, it was an incomplete success. The growth remains weak, the wages slow down, the borrowing abroad increases and the number of government agencies increase, and the part of the public economy sector increases. This crowds out the private sector dominated by the informal sector.

Judged by the standard of social justice the Moroccan social project was an unmitigated failure. The State attached priority to agrarian reforms, the peasants remain the defenders of the throne (Rémy Leveau 1985). Nevertheless the attempt of the State to count on support of rural areas, especially with the rise of tensions and manifestation in cities, by extending state corporatism into the area with high agricultural potential, especially creating offices and a large-scale expansion of rural credit. But its efforts were fundamentally contradictory, as it neglected smallholders and the landless, and no existence of a rural welfare program. This policy created a handful of powerful rural elites and a very large number of poor peasants.

In response to these distortions and the increase in public spending, and also to compensate for the drop in the price of the phosphate, the main natural resource that Morocco had, and to reduce the impact of oil shocks that occurred in the seventies, borrowing abroad was the easy option. This was followed with an expansion of State patronage of the economy, by the increase of government agencies and public administration in charge of the economy. The result was an unsustainable debt position and macroeconomic turmoil in the beginning of the eighties. The negative effects on social justice were manifest.

Moroccan economy was in a worst shape by the end of the structural adjustment program SAP⁶. The state rationalized its takeover to restore a more liberal economic market. In the event, the state committed a series of policies, notably the privatization. This encourages the private capital to invest in public enterprises. Even though Morocco was again on the verge of having a heart attack in the nineties (World Bank 1994). The structure of the Moroccan economy favored the corporatist model and monopolies which contrast with the market economy. The result is the privatization of public enterprise that presented only the burden of the State, and had kept what qualifies as strategic to the country, but in fact they had kept profitable monopolies such as OCP (Phosphate exploitation public company), ONCF (Train transportation public company)....

In addition, the public expenditure is unproductive, as it has a high opportunity cost for development. In particular, spending to keep political alliances by making big governments and to finance the State apparatus. These expenditures accentuate rent seeking and undermine the development. The output of this is more power concentrated in the hands of politicians and

⁶“ A structural adjustment is a set of economic reforms that a country must adhere to in order to secure a loan from the International Monetary Fund and/or the World Bank. Structural adjustments are often a set of economic policies, including reducing government spending, opening to free trade, and so on.” <https://www.investopedia.com/terms/s/structural-adjustment.asp>



bureaucrats. The outcome is macroeconomic destabilization characterized by high debt and low growth.

In this context, The fiscal policy is then used in advantage of the political agenda. The importance of this policy is to determine who benefited from the allocation of public money and who pay the tax to pay this expenditure. For that reason it becomes a battle ground that is invaded by politicians, bureaucrat that change favors by making coalitions.

The emphasis of the State on the economy is largely manifested in rent seeking, this unproductive practice constitutes a waste of a society's resources. However, what matters most is the use to which rents are put. The economic rents generated by state controls were mostly channeled into low value and uncompetitive sectors, thereby limiting diversifying and growing the economy. Instead of serving the economic development that generates growth and poverty reduction and macroeconomic destabilization.

Economic policy making illustrates the difficulties in stabilizing the economy, restoring growth, and reducing poverty. Morocco entered macroeconomic turmoil. Tough reforms should be applied to restore the equilibrium. Their cost is too high. It begins with budget cuts on social sectors (health and education).

In short, these examples illustrate the pernicious practices which need to be taken into account in the principals and practice of transitional justice, in order to prevent the resort of those pernicious economic behaviors in the future. This could be done by fighting corruption, strengthening the rule of law, and raising the possibility of effective accountability and oversight.

1.3 What can we learn from theories?

There have been many attempts to conceptualize transitional justice theoretically. However, the field can be characterized by a relative lack of political economy theoretical frameworks. This section tries to respond to this challenge by bringing together a range of different theoretical approaches which allow exploring and understanding the dynamics at work concerning the processes of transitional justice associated with the framework of political economy. The literature examined therefore features both normative and critical perspectives from fields such as economics, politics, public policies, public finance and sociology. In doing so, this paper not only emphasizes transitional justice but widens its reflection in an interdisciplinary way to capture a wide range of aspects and dimensions of transitional justice and its social, political, and economical implications.

