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Traditional Village Councils, Modern Associations, and the Emergence of Hybrid Political Orders in Rural Morocco

SYLVIA I. BERGH

This essay aims to emphasize the relevance and analytical usefulness of the concept of hybrid political orders with regard to a state and a society that is neither in a post-war nor peace-building situation. Rather, the case of rural Morocco illustrates how hybrid political orders emerge over time, in the context of post-colonial state-building in general, and in the context of decentralization reforms, the proliferation of participatory programs, and the growth of “civil society” in particular.

Before the French protectorate (1912–1956), Morocco was subjected to the authority of the King (then called the Sultan) and his administration. This administration ruled over about 600 Arab and Berber tribes through a hierarchy of “agents of authority” (*agents d'autorité*). These tribes, in turn, had their own modes of governance, which took the form of the *jema'a*. This was an assembly presided by an elder, the *amghar*, and which was elected regularly. These assemblies existed at three levels: the village (*douar*), faction, and tribe, with each level composed of representatives of the lower level. The *jema'a* at the *douar* level was the most active and managed economic activities such as irrigation, settled conflicts, and served as intermediary between the population and the *agents d'autorité*.

During the French protectorate, the Native Affairs system (*Service des Affaires Indigènes*) succeeded in penetrating local tribes and gradually incorporating them within the colonial system. This was achieved by repressing the nomadic tribal practices, land expropriation and privatization of collective lands, taking control of local markets, and making the *jema'a* elders (*imgharn*) permanent officers of central government.

After independence, the newly created Ministry of the Interior built on the previous system of *agents d'autorité* (although the actual

incumbents were now Moroccan government employees) and established a single chain of command in the tribal areas. In this way, the whole tribal system (and 36,000 villages) was drawn into the arena of national politics.

Similarly, in 1957, in order to create electoral districts for the first elections of independent Morocco, the Interior Minister appointed an Itinerant Commission to set up proper rural municipalities or *communes*. An important rationale was to achieve economic viability as a framework for local government, and to substitute the *commune* for the tribe as a focus of local loyalty. Yet in the first communal elections held on May 29, 1960, the old rural elites seem to have kept their audience. The candidates sought the endorsement of the *jema'a* before officially declaring themselves candidates, and many of the pre-Independence *agents d'autorité* were elected.

In the decades that followed, the decentralization process continued, with local governments being given increasing administrative, fiscal, and political autonomy. In parallel, and with the adoption of structural adjustment policies in 1983 that led to economic liberalization and the withdrawal of the state, the government began to explicitly call on the emerging civil society organizations to take over some of its tasks in order to stem the rise in poverty and fall in human development indicators. Social development became a government priority in the 1990s, and as in most developing countries, international organizations started to insist that nongovernmental organizations (NGOs) be associated with their projects, or even implement them.

A series of (government and donor-funded) national rural infrastructure programs was launched in the 1990s, aimed at the provision of electricity (PERG), drinking water (PAGER), and roads (PNRR), as well as education and health facilities. For the first time, such programs were based on the notion of partnership between government administration, local authorities, and beneficiaries. Cost-sharing dominated the rationale for such partnerships, however, and participatory techniques were used as a means to gain the adherence of the population rather than as a *modus operandi*.

At the same time, more localized projects, especially those implemented by the Water and Forest authorities in the area of watershed management, sought to achieve community-driven development. At the core of these projects was the formulation and implementation of community development plans, mostly focused on a village or *douar*. Other participatory approaches were tested in the irrigation sector by establishing Agricultural Water User Associations,

and in the rain-fed sector through fifty Rainfed Agriculture Development Projects (*Projets de mise en valeur en bour*).

Building on these experiences, a plan to eliminate rural poverty by 2020—the “2020 Rural Development Strategy”—was adopted in 1999. In the Strategy, broad-based rural development is identified as the key to sustainable rural poverty alleviation. The participation of all development stakeholders is among the Strategy’s guiding principles. Following on from the Strategy, the Ministry of Agriculture and the Water and Forest authorities are implementing a series of integrated and participatory rural development programs targeted at disadvantaged areas, with funding from multilateral and bilateral donors.

In terms of their methodology, participatory approaches to rural development channel project funding or capacity-building investments directly to communities. Participatory methodologies frequently promote the creation of more formal “community” organizations so as to transform the “participants” into more institutionalized “partners” or “stakeholders” in the project. Such organizations are commonly referred to as Community Based Organizations (CBOs). They can vary in their degree of formality, depending on their legal status, formally stated rights and responsibilities, and their governance structure for recruiting members, selecting leaders, and conducting affairs.

In Morocco, the notion of association in the modern sense was introduced by a royal decree (*dahir*) in 1941. It allowed only the French settlers to create associations and prohibited Moroccans from doing so. Only the Law on Public Liberties of 1958 (which was, in turn, largely inspired by the French law on associations of 1901) accorded the right to associate to everyone. It defines “association” as the “agreement by which two or more persons pool their knowledge or activity in a permanent manner for a purpose other than sharing profits.” The 1958 Law was amended by the *dahir* of April 10, 1973. Because many members of the underground leftist political opposition had found refuge in associations, the 1973 *dahir* gave significant powers to public authorities to sanction and dissolve associations.

