MOROCCAN ISLAM: BETWEEN INVENTION AND REALITY—

ANALYZING MOROCCO'S DISTINCTIVE RESPONSE TO RELIGIOUS

EXTREMISM

by

MOUAD FAITOUR

(Under the Direction of Kenneth Lee Honerkamp)

ABSTRACT

This dissertation thesis examines Moroccan Islam in response to religious extremism. The primary focus is on the Moroccan state's efforts to revitalize the key religious constants (*al-thawābit al-dīnīyyah*) integral to traditional Moroccan Islam, namely the Mālikī school of jurisprudence, the Ashʿarite doctrine of theology, and the path of Sufism of Imam al-Junayd al-Sālik al-Baghdādī (d. 298 AH/ 910 CE). While focusing on Morocco's religious model in its fight against religious extremism, part of this research serves as a critique of Edmund Burke's *France and the Invention of Moroccan Islam*, in which he claims Moroccan Islam was merely an invention of the French during the 1912 protectorate. The study refutes Burke's argument by examining the reception history of a three-hundred-year-old didactic text by ʿAbd Al-Wāḥid ibn ʿĀshir (d. 1631), which defines the three components of traditional Moroccan Islam influencing Moroccans' self-perceptions for centuries. Additionally, the study argues how Morocco's approach to combating religious extremism differs significantly from other states in the MENA region. The study also highlights the criticism of these reform measures.

INDEX WORDS: Moroccan Islam, invention, realty, Ministry of Endowments and Islamic Affairs, *amīr al-mu'minīn*, Sharīfīyyan lineage, Sufism, religious and gendered reforms, religious extremism, jihad, moderation, MENA region.

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CHAPTER ONE

INTRODUCTION

The policy for which we have opted in Morocco consists in consolidating a democratic approach allowing for the modern management of the affairs of the Moroccan people in a way that is fully consistent with the teachings of our glorious religion.

His Majesty Muhammad VI, in his address to the First International [Sufi] Conference on Sidi Chikr, Marrakesh, September 10, 2004

Morocco's approach to harmonizing religious values of moderation, tolerance, and openness with its democratic orientation is a testament to the nation's commitment to building a modern society that retains its rich religious heritage. This balance has been a cornerstone of Moroccan identity since the formation of the state in the early medieval period. Moreover, Morocco's dedication to the tolerant teachings of Islam, promoting peace and coexistence, has been emphasized through its religious policies, especially those implemented in response to the 2003 Casablanca bombings.

Morocco has experienced several terrorist attacks, commencing with the incident in Marrakesh in 1994, followed by the Casablanca attack in 2003, subsequent assaults in 2007, another bombing in Marrakech in 2011, and culminating with the tragic murder of two young Scandinavian women, tourists, on Mount Toubkal in 2019. The initial attack occurred in 1994 at the Atlas Hotel in Marrakesh. This tragedy unfolded during the reign of the previous King Hassan II, at a time when geopolitical tensions between Morocco and the Polisario Front were at their peak. Morocco attributed the attacks to the Algerian intelligence services. Consequently, the borders between the

two countries were closed, and entry visas were mandated. Diplomatic relations between the two nations have remained strained ever since.

However, the subsequent attacks in 2003 took place four years after King Mohammed VI ascended the throne, succeeding his father in 1999. These events unfolded against a backdrop of escalating global religious extremism, particularly following the September 11, 2001 tragedy, which catalyzed the onset of the 'war on terror'. Before the 2003 bombings, there was a strong belief within the Moroccan state that it was immune to the religious fanaticism affecting parts of the Middle East. Mohammed El-Katiri, a senior researcher at The Hague Institute for Global Justice, underscores that "the atrocities of these terrorist attacks came as a shock not only to the Moroccan authorities but also to ordinary Moroccans, challenging the complacent belief that Morocco was safe from Islamist political violence and extremist ideologies preached by Al Qaeda and similar radical groups".[1] These attacks were carried out by local extremist groups, stemming from economically disadvantaged and less-educated communities, who had declared loyalty to militant organizations like al-Qaeda.

The 14 suicide bombers responsible for the deaths of 45 people in Casablanca in 2003 hailed from a marginalized neighborhood in the Sidi Moumen area[2] in Casablanca city. This locality grapples with rampant poverty, illiteracy, high unemployment rates, and widespread crime. This neglected section of Casablanca is commonly known as the "Pit" or *al-Ḥufrah* in Arabic. Daily life for its residents is a continual battle for basic survival. The area is infamous for its slums that cluster around a massive pit, leading to the neighborhood's colloquial name 'the caverns.' In

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[1] Mohammed El-Katiri, "The Institutionalization of Religious Affairs: Religious Reform in Morocco," *The Journal of North African Studies* 18, no. 1 (2013): 56.

[2] Sidi Moumen is an arrondissement and northeastern suburb of Casablanca, in the Sidi Bernoussi district of the Casablanca-Settat region of Morocco.

discussions about Nabil Ayouch's film 'Horses of God,' Mustapha Hami, an Associate Professor at the University of Windsor, affirms that "all five terrorists in the film come from the same slums of Sidi Moumen which is home to more than 150.000 residents who lead a miserable life in tin-roofed shacks without electricity, running water, or modern sewage disposal. Aerial shots show the slums sitting atop a garbage dump where boys play soccer all day and engage in fierce scenes of extreme violence."[3] This depiction of the area is accurate, as I have personally lived in Sidi Moumen for almost three decades and visited the affected area on several occasions. A brief stroll through the grimy, narrow alleyways of the shantytown of *al-Ḥufrah* unveils the stark poverty and marginalization experienced by its inhabitants. "This marginalized area, housing the lower classes and even stray animals, suffers from inadequate infrastructure and social as well as economic fragility."[4] This area still endures poor living conditions, a situation that has remained unchanged for over two decades since the terrorist attacks.

The neglect of its citizens by the government has had a lasting impact on the area. As Moroccan journalist ʿAbd al-ʾIllāh Chibl describes: "Visitors to Sidi Moumen are often appalled by the rampant drug trafficking and consumption, pervasive theft, frequent armed robbery, and widespread alcoholism. Given its lack of sports facilities, green spaces, and youth centers, the marginalized Sidi Moumen area demands urgent attention as a top priority."[5] The bombings drew the state's focus to the dire living conditions in Sidi Moumen, prompting King Muhammad VI to launch a National Initiative for Human Development (NIHD) in 2005. Its goal was to improve the

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[3] Mustapha Hamil, "Representation of Terror and Terrorism in Two Arab Films: Paradise Now (2005) by Hany Abu-Assad and Horses of God (2012) by Nabil Ayouch," *Purdue University Press*, 23, no. 3 (2021): 5.

[4] Mouad Faitour, "The Institutionalization of the Religious Discourse as a Response to Radical Islam in Post-Casablanca Suicide Bombings of May 16, 2003," (Master's Thesis., University of Georgia, 2019).

[5] Cheblʿ Abd ʾal-Illāh, "ʾIʿlān yuqārin ḥayāt al-faqr fī "Sidi Moumen" birafāhiyat Copenhagen," *Hespress*, May 12, 2017, https://shorturl.at/fZ123.

living standards of Moroccan citizens beneath the poverty threshold. The initiative sought to empower impoverished families with income-generating opportunities, which was seen as a key strategy in curbing the allure of extremist groups. This approach became even more pertinent after investigations indicated that the Casablanca bombers had connections to an Islamic militant group known as *al-Sirāṭ al-mustaqīm*, the Straight Path.

Fourteen suicide bombers participated in the Casablanca attacks, while the Marrakech bombing was carried out by a single perpetrator, Adel Othmānī. He acted alone to devise, plan, prepare, and execute the attack using remote detonation. Authorities captured him one week after the bombings. The Moroccan Interior Minister, Taïeb Cherkaoui, stated: " Adel Othmānī, a Moroccan citizen, was influenced by jihadist ideology and had alignments with Al-Qaeda. He had made several attempts to join conflicts in jihadist hotspots, notably in Chechnya and Iraq, but was impeded by arrests on two occasions: first in Portugal in 2004, and later in Syria in 2007, after which he was deported back to Morocco. Over six months, he methodically acquired materials, including components to construct explosives."[6] It comes as no surprise that Adel Othmānī was drawn to jihadist ideologies, demonstrating a commitment to Al-Qaeda's principles. Similar expressions of allegiance to jihadist groups have been a recurring theme among those involved in militant attacks in Morocco over the past two decades.

Similarly, the three men who murdered two Scandinavian hikers in the High Atlas Mountains in 2019 were affiliated with the Islamic State. At the time of the murders, their allegiance to ISIS ideology was clear from the content of videos they posted on social media. A video, which appears

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[6] Maḥmūd Maʿrūf, "Mahiya tadāʿiyyāt tafjīr Marrakech waman Yaqif warāʾah," *Swissinfo.ch*, May 10, 2011, https://shorturl.at/lnFRV.

to show the beheading of one of the women, circulated online, propagated by ISIS supporters. In May, Ejjoud, who was functioning as an underground imam, admitted to the murder of one of the women. "I beheaded one of them... I regret it," a street vendor told the court. In court, Ejjoud said: "We loved Islamic State and prayed to God for it."[7] Their allegiance to ISIS was clear upon their arrest by Morocco's Directorate for Territorial Surveillance (DST). The discovery of an ISIS flag in one of the assailant's rooms was a stark reminder to Moroccan authorities of the persistent threat. It underscores that the fight against extremist groups like ISIS continues, even for years after the Casablanca bombings.

I was raised in Sidi Moumen, a place that has profoundly shaped me. The stories that circulate about this area are, for the most part, a reflection of reality—a reality I've lived. My entire life—my upbringing, education, and leisure—has unfolded here, making it an indelible part of my identity. This background has granted me deep insights into the plight of the young people who hail from there; it's as if I've had a window into every facet of the community's life. I proudly call myself the 'Son of Sidi Moumen,' a moniker commonly used to signify one's birthplace or roots. It is not a stigma but a nod to one's heritage. Despite being born in Sidi Othmane[8], it is Sidi Moumen that has left its imprint on me, having spent the majority of my life within its embrace. The area is named after the venerable saint, Moumen (meaning a believer in Arabic), and at the summit of a dusty hill, amidst thousands of tombstones that have proliferated over decades, lies his shrine—an enduring testament to the area's namesake.

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[7] "Morocco hikers: Three get death penalty for Scandinavian tourist murders," *BBC*, July 18, 2019, https://www.bbc.com/news/world-africa-49029505.
[8] Sidi Othmane is an arrondissement of southeastern Casablanca, in the Moulay Rachid district of the Casablanca-Settat region of Morocco.

In 1992, three years after a fire devastated our previous slum in Sidi Othmane, my family and I relocated to Sidi Moumen when I was just four years old. We settled into a modest apartment within a government housing project. The area known as Karyan Ṭoma, a term in Moroccan Arabic for the shantytown where the suicide bombers resided, was a mere twenty to twenty-five minutes' walk from our neighborhood. Sometimes, I accompanied a friend to visit his aunt there. We were always on high alert as soon as we entered Sidi Moumen, acutely aware of the potential dangers. In this environment, overshadowed by a lack of role models and a high rate of unemployment among graduates, education often took a back seat.

It is tragically unsurprising that the suicide bombers of 2003, with their extremely limited education, emerged from the depths of such despair in Sidi Moumen. I, too, grew up amidst this desolation, where crime, murder, drugs, rape, religious extremism, and violence were rampant. The brutal scenes I witnessed as a child are etched in my memory: I recall a bearded man who decapitated his mother's lover and then, with the victim's head in one hand and a knife in the other, marched through our neighborhood to the police station, demanding his own arrest. He blamed the severed head for the atrocity as he walked. In another chilling event, we discovered the remains of a child, killed by a relative, in the same play area near our apartment buildings. These repeated traumas haunted my childhood, causing sleepless nights and a pervasive sense of dread in what should have been the sanctuary of our new home. Sidi Moumen, long neglected by Moroccan authorities, was rife with insecurity. Yet, following the bombings, it was thrust into the limelight, becoming the focus of national and international scrutiny.

Twenty-one years after the tragedy in Sidi Moumen, little has changed. The state has demolished the makeshift slums surrounding the area and built new affordable housing, but these

actions are merely superficial and insufficient to address the radicalization of its disenfranchised youth. Relocating residents from slums to government-sponsored housing is progress, yet it fails to tackle the root causes of religious extremism. The challenges in this community are multifaceted, including entrenched illiteracy, poverty, unemployment, social and economic instability, and a pervasive lack of integration. This isolation has persisted for years, and the bombings are a direct consequence of the state's neglectful policies.

In a context where young people living in such conditions, feeling neglected by state officials who only appear during election campaigns, it's not surprising that they can turn into what Moroccans call 'time bombs.' The inability of past governments to fulfill promises of improved living standards and enhanced social justice has inadvertently cleared a path for religious extremists to advocate for an idyllic life under what they envision as a modern caliphate. Recruiters with extremist ideologies have seized upon Morocco's critical political climate and interpretations of Islamic texts to underline the supposed importance and obligation of jihad against Muslim governments and civilians. They employ grand Islamic narratives such as promoting virtue and preventing vice, and assisting the disadvantaged, to further their aims.

The bombings heightened the Moroccan state's awareness of the threat posed by religious extremism, not just externally but within its own borders and among its citizens. In response, the government took unprecedented steps to bring the religious narrative entirely under state control. This marked a significant moment in the nation's history, as it was an extraordinary extent of state intervention in religious institutions. To navigate this complex landscape, the state has adopted a multi-faceted approach, blending lenient and coercive tactics. In my analysis, I draw upon

Foucault's theory of power relations to describe these strategies as 'normalizing' and 'repressive' powers, through which the state asserts regulatory authority over the religious discourse.

The state's two approaches to encountering religious extremism include lenient and coercive policies. The lenient approach to managing religious discourse is exemplified by Morocco's commitment to revitalizing the role of the *ʿulamāʾ*. This commitment promotes Morocco's principal religious tenets—collectively known as *al-thawābit al-dīnīyyah*—which encompass the components of traditional Moroccan Islam: namely, the Mālikī school of jurisprudence; the Ashʿarite doctrine of theology; and the Sufi path of Imam al-Junayd al-Sālik al-Baghdādī (d. 298 Anno Hegirae/910 Common Era). These are united by the pledge of allegiance to the Commander of the Faithful (*Amīr al-mu'minīn*), King Muhammad VI, who symbolizes political and religious unity.[9] Additional lenient strategies encompass initiatives related to gender equality, such as the new family code and the integration of women into traditionally male-dominated religious institutions, alongside educational, social, and political reforms. Conversely, more stringent measures have included the incarceration of Salafi figures and a broader range of political dissidents, widespread detentions followed by releases, allegations of torture, and the implementation of stringent counter-terrorism legislation.

The entire process of religious institutionalization hinges on two approaches: coercive and lenient. I have opted to begin with an examination of repressive measures, as these are often the primary tools utilized by countries in the MENA region to deter individuals engaged in or suspected of terrorist activities, and Morocco is no exception. The initial segment of Morocco's strategy involves coercive tactics adopted in the wake of the bombings. The subsequent section

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[9] Moroccan constitution of 2011, article 42, https://www.constituteproject.org/constitution/Morocco_2011.

will explore how the state transitioned from these coercive methods to more lenient and humanistic strategies aimed at fostering its citizens' character for the greater good. Rather than countering terrorism with harsh measures, which may inadvertently escalate the radicalization of many youths, Morocco has amplified its financial commitment to developing alternative solutions. This pivot, as demonstrated by this research, has enabled Morocco to carve out a significant role in the MENA region, positioning it as an emerging religious beacon in West Africa, distinguished by its advocacy of traditional Moroccan Islam.

Traditional Moroccan Islam, characterized by its values of moderation and tolerance, is a pivotal aspect of this research study, especially in understanding Morocco's strategies against religious extremism. In response to the threat posed by radicalization, Morocco, in 2004, embarked on a comprehensive religious policy reform within its state religious institutions. The Ministry of Pious Endowments and Islamic Affairs was appointed to revitalize and redefine traditional Moroccan Islam in a way that counteracts modernist radicalization. King Mohammad VI of Morocco was instrumental in initiating this movement, mandating the Ministry of Pious Endowments and Islamic Affairs—one of the state's most influential ministries—to implement a far-reaching program. This program aimed to clearly define traditional Moroccan Islam and elucidate its significance for the nation's citizens.

Some of Morocco's counter-terrorism strategies have placed the country under scrutiny for human rights violations, while other policies have brought a sense of governmental pride due to their achievements. In this thesis, I will argue that the dual strategies employed by the Moroccan state have contributed to achieving certain national and geopolitical objectives. These include reshaping religious discourse, reinforcing the status of King Mohammad VI as the preeminent

religious and political authority, establishing pro-monarchy religious institutions and officials, and positioning Morocco as a leader in religious affairs in West Africa. I will dedicate a separate section in the thesis to each strategy, focusing on the critical aspects of every phase.

Massive arrests and subsequent mass releases were the initial focus of the state's coercive measures. Following the 2003 bombings, Moroccan authorities heavily relied on the security apparatus, arresting thousands on terrorism-related charges—a tactic that drew condemnation from human rights activists. Under national and international pressure, Morocco transitioned to implementing mass releases. However, several well-known Salafi figures remained incarcerated for years, only being released after the onset of the Arab Spring in 2011. These clerics include Mohamed Fizazi, Mohamed Abdelwahab Rafiki—also known as Abū Hafs of Morocco—Hassan el-Kettani, and Omar el-Haddouchi. Following their denunciations of terrorism, they were all pardoned by royal grace. While some have since reconciled with the royal institution, others continue to be outspoken critics of the state's policies. This research study is enriched by a scholarly focus on Salafi individuals who were extensively targeted, examining the context of their arrests and their religious and political stances before and after incarceration.

Torture in various forms—beatings, simulated drowning, and psychological and physical abuse—has been employed by Moroccan security forces to extract confessions and suppress dissent. This paper details how Morocco has been implicated in the torture of detainees on suspicions of terrorist activities. I contend that, despite its legal prohibition, torture has persisted within Morocco's security apparatus. Even after the Moroccan monarch enacted a royal decree in 2004 to establish the Equity and Reconciliation Commission to address human rights abuses, adherence to this decree has been minimal. Amnesty International has reported that Moroccan

authorities continue to use torture as a means to quell dissent and silence inconvenient voices. Moreover, the anti-terrorism law, enacted shortly after the 2003 bombings, has allowed for the use of torture against detainees accused of terrorism under the guise of fighting religious extremism.

The Moroccan parliament ratified the anti-terrorism law shortly after the bombings of 2003. The legislation is characterized by a broad definition of terrorism, which is so encompassing that it could classify peaceful protests as terrorist acts. Specifically, it characterizes terrorism as actions intentionally perpetrated by individuals, groups, or organizations with the primary objective of disturbing public order through intimidation, force, violence, fear, or terror. This study will explore the perspective of several Moroccan human rights advocates who view the law as an additional instrument employed by the state to curtail freedoms of speech and expression and to mute dissenting voices that critique state policies. I will discuss the impact of the anti-terrorism law on two prominent journalists: Ali Anouzla and Hamid El Mahdaoui.

I will also argue that the primary goal of Morocco's religious reforms was to solidify the stature of the Moroccan monarch, Mohammed VI, as the preeminent religious and political authority in the country—an exclusive privilege reserved for the king. I propose that the king's initiative to implement a comprehensive series of religious reforms was a strategic move to bolster the stability of the monarchy and to reaffirm the religious role traditionally held by the monarch. This strategy serves as a direct message to both Islamists, who challenge state policies on religious grounds, and secularists, who advocate for the separation of religion and state. By fostering a religious elite devoted to the monarchy, the political and religious primacy of the Moroccan king is further entrenched.

I argue that, following the Casablanca bombings in 2003, the state's revised religious strategy was to enlist more dependable bureaucrats and renowned scholars of Islamic law. I detail how a substantial cohort of religious elites—though not exclusively traditional religious scholars—were cultivated to align with the state's policies and to uphold its religious authority without contention. I have adopted the term 'creating religiously loyal elites' from Ann Marie Wainscott's work, *Bureaucratizing Islam*. This study discusses the role of these pro-monarchy religious functionaries in countering religious extremism and reinforcing the status of the king, Mohammed VI, as the singular religious authority within the nation.

Finally, I will succinctly discuss the overarching policy of institutionalization and examine how scholars such as Mohamed Tozy, Hamza Yusuf, and ʿAbdel Kabīr M'daghri express their disapproval of this strategic approach. I illustrate that Mohamed Tozy believes that "if you institutionalize it, it is dead. Moroccan Islam cannot be institutionalized."[10] Equally, Hamza Yusuf sees that controlling religious affairs by ministries of endowments and Islamic affairs has produced less qualified religious scholars, who are entirely dependents on these ministries. All that matters for these 'pseudo-scholars' is to secure a job of Imam in a government *masjid* (mosque). Similarly, M'daghri, former Moroccan Minister of Islamic Affairs, "advocates for the establishment of an independent body of Moroccan religious scholars, akin to the judiciary system, which would be supported by reasonable salaries from the public budget. This would enable them to sincerely fulfill their duties in matters concerning Sharīʿah law."[11]

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[10] "La Restructuration Du Champ Religieux Marocain, Entretien Avec Mohamed Tozy," *Sezame*, January 16, 2007, http://www.sezamemag.net/soci%c3%a9t%c3%a9/39-entretien-du-mois/333-La-restructuration-du-champ-religieux-marocain/.

[11] M'daghri Abdelkebir Alaoui, *Al-ḥukūmah al-multaḥīyyah: Dirāsah naqdīyyah mustaqbalīyyah* (Rabat: Dār al-amān, 2011), 248.

My research not only delineates the essence of traditional Moroccan Islam and the state's efforts to promote it following the 2003 Casablanca bombings but also provides a critical analysis of this topic. A significant portion of my study challenges Edmund Burke's assertion in his work, *The Ethnographic State: France and the Invention of Moroccan Islam,* where he contends that Moroccan Islam was a fabrication of the French during the 1912 protectorate. This aspect of my research is particularly noteworthy as it addresses a gap in existing scholarship; none of the other works I have reviewed confront this specific claim. Among the myriad scholars who have investigated traditional Moroccan Islam, Edmund Burke stands out as the sole academic who not only questions its nature but outright denies its authenticity. Consequently, my rebuttal of Burke's argument represents a meaningful academic contribution to the broader discourse on traditional Moroccan Islam.

The significance of this research is multifaceted. **Firstly**, it involves a critical rebuttal of Edmund Burke's assertion that traditional Moroccan Islam was a construction of the French. To counter this claim, I utilize the works of the seventeenth-century scholar, ʿAbd ul-Wāḥid ibn ʿĀshir, whose historical accounts offer a definitive understanding of Moroccan Islam. His writings are among the earliest and most comprehensive on the subject, elucidating the components of traditional Moroccan Islam. **Secondly**, the study examines the elements of traditional Moroccan Islam that the state has emphasized since 2004 in its campaign against religious extremism, highlighting their moderate nature. **Thirdly**, the research identifies unique aspects of Morocco's religious reform policies, distinguishing them from those in other MENA region states. **Fourthly**, it provides a comparative analysis of Morocco's responses to religious extremism with those of other MENA countries. **Finally**, the study critically evaluates the potential downsides of the institutionalization process.

The primary objective of this research is to explore the distinctive religious model of Morocco within the region. The notion of distinctiveness in this context is twofold: **firstly**, it pertains to the moderation and tolerance inherent in traditional Moroccan Islam; **secondly**, it involves the reform strategies implemented by the Moroccan state in 2004. According to Ann Marie Wainscott "the Moroccan approach to counterterrorism is unique in several ways. Although Morocco has embraced many of the counterterrorism strategies of other states in the region, including anti-terror legislation, mass arrests of Islamists and prominent clerics, and prison rehabilitation programs, the country is unique in the degree to which its counterterror strategy relies on reforms to the country's religious institutions. This model contrasts with other Middle Eastern countries' policies, where the state aggressively polices the religious sphere."[12] As this study will demonstrate, I argue that Moroccan Islam has been distinctive, and the religious reform initiated by the government in 2004 serves as a testament to this distinctiveness. Each aspect of the research will be intricately linked to this central theme of distinctiveness.