Considering the importance of socio-economic development for many third world countries, transitional justice might be expanded beyond its original realm of punitive and establishing of Justice. Which has sparked a discussion on how transitional justice can be best connected to development (see Mani 2002; deGreiff and Duthie 2009). This both leads to important developments and at the same time poses new theoretical challenges. Yet, why do we need political economy theories of transitional justice?

The answer is to better understand what transitional justice is and how it functions. It might be simple answer but it enlarge the discourse used within transitional justice realm to include more abstractions, synthesizing insights, it is a way to form a new paradigm that conceptualize transitional justice by including a new discourse that takes the analysis beyond what Moses Chrispus Okello describes as limited language used to discuss the various processes and concepts at stake. He thus encourages 'going outside of the particular view of the world that created them in the first place' (Okello 2010: 277).



The following outlines theories which straightforward order and link between socio-economic development and transitional justice. I aim to group political economy approaches along transitional justice conceptual lines in order to map the subject and arguments of this paper.

The beginning of transitional justice is founded in a paradigm that begs for a transition toward a western liberal democratic political system, that takes into account the instauration of legal and political institutions. Thereby, the reconceptualization of the field started to shift toward a more broader demands of justice, accountability and political transition. It is the case of the peace versus justice trade-offs presented in influential articles by Guillermo O'Donnell and Samuel Huntington, canonized in Neil Kritz's seminal three-volume work, viewed the parameters of justice in times of transition to democracy as a function of a series of bargains between elite groups, with more or less justice available depending on the extent to which elite perpetrator groups were able to dictate the terms of the transition.⁷ In that perspective what is important is not the transition to peace but to adopt a liberal democratic political system.⁸

Louis Arbour evoked the discussion regarding the place of economic and social rights within the transitional justice enterprise⁹. Her arguments based on the indivisibility of human rights and that they mutually rely upon one another to function, and the exclusion of this right from transitional justice is implicitly suggesting that they are optional, it's a sort of an immunity gap for large scale-scale corruption and economic crimes (Rubne Carranza 2008). This led to the reduction of transitional justice to retributive dimensions, which exclude redistributive ones that it may carry as well (Rama Mani 2002). Furthermore, addressing only civil and political rights violations without dealing with economic and social inequalities is like treating the symptoms while leaving the underlying illness to fester (Lisa Laplante 2008). In that perspective, transition justice might be a conflict prevention tool rather than its conceptualization as a bridge from past to present or a way of memorialization (Miller 2008). Arbor emphasize the lasting effects of structural inequality engendered by active violation of their economic rights through displacement expropriation, and corruption elatedly, addressing economic violations may have more resonance for populations in conflict-affected countries, who also frequently live in poverty while those who have fomented conflict prosper¹⁰. This led her to conclude that violations of civil and political rights are intrinsically linked to violations of economic, social, and cultural rights.¹¹ Therefore the impunity in arena of violation of economic, social, and cultural rights contribute to continuing violations in another; after all the violent repression occur to ensure access to both resources and power so the abusers continue interfering in politics which deprive victims and the state of much-needed plunder resources (Carranza 2008).

⁷ Samuel P. Huntington, "The Third Wave: Democratization in the Late Twentieth Century," in *Transitional Justice: How Emerging Democracies Reckon with Former Regimes, Volume I. General Considerations*, ed. Neil Kritz (Washington: United States Institute of Peace, 1995), 65–81; Guillermo O'Donnell and Philippe Schmitter, "Transitions from Authoritarian Rule: Tentative Conclusions About Uncertain Democracies," in Kritz, *Transitional Justice*, 57–64

⁸ Naomi Roht-Arriaza, "The New Landscape of Transitional Justice," in *Transitional Justice in the Twenty-First Century: Beyond Truth versus Justice*, eds. Naomi Roht-Arriaza and Javier Mariezcurrena (Cambridge: Cambridge University Press, 2006), 1–8. See generally Kathryn Sikkink, *The Justice Cascade: How Human Rights Prosecutions Are Changing World Politics* (New York: W. W. Norton and Co., 2011) (discussing accountability in the context of prosecutions for human rights abuses).