After intense lobbying by civil society, the parliament approved a new law on associations on April 11, 2002. This new law strikes a balance between an opening up toward civil society and the maintenance of “soft” state control. Although it is easier for an association to be considered legal, the law introduced some additional bureaucratic control measures and gives a substantial role to the *caïd*.

Having briefly reviewed the history of social organization and the emergence of modern formal governance structures in rural areas in Morocco (both in the form of *communes* and associations or CBOs), I

turn now to an exploration of how these structures interact with the indigenous informal societal forces such as the *jema'a*, and give rise to hybrid political orders.

Drawing on doctoral field research in the High Atlas mountains during 2005–2006 (in Al Haouz province near Marrakech), I find that the number of associations in this region has increased dramatically over the last decade. According to official sources, in 1997, there were only three associations, while in 2006 there were 1400. This growth can be seen as a local reflection of the national and donor dynamics described earlier.

The most famous of the village associations in the province is that in the village of Aït Iktel in the commune of Abadou. The *Association Aït Iktel de Développement* was founded in 1995, following a successful drinking water project. The association actively encourages the contributions of its internal and international emigrants, and emphasizes the principle of equity in access to basic infrastructure. Apart from drinking water provision, its projects include the construction of irrigation canals, electricity supply, health dispensary upgrading, informal schooling, and the construction of boarding houses for children near the commune's secondary school. For the latter, the association was awarded the Aga Khan prize for architecture in 2001. Most importantly, the success of this association can be largely attributed to the successful re-adaptation of the role of the *jema'a*, the traditional village council. This was done by taking into account the growing influence of emigrants, women, and youth, as well as preserving its main operating principles: information sharing, decision making by consensus, and the inclusive nature of the projects. Of course, the association's reputation and human resource base facilitate access to funding, and the relationships with the authorities and provincial ministerial delegations.

This example illustrates very well the common argument that the local associations in rural areas are a natural extension of the village *jema'a* and other traditional practices of solidarity. The remarkable associative dynamic in the remote villages of the Souss region is attributed to the survival of the (mostly Berber) communal traditions of mutual help and solidarity (for example, *twiza*, mutual help with agricultural work; *agadir*, collective storage facilities; and the *ouzi'a*, the collective purchase of livestock).

As in the time before the French protectorate, the *jema'a* is still commonly defined as the group of (older) men who make up a restricted but permanent council (whose membership in meetings, however, can vary according to the tasks at hand), based on the lineage

structure of the village. It organizes collective works or those of public interest (for example, the maintenance of irrigation canals and the mosque), settles disputes, and takes on various ritual functions. Petrzalka and Bell show that forms of solidarity can change from one village to the next; for example, it is possible to find *twiza* (generalized reciprocity; exchange without expectation of direct equal return) in one village, and direct reciprocity (expectation of equal return) in another.

There are also some myths surrounding the *jema'a* as an institution. First and foremost is the erroneous notion that it is egalitarian. As Hassan Rachik points out, the *jema'a* is nothing but the political manifestation of the power structure that prevails in the group in question. Second, such social structures, while reassuring for their members and protecting the individual, can be very constraining, leaving little room for personal initiative and self-fulfillment. This is related to what Michèle Kasriel calls a “permanent auto-censure,” given that each individual lives continuously under the gaze of the group. This stands in contrast to the Western understanding of associative action as a personal, voluntary effort that one freely consents to.

Nevertheless, the relationship between the association and the *jema'a* is important for the level of participation that villagers are ready to engage in. My findings show that where the association and the *jema'a* work closely together, such participation is easier to obtain. Examples of popular participation in association projects include contributing land (for tourism lodges), manual labor, transport of materials, and local building materials such as sand—all to be used in the construction of mosques, drinking water networks, and dirt tracks.

Indeed, for many association members, the association is playing the same role as the *jema'a*, but has the advantage of being a legal entity now. As one member put it, “The association is like a developed form of the *jema'a*.” This legal status is needed in order to implement government- and donor-funded (“participatory”) projects. As another interviewee said, “Even the government administration won’t talk to you if you don’t have an association in your village. If they have a project to give to a village they always want to communicate and work with an association.” In many cases, however, the village’s informal rules prescribe that the association must invite members from the *jema'a* when holding discussions about such projects. This can be seen as an attempt to preserve the advantage of the flexible membership that characterizes the *jema'a* (where members were selected according to the nature of the issue at hand) in the new formal forms of association with fixed committee positions. The strong linkages between the *jema'a* and

associations also explain why most associations are only interested in developing their own village and are fiercely guarding its “sovereignty.”

There are indications that the new forms of associations have a negative impact on the old traditions of solidarity (such as *twiza*). “There is no longer this sense of *twiza* after the creation of the association; now when you ask them for something they say ‘you should ask the members of the association committee.’” Similarly, as the founder of another association explained:

Before creating the association there was a sense of teamwork in the *jema'a*; the people made groups for *twiza*, etc. [...] Before, there was a sense of solidarity, for example to collect money and they did not have this fear; but now when you ask someone for 10 Dirham [approximately 1 Euro] they won't give it to you because they have doubts; you always have to tell them what it is for. This way the people become obstacles for the work of the association.