This research study centers on the distinctiveness of traditional Moroccan Islam, which forms the crux of my argument against Edmund Burke's assertion regarding the invention of Moroccan Islam. I will present historical evidence predating the protectorate period, which commenced in 1912, by at least three hundred years, demonstrating Morocco's longstanding recognition of its distinctive Islamic tradition. This tradition has been continuously transmitted across generations. Importantly, the study relies on early historical sources in Arabic rather than the colonial archives of Morocco in France, which constituted Burke's primary reference. Concerning this matter, Burke asserts that "the *Archives Marocaines* provided the symbolic capital and ethnographic authority

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[12] Marie Ann Wainscott, *Bureaucratizing Islam: Morocco and the War on Terror* (New York: Cambridge University Press, 2017), 6.

on which the discourse on Moroccan Islam was constructed, as well as the frame within which Morocco could be thought."[13] I contend that a fundamental shortfall in Edmund Burke's methodology is his reliance on French colonial documents to the exclusion of Arabic sources. The validity of Burke's dependence on these French documents is questionable. This concern regarding language and source material has been highlighted by the Moroccan historian Abdallah Laroui in his work, *Mujmal tārikh al-maghrib* (The Complete History of Morocco).[14]

Excluding the introduction and conclusion, this dissertation is composed of eleven chapters. The **First Chapter**, titled *Islamic Revival*, is among the more succinct sections of this study. It provides a concise political history of the emergence of Islamist and militant religious movements in North African countries, specifically Egypt and Morocco. This chapter examines their ascendancy during both the colonial and postcolonial periods of the early and late twentieth century. It introduces well-known Islamist and militant movements in the region, highlighting that a common trait among these groups is their Salafi inclinations. Both Islamists and militant extremists exhibited frustration due to the critical situations in their respective countries. While Islamists gravitated towards political participation, religious extremists resorted to military confrontation. In certain instances, such as during the reign of the former King Hassan II of Morocco, some of these organizations gained strength with regime support and were utilized to counter Leftist and Nationalist ideologies, as well as Shīʿism and the Iranian Revolution.

Chapter Two delves into traditional Moroccan Islam and counters Edmund Burke's assertion regarding the supposed invention of Moroccan Islam by the French in 1912, during the protectorate

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[13] Edmund Burke, *The Ethnographic State: France and the Invention of Moroccan Islam* (Oakland: University of California Press, 2014) 7.
[14] This will be discussed later in this study.

era. In this chapter, I scrutinize the three pillars of traditional Moroccan Islam: Mālikism, the Ashʿarite creed, and the Sufism of Imam al-Junayd. I explore how religion has been and continues to be, a vital component of Moroccan cultural heritage and daily life. The chapter further elucidates the significant role of Islam in shaping the spiritual, social, theological, and political fabric of Morocco. Specifically, it highlights how traditional Moroccan Islam, known for its moderation, has profoundly influenced the spiritual identity of the Moroccan populace over the centuries. Additionally, this section will discuss the Moroccan government's efforts in 2004 to rejuvenate its religious heritage through comprehensive control of the religious narrative.

This chapter presents a refutation of Edmund Burke's assertions about Moroccan Islam. According to French researchers, in Burke's work, the perception of Moroccan Islam as being steeped in superstitious beliefs and practices served as a justification for colonizing Morocco, which they deemed a backward state. Burke, however, challenges the notion of Moroccan national Islam as unique, contending that there is scant evidence to suggest that pre-colonial Moroccan scholars perceived their Islamic practice as distinctively different.[15] In this chapter, I argue that Moroccan Islam is indeed a reality and not a twentieth-century French invention. Contrary to Burke's assertion, Morocco and its scholars have historically perceived their form of Islam as distinct, particularly in comparison to the practices of Eastern peoples. The religious components of Moroccan Islam have been well-established, thoroughly studied, and consistently transmitted across generations. To substantiate this, I have drawn upon the works of the seventeenth-century Moroccan scholar ʿAbd Al-Wāḥid ibn ʿĀshir (d. 1631), whose writings debunk Burke's claim.

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[15] Edmund Burke, *The Ethnographic State: France and the Invention of Moroccan Islam* (Oakland: University of California Press, 2014), 1.

ʿAbd Al-Wāḥid ibn ʿĀshir authored a book comprising 317 metered verses that intricately describe the elements of traditional Moroccan Islam.

In this chapter, I further reinforce my argument by demonstrating how Moroccan scholars and various dynasties have contributed to the preservation and cultivation of what is known as traditional Moroccan Islam. I delve into how Morocco's spiritual heritage is the culmination of centuries of historical evolution that shaped Moroccan Islam. This process began with the Idrisids, who laid the early foundations of Islam in Morocco, followed by the Almoravids, who established and promoted the Mālikī *madhhab* of jurisprudence. Subsequently, the Almohads embraced the Ashʿarite theological creed. The revival and maintenance of Sufi traditions in Morocco are credited to later dynasties like the Marinids and the Saadians. The current ruling dynasty, the Alawites, not only strives to preserve this religious heritage but also aims to institutionalize it within Morocco and project it globally as a successful model of moderate Islam.

The Sharīfīyan status and the aspect of Sufism serve as pivotal elements in discussions about Moroccan Islam. A comprehensive analysis of Moroccan Islam would be incomplete without addressing these two critical components. Consequently, this section will concentrate on these aspects, as discussed by the historian Ahmad Toufiq, an authority on pre-colonial Morocco. Currently serving as the Minister of Endowments and Islamic Affairs, Toufiq asserts that these features are distinctively Moroccan and have played a significant role in shaping Morocco's religious identity over the centuries.

Chapter Three addresses the Moroccan state's repressive measures adopted as an initial reaction to the bombings of 2003. This chapter scrutinizes the state's infringement on human rights during the arrest and treatment of suspected terrorists. It also highlights the inadequacies of

Morocco's security forces and judicial system in safeguarding the rights of those apprehended in the subsequent crackdown on alleged militants following the bombings on May 16, 2003. These violations encompass widespread arrests, instances of torture, and the enactment of anti-terror legislation. The chapter reveals that approximately 8,000 individuals were detained under the terrorism act, which the Moroccan parliament ratified shortly after the attacks. Additionally, this section discusses the extensive release of Salafi figures and other dissidents.

Chapter Four, titled *Normalizing Policies*, delineates the Moroccan state's transition from repressive to more accommodating measures. As the most extensive section of this research study, it delves into the comprehensive religious policy initiated by the Moroccan state in 2004 within its religious institutions. This chapter examines the state's endorsement of traditional Moroccan Islam, encompassing Mālikism, the Ashʿrite creed, and the Sufism of Imam al-Junayd. I expound on how these three elements form the foundation of traditional Moroccan Islam, highlighting their shared attributes of moderation, openness, and tolerance.

Furthermore, I assert that the religious reforms, initiated by King Muhammad VI, can be perceived as serving political objectives, rather than being solely religious. These reforms are implicitly aimed at reinforcing the King's role as the Commander of the Faithful, *amīr al-muʾminīn*, a position which has been previously contested by some minority Islamic movements, most notably *al-ʿAdl wa al-ʾIḥsan* (Justice and Benevolence). The King's undertaking of extensive religious reforms is, in essence, a political strategy to bolster the stability of the monarchy and to underscore the religious authority traditionally held by the monarch. Lastly, this section elucidates how the institutionalization of religious discourse has enabled the state to foster a cadre of religious functionaries loyal to the government.

This chapter additionally delves into early historical accounts that illustrate how values of moderation and tolerance have been fundamental to the practice of Mālikism in Morocco, particularly in the context of *fiqh al-nawāzil* (jurisprudence of newly emerging events/phenomena). It details how Moroccan Mālikī scholars have historically addressed issues such as looting, plundering, rebellion against ruling authorities, deviant sects, religious extremism, and violence. The chapter also explores the manner in which Moroccan scholars, from a legal Mālikī standpoint, approached these phenomena, underscoring their firm rejection of religious violence.

Chapter Five, titled *Murshidīn and Murshidāt as a Unique Counterterror Strategy*, focuses on the proactive role played by the Ministry of Islamic Affairs in implementing a range of training programs for both male and female religious scholars. These scholars hail from within Morocco as well as from Europe and sub-Saharan Africa. The objective of these training institutions is to educate Imams and the upcoming generation of religious scholars, known as *Murshidīn* and *Murshidāt* (male and female spiritual guides). A prime example of these efforts is *L'Institut Mohammed VI Pour La Formation Des Imams, Murshidīn, et Murshidāt*. This institute, situated in Rabat and inaugurated in 2015 under the auspices of King Muhammad VI, stands as a tangible representation of the state's commitment to countering religious extremism. It serves as a hub for nurturing new elites of religious scholars.

The Institute's primary objective, as I will detail, is to enact a comprehensive strategy that promotes values of moderate Islam among the younger generations of Imams and spiritual guides. This initiative aims to mitigate the threat of religious extremism, which has proliferated across Muslim societies globally. Additionally, these scholars play a crucial role in deterring vulnerable

Moroccan youth from affiliating with militant movements such as ISIS or engaging in terrorist activities within Morocco.

The Institute, along with similar institutions, endeavors to safeguard the identity of traditional Moroccan Islam, known for its openness, moderation, and tolerance. I discuss how the Institute serves as a transformative hub for the new generation of Moroccan scholars, shaping them into spiritual leaders. Their primary mission is to equip individuals with comprehensive knowledge of their religion, providing them with the intellectual tools necessary to navigate the complexities of modern interpretations of 'tradition.' This approach is crucial in today's world, where conflicting definitions of Islam can lead to radicalization. The goal is to ensure that people are well-informed and can discern the peaceful essence of Islamic teachings, thereby safeguarding themselves and their community from radical threats.

This chapter also details the various training programs offered by the Institute to both Moroccan and non-Moroccan participants, including the duration of each program. The Institute is renowned for its comprehensive long- and short-term training courses. The long-term basic training lasts one year for Moroccan students, two years for African students, and three years for French students. Conversely, the short-term training, which spans a minimum of three months, is designed for Imams currently engaged in duties such as imamate, preaching, lecturing, and spiritual guidance in their respective countries. Graduates of the Institute hail from a diverse range of countries, including Guinea, Tunisia, Nigeria, Niger, Mali, Ivory Coast, Gambia, Senegal, Gabon, Chad, and France. I emphasize that this Institute represents a unique Moroccan initiative within the MENA region.

Chapter Six explores Morocco's gendered reforms, a distinctive strategy within the region. This section examines gender-based policies as a novel element of the state's campaign against religious extremism. A key aspect of this policy involves recruiting local women leaders, known as *Murshidāt* (female spiritual guides), to address issues related to religious extremism. This innovative approach, aimed at integrating women into traditionally male-dominated religious institutions, is both well-considered and unique. The chapter also discusses the unprecedented integration of women into the High Council of Scholars, marking a significant milestone in both Moroccan and Islamic history. I articulate that the involvement of women scholars and guides is a strategic response to militant groups like ISIS, which also recruit women for their agendas. Additionally, the chapter highlights another significant gendered reform: the enactment of the new Family Code, or *al-mudawwānah*, a distinctive initiative in the MENA region.

This chapter delves into the Moroccan state's strategic positioning of women at the forefront of its reform policies. It traces the journey from the re-evaluation of personal status codes to the implementation of *al-Mudawwanah*, the new family code. Al-Mudawwanah, rooted in the Mālikī school of thought, addresses legal issues pertaining to dowry, engagement, marriage, divorce, child custody, and inheritance. In this section, I also critically analyze these gendered reforms. The discussion begins with the role of *al-Murshidāt* (female spiritual guides), progresses to the inclusion of women in the High Councils of Scholars, and culminates with the *Mudawwanah* project, thereby offering a comprehensive view of these transformative initiatives.

 Chapter Seven focuses on *Restructuring Religious Discourse in the Curriculum of National Education.* It examines the collaborative efforts between the Ministry of National Education and Vocational Training and the Ministry of Pious Endowments and Islamic Affairs to integrate key

concepts of religious reforms into the public education system. The central thesis of this chapter revolves around the efforts to counteract radical interpretations of sacred texts among middle and high school students. The chapter advocates for a redesigned educational curriculum that promotes acceptance of diverse faith traditions. This includes replacing certain verses about jihad with those emphasizing self-purification, thereby placing greater emphasis on secular citizenship over religious affiliation. Additionally, the chapter debates the appropriate number of hours that should be devoted to Islamic studies in the educational program.

Chapter Eight delves into the role of the ʿ*ulamā*ʾ in the Islamic world at large, and in Morocco specifically. This section posits that the ʿ*ulamā*ʾ can be likened to a bridge, connecting the ethical discourse rooted in Islam's textual sources—the Quran and the Sunna (custom and practice of the Prophet), as narrated in the hadith literature—with the ongoing social, political, and intellectual heritage of the Muslim world, spanning over fourteen centuries. In essence, I demonstrate that the ʿ*ulamā*ʾ, as guardians of Islam's textual tradition, have served both as representatives and interpreters of what is considered normative in Islamic society.

In Chapter Nine, I will introduce the ʿ*ulamā*ʾ's ongoing efforts in defining jihad as a legal response to threats to the stability of Muslim societies. In the chapter, I explain that it is the ʿ*ulamā*ʾ's task to clarify the concept of jihad. I elucidate that jihad, as a vague concept, has always been of major importance to the ʿ*ulamā*ʾ throughout Islamic history. The chapter confirms that in Islam, the word jihad can be used in a variety of contexts to refer to different situations: It can refer to a Muslim's inner struggle (between good and evil forces) to act righteously according to the will of God. This concept can also encompass efforts to build a homogeneous Muslim society striving for the common good. The section further clarifies that jihad denotes warfare only in contexts of

oppression against Muslims. Finally, the chapter delineates the differences between lesser and greater jihad, as defined by both modernist and fundamentalist scholars.

Chapter Ten undertakes a comparative analysis of Morocco's counter-terrorism strategies in relation to other states in the region, focusing on aspects such as massive arrests and initiatives for renewing religious discourse. This chapter also includes a comparative study between Morocco's New Family Code and the Jordanian Personal Status Code. I discuss how Morocco's initial coercive measures, particularly massive arrests, mirrored those of other regional states. Subsequently, I explore how Morocco transitioned from this repressive approach to a less coercive strategy, as the former proved ineffective for the Moroccan government. To provide a detailed comparison, I specifically contrast Morocco's situation with that of Egypt, Saudi Arabia, and Syria, which have recorded the highest numbers of prisoners, in contrast to countries like Tunisia and Jordan.

I discuss how, like Morocco, these states have also called to rejuvenate the religious narrative following terrorist attacks. However, their efforts have generally not been as effective as Morocco's multifaceted initiatives implemented in the years after the 2003 Casablanca bombings. For instance, Egypt, akin to Syria and Saudi Arabia, is known for its widespread arrests, but it has also been marked by actions against Islamic symbols. A notable example is the 2023 decision by the Egyptian Ministry of Education to ban the *niqab* in all schools, a move seen as contradictory to women's freedom of dress. Additionally, this chapter examines Egypt's security apparatus engaging in the burning of books authored by scholars affiliated with the Muslim Brotherhood, framing it as an anti-terrorism strategy.

I argue that a regime engaging in persistent harassment of conservatives—through measures such as imprisonment, *niqab* bans, and book burnings—does not effectively address the problem of religious extremism. Instead, these actions may exacerbate the animosity between the state and its citizens. I contend that the Egyptian government's approach appears ineffective because it positions the state in apparent conflict with its own people. Rather than acting as a guardian of Islamic traditions and ensuring the spiritual security of its citizens, the state's actions seem contrary to these goals. Furthermore, such measures do not align with core Islamic values like moderation and openness, which are essential for unifying society. Instead, they appear to deepen societal divisions and escalate tensions between the government and its people. In the chapter, Egypt is utilized as a case study to draw parallels with Saudi Arabia and Syria. The conclusion drawn is that these three countries have employed, and continue to employ, similar repressive strategies— primarily imprisonment and torture—in their efforts to combat religious extremism.

Finally, as previously noted, **Chapter Eleven** succinctly presents arguments challenging the overall policy of institutionalization. It examines the perspectives of scholars like Mohamed Tozy, Hamza Yusuf, and ʿAbdel Kabīr M'daghri, who have expressed disagreements with the implementation of such an institutionalization strategy.

CHAPTER TWO

LITERATURE REVIEW

As previously mentioned, this research study delves into the primary religious constants of Morocco—Mālikism, Ashʿarite theology, and the Sufism of Imam al-Junayd—which are integral to traditional Moroccan Islam. These religious elements have profoundly influenced the country's legal, legislative, theological, and spiritual frameworks for centuries. Moroccan Islam, distinguished by a rich tapestry of values such as openness, moderation, and tolerance, has been ingrained in the nation's fabric for centuries. Consequently, these enduring values have become focal points in the Moroccan state's strategy to counter contemporary religious extremism.

Numerous works of prominent scholars have focused their research on Morocco's comprehensive and distinctive efforts to restructure its religious narrative following the 2003 suicide bombings. *Dalīl al-ʾimām wa al-khaṭīb wa al-wāʿiẓ*, compiled in 2007 by Morocco's Ministry of Islamic Affairs, is an early source that serves as an official guide for imāms and religious personnel, throughout the kingdom, to address theological and social matters in moderate fashion. The book asserts, " today, extremism, symbolized as an evil with horns, represents one of the scourges that have plagued humanity for centuries. We—the Muslim Community—have been divinely ordained to embody moderation and balance, avoiding both negligence and excess. This directive emphasizes the importance of adopting a moderate stance in religious rulings and exercising caution against the temptation of declaring disbelief over sins. Such an approach

counters the first heresy attributed to the Kharijites[16]."[17] Religious moderation and tolerance remain the central point of Moroccan Islam. For Dr. Kenneth Honerkamp, Professor of Islamic Studies at the University of Georgia, "for more than 1400 years, Moroccan culture has exemplified its commitment to moderation through a pragmatic yet spiritual path within its Islamic religion. Morocco's unique spirit of tolerance is rooted in its historical heritage, authentic values and principles of open-mindedness and concord, and cultural enrichment through the mutual exchange among individuals, communities, and civilization."[18]

In her comparative analysis of religious extremism across various Muslim states, Marvine Howe identifies Morocco as a noteworthy exception at the onset of the twenty-first century. "In fact, Morocco at the dawn of the twenty-first century, appeared like a calm oasis in the midst of the turbulence sweeping across the Muslim world… Moroccans are relatively pious but unconcerned by political Islam. They oppose fanaticism and violence in the name of religion and believe that the real Islam is a religion of love and peace and tolerance."[19] John P. Entelis, Middle East expert in the nineties, emphasizes that "given the degree of violence occurring in Algeria and the oppressive political environment being created in Tunisia," it appears that Moroccan officials, Islamist activists, and independent-minded intellectuals had chosen "a more moderate path that

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[16] An early Islamic sect involved in conflicts with ruling elites, considered by many Muslims as the first rebels to take up arms against the caliphate in 656 CE.

[17] Publications of Moroccan Ministry of Pious Endowments and Islamic Affairs, *Dalīl al-ʾimām wa al-khaṭīb wa al-wāʿiz* (Casablanca: Matbaʿat al-najāḥ al-jadīdah, 2007), 59.

[18] Kenneth L. Honerkamp, Michael D. Calabria, "Moroccan Islam: A Unique and Welcome Spirit of Moderation and Tolerance," *Center for Contemporary Arab Studies,* last accessed February 23, 2024 https://www.islamawareness.net/Africa/Morocco/morocco_article0001.pdf

[19] Howe Marvine, *Morocco: The Islamist Awakening and Other Challenges* (New York: Oxford University Press, 2005), 123.

emphasizes public dialogue and discourse than confrontation and violence."[20] In a recent study on Morocco's distinctive theological approach, Wainscott Marie confirms that "one thing that is distinctive about Morocco, in the regional context, is its well-developed theological machinery. While other states in the region have forms of "official Islam," only Saudi Arabia and Iran have similarly well-developed doctrines. Among these three, Morocco is unique for its consistent and self-conscious emphasis on "moderation," which gave it an advantage in the context of the War on Terror."[21]

Several leading scholars have contributed to literature on women's inclusion in religious affairs and Morocco's global efforts against religious extremism. As Morocco considers gender-focused reforms as a commitment to reviving Islamic heritage, Nabil Ouassini and Anwar Ouassini affirm, "this rich historical narrative includes scholarly women like 'Āisha, the Prophet Mohammed's wife, the Sufi mystic Rabi'ah al-'Adawīyyah, and Fatima al-Fihrīyyah the founder of al-Qarawīyyīn University, the world's first university located in Fes, Morocco."[22] Dr. Rashid Muqtadir, an expert in religious affairs, recognizes both the advantages and disadvantages of the female religious guides' initiative. He points out several positive aspects of the program, noting that "introducing and incorporating women into the realm of preaching and guidance, as well as involving them in religious leadership, marks a novel development in the Arab and Muslim worlds. This novelty is precisely what captivates Western media, presenting female leaders and preachers

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[20] John P. Entelis, "Political Islam in the Maghreb: The Nonviolent Dimension," in *Islam, Democracy, and the State in North Africa*, ed. John P. Entelis (Bloomington and Indianapolis: Indiana University Press, 1997), 56.
[21] Wainscott, *Bureaucratizing Islam*, 71.
[22] Ouassini, Nabil, and Anwar. "Resisting Extremist Ideologies: Counterterrorism, Women, and Religious Reform in Morocco." *African Journal of Criminology and Justice Studies* 13, no. 1 (2020): 99.

as an innovative model to highlight."[23] Through training Imams from West Africa and Europe, Morocco gained credits as an emerging contributor to fight international extremism. Salim Hmimnat, a research fellow at the Institute of African Studies—Mohammed V University—Rabat city, stresses that "Many other African and European countries subsequently expressed the desire to be able to benefit from the same experience. This encouraged the state to insert the experience into an internationally geared institutional structure that could aim at providing a "modern and constantly renewed" scientific training."[24] While Morocco takes credit for institutionalizing the entire religious field, Mohamed Tozy, a Moroccan Professor of Political Sciences, has been very critical towards the whole institutionalization policy asserting that, "if you institutionalize it, it is dead. Moroccan Islam cannot be institutionalized."[25]

This research project is grounded in published materials, drawing parallels between my master's thesis and doctoral dissertation, both of which focus on the Moroccan religious model as a case study. This dissertation seeks to answer the following research questions: What constitutes the Moroccan model of religious reforms? What motivates Morocco's keen interest in managing religious discourse? How does Morocco's approach to countering religious extremism differ from other states in the MENA region? These questions aim to unravel the intricacies of Morocco's strategy in managing the religious narrative and the specifics of its reform content. Additionally, the research endeavors to understand the global context that gave rise to this new policy and

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[23] Hassan al-Ashraf, "The experience of female religious guides in Morocco...contexts and constraints (in Arabic)," *Hespress*, January 21, 2010, https://tinyurl.com/bdfu3nc4.

[24] Salim Hmimnat, "A New Generation of Imams," *Fondazione Oasis*, April 22, 2022, https://www.oasiscenter.eu/en/a-new-generation-of-imams-in-morocco.

[25] "La Restructuration Du Champ Religieux Marocain, Entretien Avec Mohamed Tozy," *Sezame*, January 16, 2007, http://www.sezamemag.net/soci%c3%a9t%c3%a9/39-entretien-du-mois/333-La-restructuration-du-champ-religieux-marocain/.

examines how Morocco leveraged this context to promote its image as a bastion of moderate traditional Islam.

The first research question delves into the essence of traditional Moroccan Islam, seeking to understand how Morocco, for the first time in its history, has redefined its entire religious narrative. This redefinition has been accomplished through the establishment of new religious institutions. In addressing the second question, I argue that managing the religious discourse was imperative for countering religious extremism and ensuring that all religious institutions fall under the protective umbrella of the king's guardianship. The final question explores how Morocco's innovative religious policy has positioned it as a beacon of religious moderation, thereby establishing the nation as a leader in the region.