⁹ Louise Arbour, "Economic and Social Justice for Societies in Transition," Speech at New York University School of Law (25 October 2006), http://www.chrgj.org/docs/Arbour_25_October_2006.pdf.

¹⁰ Susanne Buckley-Zistel, Teresa Koloma Beck, Christian Braun and Friederike Mieth (2014) *Transitional justice theories: An introduction* Routledge, P:1.

¹¹ Arbour, L. (2006) *Economic and Social Justice for Societies in Transition*, Centre for Human Rights And Global Justice Working Paper Nr. 10, New York, NY: Center for Human Rights and Global Justice , P4



Why then exclude socio-economic rights from transitional justice processes? The contrast is the exclusion begun with international ONG that advocate human rights, they have reduced them to violation of civil and political rights because they are more clear to spot, to determine and to fight. This will be easy to include in the actual form and mechanism of transitional justice processes. In contrast to socio-economic rights that are hard to isolate, to limit and to treat. Some human rights advocates find it difficult to make the case for economic rights purely as a matter of social justice in contrary of civil and political rights that are a result of discrimination or arbitrariness¹².

Part II: Exploring the political economy of transitional justice in Morocco

2.1 The political economy of the aftermath of transitional justice: what's done and what remains for a socio-economic development

Making clear the links between transitional justice and development requires the connection between two separated fields with different concepts. However, the task to erase boundaries between the two fields is not impossible; both are relevant to the social science realm that has as subjects the organization of human society. Even though there is a common ground to start with, a large number of countries with developmental challenges suffer from bounded social justice which could result in a high rate of human rights abuses.

Morocco is among those countries that faces those challenges. The development has two main problems: the first concerns the rate of growth that remains weak and the second concerns the distribution of the national revenue, or what we call the distribution of wealth. Each one has its specific causes and implication, and they also share common factors that contribute to their distortion. Let first start with the common ground of the two. Both the creation and distribution of revenue was under the control of the State after the independence, Morocco inspired from the French colonizer the way to capture the economy through the power of the State and public authority. This explains why the regulation of the economy is too high and it concerns all the aspects of productive sectors. The existence of a large public economy has evicted the private economy, the latest depends on how the State regulates the economy. It concerns mainly the nature of strategic priorities of the State that require public subsidies, tax exoneration and public infrastructure. This creates an orientation of private capital to a less competitive sectors which undermines productivity. The result is a low rate of growth. Concerning the distribution, the moreover margins are so narrow to satisfy all the needs of a growing and demanding population. Public policy making is characterized by incoherent action in a way that does not create a human capital capable of producing(worldbank,2018). These generalize inequalities.

this distorsion the economy affects the rate of economic growth.Morover, This could led to a diversion of the State finance away from pro-poor and development expenditure wich undermine social justice and aggravate poverty. The negative economic impact results in social fallout which could generate conflicts and human rights abuse.

This attempt to broaden the scope of transitional justice by including social and economic justice is due to the absence of economic crimes and socio-economic development as an essential dimension of transitional justice in Morocco. Parts of the violation of human rights occurred after the protests against the rise of cost of living in the eighties and nineties(IER,2004). However, the question is how to address socio-economic problems of past policies while we still operate under the same institutions that have contributed to create them? Historical institutionalism emphasizes that the effect of the politics and policies of the past still has an effect even after the post-political reforms. This reasoning is applied largely in the

¹² Kenneth Roth, (2004): “*Defending Economic, Social and Cultural Rights: Practical Issues Faced by Organization,*” *Human Rights Quarterly* 26 63–73.



context of Moroccan transitional justice. Despite what we might hear of what has been achieved, the development stills a challenge for Morocco. The unequal distribution of resources and poverty persist, and though they could still root many conflicts.