This mistrust also means that the population is much less willing to work for free, and thus expect the association to pay them.

The relationship between the association and the *jema'a* can be further complicated by the rumors of big sums of money that come with donor-funded or government projects and whose disbursement methods are not transparent, at least not for the villagers. This can lead to the committee members of village associations being accused by the *jema'a* of embezzling project funds for their personal profit. In some cases, the rift between the association and members of the *jema'a* stems from the belief—often justified—that the association was created for political reasons. That is, that the presidents of such associations use them as platforms to mobilize electoral support among the beneficiaries.

Linked to this issue of trust is therefore the extent to which the general population understands the concept of association. Some presidents complained that the lack of cooperation between the *jema'a* and the association is due to the *jema'a*'s lack of awareness of the purpose of an association. “Once the association was created they [the *jema'a*] thought that it will do something right away but they never joined the association—they don't know what it means.” As one president pointed out, however, “the association cannot right away take over from the *jema'a*,” and the process of building trust and understanding is slowly taking place.

Indeed, several associations found that they first had to educate the population about what an association is or does. The first successful project or simply holding open elections are also seen as good ways to

gain people's trust. Some projects promote the use of "village committees," which essentially represent the *jema'a* of the village as a first step toward becoming an association.

The *jema'a* is thus still very much present behind the façade of the formalized village associations. According to an official at the Ministry of Agriculture, the head of the *jema'a* sometimes becomes president of a new Water User Association, but in any case, the *jema'a* is always there behind the scenes. As he expressed it, during his visits, "it is the paper that speaks but when I'm gone it is the *jema'a*." The fact that some associations have their offices located inside the mosque—where the *jema'a* usually meets every Friday—illustrates well the strong linkages and overlaps between the new, modern forms of governance structures and customary authority.

There are also cases where the association and the *jema'a* do not have any links at all, such as when the association is inactive or has different objectives from the *jema'a*. Another potential reason for the lack of any relations is the age and generation gap. In some villages, it seems that the association was founded by the youth who want to implement "modern" ideas and who see the members of the *jema'a* (representing the older generation) as responsible for the underdevelopment of the village. In one case, the village association was founded to right a wrong that the *jema'a* (the older generation) had committed, namely having been tricked into giving away a piece of village land to an NGO for the construction of a tourist lodge without ensuring a fair share of the tourism profits in return.

The findings presented here confirm the typology outlined by Aziz Chaker, who describes three types of relationships between *jema'as* and the associations. In the first case, the association is subservient to the *jema'a* and, in many cases, the members are present in both entities. Here, the concern for representativeness overrides the need for professional competence or operational effectiveness. In many such cases, the association's decision making is slow and it becomes more of a modern instrument that reproduces the traditional norms rather than a tool to promote social change. In the second case, a younger generation is pushing for change but is still taking into account the existing balance of power. Hence, in a transitory phase, they may include some members of the *jema'a* in their committees who play the role of intermediaries between the two entities. This facilitates the exchange of information and mobilization, as well as the acquisition of land for the association's projects, although there is the danger that conflicts and traditional antagonisms in the *jema'a* are exported to the

association. Finally, relationships between the association and the *jema'a* can be hampered by mistrust.

My findings on the internal governance mechanisms of the village associations also point to the often very strong links with the *jema'a*. It proved to be difficult to establish whether a committee had been elected or appointed. Mostly, it seems the committee members were chosen in a process called *taradi*, or mutual consensus, by the *jema'a* of the village. In only very rare cases were the committee elections restricted to votes by the paid-up members.

Indeed, the concept of “membership” in an association is not well-anchored in local practice—almost 40 percent of the 50 associations in the sample do not have any ordinary members, and women are absent almost completely, both as committee and ordinary members. Many association presidents affirmed, however, that “the whole village” is a member, pointing to the strong identification with the institution of the *jema'a* in which each lineage is represented.

In general, if we assess the formal associations according to “Western” definitions of developmental activity, or of good internal governance (record-keeping, regular meetings and elections, membership, accounting systems, and most important of all, maintaining the divide between “civil” and “political” societies), we come to rather sobering conclusions: a considerable proportion of associations are inactive and only exist on paper, internal governance is weak, and the associations are for the most part run by (aspiring) politicians.

To conclude, I would argue that by focusing on the “modern” formal institutions, we miss out on an opportunity to fully understand the dynamics of customary institutions, and how these two interact to lead to the emergence of hybrid political orders. If we understand such orders, we may also be in a position to develop “hybrid” solutions: formalizing the management procedures of associations and making them transparent to the communities at large but in a way that preserves the organizational fluidity that characterizes the *jema'a*, and most importantly, does not undermine traditional forms of intra-village solidarity.

The evidence presented here also shows that the customary institution of the *jema'a* still determines, to a large extent, who can claim legitimate leadership in the “modern” spheres of both “civil society” (committee members of village associations) as well as “political society” (political councilors). Central government and donors would do well to heed this fact when promoting “participatory” programs and decentralization reforms.

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