Initially, I envisioned conducting this research project from a qualitative perspective, utilizing narrative-based fieldwork methods. My primary interest was in assessing the outcomes and effectiveness of the state's religious reforms. To this end, I considered arranging interviews or organizing focus groups with religious scholars and functionaries of the Ministry of Islamic Affairs to gain deeper insights into the institutionalization policy. However, given the dissertation's multidimensional approach to studying Moroccan religious strategies, employing the narrative tradition in qualitative research proved to be challenging. The complexity arises from the necessity of engaging a diverse array of participants from various fields and orientations, extending beyond just religious scholars and Ministry officials. Such an expansive participant base would render the research both demanding and time-consuming. Consequently, I have decided to rely solely on published works as the foundation for my research in both the Master's and doctoral theses.

Both my Master's thesis and doctoral dissertation exhibit similarities and differences in their scope and approach. A key similarity is their continued focus on Morocco's main religious constants (*al-thawābit al-dīnīyyah*). **Secondly**, both works explore historical and religious perspectives to better understand the emergence of militant movements in Morocco's postcolonial era, as well as the role of the *ʿulamāʾ* in addressing militant ideologies that threaten societal stability and well-being. **Thirdly**, they delve into the contentious concept of jihad, analyzing how the *ʿulamāʾ* confront this idea from both pre-modern and modern viewpoints, as exemplified in works like *Refuting the ISIS Ideology* by al-Shaykh al-Yaʿqūbī. **Finally**, both theses highlight the collaborative efforts between the Ministry of National Education and Vocational Training and the Ministry of Endowments and Islamic Affairs in integrating essential concepts of the reforms into the national education curriculum.

Distinct from the Master's thesis, this dissertation incorporates additional social-religious dimensions, such as the New Family Code (*al-mudawwanah*) and the integration of women into religious spaces. Furthermore, I will dedicate sections to examining Morocco's human rights violations resulting from its repressive policies toward political adversaries, religious dissenters, and individuals implicated in or suspected of involvement in the bombings. This analysis will encompass Salafi figures and outspoken journalists. I will argue that the combination of coercive and cooperative strategies employed by the Moroccan state has not only augmented its religious authority in the region but also positioned it as a leading state in the MENA region with respect to geopolitical goals.

I have extensively familiarized myself with research studies in various areas, including Moroccan history, Islam in Morocco, the religious role of Moroccan scholars (*ʿulamāʾ*), Sharīʿah

law, religious extremism, jihad, as well as religious and gendered reforms in post-independent Morocco. This research study employs multi-dimensional approaches to provide a comprehensive understanding of the history of Islam in Morocco. It has also been a valuable opportunity to explore the country's modern challenges and the state's religious and gendered reform policies. The literature review in this study is rich and encompasses diverse viewpoints and discussions from various scholars. This depth of analysis has enabled me to critically evaluate, identify limitations in some authors' perspectives, and concur with certain aspects of their arguments.

The literature review in this study is organized into three major sections, each encompassing several subcategories. The materials cited predominantly consist of books that are crucial to the research journey. The first section offers a comprehensive historical overview of Morocco and North Africa, tracing the region's trajectory from the advent of Islam in the eighth century through to contemporary times. This overview begins with the earliest period, starting from the reign of Sultan Idris I, and continues up to the emergence of the ʿAlawite dynasty in the seventeenth century.

Section One of the literature review delves into Moroccan history by examining various dynasties and their contributions to the evolution of what is recognized today as traditional Moroccan Islam. This historical exploration is instrumental in contextualizing and situating Moroccan Islam, particularly in addressing Edmund Burke's assertion regarding the invention of Moroccan Islam. Additionally, this section provides a succinct overview of the ʿAlawite dynasty, focusing on its role in Morocco's modernization process during the twentieth and twenty-first centuries. It also illuminates the state's patronage of scholars through the Ministry of Endowments and Islamic Affairs. Concluding this section, the discussion turns to Morocco's contemporary

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challenges, encompassing religious extremism and political Islamism, as well as other pertinent issues that have influenced the religious reform strategies implemented in 2004.

Section Two aims to deepen the understanding of *Sharīʿah* law. It delves into the significant religious and ethical roles played by the basic institutions of Islamic law, tracing their evolution across the Muslim world, with a particular focus on Morocco and North Africa. This section emphasizes the impact of colonialism on these institutions and Morocco's endeavors to preserve them amid social and political turmoil. The discussion centers on Morocco's traditional schools of legal thought, specifically Mālikism and Ashʿarite theology, as they are pivotal in interpreting and understanding Islamic law within the Moroccan context.

Abdallah Laroui's *'Mujmal Tārīkh al-Maghrib'* (A Complete History of Morocco) serves as a pivotal source in my examination of Morocco's pre-Islamic history. This comprehensive study chronicles Morocco's early history, beginning with the Phoenician era, progressing through Roman rule, the Islamic Caliphate, and various dynasties, culminating in the ʿAlawite dynasty. Authored in 1996, Laroui's work critically evaluates how Moroccan history has traditionally been portrayed by foreign historians, particularly those from the United States. He specifically critiques the American historiographical approach, which often relies heavily on French sources to the exclusion of original Arabic and Amazigh documents.

In his work, Abdallah Laroui underscores the linguistic aspect, emphasizing the significant influence of colonial writings about Morocco on foreign perceptions. He states, "Colonial writings about Morocco, often neglected and belittled, continue to shape the views of foreigners. American researchers, in their haste to gather information about the region's past, lack the qualifications to critically analyze and differentiate among various sources. They quickly form hypotheses, which

even their authors are hesitant to assert, and accept these as definitive truths. Their attempts to understand the current situation are hampered by their ignorance of Arabic and Amazigh languages. They grasp only what is academically essential and what simplifies the understanding of social and political issues, overvaluing the French perspective and attributing to it greater importance than it deserves. The American scholar serves as a mere example of this trend among foreign academics."[26] Laroui's critique highlights the importance of linguistic proficiency and critical discernment in historical studies, particularly in relation to comprehending the complexities of Morocco's history. I have borrowed Abdallah Laroui's argument of the linguistic aspect to investigate how Moroccan history is being treated by American historians like Edmund Burke who relies so much on the *Archives marocaines* of the colonial French libraries. For Burke, "this (referring to French documents) provided the symbolic capital and ethnographic authority on which the discourse on Moroccan Islam was constructed, as well as the frame within which Morocco could be thought."[27] Employing Abdallah Laroui's perspective has been instrumental in bolstering my argument against Edmund Burke's claim.

In his historical work *'Morocco: From Empire to Independence,'* Richard Pennell provides a comprehensive examination of Moroccan history. He traces key events from the Phoenician invasion in the 12th century B.C. to the Saharan conflicts during the Spanish occupation from 1884 to 1958, and the Moroccan state's conflict with the Polisario Front. Pennell portrays Morocco as a nation situated at the crossroads of two continents, offering insights into an imperial past distinguished by its architecture and profound influences on Morocco's economic, political, and cultural future. He meticulously chronicles Morocco's early interactions with various civilizations

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[26]Abdallah Laroui, *Mujmal tārikh al-maghrib* (Casablanca: Al-Markaz al-Thaqāfī al-ʿArabī, 1996), vol.1, 28-29.
[27] Burke, *The Ethnographic State*, 7.

and empires, including the Romans, Phoenicians, Arab and Amazigh Muslim dynasties, followed by French and Spanish colonialism and the post-independence era. This book serves as an invaluable resource for those seeking to understand Morocco's rich history, the dynamics of colonization, and the formation of national identity.

A key similarity between Abdallah Laroui and Richard Pennell lies in their approach to documenting Moroccan history, with neither predominantly focusing on the Islamic era of the Moroccan state. Both provide comprehensive accounts that encompass pre-Islamic events, tracing Morocco's interactions with various civilizations and empires. However, while Pennell adopts a descriptive methodology to chronicle key moments in Moroccan history, Laroui, though also employing descriptive techniques, adopts a more critical stance. He scrutinizes the treatment of Moroccan history by foreign historians, particularly American scholars. Laroui's emphasis on this critique forms the core of his research methodology, lending a more robust dimension to his historical analysis.

I have also drawn upon Ibn Khaldun's *Muqaddimah* (The Introduction), a seminal work by a scholar widely regarded as one of the greatest sociologists of the medieval period and the progenitor of historical, sociological, economic, and demographic studies. *Muqaddimah* stands as a distinct and encyclopedic work, separate from his larger volume, *Kitāb al-ʿibar* (Book of Lessons). This introductory book lays the foundation for the expansive *Kitāb l-ʿibar,* encompassing a broad range of knowledge fields such as Sharīʿah, history, geography, economics, construction, politics, and medicine. In *Muqaddimah*, Ibn Khaldun delves into various aspects of human conditions, exploring the diversity of human nature and environment and their impact on

societies. The work also scrutinizes the rise and fall of nations and states, with a particular focus on the concept of tribal solidarity (*al-ʿaṣabīyyah al-qabalīyyah*).

Ibn Khaldun's work, offering a perspective on universal history, is crucial for understanding the sociological dynamics of Morocco's ruling dynasties. In a particular section of his book, he elucidates the relationship between certain dynasties and their adherence to specific legal and theological schools, focusing on the Almoravids, Almohads, and the people of Al-Andalus. Ibn Khaldun emphasizes the predominance of Bedouin characteristics among the people of Morocco, Andalusia, and their rulers in the Moroccan desert, specifically referring to the Almoravids. He contrasts their tendency to eschew complex and sophisticated discussions, as seen in societies like Iraq, with their affinity to the simpler, Bedouin lifestyle of the people of al-Ḥijāz. Further, he notes that the Almohads are renowned for establishing the Ashʿarite school of creed in Morocco. Unlike the more reserved Almoravids, the Almohads engaged actively in rich theological debates and fostered a scholarly milieu that encouraged exploration of creedal matters. Ibn Khaldun's work is particularly fascinating in that he is among the earliest, if not the sole, Muslim scholars to attempt linking Islamic schools of thought to the sociological context of their adherents.

Clifford Geertz is an indispensable scholar in the study of Islam in Morocco, particularly for his anthropological approach. In his book *Islam Observed: Religious Development in Morocco and Indonesia*, Geertz undertakes an anthropological examination of Islam in both Morocco and Indonesia. Employing historical and comparative analysis, he explores religion in these two culturally, socially, economically, and spiritually distinct Muslim countries. Geertz describes the introduction of Islam in each country, positing that they adopted Islam from different perspectives. He portrays Morocco as a tribal society, with its identity rooted in the agricultural centralization

of tribes. According to Geertz, Morocco encountered Islam primarily through military engagements in the 7th century, and Moroccan Islam is typified by saint worship, moral rigor, magical beliefs, and aggressive piety. In contrast, Indonesia, characterized as a peasant society, was exposed to Islam through trade in the 14th century. In this context, Islam was assimilated into a society already possessing a centralized and established religious state, the Hindu-Buddhist Javanese state.

Despite Clifford Geertz's significant scholarly contributions to academic studies, his work has drawn criticism from several Moroccan scholars. A notable critique is that Geertz overlooked the political dimensions of Islam in both Morocco and Indonesia. Kaptein emphasizes that "during Geertz's fieldwork in Indonesia political Islam manifested frequently in the form of the Darul Islam movement. Kaptein concluded that the prominent role of Islam in Indonesian politics in recent decades has proved that Geertz underestimated Islam's political potential."[28]

In his 2014 publication, *The Calls of Islam: Sufis, Islamists, and Mass Mediation in Urban Morocco*, Emilio Spadola explores the social dimensions of Islam in Morocco. Drawing from his personal experiences during his stay in the city of Fez, Spadola directs the readers' attention to the concept of Moroccan Islam. His study delves into several key elements central to this concept, including Islamic exorcism, legitimate curing (*al-Ruqyah al-sharʿīyyah*), national reverence for Sufi authorities (*al-ʾawliyāʾ al-ṣṣāliḥīn*), mystical knowledge (*al-maʿrifah*), divine blessing (al-barakah), and the veneration of those with Prophetic lineage (*al-shurafāʾ*).

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[28] Silvia Wolf, "Thinking with Clifford Geertz in Rabat," *Leidenislamblog*, January 31, 2019, https://www.leidenislamblog.nl/articles/thinking-with-clifford-geertz-in-rabat.

Simultaneously, Spadola sheds light on the exploitation of Moroccan spiritual Islam by charlatans who falsely claim to possess *barakah* (blessing) and the distinction of *al-ʾawliyāʾ* (friends of God), denouncing their unethical practices and exploitation of the impoverished. He articulates that Moroccan Islam has been encroached upon by impostors within the realm of Sufism. This misrepresentation is particularly repudiated by the True Moroccan Sufi Union, especially concerning the practices of some followers of the *al-Ḥamdūshīyyah* and *al-ʿīssāwiyyah* orders. These latter Sufi groups have drawn severe criticism from the Moroccan Sufi Union for engaging in extreme rituals, such as self-mutilation, consuming boiling water, dancing on broken glass, and partaking in the inhumane act of devouring raw goat flesh while tearing the animals apart alive.

Al-ʾIstiqsā li akhbār al-maghrib al-aqṣá, a comprehensive multivolume history of Morocco by Aḥmad Khālid Al-Nāṣiri, stands as an incredibly insightful work on the Islamic history of the region. Renowned as one of the seminal works in this field, *Al-ʾIstiqsā* continues to be a primary source for researchers studying Moroccan history. The work extensively covers the period from the arrival of Islam in the 8th century up to the ʿAlawite era. It offers a detailed account of each historical phase, focusing on the contributions of the former dynasties. Al-Nāṣiri's work encompasses the Islamic conquest of northwest Africa, including Morocco, and traces the roles played by successive dynasties from the Idrisids through to the ʿAlawites in the 19th century, coinciding with the author's death in 1879.

This work, a detailed account of the people of Morocco, their lands, prominent figures, and historical events, is a comprehensive creation by the Moroccan scholar Sheikh Aḥmad Khālid Al-Nāṣiri, who lived in the nineteenth century. He titled his book *Investigating the News of Morocco.*

Despite its depth and breadth, this book did not achieve widespread recognition in the Eastern world and thus did not receive the recognition it merited. Aḥmad Khālid Al-Nāṣiri was esteemed as a state historian due to his support of the ʿAlawite reign, similar to historian Ibn Abī Zarʿ, who demonstrated his allegiance to the Merinids.

Al-anīs al-muṭrib birawḍi al-qirṭās fī akhbār mulūk al-maghrib wa tārikh madīnat Fas, commonly known as *'Rawd al-Qirtas,'* is a seminal work authored by the Moroccan historian Ibn Abī Zarʿ in 1326 CE and later abridged by Saliḥ bin ʿAbd al-Ḥalīm al-Gharnatī. Renowned as one of the most significant sources in medieval Moroccan history, the book primarily chronicles the history of Morocco with a particular emphasis on the city of Fez, as indicated by its title. It traces the origins back to the formation of the Idrisid state and offers extensive historical insights into the Marinid dynasty, specifically focusing on Sultan ʿOthman bin Yaʿqūb ʿAbd al-Ḥaqq, also known by his nickname Abī Saʿīd.

The writing approach of Ibn Abī Zarʿ in his book can be encapsulated in terms of style and method. In terms of style, Ibn Abī Zarʿ writes with the precision of a jurist, possessing a moderate level of linguistic expertise. His expressions fluctuate depending on the authors and narrators he references, and often, their statements are not directly attributed to them. Regarding his method, Ibn Abī Zarʿ deviates from the annalistic approach commonly employed by most Muslim historians of the Middle Ages. Instead, he adopts a state-chronicling approach, detailing the state's lineage, branches, tribes, and the phases of its establishment. He sequentially discusses its sultans, recounting their actions, and delves into social, economic events, as well as natural phenomena.

Ibn Abī Zarʿ's loyalty to the Marinid dynasty is evident in his writings, particularly in his laudatory descriptions of them. He extols the Banū Marin as 'the highest of the Znatah tribes in lineage, the most powerful and bravest in wars, and the most religious and respectful of scholars, revering the righteous. His admiration is further manifested through his praises, prayers, and acknowledgment of their virtues. This allegiance is underscored by his dedication of the book to one of the Marinid sultans, Abī Saʿīd.

In his 2013 publication, *Black Morocco: A History of Slavery, Race, and Islam,* Chouki El Hamel uncovers the history of racial slavery in Morocco and its entanglement with distorted Islamic narratives. He examines how religious scholars, either coerced by the Sultan or due to misinterpretations of sacred texts, used such narratives to justify the enslavement of black people in the 17th century. This practice was particularly prevalent under the rule of Sultan Ismāʿīl (1672-1727), who established the black army known as *ʿabīd al-Bukhārī* (referring to the collection of Ḥadith narrations compiled by Imam Bukhārī). This military unit not only existed during his reign but also persisted afterward. El Hamel explains that the formation of the black army and its religious designation were primarily motivated by the lack of security in Morocco at the time, a country then known as the land of *al-sībah* (lacking central governance). Sultan Ismāʿīl's initiative was a response to the imperative of stabilizing the country.

The central argument of the book focuses on Sultan Ismāʿīl's rationale for enslaving black Moroccans, including those who were free before, as a means to form his extensive army of slaves. Sultan Ismāʿīl sought to justify this action to Muslim scholars in both Fez and Cairo (al-Azhar) by presenting a strategic rationale. He claimed that the mission of the Black Army was to protect the lands of Islam from European threats. This justification is articulated in a letter featured on page

171 of the book, where Sultan Ismāʿīl states, "this group of slaves is ideally suited for the blessed task for which it has been chosen, notably the surveillance of frontiers, engagement in combat, and the safeguarding of the land of Islam.

Chouki El Hamel argues that the primary factor behind Sultan Ismāʿīl's conscription of black individuals was their skin color. On page 171, El Hamel highlights the troubling aspect of this policy, noting that these black individuals were originally brought to Morocco through the slave trade from sub-Saharan Africa. Sultan Ismāʿīl used their previous status as slaves to justify the forced conscription of these black individuals, regardless of whether they were free black Muslims. Further reinforcing this point, El Hamel cites an-Nasiri, who notes that Sultan Ismāʿīl ascribed negative stereotypes to black people, labeling them as restless, thieves, and rebels (p. 172). According to Sultan Ismāʿīl, their enslavement was beneficial both for them and society.

The book proved invaluable in guiding my exploration of the history of slavery in Morocco during the seventeenth and eighteenth centuries. It unveils the extent of discrimination against the well-known Moroccan group, the Ḥaraṭines, and illustrates Sultan Ismāʿīl's desperate reliance on the *ʿulamāʾ* to provide Islamic legitimacy to his acts of enslavement. This work offers both historical and sociological analysis, delving into the long-standing implications of discrimination that spanned from the seventeenth century well into the twentieth century. It provides a detailed account of the historical narratives surrounding this discrimination and its enduring effects on Moroccan society.

Susan Gilson Miller, an American historian, has been a significant source in my research study. Her book *The History of Modern Morocco,* published in 2013, provides a comprehensive overview of Morocco's modern history. It traces events from the French incursion into Algeria in 1830

through Morocco's independence in 1956 and includes an analysis of the Arab Spring's impact in 2011 and the religious reforms of 2004. The book adeptly covers Morocco's battle against religious extremism, the détente between the monarchy and Islamists, and the repercussions of the Arab Spring. *The History of Modern Morocco* is a concise and accessible resource, offering valuable insights for researchers interested in the region's history, as well as for those in other disciplines seeking to understand the context of contemporary events in the area.

The book also delineates how Morocco distinguishes itself through its stable and enduring monarchy, its strong connections with Western nations, its vibrant cultural scene, and its pivotal role in regional politics. Offering an in-depth and comprehensive analysis of modern Moroccan history, the book posits that the monarchy's response to crises has been driven more by pragmatism than ideology. It begins with the French invasion of Algeria in 1830, exploring Morocco's unsuccessful attempts at reform, its struggle with colonial powers, and the eventual loss of independence in 1912. The narrative then covers the challenges and advantages of forty-four years under French rule and the remarkable triumph of the nationalist movement, culminating in independence in 1956. In the post-colonial period, the book examines the monarchy's progressive consolidation of power, leading to political stagnation, and concludes with the final years of Hassan II's reign. The death of Hassan II in 1999 marked the advent of a new era under a young monarch, Muhammad VI, whose accession to the throne was met with widespread hope.

Morocco: Globalization and Its Consequences is a pivotal source that addresses the contemporary challenges faced by the Moroccan state, particularly in light of the rise of Islamists in North Africa. The book, authored by two scholars, is inspired by Morocco's strategic location, prompting an in-depth research project to study and analyze the effects of globalization in a North

African context. The central thesis of the authors is that Morocco, as a Muslim state in North Africa, finds itself at a critical juncture. The country is navigating a potential clash between Western influences and the surge of politicized Islam prevalent in the Muslim and Arab world. The authors posit that Morocco faces a significant challenge that could impact its developmental trajectory, notably the ascent of Islamism, which is gaining momentum in North African nations including Algeria, Libya, and Tunisia.

The book posits that Morocco presents a unique case study for examining the critical intersection of contemporary development and the challenge posed by Islamism. Morocco is characterized as one of the most liberalized Muslim states, yet simultaneously, it is experiencing a resurgence of politicized Islam with its own global agenda. The authors explore how these conflicting dynamics are influencing Moroccan culture and society, as well as their broader implications for globalization. Geographically, Morocco is notably close to the West and has become a popular destination for Western tourists. However, in terms of social dynamics, its closest parallels are found in neighboring North African countries like Algeria, Libya, and Tunisia. These nations have all grappled with the impacts of politicized Islam over the last quarter-century, offering a contextually relevant comparison of Morocco's experiences.

Marvine Howe's 2005 book, *Morocco: The Islamist Awakening and Other Challenges,* emphasizes the concept of the Islamist challenge in Morocco. As a political writer, Howe exhibits a keen interest in exploring both the historical and contemporary aspects of the Moroccan Kingdom, particularly since its independence in 1956. She offers a succinct history of Morocco's national movement, detailing its resistance against colonial powers—namely France and Spain— and its journey towards achieving independence. Howe also focuses on King Mohammed VI's

efforts to transition the nation from an autocratic monarchy towards a fully democratic state. Furthermore, the book underscores various challenges confronting the kingdom, including issues of gender equality, corruption, the influence of Islamism, and the threat of international terrorism.

The distinction of Marvine Howe's book lies not only in its style but also in her close connections with various Moroccan officials, including former King Hassan II and other ministers. These connections afforded her privileged access to information. Howe's network extends to human rights activists, feminist organizations, politicians, Berber educators, Muslim leaders, and more, enriching her perspective. Additionally, she interweaves a travelogue of Morocco with historical and contemporary analysis. Howe views Morocco as a culturally and socially intricate nation, endeavoring to modernize and democratize its institutions amidst the challenges of an Islamist awakening and other contemporary issues. Her book comprehensively discusses Morocco's post-independence period, its social and religious dynamics, political landscape, and the numerous reforms undertaken since independence. However, since the book was published in 2005, it does not encompass the extent of the religious reforms that occurred subsequent to its publication.

Malika Zeghal's 2008 publication, *Islamism in Morocco: Religion, Authoritarianism, Electoral Politics,* stands as a significant contribution to the literature on the challenges posed by Islamism in post-independent Morocco. The book delves into the intricate political dynamics involved in defining Islamic tradition within the public sphere. This involves a competition among various actors, including the two Moroccan monarchs, especially Hassan II and Mohammad VI, the *ʿulamāʾ* (Islamic scholars), and Islamist groups. Zeghal's central focus is on *the Jamāʿt al-ʿAdl wa al-ʾIḥsān* (Justice and Benevolence Group), an organization barred from political participation.

Her analysis revolves around this group, examining its role and impact within the broader context of the Islamist challenge in Morocco.

In her work, Malika Zeghal characterizes Shaykh Abdsalām Yassine, the head of *Jamāʿt al-ʿAdl wa al-ʾIḥsān*, as a formidable opponent to the Moroccan royal institution. Yassine, who eschewed the nationalist Salafism promoted by the monarchy, adamantly declined to recognize the traditional oath of allegiance to the Commander of the Faithful, *amīr al-mu'minīn*. He harbored aspirations to establish a modern caliphate, regardless of whether it fell under the sovereignty of King Hassan II. At the heart of Yassine's conflict with King Hassan II was a significant challenge to the King's Islamic identity.