Thus, The exclusion of economic rights marked the transitional justice in Morocco. The fact that economic matters are marked by conflict of interests creates tensions and conflicts. Moreover, The rise of democratic liberal system puts in danger the profits of politicians and bureaucrats that support rent seeking, corruption and a crony economy. Thereby, Addressing these issues and including them into transitional justice, it could contribute to the building of a solid foundation for the future based on the rule of law. However, It is imperative to see how best to equip a country to redress often deep-seated social and economic inequalities (Arbour 2006).

Moreover, transitional justice is not only a transition from an authoritarian regime to a more democratic one, but it could be a transition from an underdeveloped economy to a more developed economy. To switch to a more prosperous state, changes must occur on many levels, it starts first with democracy. However, the democracy is only used to promote stability, it based on a minimalist institutional site design (Gills et al 1993) that define democracy in strictly procedural terms: secret and universal vote, regular elections, free competition of political parties, and the right to create associations and join them (O'Donnell and Schmitter 1986: 22; see also Linz 1996: 17).

In that perspective, The constructivist effects of transitional justice to build a solid foundation to promote socio-economic development is limited by the political arrangement to rescue the role of institutions, structures and agencies in granting stabilities and status quo because it would put in danger the economic interests.

2-2 The road not taken: the socio-economic development

In Morocco, the exclusion of the economy from the transitional justice process is manifest. Thereby, we argue that conceptualization of this process narrowed the transitional justice to political change that favors certain political assumptions and marginalizes others. Subsequently, we situate transitional justice into societal projects that are envisioned through its discourse. Though, to question the political economy of transitional justice discourse is moving toward a societal reconstruction by passing through the origins of struggle for justice, which concerns also the structure of the Moroccan economy.

In the following section we develop our counter argument, that the notion of transition justice is political in that it reduces the problem of injustice to the violation of human rights, thereby barring questions concerning socio-economic development from transitional justice and marginalizing claims for social equality. If transitional justice does not embrace claims for social justice to counter the effects of neo-liberal policies implemented in the course of transition to democracy, it undermines its aim of democracy (Moving ,2009).

Yet as atrocious as these violations of human rights are, the economic fallout has a greater human effect, given the number of people impoverished by lack of equal wealth distribution mechanism; through policies that control the economy more than correcting the distortions of the market. Thereby, labor bore the brunt of the crisis more than capital. In consequence, low-income households suffered the largest drop in income, and many of the well-educated young people were also pushed into unemployment, the middle class suffered from the rise of tax and increase in revenue, due to the inflation and recession, and many social classes were drawn to poverty.

Even though, The economic strategy was based on an economic choice that varied from market liberalism to State planning, and while these strategies sometimes delivered economic



success, economic failure was more common. This economic structure created under political hegemony created a distorted economy and high inequality. Distortions that Morocco still finds difficult to change. social injustice was manifest but challenging. Moreover, patterns that include rampant cronyism and corruption could threaten the normal function of institutions, which would endanger the political scene with the rise of social protests and instability. As a consequence, the State suppresses the opposition, sometimes violently. It included in addition to political parties of opposition, organized working class, and student body.

Though, the correction and reparation of violation of socio-economic rights is achieved by development, The existing links between transitional justice is advocate by Roger Duthie¹³. argues, a holistic approach to transitional justice is not limited to truth-telling, prosecutions, and reparations, but operates in a larger peace building context and should thus include institutional reforms as well.¹⁴ Duthie argues the most obvious way in which this might be done is to address “development-related” issues, such as economic crimes and violations of economic rights, along the lines of processes outlined above (through truth commissions and reparations), as well as through the prosecution of economic crimes. In other words, the transitional justice process should include both a hearing of economic crimes and then systemic economic reforms as recommendations, which will change the entire economic system of a country.

However, redressing socio-economic issues by transitional justice raises skepticism about its effectiveness. adding economic crimes to the mandates of truth commissions or to the charges in criminal trials may overburden the transitional justice processes¹⁵(de Greiff 2012). Further the transitional justices won't be in a position to present recommendations and solutions to redress the socio-economic and development concerns(Lars Waldorf 2006). Thus, Morocco has chosen to follow another road that targets directly the socio-economic issues through developmental and social policies that are included in incremental change that is operating on many levels.