Shaykh Yassine did not challenge the king's lineage to the Prophet of Islam, which traditionally bestows religious legitimacy upon the monarch to rule the country. According to Malika Zeghal, Yassine didn't directly oppose the Sharifian monarchy but rather suggested that the monarch adopt a new standard of conduct. His focus was not on the king's outward expressions of worship, but rather on the inwardness and sincerity of his religious faith. Yassine's approach was more about questioning the king's faith than his daily ritual practices. This contrasts with the situation of Sultan ʿAbd al-Ḥafīẓ in the 20th century, who was deposed by Moroccan religious scholars. Yassine's call was distinct; he wanted the king to remain in power but under the condition that he demonstrates repentance.

Zeghal has conducted thorough research on the Islamist organization Jamāʿt al-ʿAdl wa al-ʾIḥsān, dedicating a significant portion of her book to it. While her detailed coverage offers valuable insights, I observed a lack of balance in her approach, as it seems to portray this group as the sole Islamist entity posing a threat to the monarchy. An expanded examination of other

significant parties, such as the Justice and Development Party and the Civilized Alternative Party (this political party was also banned), would have provided a more comprehensive perspective. Despite this limitation, I regard the book as an enlightening comparative analysis of Morocco's experiences with Islamism.

In his 2014 book *Fī Naqd al-ʿaql al-Salafī: Al-Salafiyyah al-Wahhābiyyah fī al-Maghrib namūdajan,* Montaṣir Ḥamāda offers a critical examination of Salafi Wahhabism, both within Morocco and globally. He addresses the emergence of Salafi Wahhabism as a worldwide phenomenon, highlighting its threats not only to Morocco but to the entire world. Ḥamāda anchors his analysis in the context of the tragic events in New York and Washington DC in 2001 and the Casablanca bombings in 2003. Throughout the book, he probes essential questions: What kind of Islam is truly needed? And what image of Islam should be presented to the world? His work provides a detailed analysis of the Salafiyyah al-Jihādiyyah ideology, advocating for a moderate interpretation of Islam that embraces diversity, reminiscent of the Islam practiced in Andalusia and Baghdad during medieval times. Ḥamāda also voices support for Morocco's religious reforms, viewing them as effective measures against contemporary religious extremism. This book aligns with my research interests as it delves into the origins of religious extremism in post-independent Morocco.

In his 2011 publication *Al-Ḥukūmah al-Multaḥīyyah: Dirāsa Naqdīyyah Mustaqbalīyyah* (The Bearded Government), former Moroccan Minister of Pious Endowments and Islamic Affairs, ʿAbd al-Kabīr al-Madghari al-ʿAlawī, provides a critical analysis of Morocco's future governance, particularly in the context of the 2011 Arab Spring. Al-Madghari al-ʿAlawī anticipated that Islamists would ascend to government leadership during this pivotal period, a prediction that

indeed materialized. The book explores the reasons behind the rise of Islamist governments not only in Morocco but also in other Muslim states such as Egypt, Tunisia, and Algeria. Al-Madghari al-ʿAlawī emphasizes the challenges these Islamist governments might encounter, especially in a modern era where global countries are interconnected through international agreements and treaties. He discusses the potential conflicts these governments may face in aligning with Islamic values while adhering to international norms.

In his book, Al-Madghari asserts the rising prominence of Moroccan Islamists, noting their increasing success in polls, media attention, and growing public support. He emphasizes, "we must discuss the Islamic government because political circles anticipate its arrival with apprehension. Islamists, when participating in fair and transparent elections, often secure votes and seats, albeit sometimes by a small margin, instilling fear in their opponents." Al-Madghari also cautions secular factions against using oppression to silence Islamists, arguing that such methods are ineffective given the Islamists' substantial popular base. He advocates for allowing Islamists, particularly those from the Justice and Development Party known for their moderate views, the opportunity to govern. Furthermore, Al-Madghari addresses allegations of his support for Salafi Wahhabism during his tenure as the Minister of Islamic Affairs. He refutes these claims and instead accuses the former Moroccan Ministry of Interior of promoting Wahhabi ideology as a counter to leftist agendas and the Arab nationalism espoused by Gamal Abdel Nasser.

Al-Dalīl (The Guide) stands as a pivotal resource for my research. This compilation features multiple publications by scholars from the Moroccan Ministry of Pious Endowments and Islamic Affairs and concisely encapsulates all the reformative measures initiated in 2004 in the realm of religious affairs. This work represents the culmination of the Ministry's sustained efforts to

reassess and reshape Islamic discourse in Morocco. It serves as a proactive response to extremist narratives and aims to promote a more moderate and contemporary understanding of Islam within the country.

The book is authored by a cadre of Moroccan scholarly elites and focuses on delineating the proper conduct of various religious and governmental figures. These include ʿulamāʾ, Imams of mosques, *khutabāʾ* (those who deliver Friday sermons), *muftīs* (who issue legal opinions), *mustaftīs* (those seeking legal opinions), judges, governors, and members of *al-ḥl al-ḥisbah* (individuals responsible for enjoining what is right and forbidding what is wrong). The primary objective of the book is to guide, regulate, and elucidate the fundamental principles in accordance with divine revelation, Prophetic teachings, and the wisdom of learned men. It is compiled with the intent to educate people about the benefits that can be derived from properly implementing the proposed reforms.

Al-Dalīl outlines the expected normative behavior for Imams, *Khaṭībs* (those who deliver sermons), and *Wāʿizs* (preachers) within Moroccan mosques. It serves as a reminder to both the public and the state of the foundational principles embedded in Morocco's ancient spiritual traditions that these religious figures embody. The book emphasizes that these principles are a legacy of the virtuous Moroccan ancestors who diligently fulfilled their religious and communal duties. They are portrayed as exemplars of ethical and moral ideals, addressing the objectives and interests of the community in a manner that has enriched the history of the Muslim community in Morocco.

The Ministry of Islamic Affairs recognizes the pressing need in the current era to evolve the inherited ethical standards of good conduct from merely being suggestive guidance to becoming

part of formal legal obligations. Such a transformation is seen as essential to bolster the roles of the Imam, *Khaṭīb*, and *Wāʿiz*, ensuring that mosques remain sanctuaries of tranquility, undisturbed by conflicting influences. These religious figures, revered in the Moroccan nation for their trustworthiness and serenity, are considered part of an elite group. Their teachings and behaviors are focused on fostering expansive thought, the spirit of brotherhood, and a political understanding that is deeply rooted in the ethical constants of the Islamic faith.

The book comprises six major sections, each with its subcategories: First, 'The Integral Nature Theory of Religious Affairs.' Second, 'Public Consultation and Guidance: From Individual Spiritual Development to National Development.' Third, 'Managing Religious Affairs While Respecting the International Environment.' Fourth, 'The Correct Implementation of the Rites of Worship and Judgment.' Fifth, 'Models of Religious Rituals: Determining the Origin and Exegesis.' Sixth, 'The Friday Sermon and the Role of the Khaṭīb.

Bureaucratizing Islam: Morocco and the War on Terror authored by Ann Marie Wainscott in 2017, stands out as an invaluable resource on Morocco's religious reform strategies. Despite its relatively recent publication, this book provides an exhaustive coverage of Morocco's reform policies. I have found it to be one of the most detailed accounts available on this subject. Wainscott's book thoroughly contextualizes the state's reform initiatives, exploring the circumstances before and after their implementation. It also delves into the impact of these policies on various religious institutions. The book's critical analysis has been instrumental in my research, offering several arguments that have guided the direction of my own analysis.

The following quotation from the author not only succinctly encapsulates my research on Morocco's new religious policy, but it has also been a fundamental component of my entire

dissertation thesis. "The Moroccan approach to counterterrorism is unique in several ways. Although Morocco has embraced many of the counterterrorism strategies of other states in the region, including anti-terror legislation, mass arrests of Islamists and prominent clerics, and prison rehabilitation programs, the country is **unique** in the degree to which its counterterror strategy relies on reforms to the country's religious institutions. This model contrasts with other Middle Eastern countries' policies, where the state aggressively polices the religious sphere," Ann Marie Wainscott.[29] This quotation served as the foundational starting point for the writing of my dissertation.

Sponsoring Sufism: How Governments Promote "Mystical Islam" in Their Domestic and Foreign Policies, authored by Fait Muedini in 2015, provides a thorough analytical exploration of why certain Muslim and Western governments have been promoting Sufism as a counterbalance to more puritanical interpretations of Islam. Muedini points out that global interest in mystical Islam intensified following the terrorist attacks on September 11, 2001. Post these events, Islam's teachings garnered significant media and political attention, not only for understanding the religion itself but also for examining how it is utilized for political ends. Muedini, while not critical of Sufism per se, raises critical questions about the shift in government support from Salafism in the 1970s during the Cold War to Sufism in more recent times. He argues that this shift warrants vigilance, suggesting that governments' policies towards Islam are subject to change and should not be taken for granted.

Section Two of the literature review, as previously outlined, is dedicated to exploring the nature of Sharīʿah law. This section endeavors to examine the significant religious, ethical, and moral

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[29] Ann Marie Wainscott, *Bureaucratizing Islam: Morocco and the War on Terror* (New York: Cambridge University Press, 2017), 6.

roles played by the foundational institutions of Islamic law, tracing their evolution across the history of the Muslim world. It places particular emphasis on Morocco and North Africa, with a specific focus on the impact of colonialism on these institutions. Additionally, this section examines Morocco's efforts to safeguard these institutions amidst social and political upheavals. The analysis in this section is enriched by the extensive contributions of several scholars who have written in-depth on this topic.

Wael Hallaq's scholarship, particularly in his comprehensive 2009 work *Sharīʿa: Theory, Practice, Transformations*, stands as a seminal contribution to the understanding of Islamic law. In this book, Hallaq provides a thorough overview of *Sharīʿah*, tracing its doctrines and legal practices from the advent of Islam in the seventh century. He elucidates that *Sharīʿah* encompasses both religious and ethical missions, advocating humility and generosity while promoting belief in a singular, omnipotent God devoid of familial lineage. Hallaq emphasizes that *Sharīʿah* has functioned as a lifestyle for Muslim communities over centuries, integrating aspects of both devotional practices (*ʿibādāt*) and legal frameworks in civil transactions (*muʿāmlāt*). His work is pivotal in illuminating the multifaceted nature of *Sharīʿah* law and its historical transformations.

In Hallaq's work, he delineates the components of *Sharīʿah* law. The devotional aspects, or *ʿibādāt*, encompass practices such as prayers, fasting, legal alms (*zakāt*), pilgrimage (*hajj*), and charities. On the other hand, the *muʿāmlāt*, or transactional elements, cover matters including marriage, divorce, child custody, and inheritance. This category also extends to rules governing commercial activities like sales and loans, as well as legal prescriptions for crimes and penalties, including murder, highway robbery, theft, adultery, and slanderous accusations. Hallaq asserts that *Sharīʿah* law has functioned as a robust governance system in Muslim lands for over twelve

centuries. However, he notes that with the advent of Western colonial powers, Sharīʿah was supplanted by Western secular laws. The colonial powers criticized *Sharīʿah* as ineffective, inefficient, and incompetent, claims Hallaq argues were made to facilitate their colonial ambitions.

In his numerous works, including this notable study, Wael B. Hallaq consistently concentrates on the evolution of Islamic law, placing a strong emphasis on its historical context. Hallaq's masterful analysis in this book rigorously investigates the teachings and practices of the *Sharīʿah*, situating them within their historical trajectory and demonstrating their role as a moral guide in premodern Islamic societies. Throughout the book, Hallaq takes the reader on an expansive journey that charts the progression of Islamic law from its origins in 7th-century Arabia. He meticulously traces its development and metamorphosis over the centuries, under the influence of the Ottoman Empire and across diverse regions such as India, Africa, and Southeast Asia, all the way to its manifestations in the contemporary era.

The Origins and Evolution of Islamic Law, another significant work by Wael Hallaq, delves into the historical development of *Sharīʿah* law. Published in 2005, this book focuses on the legal history of Islamic Law, particularly during its formative first three centuries. Hallaq provides a critical account of how Islamic law evolved independently, highlighting the intricate relationship between law, politics, jurists, and the ruling elite. This relationship fostered a unique independence of Islamic law from the state, a seemingly paradoxical yet pivotal aspect of its development. While comprehensive, *The Origins and Evolution of Islamic Law* is not as extensive in scope and detail as his later work, *Sharīʿa: Theory, Practice, Transformations*. Published in the same year, *Sharīʿa: Theory, Practice, Transformations* offers a more profound, lengthy, and informative exploration of Islamic law, delving into various issues with greater depth and detail.

Wael Hallaq's 1997 work, *A History of Islamic Legal Theories*, methodically traces the evolution of Islamic legal theory from its inception to the contemporary period. The book offers a comprehensive account of the early formation of legal theory, delving into its principal themes and arguments. It thoroughly examines both the synchronous and diachronic developments that have resulted in a diverse array of doctrines within Islamic legal theory. Hallaq also investigates the intricate relationship between socio-religious contexts and the creation of legal theoretical discourse, providing detailed insights into this dynamic. The book culminates with an analysis of modern perspectives on the theoretical foundations and methodologies of Islamic law. It outlines the methodological challenges faced by contemporary reformers and discusses various solutions they have proposed to re-envision legal theory in the modern context.

In his 2001 book *Authority, Continuity, and Change in Islamic Law*, Wael Hallaq explores the complex interplay of authority, tradition, and innovation within Islamic law. Hallaq posits that authority in Islamic law, which is simultaneously religious, moral, and epistemic, plays a crucial role in driving the processes of continuity and change. He challenges the perception of *taqlīd* (imitation of previous schools of Islamic law) as mere blind conformity. Instead, Hallaq presents *taqlīd* as a reasoned and deliberate adherence to specific authoritative legal doctrines. This adherence is not seen as inherently antithetical to change; rather, *taqlīd* is portrayed as facilitating a balance between conservatism and adaptability within major legal traditions. Hallaq argues that continuity and change are integral and complementary aspects of Islamic law, both requiring reasoned justification. Continuity involves upholding an established doctrinal position, while change entails advocating for a new or less conventional position.

Wael Hallaq, renowned not only for his contributions to Islamic law but also as a leading scholar in colonial studies and political science, authored *The Impossible State: Islam, Politics, and*

Modernity's Moral Predicament in 2013. The book addresses four critical themes: **First**, it constitutes an academic critique of the shortcomings of modernity, which has historically demonstrated injustice towards various societies and communities through processes such as invasion and colonialism, with a particular focus on Muslim and African nations. Modernity, often likened to a destructive force, has led to widespread human suffering, leaving humanity vulnerable to its effects. **Second**, the Western modernity project has exhibited deficiencies in certain domains, notably in areas related to the state, capitalism, finance, and secularism. According to Wael Hallaq, this combination has had a detrimental impact, eroding what he views as the sacred realm. **Third**, establishing Islamic governance in the modern era is deemed unattainable if it merely emulates the Western paradigm. Instead, it necessitates the creation of a distinct destiny and civilization. In essence, the modern age is distinct, requiring Muslims to craft their own way of life without wholesale condemnation of Western values but rather a selective incorporation to shape their unique identity. **Fourth**, Islamic governance has long been characterized by its moral and ethical principles in its rule over diverse lands. These qualities have enabled it to sustain its influence for centuries. It is this adaptability and flexibility in dealing with other cultures during its reign that allowed the Islamic Caliphates to thrive and prosper for generations.

Another work by Wael Hallaq that does not primarily focus on Islamic law is *Restating Orientalism: A Critique of Modern Knowledge*. This book is more of a critical analysis of modernity and its impact on humanity. Hallaq emphasizes that the book primarily delves into the concept of modernity itself rather than directly addressing Orientalism. He argues that Orientalism should be viewed as a phenomenon rather than the root cause of the psycho-cognitive state (the processes of cognitive perception) in which modern knowledge is entangled. Hallaq asserts that modernity, originating in Europe, is the source of colonialism, genocide, and Orientalism. He

regards his work as a study of modern sovereignty, which extends its influence over the entire spectrum of human existence. It represents the sovereignty of a specific type of entity.

The book not only addresses Orientalism in its narrow disciplinary sense but also delves into the subjectivity of other nations. According to Edward Said's perspective, Orientalism is 'guilty' due to its historical alignment with colonial power and its contemporary association with imperialism and Western domination. However, what Said overlooked is that many human and social sciences rely on authority and its underlying structural foundations, yet they were not included in his critique of knowledge. Edward Said falls into the trap of 'comprehensive generalization' regarding orientalists without distinguishing differences among them. This implies 'the writer's lack of independence,' a concept that Hallaq employs in his theory to establish a classification that differentiates between various orientalists and underscores the dualism of power and knowledge.

Both books, *The Impossible State* and *Restating Orientalism*, were essential for understanding *Sharīʿah* law from a globalized perspective. They also illustrate how calls to restore Islamic law in the modern era faced challenges due to the emergence of European nation-states, which represented new manifestations of Muslim states in the postcolonial era. Reading these books, along with others on the development of Islamic law, clarifies the hidden conflict between Western and Eastern values perceived as opposing each other.

Muḥammad Al-Bāqir is also a renowned scholar whose work explores *Sharīʿah* law from the Shīʿī standpoint. In his 2003 work, *The Principles of Islamic Jurisprudence According to Shīʿi Law*, the author introduces the concept of *ʾUṣūl al-fiqh* (Principles of Jurisprudence) in Islamic law. The book begins with an overview of *Sharīʿah* in general, highlighting its differences from *fiqh*. It aims to clarify the distinction between *fiqh* and *ʾUṣūl al-fiqh* by emphasizing that the former

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seeks to understand the rulings and decisions of *Sharīʿah*, while the latter studies the common elements integral to the process of extracting rulings. This is achieved through a logical method based on proof and evidence to categorize human actions as Compulsory (*wujūb*), Recommended (*mustaḥab*), Prohibited (*muḥaram*), Condemned (*makruh*), or Permissible (*mubāḥ*).

Similarly, Khaled Abou El-Fadl writes about defining Islamic law in an attempt to differentiate between Islamic law and jurisprudence as two separate entities. In his 2014 book, *Reasoning with God: Reclaiming Shari'a in the Modern Age,* he considers Islamic law—*Sharīʿah*—and jurisprudence—*fiqh*—as two distinct categories that simultaneously function as one eminent body of legislation, where one cannot exist without the other. *Sharīʿah* is the perfect divine law, static and unchanging. Its laws exist only in God's understanding and knowledge, beyond human capacity to fully comprehend or extract its ultimate laws and determinations.

Fiqh, on the other hand, represents a highly detailed form of understanding derived from legitimate and scientifically supported determinations and rulings based on necessary evidence. It requires extensive research and observation. Unlike *Sharīʿah*, *fiqh* is the result of human efforts to comprehend the intentions of the Lawgiver in legislating specific judgments. Therefore, jurisprudence is not eternal or unalterable. *Sharīʿah* represents the ideal divine law, beyond human knowledge on Earth. Consequently, human beings must strive to realize *Sharīʿah* law to the best of their abilities. In contrast, *fiqh* represents human attempts to approach and implement the eternal law as it exists in God's knowledge. *Fiqh* is not divine in itself, as it results from human efforts. Unlike *Sharīʿah*, *fiqh* is not eternal, immutable, or unchanging. It is subject to error, alteration, and contingency.

Khaled Abou El Fadl not only defines *Shari'ah* but also offers insights into how it can revitalize and engage contemporary Islam. After providing an essential overview of *Shari'ah*, the author delves into the moral direction of Islam in today's world. By interweaving powerful personal stories with global examples, he illustrates how certain interpretations of Islam have, in some cases, hindered its potential for promoting peace and love. Rather than merely presenting challenges, the author also offers constructive suggestions on how Islam can re-engage with its ethical traditions through *Shari'ah*.

Another book by Khaled Abou El-Fadl that addresses religious extremism is *The Great Theft: Wrestling Islam from the Extremists*, written in 2005. The book critiques the religious phenomenon represented by Puritan Wahhabi Islam and its global influence in both Muslim and non-Muslim societies. The author highlights the significant contributions of numerous modern intellectual elites to the spread of Wahhabism during the 20th century. To maintain its religious and political dominance over the Muslim world, Saudi Arabia provides financial support to scholars and advocates who promote its ideology while also targeting those who hold differing positions from the puritanical version.

And God Knows the Soldiers: The Authoritative and the Authoritarian in Islamic Discourse is a book published in 2001 by Khaled Abou El-Fadl. In this work, the author examines the rise of what he describes as puritanical and authoritarian trends in modern Islam. He analyzes how contemporary Islamist movements have deviated from the essence of Islam as a religion, leading to the degradation of women's rights, the suppression of critical thinking, and the erosion of Islam's moral content. Abou El-Fadl argues that those who claim to protect Islam often become its despotic

oppressors, stifling the dynamism and vitality of the Islamic message. Ultimately, he emphasizes the importance of adopting robust analytical methodologies for interpretation and reevaluating the role of morality in modern times to uphold the integrity of Divine law.

Foundations of Islam: Sharīʿa Law, an Introduction is a book written by Hisham Kamali Muhammad in 2008. In this book, he aims to dispel misconceptions held by Western audiences who often perceive Islamic law as strict and incompatible with modern standards. Kamali provides a comprehensive and accessible examination of *Sharīʿah* law, going beyond stereotypes. This concise introductory work explores the sources, characteristic features, and schools of thought within the Islamic legal system. Kamali addresses topics such as juristic disagreement, independent reasoning, the principles of legality, and the role of *Sharīʿah*-oriented policy. He also raises questions about whether Islam is as law-based as it is often portrayed.

Other essential branches of Islamic law include the higher objectives of *Sharīʿah*. This field, known as *ʿilm al-maqāṣid* in Islamic Thought, explores the higher objectives of Islamic law, which include the protection of the soul, wealth, mind, offspring, and religion. Advanced Muslim scholars later expanded upon these objectives. In his 2005 work, *Imam Al-Shatibi's Theory of the Higher Objectives and Intents of Islamic Law*, Ahmad Al-Raysuni introduces Imam Al-Shatibi's contributions to the field of *ʿilm al-maqāṣid* as a significant work in Islamic knowledge. This book offers a comprehensive understanding of the theory of the objectives of Islamic law in its various aspects.

In his book, *ʾIʿlām al-muwāqqiʿīn*, Shams al-Dīn ibn al-Qayyīm al-Jawzīyyah explores the evolution and development of Islamic law. This work provides a comprehensive study, beginning with jurisprudence, its origins, and the purposes of *Sharīʿah*, and then delving into the history of legislation and legal policy. The author relies on primary sources derived from Prophetic traditions. Ibn al-Qayyīm al-Jawzīyyah explains legal concepts such as analogy (*qiyās*) and *Ijtihād* (personal efforts to extract legal rulings) in great detail. He engages in lengthy discussions of numerous *fatwas*, conducting in-depth investigations into important matters of justice, belief, acts of worship, marriage, divorce, and usury.

Allāl Al-Fāsī, a prominent Moroccan scholar and politician, published his *work Maqāṣid al-Sharīʿa wa makārimuha* in 1993. In this book, he examines *Sharīʿah* law from a modern perspective and explores its compatibility with universal human rights values. The main aim of this book is to elucidate the higher intents and objectives of *Sharīʿah* law. ʿAllāl Al-Fāsī defines the purposes of *Sharīʿah* and conducts an extensive study on these purposes, uncovering the underlying reasons behind each ruling ordained by the Lawgiver (God) for Muslims. In *Maqāsid Sharīʿah*, he addresses social and political issues, affirming that the goal of *Sharīʿah* is to serve the interests of humanity as stewards in the societies they belong to. Humans are responsible before God, who appointed them as stewards, to establish justice and contribute to the intellectual, social, and psychological well-being of all members of the nation.

Jasser Auda, a Canadian scholar of Islamic Thought, is dedicated to the study of the higher objectives of Islamic law. In 2008, he published a book titled *Maqāsid al-Shariah As Philosophy of Islamic Law*. In this book, Jasser Auda explains that the philosophy of Islamic law is grounded

in higher objectives (*maqāṣid*). He emphasizes that these higher objectives, including justice, freedom, rights, common good, and tolerance, are at the core of Islamic law and guide its principles. To make Islamic rulings relevant and effective in the contemporary context, Auda highlights the importance of *maqāṣid*. He introduces a novel method for analysis and critique, drawing upon features from systems theory, such as wholeness, multidimensionality, openness, and especially, the purposefulness of systems.

A subcategory of section two is dedicated to exploring Islamic law in Morocco from the perspective of the Mālikī school of thought. During this exploration, I have delved into various legal books that shed light on the origin and evolution of the Mālikī school of thought in Morocco. One of the prominent Moroccan scholars whose works have been invaluable in this research is Ibn Rushd. His jurisprudential works are known for their clear and straightforward presentation of different viewpoints among Muslim scholars on various jurisprudential issues.

One of his outstanding works, not only in the context of jurisprudence in Morocco but also in the realm of comparative jurisprudence, is Ibn Rushd's book *Bidāyt al-mujtahid wa nihāyt al-muqtaṣid*. This book, a cornerstone of Islamic jurisprudence, encompasses a wide array of jurisprudential opinions from different schools of law, with a primary focus on Sunni-oriented jurists. Essentially, it serves as a comparative study of legal issues in Islamic law during the twelfth century. The book is highly esteemed among Muslim scholars and is regarded as one of the best works for providing clear explanations of legal matters according to each school and its respective founder.

It is considered one of the most important books dealing with the science of jurisprudential agreements and disagreements among scholars, despite its small size. *Bidāyt al-mujtahid wa nihāyt al-muqtaṣid* highlights areas of divergent opinions, explains the perspectives of different schools of thought, cites the statements of scholars on each jurisprudential issue, and identifies points of disagreement while discussing opinions and evidence. The author's primary aim in this book is to provide clear evidence and answers to questions related to *Sharīʿah*. It also contains the opinions of Muslim jurists from the time of the Prophetic Companions, may God be pleased with them, until the spread of imitation.

Al-murshid al-muʿīn (The Guiding Helper) by ʿAbd ul-Wāḥid ibn ʿĀshir is one of the oldest and most comprehensive Islamic texts on the components of traditional Moroccan Islam. It is a didactic book consisting of 317 verses dedicated to describing elements of Moroccan Islam, including the jurisprudence (*fiqh*) of Imam Mālik (d. 795), the theological doctrine of Imam al-Ashʿrī (d. 938), and the Sufism (*tasawwuf*) of Imam al-Junayd (d. 910). This historical account defines Moroccan Islam as Sunni, Mālikī, Ashʿrī, and Sufi. Therefore, I used ibn ʿĀshir's *al-Murshid al-muʿīn* to explore traditional Moroccan Islam and illustrate how Moroccan scholars have upheld this legacy and passed it down to their disciples.

Al-dur al-thamīn (The Precious Pearls), authored by Ibn ʿĀshir's disciple, Abū Maḥammad Ibn Aḥmad ʿAbd Allah Mayyārah (d. 1662), is a commentary on *al-Murshid al-muʿīn.* It explains why Moroccans adhere to these religious constants. Additionally, *Ṭabaqāt al-ḥudaykī* by Muḥammad Bin Aḥmad al-Ḥuḍaykī (d. 1775) serves as a rich source on Morocco's religious components. I explore how Ibn ʿĀshir's legacy was preserved and passed on to future generations through his disciples, namely Shaykh ʿAbd al-Qadir Al-Fāssī (d. 1091 AH/CE 1680), Imam Muḥammad Bin

Saʿīd Al-Marghīthī (d. 1089 AH/CE 1678), Judge Muhammad Bin Sūdah (d. 1076 AH/CE 1665), and Abū ʿAbd Allah Mayyārah (d. 1072 AH/1661).

Other sources and books on Morocco's religious identity include the teachings of Imam al-Ḥaramayn al-Juwaynī in his book *al-ʾIrshād* (Guidance) and the summarized doctrine known as the *al-Salaljīyyah doctrine*, as well as the treatise of Ibn Abī Zayd al-Qayrawānī. Among the scholars whose works were studied is Ahmad ibn al-Bannāʾ al-Murrākushī, a companion of the great Sufi Abū Zayd al-Ḥumayrī, known for following the Sunnah tradition. He also authored several books, including *al-ʾIqtiḍāb* and *Marāsim ṭarīqah fī fahm al-ḥaqīqah*, as well as a *Treatise on Prophetic Miracles*.

Maʿlamat al-fiqh al-mālikī is a landmark in Morocco's Mālikism. The book was written by a Moroccan scholar named ʿAbd al-ʿAzīz bin ʿAbd Allah and published in 1983. The author delves into the history of the Islamic jurisprudential system in Morocco, with a specific focus on the reigns of the Almoravids, Almohads, and the ʿAlawīte dynasties. ʿAbd al-ʿAzīz illustrates how the jurisprudential system developed under each Moroccan dynasty and how the Moroccan Sultans incentivized judges by providing them with good salaries. The author also highlights the shortage of judges in Morocco during the Almoravids and Almohads' rule and how the situation improved with the advent of the ʿAlawites to power.

Mukhtaṣar al-ʿallāma Khalīl fī fiqh al-Imām Mālik, authored by Khalīl Ibn Isḥāq, is an essential multivolume work of the Mālikī school in Morocco. The author is one of the most renowned scholars of the al-Mālikī school of thought, and his work is considered a fundamental cornerstone of the Mālikī school. It covers both devotional matters (*ʿibādāt*) and civil transactions (*muʿāmlat*) according to the al-Mālikī school of law. Moroccan scholars view this work not only as evidence

of the kingdom's long-standing attachment to Mālikism but also as a milestone in the country's leadership within the Mālikī *madhhab* and its *ijtīhad*.

The multivolume work is considered one of the landmarks of the ʿAlawīt state. Sultan Ismāʿīl commissioned scholars, under the leadership of al-Madanī, to collect fatwas based on the rules and principles of the Mālikī school of thought. This undertaking during Sultan Ismāʿīl's reign aimed to prevent various disagreements that were common during this period in the kingdom's history. It's worth noting that the ʿAlawīt state successfully mitigated disputes and brought scholars together. Consequently, the University of Al-Qarawīyyīn continued to shine as a beacon of scholarship.

Al-thamr al-dhātī fī taqrīb al-maʿānī is a book of Mālikism written by Ibn Abī Zayd al-Qayrawānī. This work is among the earliest summarized works in the field of al-Mālikī jurisprudence and includes explanations and footnotes. Notably, the book extensively employs newly introduced terminology and provides further elaboration on the rulings and decisions of the al-Mālikī school of thought.

Ibn Abī Zayd al-Qayrawānī is recognized as one of the preeminent Mālikī jurists in Morocco. He served as the Imam of the Mālikī school during his era, compiling the teachings of Malik and providing commentary on his sayings. Ibn Abī Zayd was renowned for his extensive memorization and narration of Islamic knowledge, as evidenced by his numerous writings. He authored around forty books, primarily on jurisprudence, although he also delved into topics related to the principles of monotheism and responded to those who challenged the Sunnah traditions.

Al-madhhab al-Mālikī fī al-maghrib min al-muwaṭṭaʾ ila al-mudawwanah is a publication by the Ministry of Pious Endowments and Islamic Affairs. It comprises a collection of seminars and lectures presented by a distinguished group of scholars, both locally and internationally. Various scholars contributed to the compilation of this work. The book explores the introduction of the Mālikī school of jurisprudence in Morocco since the eleventh century and its reception by the Moroccan people. It delves into how the Mālikī *madhab* has played a pivotal role as an inclusive way of life, shaping all aspects of Moroccan society.

Section three, however, focuses on the role of the *ʿulamāʾ* in addressing controversial issues, including jihad. It emphasizes their responsibility to address modern challenges within the Muslim community. This section explores the term "jihad" from both Quranic and Prophetic perspectives, explaining its various types, including the lesser and greater jihad. As previously mentioned, a comprehensive literature review on this subject has contributed to the depth of this research study.

Jihad in Classical and Modern Islam by Rudolph Peters, published in 1996, is a significant work dedicated to understanding jihad. Peters aims to clarify this concept for Western audiences who often associate jihad with violence and fanaticism. The book provides a wide range of reading materials and translations, including Quranic verses and Ḥadīth narrations from both Arabic and Turkish sources. It also includes essays on modernist and fundamentalist interpretations of jihad. Peters' approach allowed me to grasp the broader perspectives of jihad, encompassing both modernist and traditionalist dimensions. This comparative study of how Muslim scholars approached jihad is invaluable for those interested in the subject.

Peters emphasizes the various contexts in which the term "jihad" can be applied to different situations. According to Peters, it can denote a Muslim's inner struggle, where they contend with the forces of good and evil to act righteously according to God's will. Additionally, it can represent the endeavor to establish a cohesive Muslim society. For Peters, the term "jihad" is only associated with warfare in cases of oppression against Muslims. This takes a person to the concept of defensive warfare, a central theme in Rudolph Peters' book. Peters explains that the strength of these Qur'anic verses on jihad ties the fight against non-believers to their aggression or treachery.

Jihad in Islamic History is a book written by Michael Bonner in 2006, where he delves into the controversial issues surrounding the definitions of jihad. Michael Bonner rejects the notion of defining jihad solely as a means of either violence or peace, considering both definitions inadequate. He illustrates that jihad is a complex term to define because it represents an evolving set of doctrines and practices. What adds to the complexity and flexibility of its definition are the various contexts in which the term "jihad" is used. At times, it refers to combat, while in other instances, it encourages believers to show generosity and care for the poor.

Thus, Michael focuses more on the textual and historical contexts where the word jihad occurs in the Quran. In this regard, Michael Bonner stresses that "Islam arose in an environment where warfare—or at any rate, armed violence with some degree of organization and planning—was a characteristic of everyday life."[30] Historically, when Islam came into existence in the Arabian Peninsula (a pagan society), it was not welcome in that unfriendly atmosphere. So, the quote explains Michael's point the notion of the contextual element.

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[30] Michael Bonner, *Jihad in Islamic History* (Princeton University Press: Library of Congress, 2006), 7.

David Cook's book, *Understanding Jihad,* provides a comprehensive exploration of the concept of jihad within the Islamic context. Cook emphasizes that jihad is a complex and often misunderstood term that doesn't exclusively mean "holy war" or solely refer to an inner spiritual struggle. Instead, he offers a balanced definition by analyzing various Islamic texts and modernist as well as fundamentalist interpretations. The second edition of the book, published in 2015, includes updates related to significant events in the Middle East and North Africa (MENA) region, such as the emergence of ISIS, the Arab Spring, and the death of Osama bin Laden. Cook's work aims to clarify the ambiguity surrounding the term "jihad" and shed light on its historical, intellectual, and political dimensions within the Islamic context.

Abū Al-Fidāʾ Ismāʿīl Ibn Kathīr al-Qurayshī, in his Quranic exegesis, *Tafsīr al-Qur'an al-ʿaẓīm*, provides a historical context for verses that mention the fight against non-Muslims. In his work, he explains that these verses, which allow for jihad or armed struggle, were a permission from Allah to engage in self-defense after enduring years of persecution. In his *Tafsīr*, Ibn Kathīr confirms that these verses granted permission for Muslims to wage jihad. They were revealed during a time when Prophet Muhammad and his companions were compelled to migrate to Medina due to the severe suffering, oppression, and persecution they endured for several years because of their chosen creed.[31]

Likewise, Maḥmūd Shaltūt, in his book, *al-Qur'an wa al-qitāl*, emphasizes the concept of self-defense when it comes to Muslims engaging in jihad. His interpretations are rooted in a

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[31] Ismāʿīl Ibn Kathīr, *Tafsīr Al-Qur'an Al-ʿAẓīm*, ed. Shaykh Khalid Muhammad Maḥram (Beirut: Al-Maktaba Al-ʿAssrīya, 2002), 212.

modernist approach to the Quranic text. According to Maḥmūd Shaltūt, there is no single verse in the Qur'an that encourages Muslims to fight for the purpose of converting people to Islam. In contrast, Shaltūt explains that there are only three reasons for launching jihad: to restore dignity and halt aggression, to establish religious freedom for all, and to protect the mission of Islam.[32] It appears that Maḥmūd Shaltūt wants to convey that these verses provide a self-sufficient response to the claims made against Islam, which suggest that it is a divine mission to spread Islam worldwide through compulsion and violence.

Richard Bonney, in his 2004 book titled "Jihad from Qur'an to bin Laden," discusses various forms of jihad, including the political dimension. In the Tunisian context, he mentions the following: "President Habib Bourguiba of Tunisia used the term jihad to describe the struggle for economic development in Tunisia, much as Lyndon Jonson spoke of a 'War on Poverty'. In this context, jihad no more implies violence, but it is a 'war' or 'crusade' on poverty in today's English."[33] This reading of jihad reminds us of what Indian Muslims have expressed regarding their approach to facing modern challenges in their country: "We have kept our religion within our mosques and houses, and we are fighting a jihad against ignorance, illiteracy, poverty, and disease, and not against the state."

Jihad: What Everyone Needs to Know is an excellent book written by Asma Afsaruddin. The author aims to address the overwhelming ambiguity surrounding the definition of jihad in the Islamic context. Asma Afsaruddin delves into key questions about jihad and provides concise yet

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[32] Mahmoud Shalūt, *Al-Qur'an Wa Al-Qitāl* (Cairo: Matbaʿat Al-Kitāb Al-ʿArabi, 1951), 35-36.
[33] Richard Bonney, *Jihad from Qur'an to bin Laden*, forwarded by. Sheikh Dr Zaki Badawi (London: Palgrave Macmillan, 2004), 12.

thorough answers. She explores the significance of jihad from Islam's earliest days to the present in an accessible and historically grounded manner. Without resorting to fear-mongering or sensationalism, this book tackles the pressing need for a comprehensive discussion of jihad that considers its various dimensions. It achieves this by examining jihad from a variety of perspectives, including biblical, theological, moral and ethical, legal, and socio-political angles.

In conclusion, the purpose of this literature overview was to identify key points in my research study related to the reality and uniqueness of traditional Moroccan Islam. These two aspects have served as guiding principles throughout my research journey. My findings have confirmed that Moroccan Islam is a historical reality, not a creation of the French colonial era in 1912, and it possesses distinctive characteristics. Morocco and its scholars exemplify this uniqueness in various dimensions. This distinctiveness is evident in Morocco's adherence to traditional Islam, including the Mālikī school of jurisprudence, the Ashʿarite doctrine of theology, the Sufi path of Imam al-Junayd al-Sālik al-Baghdādī, and the allegiance to the Commander of the Faithful (*Amīr al-muʾminīn*), King Muhammad VI, who symbolizes both political and religious unity.

Morocco's uniqueness is also evident in its transition from coercive to more inclusive measures, unlike other states in the MENA region, particularly in the context of religious reforms. Another aspect of Morocco's distinctiveness is its gender-related reforms, which include the appointment of the *Murshidāt* (female religious guides), the integration of women scholars into the High Council of Scholars, and improvements in the New Family Code (*al-Mudawwannah*) that provide more advantages to women. Furthermore, Morocco's model stands out in its approach to training Imams from both West Africa and Europe in the fight against religious extremism, making the

country a leading state in the region. This training occurs at the Muhammad VI Institute for Training Imams, *Murshidīn*, and *Murshidāt* in the capital city of Rabat. The institute aims to strengthen ties between African and European nations and foster cooperative relations with associations and institutions of common interest.

The entire research study revolves around the idea of the distinctiveness of the Moroccan religious model. My aim is not only to refute Burke's claim but also to prove that Moroccan Islam is indeed distinctive, and the recent reform strategies of 2004 support this assertion. The concept of distinctiveness has been highlighted in various sources within the literature review, some of which have already been cited above. As mentioned earlier, at least three hundred years before the protectorate period, Morocco and Moroccan scholars regarded themselves as having a unique form of Islam. This reality has been emphasized by ʿAbd ul-Wāḥid ibn ʿĀshir, whose historical account defines what Moroccan Islam is in his book, *The Helping Guide* (*al-Murshid al-muʿīn*).

CHAPTER THREE

ISLAMIC REVIVAL

In the post-colonial period, many Muslim countries adopted secular forms of governance, supported by various economic systems. This shift led to the emergence of opposition against the ruling elites. In North Africa, new political parties with Islamic orientations emerged. These included the Muslim Brotherhood in Egypt, founded in 1928 before the end of colonial rule in many Muslim countries, and the Islamic Tendency Movement in Tunisia in 1981, which later became the Ennahda Movement. In Algeria, the Islamic Salvation Front was established in 1989. In Morocco, the Islamic Youth Association was founded in 1969, followed by Justice and Benevolence in 1987, and the Islamic Community in 1983. The latter, under the leadership of Abdelillah Benkiran and originally part of the Islamic Youth Association, was established by Abdelkrim Moutii. This party underwent several name changes before finally becoming the Justice and Development Party, which was in power from 2011 to 2021.

The political participation of Islamic movements posed a significant threat to the existing political establishments, particularly when some of their members, or those claiming affiliation, resorted to militant confrontation in response to the government's negative response to their demands. This rejection led to bloody clashes between the state and these militant groups. As a result, several radical movements became more publicly active. These include *al-Jamāʿah al-Islāmīyyah* (the Islamic Group), founded in Egypt in the late 1970s or early 1980s; *al-Daʿwah* (the Call) around 1976; and *Jamāʿāt al-Muslimīn* (the Association of Muslims) in 1977. Notably, *Jamāʿt al-Takfīr wa al-Hijrah* (The Association of Anathematizing and Migration) gained

attention in Egypt, alongside the Jihad Organization (*Tanẓīm al-Jihād*). In Algeria, the Militant Islamic Community emerged in 1992, and in Morocco, *al-Mujāhdūn al-Maghāribah* (*The Fighters of the Maghreb*) was established in 1990.

The Islamic revival in post-colonial Morocco, dating back to the 1960s and beyond, encompasses a spectrum of political Islam, including both moderate Islamists and militant factions. Post-colonial Morocco, similar to other states in the MENA region, experienced geopolitical tensions and power struggles. However, unlike some MENA countries where monarchies collapsed and were replaced by presidential systems, Morocco maintained its monarchy. The nation narrowly escaped a shift in political trajectory due to two military coup attempts in 1971 and 1972. King Hassan II, reigning during this tumultuous period, was deeply concerned about the political changes in the region. He aimed to modernize Morocco and establish a secular system, distinct from the models of Habib Bourguiba in Tunisia and Mustafa Kemal Atatürk in Turkey. Nonetheless, King Hassan II upheld Islamic traditions, collaborating with influential political Islamists like Allah El Fasi. El Fasi, a Salafi, recognized the authority of King Mohammed V[34] as the Commander of the Faithful and a leader in the jihad against the French and Spanish armies. From the 1960s to the 1980s, a critical era in Morocco's post-colonial history, King Hassan II increasingly relied on political Islamists to counter various ideologies, including socialism, the Arab nationalism of Gamal Abdel Nasser, and the implications of the 1979 Iranian revolution.

In the 1970s, King Hassan II of Morocco strategically supported certain modern political Islamists, such as Allal El Fasi and Shaykh Abdallah Kannun, to counter Nasserism and Shi'ism. However, Shaykh Abdessalam Yassine stood in stark opposition to the monarch. Yassine, rejecting

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[34] The grandfather of King Muhammad VII, current monarch of Morocco.

the nationalist Salafism favored by the king, directly challenged the royal institution. He notably refused to swear allegiance to the *amīr al-mu'minīn* (Commander of the Faithful) and aspired to establish a modern form of caliphate where the king could retain the head of state role. Yassine's confrontation with King Hassan II primarily revolved around questioning the king's Islamic identity. His pivotal letter, *Islam or the Deluge*, addressed to the king, explicitly challenged Hassan II's religious authority as *amīr al-mu'minīn*. The publication of this letter brought Shaykh Yassine into the spotlight, drawing significant attention from the royal palace.

King Hassan II's initial response to Shaykh Yassine's challenge was to send him to a psychiatric hospital, followed by placing him under house arrest. This was despite Shaykh Yassine not discrediting the king's lineage to the Prophet of Islam, which underpins the monarch's religious legitimacy to rule the country. Malika Zeghal asserts "Yassine didn't directly oppose the Sharīfiyyan monarchy. He proposed that the monarch adopt a new standard of conduct."[35] Shaykh Yassine was not concerned with King Hassan II's external expressions of worship; rather, he questioned the king's inner religious sincerity. His critique was more about the authenticity of the king's faith than about his daily ritual practices. This stance contrasts with the historical case of Sultan Abd al-Hafid in the early 20th century, who was deposed by Moroccan religious scholars. Unlike that situation, Shaykh Yassine's call was different. He desired for the king to remain in power, but under the condition that he sincerely repents.

Although Shaykh Yassine's Islamist organization, Justice and Benevolence (*Al-ʿAdl wa Al-Iḥsān*), is known for its moderation and stance against violence, it was nonetheless barred from participating in politics. Yassine's political ideology was significantly influenced by Hassan Al-

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[35] Malika Zeghal, *Islamism in Morocco: Religion, Authoritarianism, and Electoral Politics,* Tr. George Holoch (Princeton: Markus Wiener Publisher: 2005), 95.

Banna, the founder of the Muslim Brotherhood, and Sayyid Qutb. In this regard, Malika Zeghal confirms "Yassine didn't differentiate himself from Islamism already at play in the writing of the Muslim Brotherhood in the Middle East or those reflecting their influence in the Maghrib."[36] Shaykh Yassine admired Hassan al-Banna to such an extent that he replicated the Muslim Brotherhood's administrative model and applied it to his own Islamist organization, Justice and Benevolence. In contrast, figures like Abdelkrim Moutii, who founded the Islamic Youth Association in 1969, completely denounced the legitimacy of the monarchy. Moutii advocated for the establishment of an Islamic republic in Morocco, drawing inspiration from the model of Iran.

In this tangled religious-political context, Howe illustrates that "Morocco, at this stage, turned to Saudi Arabia for help in facing the challenges from the Left, influenced by Nasserites and Marxist-Leninists. In return, Saudis were given free rein to introduce Wahhabism to Morocco, through preachers, publications, audiocassettes, and generous monetary contributions."[37] In the 1990s, Morocco witnessed the emergence of a radical religious discourse, driven by several Imams and preachers. Invoking religion, they incited hatred against liberal lifestyles, criticizing the state's allowance of Western values, which they claimed "corrupted" the Islamic faith of Moroccan citizens. This conflict extended to Moroccans who embraced these modern values, leading to a widening rift between the state and religious extremists. In their pursuit of promoting virtue and preventing vice, these puritanical figures committed several acts of aggression against civilians. This period of escalating tensions culminated in the city of Casablanca experiencing devastating suicide bombings thirteen years later, marking an unprecedented attack in the country's history.

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[36] Zeghal, *Islamism in Morocco*, 96.
[37] Howe, *Morocco: The Islamist Awakening,* 126.

CHAPTER FOUR

MOROCCAN ISLAM BEWEEN INVENTION AND REALITY

Religion has always been a fundamental element in the life and cultural heritage of the Moroccan people. Islam, the state's religion[38], has long shaped the spiritual identity of the Moroccan society, which encompasses all aspects of people's lives. According to the Syrian author and university professor, Muḥammad Fārūq al-Nabhān, "for Moroccans, Islam is not just a religion, but a culture, a faith, a history, a civilization, a language, values and customs. It is easy to discover the influence of Islam on the prevailing values and social customs, and Islam is the strongest and most powerful weapon of Moroccans. It is the true identity that distinguishes the Moroccan personality in its attitudes and behavior and embodies its culture and ethics."[39] This comprehensive picture draws our attention to the centrality of Islam in people's lives.