2-3 Toward systemic socio-economic development

In that perspective the factors that hold elements of prosperity contain at the same time the ingredients of a risky failure. The policies that do not take on consideration those risks during policy making and only seeing the opportunities that lie ahead may compromise the achievement of socio-economic development.

It is the case in the conduct of many policies. Moroccan society is characterized by three fundamental, potentially positive trends that will affect the country's future: a demographic dividend, urbanization of society, and higher levels of education.¹⁶ However, the economic policies and the structure of the economy limit the benefit of the demographic dividend, the urban policy limits the expansion of many productive sectors, and creates cities of low quality condition of life with a higher cost. concerning education ,public policy that promotes generalization of schooling is realized without quality and without value to the labor market.

Thereby, the best reallocation of labor and capital to the most productive sectors and activities are capable of achieving more productivity gains and to lead to structural

¹³ Roger Duthie, “Toward a Development-Sensitive Approach to Transitional Justice,” *International Journal of Transitional Justice* 2 (2008): 292–309; Pablo de Greiff and Roger Duthie, eds., *Transitional Justice and Development: Making Connections* (New York: Social Science Research Council, (2009).

¹⁴ *Idem*, P45

¹⁵ Pablo de Greiff, “Articulating the Links Between Transitional Justice and Development: Justice and Social Integration,” in de Greiff and Duthie, eds., *Transitional Justice and Development*, P 40

¹⁶ Jean-Pierre Chauffour (2018) *Morocco 2040 Emerging by Investing in Intangible Capital* International Bank for Reconstruction and Development / The World Bank p94



transformation of the economy (McMillan and Rodrik 2011). This is not a goal of itself but a means of achieving socio-economic development objectives and improving the standard of well being of the population in a more equitable and sustainable way. To achieve those goals, a transformation of institutions and policies is crucial to an economic growth that does not lift people out of poverty, but also increases the incomes of the poor proportionally to the GDP growth. Thereby, promoting shared prosperity (Dollar, Kleineberg, and Kraay 2013).

The beginning of a new paradigm.

The notion and practice of socio-economic development has been proclaimed as an official aim of the State and government in Morocco. In the face of these challenges, transitional justice and development attempt to foster systemic changes, or at least to create the possibilities for those changes to take place. When speaking of systemic changes we refer to profound transformations of social organization and, ultimately, of the mechanisms and basic social arrangements by which society reproduces.¹⁷

The link between the two can be integrated in a social protection public policy as a way to reverse long standing and interrelated injustice. But to succeed the policy measures need to be embedded to draw a coherent framework with other policies, especially economic ones. Not only to provide the funds needed to conduct budget consuming public actions such as protection social policy but also to fund economic development that is capable of reducing the number of people in need of public aid.

In this perspective, social protection policy is not limited to a short period of time as the traditional transitional justice, but it is a continuous integrating process that is sustained by a long term approach. However the choice of measures to implement should be capacity development oriented and not limited to charity acts. The first is able to reduce inequalities by attacking its origins, while the second tries to cover its symptoms without presenting an alternative solution to eradicate them. This requires a new way to think about the economy in Morocco, in a way that limits labor from bearing the burden of crisis. The key success is a quality employment generating economy that goes with increasing income. This led to reducing the need for conflicts that end up with human rights violations.

¹⁷ Rolando Ames Cobián and Félix Reátegui (2009) *Toward Systemic Social Transformation: Truth Commissions and Development*



Conclusion

We have witnessed the discovery of forgotten aspects of the traditional transitional justice processes. In this paper, I examined some of the implications of that forgetting. To show that the socio-economic problems contributed in the violation of human rights, furthermore the forgetting aspects of transitional justice resulting from the public policies making have seriously damaged our understanding of the foundation of transition. In that sense, the continuation of the same institutions to determine the policy making flounder the socio-economic development.

Of course, I cannot present all alternatives and implications of those factors, or even a significant number of them. Instead, I concentrate on those I consider to be the most important and revealing. Especially the interrelations of economics and politics. I shall admit that these interconnections are deep and complex and they are not receiving much attention by political analysts and scholars in Morocco. Even though Economic system depends largely on the state that is deeply influenced by the political framework and by the practice of law.



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