Morocco's past and present ruling dynasties have contributed to the development of the country's religious identity. According to Marvine Howe, an American political writer, "the succeeding Almoravid and Almohad dynasties were Berbers from the Sahara, but they were very pious Muslim reformers, and their empires were ruled under the name of Islam. The Merinid dynasty sought legitimacy by building Islamic schools and sanctuaries and promoting Sufi orders. The Saadians and the current ruling Alaouites claimed to be *chorfa*, or descendants of the

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[38] Moroccan constitution of 2011, article 3. It states that Morocco is no longer an Islamic state as the previous constitutions mentioned in 1962, 1970, 1972, 1992, 1996. It affirms that Islam is the religion of the State, which guarantees to all the free exercise of beliefs [cultes], https://www.constituteproject.org/constitution/Morocco_2011.
[39] Muḥammad Fārūq al-Nabhān, "Taʿammulāt fī mafhūm al-huwīyyah," *Daʿwat al-Ḥaqq*, March 1997, https://www.habous.gov.ma/daouat-alhaq/item/8152.

Prophet."[40] What most, if not all, of these succeeding dynasties have in common is that their rule was based on religious legitimacy by claiming a Sharīfiyyan lineage—belonging to the household of the Prophet of Islam. This claim strengthened their political authority and facilitated their missions to rule under the banner of Islam.

Islam has been an integral part of Morocco's political system for centuries since then, and the status of current monarch, Mohammed VI, is a vivid example of how power is combined[41] in the country. Constitutionally, the King is the Head of State and the Commander of the Faithful[42], *amīr al-muʾminīn*. King Muhammad VI is both political and religious leader, a status unique to the king. However, according to Mohammed El-Katiri, who worked in senior research roles for The Hague Institute for Global Justice (THIGJ), "this does not make Morocco a theocratic state, since legal codes vary and include secular French law, while an elected parliament has legislative power up to a certain extent. Rather, this makes the King the only political institution that is constitutionally allowed to combine both political and religious powers."[43] These two powers that the king enjoys can be explained as a direct message[44] to both Islamists, who oppose state's policies on the basis of religious background, and secularists, who demand the separation of religion and state. This also can be understood as putting an end to the ongoing competition between the royal institution and Islamists when it comes to defining the Islamic tradition within the Moroccan context.

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[40] Marvine Howe, *Morocco: The Islamist Awakening*, 124.
[41] Officially, the first Moroccan constitution of 1962 affirms this combination of powers.
[42] Moroccan constitution of 2011, articles 41-42, https://www.constituteproject.org/constitution/Morocco_2011.
[43] El-Katiri, "The Institutionalization of Religious Affairs," (2013): 55.
[44] The struggle over power between nationalist movements, political Islamists and secularists, in post-independent Morocco (in 1956) led the former regimes, especially King Hassan II to have a total control over the religious and political domains.

Islam in Morocco is characterized by adherence to the Mālikī school of jurisprudence, the Ashʿrite doctrine of theology, and the Sufism of Imam al-Junayd, which have influenced most of the country's legal, legislative, theological, and spiritual systems since the eleventh century. El-Katiri stresses that "millions of Moroccans with all their cultural and ethnic diversity are united by this school of Sunni Islamic law which has long constituted an essential element of the Moroccan identity and heritage."[45] Within the context of theology and doctrine, Moroccan scholars assimilated the theological school of Abū Ḥassan al-Ashʿarī (d. 324/936). As a balancing principle between these two facets of law and dogma, Moroccan Islam has long been characterized by adopting the mystical heritage of Sufism as exemplified by the al-Junayd (b. 210/825), known as the "Leader of the folk of the Path." Furthermore, according to the current minister of Pious Endowments and Islamic Affairs, Aḥmad Toufiq, "the pledge of allegiance to the Commander of the Faithful, *amīr al-muʾminīn*, King Muhammad VI, is very essential to Morocco's main religious constants (*al-thawābit al-dīnīyyah*), and helps the country achieve peace, security, and national stability."[46] The state believes that the oath of allegiance is the balance to the country's religious and political stability.

The Moroccan government defines the state's culture of Islam as moderate and tolerant, and it claims that these characteristics derive from a centuries-long tradition. The state's Ministry of Islamic Affairs confirms that "Moroccans chose the Ashʿarī doctrine because they sensed in it the essence of faith and moderation, which goes beyond the literal reading of texts. Therefore, the Ash'arīte thought took a position of fairness and moderation."[47] Sufism of Imam al-Junayd as well

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[45] El-Katiri, "The Institutionalization of Religious Affairs," (2013): 55.

[46] Aḥmad Toufiq, "ʾImārat al-muʾminīn: muʾassassah fāʿilah wa mukawwīnun assāsī lilhuwwīyyah al-waṭanīyyah al-maghribīyyah," *al-Mamlakah al-maghribīyyah*, June 10, 2022, https://shorturl.at/bzGNS.

[47] Publications of Moroccan Ministry of Pious Endowments and Islamic Affairs, *Dalīl al-ʾimām wa al-khaṭīb wa al-wāʿiz* (Casablanca: Matbaʿat al-Najāḥ al-Jadīdah, 2006), 21.

as the jurisprudence of Mālik ibn Anas were also praised by the state to hold a moderate position. In this regard, the Ministry of Islamic Affairs maintains, "in the same way that the scholars chose the path of the moderate Imam (referring to Imam al-Junayd), who was known for his virtuousness, in the field of jurisprudence, they chose the teachings of Mālik ibn Anas, the scholar of the Medina of the Prophet."[48] These three components remain an integral entity in Morocco's religious constants. Religious moderation and tolerance remain the central point of Moroccan Islam. According to the professor of Islamic Studies, Dr. Kenneth L. Honerkamp, "for more than 1400 years, Moroccan culture has exemplified its commitment to moderation through a pragmatic yet spiritual path within its Islamic religion."[49]

Defining such flexible form of Islam has increased in the past two decades, especially in the aftermath of 2003 Casablanca bombings, when the state initiated a whole set of religious policies to counter religious extremism. The state sought to find a balance between ultra-conservative readings of Wahhabism and Shīʿism. According to Marie Ann Wainscott, professor of Political Sciences, "as part of those measures, the government has argued that, in contrast to the Wahhabism of Saudi Arabia and the Shīʿism of Iran, Moroccan Islam has long been characterized by moderation and tolerance."[50] The hope was that promoting this version of Islam would give Morocco an advantage in confronting the religious dominance of the well-established doctrines of Saudi Arabia and Iran, in the process distinguishing Morocco as a moderate religious model.

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[48] Moroccan Ministry of Pious Endowments and Islamic Affairs, *Dalīl al-ʾimām wa al-khaṭīb wa al-wāʿiz*, 54.
[49] Kenneth L. Honerkamp, Michael D. Calabria, "Moroccan Islam: A Unique and Welcome Spirit of Moderation and Tolerance," *Center for Contemporary Arab Studies,* n.d., https://www.islamawareness.net/Africa/Morocco/morocco_article0001.pdf
[50] Wainscott, *Bureaucratizing Islam,* 71.

Edmund Burke's Claim Regarding Moroccan Islam

While the Moroccan state and its scholars claim to belong to a moderate and tolerant Islam, Edmund Burke affirmed, a decade ago, that there is no such thing as 'Moroccan Islam' — that was an invented story by the French to colonize and dominate Morocco during the French protectorate in 1912: "Moroccan Islam was constructed under the auspices of French colonial scholars in the early twentieth century. Its creation made possible the transformation of a fragile precolonial Moroccan monarchy into a modern state. As Morocco became French, the meanings and functions of the discourse on Moroccan Islam underwent important modifications."[51] This quote is the foundation upon which this study is built, especially since Edmund Burke is the only scholar, I have come across who has made such a statement.

Edmund Burke rejects Morocco's claim to have a national Islam that is distinctive: "today, almost alone among Muslim countries Morocco is known for its national form of Islam, 'Moroccan Islam'. Yet there is little evidence that pre-colonial Moroccans thought of themselves as having a distinctive style of Islam. Indeed, since Islam is a universal religion, the existence of recognized national versions is not recognized."[52] The assertion by the Moroccan State, along with its intellectual elites, of adherence to a distinctive manifestation of Islam does not negate the religion's inherent universality. The modality through which Islam is practiced within Morocco, and its integration into both the legal framework and social mores, endows it with a unique identity termed as 'Moroccan Islam'. This distinctiveness is a testament to the dynamic and adaptive nature of

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[51] Burke, *The Ethnographic State,* 3.
[52] Burke, *The Ethnographic State,* 1.

Islam, reflecting how religious principles are contextualized within the specific cultural and historical milieu of Morocco.

Burke's primary sources consist of the early colonial volumes of the *Archives marocaines*, French ethnographic writings that provide Burke with an irreplaceable source of Morocco's social life before the protectorate and on the threshold to the modern world. The *Archives marocaines*, for Burke, "provided the symbolic capital and ethnographic authority on which the discourse on Moroccan Islam was constructed, as well as the frame within which Morocco could be thought."[53] Burke's exclusive dependence on French colonial narratives of Morocco, coupled with the omission of both Arabic and Amazigh sources, renders his epistemological stance problematic and undermines the robustness of his arguments concerning Moroccan Islam. Such methodological limitations may impinge upon his credibility as an American historian with a scholarly focus on North African history, calling into question the comprehensiveness and authenticity of his historical analysis. This reliance on colonial perspectives without integrating indigenous viewpoints suggests a potential epistemic bias, which could detract from the depth and accuracy of his historical interpretations within the context of North African studies.

Burke states that by reducing religion in Morocco to superstition, the French gave themselves an explanation for colonizing this backward state, Morocco. Burke illustrates, "by emphasizing the superstitious religious beliefs and practices that allegedly characterized Moroccan culture, the discourse on Moroccan Islam provided an explanation of Moroccan backwardness, and hence its

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[53] Ibid, 7.

'colonizability'."[54] These religious practices refer to the saint worship, the healing of the sick, possessing magical powers, and spirit possession.

The assertion that the concept of Moroccan Islam was a French invention presents a significant incongruity with the definition as promulgated by the Moroccan state and its scholars. Contrary to this postulation, the Moroccan authorities have undertaken theological reforms to underscore the tripartite pillars of Moroccan Islam: Mālikism, Ashʿarism, and the Sufism of Imam al-Junayd, each of which boasts a longstanding presence within the Moroccan spiritual landscape. This delineation starkly contrasts with Burke's portrayal, which inaccurately suggests that the Moroccan government endorses a version of Islam characterized by the French colonial interpretation— namely, the practices of saint worship, healing rituals, the attribution of magical powers, and spirit possession. Such a misrepresentation not only distorts the essence of Moroccan Islam but also echoes a broader colonial narrative, employing cultural mischaracterizations as a pretext for colonization under the guises of civilization, democracy promotion, or mandate imposition.

But whereas Burke argued that French ethnographers constructed the fiction of a Moroccan Islam, I will argue that there is a historical evidence, at least three hundred years before the protectorate period, that Morocco and Moroccan scholarly elites actually considered themselves to have a distinctive form of Islam. Moroccan scholars with Sufi orientations contributed to this spiritual heritage over the centuries, as did the Moroccan dynasties that followed the Idrisids, up to the ʿAlawites today.

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[54] Ibid, 176.

Burke overlooked this deeper history because he was completely reliant on the French colonial documents of Morocco and did not consult any Arabic sources. The Moroccan historian, Abdallah Laroui, pointed out in his work *Mujmal tārikh al-maghrib* (the Complete History of Morocco) that this language deficit has been characteristic of western scholarship on Morocco more generally:

> Colonial writings about Morocco, which are often neglected and belittled, continue to influence the perceptions of foreigners. American researchers, eager to gather information about the region's past, often lack the qualifications necessary to critically assess and differentiate its various aspects. They hastily formulate hypotheses that even their originators are hesitant to assert, yet treat these as definitive truths. Attempting to understand the current situation, they do so without knowledge of the Arabic and Amazigh languages. Their understanding of history is limited to what is academically essential and what aids in comprehending social and political issues. They show a preference for French writings, attributing to them a higher value than perhaps warranted. The American scholar serves merely as a representative example of foreign scholars in general.[55]

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[55] Abdallah Laroui, *Mujmal tārikh al-maghrib*, vol.1, 28-29.

The components of Moroccan Islam that Moroccans now understand as traditional were originally identified in the work of the renowned Moroccan scholar ʿAbd Al-Wāḥid ibn ʿĀshir (d. 1040/1631), *al-Murshid al-muʿīn* (The Guiding Helper). This is a didactic book of 317 verses that describe Morocco's religious identity as characterized by three primary aspects: the jurisprudence (*fiqh*) of Imam Mālik (d. 179/795), the theological doctrine of Imam al-Ashʿrī, and the Sufism (*tasawwuf*) of Imam al-Junayd. Because this work is regarded as one of the oldest and richest Islamic texts on elements of traditional Moroccan Islam, I will examine Ibn ʿĀshir's text closely and discuss how Moroccan scholars adopted it and taught it to their disciples like ibn ʿĀshir did with his own students namely, shaykh ʿAbd al-Qadir Al-Fāsī (d. 1091 AH/ CE.1680), Imam Muḥammad Bin Saʿīd Al-Marghīthī, (d. 1089 AH/ CE. 1678), Judge Muhammad Bin Sūdah, (d. 1076 AH/ CE. 1665), and Abū ʿAbd Allah Mayyārah: (d. 1072 AH/ 1661).

Ibn ʿĀshir begins *al-Murshid al-muʿīn* with a clear statement of the three spiritual elements he saw as most vital to Islam: "afterwards, (I ask) help from God Almighty in structuring these metered verses, which are beneficial to (even) the illiterate to learn tenets of belief about the al-Ashʿrīte theology, the jurisprudence of Imam Mālik, and the *tasawwuf* of al-Junayd al-Sālik (the traveler)."[56] Ibn ʿĀshir himself embodied these three components since he was a prominent Moroccan jurist in Mālikism, Ashʿrite in doctrine, and a moderate Sufi shaykh. The legacy of ibn

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[56] ʿAbd al-Waḥid Ibn ʿĀshir, *Matn Ibn ʿAshir,* ed. ʿAlī Yūsuf Sulaymān (Cairo: Maktabat Al-Qāhirah, n.d.), 2.

ʿĀshīr's teachings has been preserved[57] and passed on to future generations to ensure that such a religious heritage is well maintained.

To this day, children enrolled in the state's institutions of traditional religious education (*al-taʿlīm al ʿatīq*)[58] memorize several verses of the book and study it as a guide in their religious teachings in order to ensure that such religious knowledge, a shared heritage, is well safeguarded, as ibn ʿĀshir did the same with his own disciples. And in his recent novel, *al-Bāshādūr,* which was published in 2024, Hassan Aourid mentions the testimony of a well-known 18th century Moroccan historian, Abū al-Qāsim al-Zayyānī, "that when he was a child, Abū al-Qāsim memorized the Quran, metered verses of al-ʾAjrūmīyyah and al-Sanūsīyyah (methods of learning Arabic rules), and verses of ibn ʿĀshir's book, *al-Murshid al-muʿīn*."[59]

As part of the reception of Ibn ʿĀshīr's text, his triad of spiritual elements became recognized, as Aḥmad Shāwf, Director of the Center for Documentation and Cultural Activities in Meknes, Morocco, comments, "these are the religious constants that the Moroccan people agreed upon for centuries. These constants refer to the choices and convictions that Moroccans and their scholars determined in matters of belief, actions, and morals. They are the framework upon which religion has been established in Morocco."[60]

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[57] Look at the following works: Aḥmad Mayyārah al Mālikī, *al-Ddur al-thamīn wa al-mawrid al-muʿīn*, ed. ʿĀbd Allah al-Manshāwī (Cairo: Dar al-Hadith, 2008), Ibn Qunfudh, *Uns al-faqīr,* ed, Muḥammad al-Fāsī and Adulf Fur (Rabat: al-Markaz al-jāmiʿī lilbaḥth al-ʿilmī, 1965), Muḥammad Bin Aḥmad al-Ḥuḍaykī, *Ṭabaqāt al-ḥuḍaykī*, ed. Aḥmad Bumzgū (Casablanca: Maṭbaʿat al-nnajāḥ al-jadīdah, 2002), Moroccan Association of Authorship, Translation, and Publication, *Maʿlamat al-maghrib* (Salé: Maṭābiʿ Salā, 1989), and ʿAbd Al-Wāḥid Ibn ʿĀshir, Fatḥ al-mannān al-marwīyī bimawridi al-ẓamān, ed. ʿAbd al-Karīm Būghzālah (Algeria & Egypt: Dār al-fuṣḥá li-ṭṭibāʿah wa-annashr, 2016).

[58] "Al-fiqh min manẓūmat ibn ʿĀshir bisharḥ Mayyārah lissanah al-ssadisah al-ʾibtidāʾī al-ʿatīq," *Ministry of Pious Endowments and Islamic Affairs*, June 30, 2020, https://shorturl.at/dINTZ.

[59] Hassan Aourid, *al-Bāshādūr* (Casablanca: Al-markaz al-thaqāfī lilkitāb, 2024), 31.

[60] Aḥmad Shāwf, "Thawābit al-ddīnīyyah al-maghribīyyah: madkhal mafāhīmī," *Site Des Constantes Religieuses Maroc-Africaines*, March 28, 2022, https://shorturl.at/fL049.

The three main questions that need to be asked at this point are as follows: Was ʿAbd Al-Wāḥid ibn ʿĀshir speaking only for himself when he referred to the three constants of traditional Moroccan Islam? Or, was this the status quo of Moroccan scholars during this period of the seventeenth century and beyond? What makes these religious constants distinctive that the Moroccan state clings to and attempts to promote as a religious model inside and outside its borders? To answer the first two questions, it is very important to have a look at both the life of ibn ʿĀshir, as a well-known Moroccan scholar, and the reign of the Saʿdis between the 16th and 17th centuries so that to see what their contribution in this sense was. For the third question, it is necessary to investigate the commentary, *al-Ddur al-thamīn* (The Precious Pearls), of ibn ʿĀshir's disciple, Abū Maḥammad ibn Aḥmad ʿAbd Allah Mayyārah (d. 1072/1662)[61], and bin Aḥmad al-Ḥuḍaykī's (d. 1189/1775) work, *Ṭabaqāt al-ḥuḍaykī*, since they are regarded as early sources.

ʿAbd Al-Wāḥid ibn ʿĀshir was a religious Moroccan scholar who lived between the end of the 16th and the beginning of 17th centuries. His full name is Abū Muḥammad ʿAbd al-Wāḥid ibn Aḥmad ibn ʿAlī ibn ʿĀshir al-Anṣārī by lineage, Andalusian in origin, and Persian by birth and home.[62] Ibn ʿĀshir was not only a man of knowledge, but also a transmitter of it to his disciples. According to Muḥammad bin Aḥmad al-Ḥuḍaykī in his work, *Ṭabaqāt al-ḥuḍaykī*, "Ibn ʿĀshir was diligent in educating people, keen on reviving the Sunnah and religion, and suppressing heresies."[63] Ibn ʿĀshir was an active scholar who was known for seeking and teaching several disciplines in the Islamic knowledge, namely Sufism, theology, jurisprudence, types of Quranic recitations, Arabic grammar, and Ḥadīth literature. As mentioned above, some of his disciples

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[61] He was a jurist and theologian from Fez, one of the most reputable scholars of his time.

[62] "Ibn ʿĀshir: ʿAlam maghribī qarraba littūnusīyyīn fiqha al-Imām Mālik," *Ministry of Pious Endowments and Islamic Affairs,* April 2002, https://www.habous.gov.ma/daouat-alhaq/item/8852

[63] Muḥammad Bin Aḥmad al-Ḥuḍaykī, *Ṭabaqāt al-ḥuḍaykī,* ed. Aḥmad Bumzgū (Casablanca: Maṭbaʿat al-nnajāḥ al-jadīdah, 2002), vol. 2, 512.

include Shaykh ʿAbd al-Qadir Al-Fāssī (d. 1091 AH/ CE.1680), Imam Muḥammad Bin Saʿīd Al-Marghīthī, (d. 1089 AH/ CE. 1678), Judge Muhammad Bin Sūdah, (d. 1076 AH/ CE. 1665), and Abū ʿAbd Allah Mayyārah: (d. 1072 AH/ 1661).[64] Since these disciples, later became scholars, passed on their teacher's legacy to future generations, Moroccan scholars and historians consider it as an advocacy for Morocco's religious constants.

"Moroccans took it upon themselves to preserve, elucidate, and contain the teachings of *al-Murshid al-muʿīn*, as it also came to be known outside Morocco, from Algeria to Egypt and in most parts of western Sudan."[65] Two famous commentators on Ibn ʿĀshir's work provide vivid examples of the commitment of Moroccans to preserve Morocco's religious constants: Aḥmad Mayyārah, ibn ʿĀshir's student, and shaykh Aḥmad bin ʿAlīwah (d. 1351/1934), founder of the ʿAlawīyyah Sufi order. *Al-Ddur al-thamīn wa al-mawrid al-muʿīn* is Aḥmad Mayyārah's comprehensive commentary on Ibn ʿĀshir's work. It is very extensively illustrated and footnoted and offers a verse-by-verse explanation of Ibn ʿĀshir's own small book. Mayyārah also condensed this study into a small book, *Mukhtaṣar al-ddur al-thamīn*, to serve as an accessible summary that helped people to engage with *al-Murshid al-muʿīn*. Likewise, *al-Quddūsīyyah fī sharḥ al-murshid al-muʿīn* of shaykh Aḥmad bin ʿAlīwah is regarded as one of the most influential commentaries on Sufism. It is dedicated to providing simple illustrations on the work of Ibn ʿĀshir. Aḥmad Bin ʿAlīwah offered the necessary religious rulings in the Mālikī jurisprudence—devotional matters and worldly transactions—creed of Imām Abū Ḥassan al-Ashʿarī, and Sufism of Imām al-Junayd.

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[64] Moroccan Association of Authorship, Translation, and Publication, *Maʿlamat al-maghrib* (Salé: Maṭābiʿ Salā, 1989), vol. 17, 5837-38.
[65] Moroccan Association of Authorship, *Maʿlamat al-maghrib*, 5837.

What also contributed to the spread and strengthening of Morocco's religious constants were the succeeding dynasties, especially the Marinids and the Saʿdīs. For Marvine Howe, "the Merinid dynasty sought legitimacy by building Islamic schools and sanctuaries and promoting Sufi orders."[66] Marinids paved the way to scholars, jurists, and Sufis to restore components of Moroccan religious identity. Since Mālikism constitutes an essential component of Morocco's constants, Marinids were believed to promote its teachings during their reign between the 13th and 15th centuries. "The Marinids hoped to revive Mālikī jurisprudence, and in order to fulfill this call, they established boarding schools, supervised the conduct of education according to their jurisprudential guidelines, and encouraged students to reside in the capital city of Fez in order to inherit the essential orientation of Mālikī *madhab*."[67]

Equally, Saʿdīs were known for the promotion of Morocco's religious constants through building libraries and *madrasas*. In his book, *Fatḥ al-mannān al-marwīyī bimawridi al-ẓamān*, ʿAbd Al-Wāḥid ibn ʿĀshir elucidates the Saʿdīs' contribution to the intellectual life during their reign, stating that, "the Saʿdī era witnessed the emergence of great scholars and intellectuals such as ibn al-Qādī, Muḥammad Shaqrūn, Shayẓimī, and many more"… Ibn ʿĀshir adds, "several libraries were attached to the main mosques, such as the Lalla ʿAwdah Mosque (located in Bab Doukkala in Marrakech), the Abū al-ʿAbbas al-Sabtī Mosque, and al-Mawāsīn Mosque."[68] Like Marinids, Saʿdīs were credited for enlivening the Sufi traditions. "During this era (of the Saʿdīs), the city of Salé witnessed a Sufi movement through Imam ʿAbd al-Wāḥid ibn ʿĀshir, who is buried in Salé...the teaching programs included the study of Sufism. Abū al-Maḥāsin al-Fāsī taught *Qūt*

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[66] Howe, *Morocco: The Islamist Awakening*, 124.

[67] "Al-fir al-maghribī fi ʿaṣr banī marīn," *Daʿwat al-ḥaq—Moroccan Ministry of Pious Endowments and Islamic Affairs*, n.d, https://www.habous.gov.ma/daouat-alhaq/item/1374.

[68] ʿAbd Al-Wāḥid Ibn ʿĀshir, *Fatḥ al-mannān al-marwīyī bimawridi al-ẓamān,* ed. ʿAbd al-Karīm Būghzālah (Algeria & Egypt: Dār al-fuṣḥá li-ṭṭibāʿah wa-annashr, 2016), vol.1, p 62.

al-qulūb, al-ʾIḥyāʾ, al-Sharīʿah, and al-Sulūk (ethical behavior), and it is stated in the books of *al-ʾIthbāt* that he taught *Rasāʾil al-Qushayrī* and *ʿAwārif al-maʿārif* by Al-Suhrawardi, Manāzil al-Sāʾirīn, ʿUyūb al-nafs by Al-Sulami, and Sharḥ Abī ʿAbbād ʿala al-ḥikam al-Sulṭānīyyah. Imam Al-Zaqāq also taught jurisprudence, Ḥadīth, and Sufism...in fact, the Saʿdīs are indebted to the leaders of the Sufi orders because they were the ones who resisted Banū Marīn and destroyed their state due to the moral decadence of their kings and their failure to resist the Christian invaders of the Moroccan coast."[69]

The third question asks why the Moroccan state believes that its Islam is distinctive and deserves to be promoted as a national and global religious model. The answer to this question may be found in the commentary of Aḥmad Mayyārah, *al-Ddur al-thamīn* (The Precious Pearls), where he illustrates the following:

> Abū al-Ḥassan al-Ashʿarī, whose school of theology is adopted by the majority of Sunni Muslims, was a Mālikī theologian. He often initiated debates with the Muʿtazilites to refute their views. One day, Abū al-Ḥassan was questioned about his interactions with the Muʿtazilites, despite being advised to avoid them. He responded, 'They are the rulers, governors, and jurists who do not come to me. If I do not approach them, how will they learn the truth and recognize its supporters?' Aḥmad Mayyārah adds, 'Abū al-Ḥassan al-Ashʿarī wrote numerous books defending the Sunni theological stance. He successfully argued in favor of the orthodox views on God's Names and Attributes and affirmed the belief in seeing God in the hereafter. This belief was contested by other theologians, notably the Muʿtazilites.[70]

The primary reason Moroccans adhere to the theological school of Abū al-Ḥassan al-Ashʿarī, as explained by later Moroccan interpreters, is its embodiment of the mainstream Sunni theological

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[69] "Al-thaqāfah al-maghribīyyah fī ʿahd al-Saʿdīn," *Daʿwat al-ḥaq*, last accessed March 11, 2024, https://www.habous.gov.ma/daouat-alhaq/item/1434.

[70] Aḥmad Mayyārah al Mālikī, *al-Ddur al-thamīn wa al-mawrid al-muʿīn*, ed. ʿĀbd Allah al-Manshāwī (Cairo: Dar al-Hadith, 2008), 19-20.

stance. This stance is noted for its moderate approach in theological arguments, particularly concerning the affirmation or negation of aspects of God's nature, His Names, and Attributes. Central to its moderate interpretation of the sacred texts, the Qur'an and Ḥadīth literature, the school is renowned for its synthesis of rational thought with literal interpretations in matters of faith. This approach is clearly illustrated in the aforementioned quote. According to Dr. Ahmed Abbadi, Secretary General of the Mohammedia League of Moroccan Ulama:

> I am referring to the Ashʿarī doctrine, which is notable for its balance as it combines textual evidence and reason. This balance is precisely why Moroccans have embraced this creed. Abū al-Ḥassan al-Ashʿarī, the founder of the school, initially aligned with the Muʿtazilites, a theological group known for their strong emphasis on rationalism. Initially, he placed significant importance on reason in his theological journey. However, he soon realized that reason alone was insufficient. It became clear that reason needed to be complemented by another source of knowledge. Information contained in the sacred texts, which cannot be fully comprehended through reason alone, is essential. We need this information, that is to say, the Qur'an and the tradition of the Prophet.[71]

This explains why the school of Abū al-Ḥassan al-Ashʿarī has been widespread in most parts of the Muslim world, including Morocco. Moderation is a key value in al-Ashʿarī's theology, a trait that it shares with Mālikism. An illustrative example of tolerance and moderation within Mālikism is the well-known story of Abū al-Walīd ibn Rushd, the grandfather (d. 520/1198 in Marrakech). "He was once asked to give a legal opinion on a matter involving non-Muslims in commerce. Specifically, Ibn Rushd was queried about the permissibility of selling Vitis vinifera to Christians, who would then use its grapes to make wine. The question posed was: Is it permissible to sell Vitis vinifera knowing that they (the Christians) turn its grapes into wine? And if it is not permissible, yet the sale has already taken place, should the transaction be revoked? He,

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[71] Rerhaye Narjis, "Entretien Avec Ahmed Abbadi, SG de La Rabita Mohammadia Des Oulémas," *Libération*, March 27, 2013, https://www.libe.ma/Entretien-avec-Ahmed-Abbadi-SG-de-la-Rabita-Mohammadia-des-oulemas_a36537.html.

may God have mercy on him, responded: 'This is disliked, but it should not be forbidden, for if it were forbidden, then the sale would need to be revoked."[72] The jurist Ibn Rushd didn't rush to the conclusion of banning the sale's transaction which explains that his position embodies openness and flexibility of the Mālikī school of thought.

The Mālikī school being the earliest legal school to appear in Morocco (11th century) and the most deeply rooted in Moroccans' moral-ethical culture. Mālikism is marked by its embodiment of Islam's moderation and flexibility as practiced within a context of social and religious diversity. Legally, the school provides a wide gamut of principles by which the scholars of the school are able to base their opinions from canonical sources such as the practice of *ijtihad* (derived opinion), and *al-maṣāliḥ al-mursala* (unrestricted interests), which both provide answers to contemporary issues that may not have been dealt with directly in the fundamental texts of the Quran and Sunnah making the school the most liberal and flexible of the schools of law.

Most Sunni scholars agree that Imam Mālik was the Imam of the Medina (city of the Prophet) where Islamic revelation descended and he, Mālik, is the one referred to in a very well-known Prophetic Ḥadīth transmitted by Tirmidhi in his *Jāmiʿ*: Abū Huraira transmitted [from the Prophet], "The time is approaching when men will urge on their camels in search of knowledge, but will find no one more learned than the learned man of Medina."[73] Today, the majority of Sunni scholars take "the learned man" in this narration to be Imam Mālik, especially since his jurisprudence is restricted by Quran and the Sunnah.

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[72] Abu al-Walīd ibn Rushd, *Masāʾilu Abi al-Walīd ibn Rushd: the grandfather*, ed. Muhammad al-Ḥabīb al-Tujkānī (Casablanca: Dār al-ʾāfāq al-jadīdah, 1993), 1144.
[73] Tirmidhi, Mishkat al-Masabih 246, Book 2, Hadith 42

In addition to the theological and jurisprudential schools of Imam Mālik and Imām al- Ashʿrī, Morocco has a rich heritage based on the traditional teachings of Sufi orders and those who have exemplified their well-established principles of solidarity, selflessness, and generosity. Moroccan Sufism follows in the footsteps of the renowned pioneer and master of the Sufi path, Imam al-Junayd al-Baghdādī, known as al-Junayd al-Sālik. Al-Junayd, a jurist of the Thawrī *madhhab*[74], was a moderate Sufi scholar who belonged to the mainstream Sunni Muslim community and emphasized the Quran and Sunnah in his teachings. It was reported that al-Junayd said: "The way to God Almighty is blocked for His creation except for those who follow in the footsteps of the Messenger of God, may God bless him and his household. Whoever does not memorize the Qur'an and write down the Ḥadīth is not following in the footsteps of the Prophet in this matter, because our work is based on the Qur'an and the Sunnah."[75]

The three components of Moroccan Islam have two essential elements in common. The **first** is the aspect of moderation, and the **second** is belonging to the mainstream Sunni Muslim community, known in Sunni traditions as *ahlu-al-Sunnah wa al-jamāʿah*. These two aspects distinguish Moroccan Sufi Islam from certain schools that originated in the East or those in Al-Andalus, such as that of Ibn ʿArabī (d. 638/1240). Specifically, Moroccan Sufism is characterized by its moderation, in contrast to the approaches of early Sufi figures like al-Ḥallaj (d. 309/922) and al-Rumi (d. 672/1273), whose spiritual practices were either enigmatic or complex for the broader Sunni Muslim community. Al-Ḥallaj's doctrines of pantheism (*waḥdat al-wujūd*), incarnation (al-ḥulūl), and unity with the Divine (*al-itiḥād*) were viewed with disfavor by the

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[74] An Islamic school of legal thought that emerged in the eight century (CE). The school took its name from Sufyan al-Thawrī.

[75] Aḥmad Mayyārah al Mālikī, *al-Ddur al-thamīn wa al-mawrid al-muʿīn*, ed. ʿĀbd Allah al-Manshāwī (Cairo: Dar al-Hadith, 2008), 22.

majority of Muslims, including religious scholars and political elites. Similarly, the poetic aesthetics of al-Rumi and the philosophical *tasawwuf* of Ibn ʿArabī did not resonate with Moroccan scholars and political leaders as a model for spiritual Sufism. This Sufi crossroad provides insight into why Moroccans gravitated towards the more moderate Sufism of Imam al-Junayd.

Al-Junayd's Sufi legacy was preserved in Morocco by eminent Sufi scholars such as Aḥmad Zarrūq (d. 899/1493), Ibn ʿAbbād al-Nafzī al-Ḥimyarī al-Rundī (d. 792/1390), and Aḥmad ibn Muḥammad ibn al-Mahdī ibn 'Ajībah (d. 1224/1809). These Moroccan scholars, along with others, grounded their tasawwuf in the Qur'an and the Sunnah of the Prophet. Consequently, they were recognized as legal, theological, and spiritual authorities in their field within the Moroccan context. As previously mentioned in relation to Moroccan Islam, these scholars represent the living embodiments of what are referred to as Morocco's religious constants.

In the sixty-fifth rule of his book, *Qawāʿid al-tasawwuf* (Rules of Sufism), Aḥmad Zarrūq affirms his commitment to the Sunni *tasawwuf*, which prioritizes the Quran and the Prophetic traditions. "Part of complete piety is the presence of religious straightforwardness (*al-istiqāmah*), which is holding oneself to the perfect morality that exists in the Quran and Sunnah."[76] The quote exemplifies the essence of approved Sufi Islam, where moral values are derived from the Quran and the Prophetic tradition. Aḥmad Zarrūq continued in the footsteps of several esteemed Imams such as al-Junayd, Bishr al-Ḥāfi (d. 227/850), Abū Yazīd al-Basṭāmi (d. 261/848), al-Shiblī (d. 334/945-6), Sahl al-Tustarī (d. 383/896), and al-Suhrawardi (d. 1191).

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[76] Ahmad Zarrūq, *Qawāʿid al-tasawwuf* (*Rules of Sufism*), ed. ʿAbd al-Majīd Khayyāli (Beirut: Dar Al-kotob Al-Ilmiyah, 2005), 53.

Aḥmad Zarrūq asserts that adhering to a jurisprudential school of thought is an essential aspect of Sufism. This addresses the notion that a Sufi does not necessarily need to adopt a specific legal school. In rule forty-six, Zarrūq counters this claim, stating that a Sufi can indeed choose a *madhhab*, as evidenced by prominent Sufi shaykhs who followed different madhāhib. For example, al-Junayd was a follower of the Thawrī school, while his disciple Abu Bakr al-Shiblī was Mālikī. Muḥammad al-Jarīrī (d. 311/923), a close companion of al-Junayd, was Ḥanafī, and al-Muḥāsibī was a Shāfiʿī (d. 243/857). All these Sufi masters, despite their affiliations with various legal schools, remained firmly within the fold of *tasawwuf*. In other parts of his work, Aḥmad Zarrūq also links Sufism with other fields of knowledge, including jurisprudence, Ḥadīth, medicine, and grammar.

Likewise, Ibn ʿAbbād al-Nafzī al-Ḥimyarī al-Rundī was very-known shaykh and saint, ascetic and pious, with a Sufi orientation, distinguished by his humility, modesty and generosity, and by his knowledge and good manners. Ibn ʿAbbād settled in the city of Fez, where he occupied a position of Imam at the mosque university of al-Qarawīyyīn for fifteen years. Like Aḥmad Zarrūq and other Moroccan Sufi Scholars, Ibn ʿAbbād based his *tasawwuf* on the Qur'an and the Sunnah of the Prophet. In this regard, according to the Encyclopedia of the Moroccan Association of Authorship, Translation, and Publication, *Maʿlamat al-maghrib*:

> Ibn ʿAbbād and his jurisprudential and Sufi works express the Moroccan Sufism of his time. He grew up in the Beni Marin schools of Fez, which focused on the Mālikī jurisprudence and the fight against heresy. He was influenced by this official orientation as well as by the orientations of the scholars and Sufis with whom he studied. Ibn ʿAbbād became a symbol of his era, not only in Morocco but in the entire Islamic West, and his era was marked by Sufi activism. Sufi schools during his time worked to adhere to the Qur'an and Sunnah and were committed to moving away from the current of philosophical

mysticism represented by both Muḥyī ad-Dīn Ibn ʿArabīʿ and Ibn Sabʿīn (d. 669/1217), as his school was more concerned with the practical aspect of Sufism.[77]

Ibn ʿAbbād's contributions extended beyond the scholarly works for which he is renowned, particularly his letters. He was also notable for his sermons during the conflict between the Marinids, who supported the Muslims of Al-Andalus, and the Castilians. During this period, Ibn ʿAbbād of Ronda emerged on the political scene to spiritually motivate people to participate in jihad, either through financial support or military involvement. Some of his sermons were entitled Sermon on Supporting Islam's Defenders: Financial Aid, Armed Contribution, and Family Care (*khalfihim*).

These sermons emphasize the importance of spending one's wealth in God's Path, highlighting that, at this time, the most virtuous way to embody this principle is by contributing support to those in Al-Andalus who defend Islam against Christian attempts to diminish the Muslim presence. Additionally, he draws attention to the necessity of supporting the families left behind. He substantiates his arguments with quotations from the Quran and Ḥadīth, clearly illustrating the virtues of generosity and cautioning against the dangers of withholding resources in this matter. This topic is explored in al-Rasāʾil al-kubrá by Ibn ʿAbbād.[78]

Similar to Aḥmad Zarrūq, Ibn ʿAbbād emerged as another representative of Moroccan Sufi Islam, whose spiritual legacy aligns with the paths of the aforementioned prominent Sufi scholars. These scholars adhered to the Qur'an and Sunnah in their practice of *tasawwuf*. Ibn ʿAbbād's approach to Sufi discipline was characterized by its practical nature. He was not removed from

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[77] Moroccan Association of Authorship, Translation, and Publication, *Maʿlamat al-maghrib*, vol. 17, 5868.

[78] Ibn ʿAbbād of Ronda, *Lettres De Direction Spirituelle: Collection Majeure (Ar-Rasāʾil al-Kubrā)*, ed. Kenneth L. Honerkamp and Arash Aboutorabi (Beirut: Dar el-Machreq, 2005), 288-9.

everyday realities; rather, he was actively involved in social, religious, and political spheres and did not limit himself to solitary worship and asceticism.

Ibn ʿAjība (d. 1809) was another renowned Moroccan jurist, exegete, and Sufi scholar. In addition to memorizing the Qur'an, he memorized *al-ʿAjrumīyyah, al-fiyat Ibn Mālik, and al-Murshid al-muʾīn*. He studied books of Mālikism, such as *Mukhtaṣar al-Khalīl* and *Letters of Abī Zayd al-Qayrawānī*. He also studied the books of Ḥadīth literature such as *Ṣaḥīḥ al-Bukhārī* and *Ṣaḥīḥ Muslim*. Ibn ʿAjība bridged the gap between Sufism and mainstream Sunni traditions. Similar to Aḥmad Zarrūq and Ibn ʿAbbād, his practice of tasawwuf was grounded in the teachings of the Quran and the Prophetic Sunnah, which served as the guiding principles of his Sufi discipline.

Ibn ʿAjība advised his disciples to tighten their hands on the Muḥammadan law, for it is the key to the door of the way and truth, so whoever leaves anything of it will be expelled and distanced, even if he is an asset, for all doors are closed except for those who come to the door of the law (Islamic law). In his work *Ḥaqāʾiq al-tasawwuf* (The Truths of Sufism), Ibn ʿAjība emphasizes the need to adhere to the study of Sharīʿah law, as it is the key to Sufism. According to Ibn ʿAjība, "Sufism is the master and head of all Islamic knowledge and the core foundation of the Sharīʿah law."[79]

Examining these scholars and their works invites a reconsideration of Burke's assertion about the French invention of Moroccan Islam during the 1912 protectorate. These scholars lived in different eras of Moroccan history, under various ruling dynasties. For instance, Aḥmad Zarrūq (d.

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[79] Ahmad ibn ʿAjība, *Ḥaqāʾiq al-tasawwuf*, ed. ʿAbd al-Majīd Khayyāli (Casablanca: Markaz al-Thurāt al-Maghribī al-Thaqāfī, n.d.), 3.

1493) lived during the Waṭṭasid dynasty, Ibn ʿAbbād al-Nafzī al-Ḥimyarī al-Rundī (d. 1390) under the Marinids, ʿAbd ul-Wāḥid ibn ʿĀshir (d. 1631) in the Saʿdī period, and Aḥmad Ibn Muḥammad al-Mahdī Ibn 'Ajībah (d. 1809) during the reign of the Alawites. All these scholars, along with several others not mentioned here, inherited and contributed to what is known as Moroccan Islam by adhering to creedal schools of theology, jurisprudential legal schools of thought, and moderate *tasawwuf*. They were also devoted religious masters who passed on this rich religious legacy to future generations.

As mentioned earlier, these scholars advocated for a moderate form of Sufi Islam, characterized by its adherence to mainstream Sunni Islam, grounded in the teachings of the Qur'an and the Prophetic narratives. Essentially, they represent a balanced approach to Moroccan Sufi Islam: a Sufism that emphasizes adherence to both a legal school of thought and a theological doctrine, while steering clear of Sufi schools that might subject Moroccan *tasawwuf* to criticism. Consequently, what is referred to as Moroccan Islam is not merely a modern construct as Burke suggests; it is deeply ingrained in Morocco's rich historical tapestry.

<u>The Sharīfīyyan Lineage and Sufism</u>

Discussing Moroccan Islam necessitates an exploration of the Sharīfīyyan lineage and Sufism, both of which are central to the unique development of Morocco's religious identity. This section will focus on these two aspects, as emphasized by Ahmad Toufiq, a Moroccan historian of pre-colonial Morocco and the current Minister of Endowments and Islamic Affairs. Toufiq highlights the distinct Moroccan character of these elements and their significant contribution to the nation's religious identity over centuries.

Linguistically, the Arabic word "*sharīf*" (or "*sharīfah*" for a female) denotes a noble person. In a religious context, it signifies the honor of belonging to the Prophetic household (*Āl al-bayt*) through his daughter Fātimah, his son-in-law ʿAlī, and his grandsons al-Ḥassan and al-Ḥussayn, along with their descendants. *Āl al-bayt* also encompasses ʿAlī's daughter Zaynab, the Prophet's granddaughter, and the Hāshimites, who are part of the Prophet's clan within the Qurayshī tribe.

The Sharīfīyyan lineage has played a pivotal role in both religious and political realms within the Islamic world, with Morocco being a notable example. Following the death of the Prophet of Islam in 632 CE and the reign of the first four rightly guided caliphs, members of the Sharīfīyyan family dispersed across various lands. Their influence and presence significantly shaped the religious and political developments in these regions, including Morocco. According to Ahmed Toufiq, "Sharīfīyyans were able to establish states and emirates in different parts of the world, namely Tabaristan, the Ismāʿlite state, the Fatimid state, Safawīyyīn, Nāssirīyīn, the Sharīfīyyans of Mecca, and the Hāshimites of Jordan."[80] The Sharīfīyyans, including dynasties like the Idrisids,

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[80] Ahmed Toufiq, "Sherifyan Lineage and the Sufi Authority in the History of Morocco," *The Hassanian Lectures*, 2002, 21.

the Saʿdīs, and the ʿAlawīts, not only sought refuge in Morocco but also founded their own states there. The evolution of the Sharīfiyyan state in Morocco began with these encounters, which are considered pivotal in shaping Moroccan Islam. This journey reflects the significant impact of the Sharīfiyyans in intertwining religious and political narratives within the country.

Politically, possessing Prophetic ancestry endows Morocco's ruling dynasties with religious legitimacy to govern the country. Doubts about the authenticity of this lineage, or if it is not directly connected to the Prophet of Islam, can undermine this legitimacy. A notable instance of this is seen in the allegations against the Saʿdī dynasty. Their rivals, the ʿAlawīts, challenged the Saʿdīs' claim to belonging to the Prophetic household, illustrating how crucial such lineage is in the political and religious spheres of Morocco. According to Muḥammad al-Wafranī al-Nnajjār in his work, *al-Ḥādī bi akhbāri al-qarn al-ḥādī*, "for the ʿAlawīts, the lineage of the Saʿdīs, or Banū Saʿd, is traced back to Banū Saʿd bin Bakr bin Wāʾil, the tribe of Ḥalīmah al-Ssaʿdīyyah, who was the Prophet's foster mother, and not to the Prophet's direct lineage. In the view of the ʿAlawīts, this distinction excludes the Saʿdīs from the Sharīfiyyan ancestry. Consequently, according to their interpretation, the Saʿdīs' rule is invalidated under *Sharīʿah* law. This is because, according to many Islamic schools of thought, one of the conditions for legitimate succession is belonging to the Quraysh tribe, to which the Prophet Muhammad belonged."[81] As a result, the Sharīfiyyan aspect holds a central place in Moroccan politics and is thus of significant scholarly interest. It constitutes a crucial element of Moroccan Islam, underscoring its unique influence in shaping the country's religious and political landscape.

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[81] Muḥammad al-Wafranī al-Nnajjār, *Al-Ḥādī bi akhbāri al-qarn al-ḥādī*, ed. Sayīd Hawdās *(*Paris: Angers Printing, 1888), 7.

The arrival and establishment of the Idrisids, a Sharīfīyyan dynasty, in the late 8th to early 10th centuries, played a pivotal role in helping Moroccans achieve political stability. Ahmed Toufiq asserts, the "Moroccans found in the Sharīfīyyans the ideal political solution to their religious and social crisis."[82] The break from the Abbasid central state, which employed various means to thwart the establishment of the new state in northwestern Africa, coupled with the emergence of two opposing religious groups—the Khawārij and the Shīʿites, each with their own ambitions in the region—prompted early Moroccans to heed the call of Idris Ibn Abdallah, also known as Idris I. He claimed lineage from the Prophet's household. This scenario suggests that the Sharīfīyyan status of the Idrisi dynasty brought a degree of stability to the region. This, in turn, highlights the significant political role played by the Sharīfīyyans in enhancing the country's continuity and stability.

Strengthening national stability and uniting the kingdom represent vital political roles in Moroccan Islam, aspects often overlooked by some historians when discussing the country's religious history. Contrary to the perceptions of French researchers about Morocco in the pre-1912 period, Moroccan Islam cannot be simply reduced to superstitious religious beliefs and practices namely, "the saint worship, the healing of the sick, possessing magical powers, and spirit possession"[83]— without recognizing the political contribution. Burke asserts that the French, by characterizing Moroccan religion as merely a collection of superstitious beliefs, used this reductionist view as a justification for colonizing Morocco, perceived as a 'backward' state. Burke illustrates, "by emphasizing the superstitious religious beliefs and practices that allegedly characterized Moroccan culture, the discourse on Moroccan Islam provided an explanation of

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[82] Toufiq, "Sherifyan Lineage and Sufism," 22.
[83] Burke, *France and the Invention of Moroccan Islam*, 177.

Moroccan backwardness, and hence its 'colonizability'."[84] This oversimplified view runs the risk of underestimating the substantial political contributions of religion in Morocco.

Sufi leaders and marabouts, often claiming Sharīfīyyan status, played a crucial role in providing political support to ruling dynasties in Morocco, particularly the Saʿdīs. The Saʿdī dynasty is renowned for revitalizing Sufi traditions within Moroccan Islam. During the period known as the Marabout crisis, Sufi communities from across the country convened to swear allegiance to the Saʿdīs, recognized as a Sharīfīyyan family. This allegiance aimed to unify the nation and safeguard it against external threats, notably from the Spanish and Portuguese in the north and the Ottomans in the east. The Saʿdīs, according to Ahmad Toufiq, "assumed power at a time when Morocco was beset by the Iberians, who had set out to conquer the new world, using the coast of Morocco as their bases, and to cut all the links binding Morocco to its cultural and spiritual heritage, on the one hand, and the trading relations with Africa, on the other."[85] The Saʿdīs were given a full support to save a crumbling state from falling between the sixteenth and seventeenth centuries. Ahmed Toufiq stresses, "arguably, it was the Sufis, who started to emerge in Morocco as of the fifth century of the Hegira, who furnished an example to emulate in helping the establishment and enhancement of Islam and paved the way for the return of the Sherifyans to power."[86] Both the Sharīfīyyan lineage and Sufism have contributed significantly not only to shaping Morocco's religious identity but also to enhancing national stability and uniting the country.

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[84] Burke, *France and the Invention of Moroccan Islam*, 176.
[85] Toufiq, "Sherifian Lineage and Sufism," 23.
[86] Toufiq, "Sherifyan Lineage and Sufism," 24.

CHAPTER FIVE

REPRESSIVE POLICIES

Numerous human rights organizations, both within and outside Morocco, condemned the terrorist attacks of May 16, 2003, as well as the subsequent violations of human rights by the state in its arrest and treatment of suspected terrorists. Human Rights Watch underscores "that Morocco's security forces and judiciary failed to uphold the rights of those arrested in the crackdown on suspected militants that followed the bombings of May 16, 2003. The police carried out massive arrests and home searches without judicial warrants, mostly in poor neighborhoods that are suspected Islamist strongholds May. At least 2000 individuals were arrested in the following months after the attacks. Numerous massive arrests took place in the weeks following the attacks of May 16, 2003."[87]

These arrests were carried out systematically in the weeks following the Casablanca bombings. According to Marvine Howe, "by the time of the Madrid bombings in 2004, where Moroccan citizens were involved, the total number of arrests was estimated at 5,000 people, with 1,500 already tried and jailed."[88] Abdelillah bin Abd el-Slam, a Moroccan human rights activist, asserts that "as of 2017, fourteen years after the May 16 bombings, the suffering of the prisoners continues. More than 8,000 people have been arrested under the Terrorism Act, and about 1,000 of them remain in prison," highlighting the ongoing impact. It is stressed that "most of these

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[87] "Morocco: Human Rights at a Crossroads," *Human Rights Watch*, October 20, 2004, https://www.hrw.org/report/2004/10/20/morocco-human-rights-crossroads.
[88] Marvine Howe, *Morocco: The Islamist Awakening,* 336.

prisoners have not been afforded the conditions of a fair trial."[89] In response to these unprecedented

terrorist attacks, the state resorted to massive arrests, detaining both Salafi and non-Salafi figures.

[89] Abdelillah bin Abd el-Slam, "*Waqfah iḥtijājīyyah lisalafīyyin maghāribah ḍidda qānūn al-ʾirhāb," Anadolu Agency,* May 16, 2017, https://shorturl.at/eyP06.

In the aftermath of the Casablanca bombings in 2003, the state employed massive arrests as a strategy to address the public's trauma and restore a sense of security. Consequently, this series of widespread arrests indiscriminately included both individuals involved in the bombings and uninvolved citizens, with some being targeted merely for their religious expressions, such as sporting a long beard or wearing Pakistani-style clothing. Wainscott illustrates stating that "there is often little evidence to suggest that the individuals arrested are guilty of wrongdoing. Detainees may be affiliated with the group responsible for the attacks, or they may be considered susceptible to the group's ideology. These arrests may also be a means of warning a group that its activities will no longer be tolerated with the concurrent goal of discouraging citizens from assisting or joining such groups."[90] Consequently, prominent Salafi leaders, accused of various terrorism-related charges, were among those targeted for arrest. These included Mohamed Fizazi, Mohammed Abdelwahab Rafiki, also known as Abū Ḥafs of Morocco, Hassan El-Kettani, and Omar El-Haddouchi.

Mohamed Fizazi was arrested on May 28, 2003, while returning home from a local mosque in Tangier. He was later sentenced to 30 years in prison, having been convicted of inciting and promoting the ideology of Salafi jihad in Moroccan mosques. At a press conference, Asia el-Jibbari, Fizazi's wife, "called on Moroccan officials, including the king, to release her husband. She asserted that he had no involvement in the terrorist attacks." Asia further asserted, "All the accusations attributed to my husband are false. He was never a Salafi, nor a Salafi jihadi, let alone

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[90] Wainscott, *Bureaucratizing Islam,* 38.

a terrorist."[91] "With the outbreak of what is termed the Arab Spring in 2011, Fizazi was granted a royal pardon to be released in 2011 after spending eight years in prison. His release generally represents compromises with influential Salafi clerics who agree to support state anti-extremism campaigns."[92] The release of Fizazi is seen as a reconciliation between Salafi thought and the state's religious policy, a relationship that has been characterized by backlash and hostility for decades.

To underscore the strengthened ties between the palace and Salafi leaders, Fizazi was invited in 2014 to deliver a Friday sermon in the presence of King Mohammad VI, symbolizing the dawn of a new era. Reflecting on this, Fizazi stated in a press interview, "The fact that the King prayed behind me represents the greatest act of restoring my dignity. It is an important step in healing the wound and serves as proof of my innocence of the crimes attributed to me. Like all Moroccans, I firmly believe it is impossible for the King to pray behind a terrorist murderer."[93] Later, Fizazi not only reconciled with the state's policies but also emerged as a proponent of its religious values, emphasizing tolerance and moderation. Publicly and through social media platforms, he actively refutes the ideologies of groups like ISIS and Al-Qaeda. This change in stance has led some of his opponents to label him as the 'king's Salafist'.

Similarly, **Mohammed Abdelwahhab Rafiki**, also known as Abū Ḥafs, faced arrest on charges of inciting hatred, promoting religious extremism, and calling for jihad in Afghanistan. In the wake of the Casablanca bombings in 2003, Abū Ḥafs was implicated as one of the ideologues behind

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[91] " ʾUsrat al-Shaykh Muḥammad al-Fizazi tuṭālib biʾiṭlāq sarāḥih," *Hespress*, March 20, 2010, https://shorturl.at/hmzY4.

[92] Wainscott, *Bureaucratizing Islam,* 44.

[93] Muhammad Hakamoun, "Al-Fizazi: *al-malik kāfaʾanī ......wa muḥāl an yuṣallī khalfa irhābī*," Hespress, April 2, 2014, https://shorturl.at/DFIR7.

these attacks, despite being in custody two months prior to the bombings. The accusations against him were primarily based on his Friday sermons in the city of Fez. Notably, in one sermon, he had praised the September 11 attacks in the United States. Also, "Rafiki's controversial sermons on preaching jihad among Moroccans in Afghanistan back in the 1990s were another cause of the arrest."[94] Rafiki was initially sentenced to 25 years in prison. However, like Mohamed Fizazi, he served only 9 years before being granted a royal pardon in 2012, a decision influenced by the Arab Spring events in 2011. Rafiki interpreted this pardon as a validation of his innocence regarding the charges leveled against him. He has consistently maintained that his efforts were always focused on combating the *takfīr* ideology, violence, and terrorism, even before the events of 2003. After publicly denouncing terrorism, including the Casablanca bombings, and all forms of violence, Rafiki, akin to Fizazi, regained his freedom.

Since his release, Rafiki has utilized his YouTube channel and appearances on both local Moroccan and Middle Eastern media channels to vocally denounce extremist ideologies. He contends that the root of extremism can be traced to certain interpretations within Islamic traditions and advocates for a re-evaluation of religious discourse by Muslim scholars. Rafiki has emerged as one of Morocco's most controversial figures, particularly for his discussions on topics like women's inheritance and leadership, as well as theological beliefs. He publicly advocates for open debates on granting equal inheritance rights to men and women, arguing that the prescriptions in the Qur'an and Prophetic traditions (Sunnah) were contextual to the socio-historical conditions of the early Muslim community and may not be directly applicable to the 21st century. His views

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[94] Wainscott, *Bureaucratizing Islam,* 43.

consider the evolving roles and shared responsibilities of men and women in modern economic and social frameworks.

Rafiki's significant shift in opinions, especially regarding the immutable aspects (*thawābit*) of *Shari'ah* law, can be attributed to the transformative years he spent in prison and his engagement as a Ph.D. student at one of Morocco's universities. In a radio interview, Rafiki reflects, "in prison, I opened myself up to various forms of knowledge and readings that previously didn't interest me. I delved into Russian and Western literature and poetry. I even read works of those I once opposed. This experience made me realize that my earlier view of religion and life was not genuinely dedicated to serving God Almighty."[95] Similar to Fizazi, Rafiki's time in prison played a pivotal role in reshaping his religious and political views. This radical change, however, has been met with skepticism by many who perceive it as a result of the state's influence or brainwashing.

Like Abū Ḥafs, el-Kettani was arrested a few months prior to the 2003 suicide bombings in Casablanca. As a preacher at the Mecca Mosque in Salé, el-Kettani vocally opposed the state's foreign policy on terrorism, specifically denouncing Morocco's alliance with America in its so-called 'war on terrorism'. He argued that this policy unjustly targeted a segment of Muslims and advocated against remaining silent on such issues. El-Kettani faced several charges, including the formation of a criminal gang. The state also accused him of promoting views contrary to the Mālikī school of thought, which is widely followed in Morocco, such as advocating against the three calls of the *adhān* (calls to prayer) for Friday prayers. El-Kettani refuted these accusations, stating, "I

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[95] Mahdi Al-Zaydāwī, "*Abu Hafs al-Maghribī: Quffāz "tanwīrī" fī yad "salafiyyah," Al Jazeera*, March 7, 2018, https://tinyurl.com/wuc7uxwy.

am a Mālikī, I study and teach the Mālikī *madhhab*, and I openly invite others to study it as well."[96]

In 2012, el-Kettani, having renounced terrorism and aggression against civilians, was granted a royal pardon and subsequently released.

Omar el-Haddouchi, a prominent Salafi figure, detailed the story of his arrest on his official website. He described experiencing injustice, imprisonment, and torture at the hands of the Moroccan secret services, known as la DST (*Direction Générale de la Surveillance du Territoire*). El-Haddouchi contends that he, along with thousands of other detainees, is innocent and had no involvement in the bombing plot. Furthermore, he raises suspicions that the bombings might have been orchestrated by the Moroccan DST as a means to suppress Islamists who oppose the state's policies.

In 2003, El-Haddouchi was arrested and subsequently sentenced to thirty years in prison on charges of inciting hatred and violence within Moroccan society, as well as promoting religious radicalism. On his website, El-Haddouchi shared his personal account: "I, the undersigned, Sheikh Omar el-Haddouchi, was unjustly detained with aggression in the Central Prison for a period of 30 years, a sentence shortened by the grace of God Almighty. I was imprisoned without guilt or crime, and without evidence or proof. My painful ordeal began with a kidnapping and forced disappearance from the city of Tetouan, where I reside, right in front of the mosque next to my house, on June 8, 2003."[97] In 2012, after spending nearly nine years in prison, he was released by a royal pardon.

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[96] Ali Anouzla, "*Al-suluṭāt al-maghribīyyah tuʿīd ʾitiqāl al-dāʿīyyah al-uṣūlī Hassan al-Kettani wa atbāʿihi wa al-niyabah al-ʿāmmah tanfī tadakhul al-qasr al-malakī li ʾiṭlāqi sarāḥih*", Al-Sharq al-Awasat, February 20, 2003, https://archive.aawsat.com/details.asp?issueno=8800&article=153864.

[97] Omar El-Hadouchi, "*Qiṣat iʿtiqāl al-shaykh Umar bin Masʿūd al-Haddouchi,*" *El-Haddouchi Website*, April 15, 2011, https://al-hadouchi.skyrock.com/2961025541-posted-on-2010-12-19.html.

As highlighted above, the post-Casablanca release of prominent Salafi figures underscores the state's strategic efforts to reconcile with the Salafi discourse, aiming to cultivate a cadre of loyal religious elites. Consequently, Fizazi and Rafiki have become less vocal and critical of the state's policies, focusing their efforts on combatting takfiri ideologies and denouncing violence and terrorist acts against civilians and state interests. According to Wainscott, however, El-Kettani and El-Haddouchi appear less inclined to align with the regime's counter-terrorism rhetoric, maintaining a more independent stance. "In 2012, both rejected the French intervention in Mali, which Morocco supported, calling on Muslims not to assist non-Muslims in their military campaigns against other Muslims."[98] El-Kettani and El-Haddouchi have been openly critical of the Moroccan government's treatment of those who remain imprisoned on suspicions or convictions related to the 2003 suicide bombings. On his YouTube channel, El-Haddouchi continues to assert his belief that the bombings were a scenario orchestrated by the Moroccan DST.

Mustapha Ramid, Morocco's former Minister of Human Rights, explains the state's policy of releasing detainees as follows: "The state is holding an olive branch…. To prisoners who have proven and expressed their willingness to make a positive contribution to public life and shun extremism."[99] The quote highlights the state's uncompromising stance towards Salafi groups that challenge its authority in religious matters. Additionally, the state's policies have extended to include the torture and arrest of political activists and outspoken journalists, particularly following the enactment of stringent anti-terrorism legislation.

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[98] Wainscott, *Bureaucratizing Islam,* 67.
[99] Wainscott, *Bureaucratizing Islam,* 46.

<u>Torture</u>

"Beatings, asphyxiation, simulated drowning, psychological and sexual violence are among an array of torture techniques favored by Moroccan security forces to extract 'confessions' and silence dissent,"[100] Amnesty International UK.

Torture transcends both time and location. It can occur at the moment of arrest, targeting a wide range of individuals, including political opponents, student activists, those accused or suspected of terrorism, and individuals involved in ordinary crimes. The Moroccan security apparatus has shown no restraint in employing torture, particularly under the guise of combating terrorism and religious extremism. This practice persists despite King Mohammed VI's enactment of a Royal Decree in 2004, which established the Justice and Reconciliation Commission. The main goal of this Commission is to protect victims of human rights violations and to investigate various cases, encompassing torture, disappearances, and arbitrary arrests perpetrated by the government, particularly during the 'Years of Lead.'

Torture is a repressive tactic employed by many states in the MENA region, including Morocco, particularly in cases related to religious extremism and terrorism. According to Amrit Singh, "Morocco was a key country in the CIA's secret detention and extraordinary rendition program. The country not only hosted and tortured prisoners but it also allowed flights involved in extraordinary rendition to use the country's airspace and airports. In doing so, the country effectively became a refueling point on the way to Guantanamo prison."[101] Morocco has faced allegations of torture, a reality that the state often conceals, as it contradicts its image as a moderate

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[100] "Morocco: Getting Away With Torture," *Amnesty International UK*, January 12, 2018, https://www.amnesty.org.uk/morocco-getting-away-torture#:~:text=Beatings%2C%20asphyxiation%2C%20simulated%20drowning%2C,'confessions'%20and%20silence%20dissent.
[101] Amrit Singh, *Globalizing torture: CIA secret detention and extraordinary rendition,* ed. David Berry (New York: Open Society Foundation, 2013), 31.

Muslim nation. Consequently, the Moroccan security apparatus diligently endeavors to obstruct Amnesty International members from documenting or reporting on instances of torture within Moroccan prisons.

<u>Counter-Terror Law</u>

Just a few days after the bombings in 2003, the Moroccan parliament approved the passage of the anti-terror legislation. "The Moroccan law defined terrorism, in its comprehensive sense, as acts that are deliberately perpetuated by an individual, group or organization, where the main objective is to disrupt public order by intimidation, force, violence, fear or terror."[102] This law has been opposed by numerous Moroccan human rights activists, who view it as an extra-legal tool employed by the state to restrict free speech and expression. "This broad definition allowed the state to use it to intimidate journalists and opponents. In July and August 2003, four journalists were convicted under the law for publishing stories related to terrorism."[103] According to Wainscott "it thus took only two months for the state to convert anti-terror legislation into a tool to silence independent coverage of terrorism."[104] Although the anti-terror law has impacted several journalists, this section will specifically focus on Ali Anouzla and Hamid El Mahdaoui.

Under anti-terrorism law 03-03, independent journalist and editor-in-chief of *Lakome's* Arabic edition, Ali Anouzla, was arrested in 2013. His arrest followed the publication of a video on his official website, released by Al-Qaeda in the Islamic Maghrib. He faced charges of disseminating material that was deemed a threat to Morocco's national security. In the forty-one-minute video, religious militants directly attacked the Moroccan monarch, Mohammed VI, accusing him of "corruption, tyranny, and aligning with former US President George W. Bush's 'war on terrorism." Additionally, the video condemned police brutality and violence against peaceful demonstrators

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[102] Published in the Official Bulletin of the Kingdom of Morocco, no. 5112, May 29, 2003

[103] "Morocco's Truth Commission: Honoring Past Victims during an Uncertain Present," *Human Rights Watch*, November 27, 2005, https://www.hrw.org/report/2005/11/27/moroccos-truth-commission/honoring-past-victims-during-uncertain-present.

[104] Wainscott, *Bureaucratizing Islam*, 38.

and criticized the state's policy regarding the organization of the Mawazine music festival.[105]. As a result, Anouzla was charged by the investigating judge at the Rabat Court of Appeal with providing "material support" to a terrorist group, "defending terrorism" and "inciting the commission of terrorist acts". He spent five weeks in "preventative detention" before he was released on bail on 25 October 2013.[106]

Human rights activists offer an alternative interpretation of Anouzla's arrest, suggesting that it was due to his news website's persistent coverage of several controversial issues. Some of the content published by Anouzla might have deviated from state policy and lacked official approval. Certain human rights activists argue that his arrest could have been an act of retaliation by Moroccan authorities in response to his public exposure of unsettling content. This perspective is shared by numerous human rights observers, both within Morocco and internationally:

> Anouzla's ongoing harassment by the judicial authorities could be seen as a retaliation for *Lakome's* revelation of the 'Daniel scandal', in which the Moroccan King was found to have pardoned, as a gesture of friendship between him and his Spanish counterpart, King Juan Carlos, a Spanish serial child rapist sentenced to 30 years in prison - of which he spent only a year and a half behind bars. The scandal led to a wave of demonstrations against the Moroccan monarch in early August 2013 and spurred unprecedented solidarity among local, regional, and international human rights groups.[107]

Human rights advocates view Anouzla as an independent journalist whose commitment to democratic principles has driven him to champion press freedom. In their view, his critical stance on key issues has been perceived as bothersome by the state, leading to his repeated arrests and

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[105] It is a Moroccan International music festival held annually in Rabat, Morocco, featuring many international and local music artists.

[106] "Drop All Charges Against Moroccan Journalist Ali Anouzla: Let Him Go Free, Once and For All," *Reporters Without Borders*, March 8, 2016, https://rsf.org/en/news/drop-all-charges-against-moroccan-journalist-ali-anouzla-let-him-go-free-once-and-all.

[107] Reporters Without Borders, *Drop All Charges Against Moroccan Journalist Ali Anouzla – Let Him Go Free, Once and For All*, 21 January 2016, https://www.refworld.org/docid/56a1e16740c.html.

trials. Similarly, several other Moroccan journalists, like Anouzla, sometimes become victims of the state's policies. The so-called "anti-terrorism law", originally intended to safeguard national and individual security, is now allegedly being utilized to suppress voices opposing the state's policies.

Like Anouzla, Hamid El Mahdaoui, editor-in-chief of the online news website *Badil*, faced charges of "failing to report a security threat" and "inciting people to participate in an unauthorized protest" in the northern region associated with the *Ḥirāk al-rīf* movement. In 2020, El Mahdaoui was released after serving a three-year prison sentence. Many journalists and human rights activists have disputed the charges against El Mahdaoui, asserting that his conviction was due to his opposition to the state. Authorities have repeatedly prosecuted El Mahdaoui, who is notably vocal in his criticism of the Moroccan government on social media platforms. Sarah Leah Whitson, Middle East and North Africa director at Human Rights Watch, said "disagreeing with a state policy and applauding public protest shouldn't land anyone in prison. Instead of banning protests and imprisoning journalists, Morocco should enforce its own constitution, which guarantees free speech and free assembly."[108]

The second accusation leveled against Mahdaoui involved allegations of plotting to "smuggle weapons and purchase tanks" to aid protestors of the *Ḥirāk* movement in Al-Hoceima, northern Morocco. The investigating judge's verdict was based on a transcript of a phone conversation between Mahdaoui and an anti-monarchy activist named Noureddine, residing in the Netherlands.

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[108] "Morocco: Prominent Journalist Jailed: Hamid Mahdaoui Convicted for Criticizing Protest Ban," *Human Right Watch,* August 8, 2017, https://www.hrw.org/news/2017/08/08/morocco-prominent-journalist-jailed.

According to the transcript, Mahdaoui repeatedly urged Noureddine to abandon such a notion, highlighting that the *Hirāk* protests were peaceful and should remain so.[109] Human rights activists contend that Mahdaoui was merely exercising his constitutional right to protest and was advocating for demonstrators to engage in peaceful and civilized actions, without any intent to terrorize the state or compromise national security. Friends and family of Mahdaoui maintain that, despite his non-involvement in terrorism and lack of promotion of such activities, the charges against him were not dropped. He was ultimately sentenced to three years in prison, purportedly in the interest of protecting national security, under the anti-terror law.

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[109] "Morocco: Prominent Journalist Jailed," *Human Right Watch,* August 8, 2017.

CHAPTER SIX

NORMALIZING POLICIES / SOFT MEASURES

Morocco's policy of normalization pertains to the institutionalization of religious narratives, where the state delineates which religious orientations are socially acceptable. Similar to repressive measures, this strategy of normalization is viewed as a means for the state to exert control over the religiosity of its populace. This involves the state assuming the authority to determine what is religiously beneficial or detrimental to society. Religiously, Morocco endorses its principal constants (*al-thawābit al-dīnīyyah*) of traditional Moroccan Islam. These include adherence to the Mālikī school of jurisprudence, the Ashʿarite theological doctrine, and the Sufi path as taught by Imām al-Junayd al-Sālik al-Baghdādī (d. 298 AH/ 910 CE). This religious framework is further reinforced by the allegiance to the Commander of the Faithful (*amīr al-mu'minīn*), King Muhammad VI, who epitomizes both political and religious unity in the country.

Morocco has seen both the modification of existing religious institutions and the creation of new ones. These include the Council of 'Ulama for the Moroccan Community in Europe (2008), the Mohammed VI Foundation for African 'Ulama (2013), the Mohammed VI Foundation for the Publication of the Holy Qur'an (2010), the Mohammed VI Institute for Qur'anic Reading and Studies (2013), the High Council for the Control of Endowment Finances (2010), the Mohammed VI Foundation for the Promotion of the Social Welfare of Religious Workers (2013), the Mohammed VI Institute for the Training of Imams, Murshidīn and Murshidāt (2014), and the Royal Institute for Research on the History of Morocco (2006). Wainscott notes that "the reforms

sought to shape public discourse through media, including the development of a religious TV station and a religious radio station.".[110] These institutions were established with the aim of managing and shaping the religious narrative through public discourse.

The normalization policy in Morocco encompasses both educational and socio-religious approaches. This includes revising the national education curriculum by replacing verses of jihad and implementing the New Family Code for Women's Integration. Creating a loyal religious elite and bolstering the king's position were also key objectives behind these reform policies. These religious reforms marked the starting point for further changes across other sectors. The year 2004 was pivotal for the state to reassess its policies on various critical issues. Human rights activists pressured the government to reconcile with political victims of human rights abuses. Feminists advocated for greater female inclusion and pushed for updates to the new Family Code. Additionally, educators called for a re-evaluation of religious education in Moroccan schools. Faced with these demands, the state recognized the necessity of implementing reform measures.

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[110] Wainscott, *Bureaucratizing Islam,* 1.

Restructuring Traditional Moroccan Islam

In response to the threat of religious extremism to Morocco's Islamic tradition, the country initiated a comprehensive religious reform policy in 2004. This policy was implemented within the state's religious institutions, particularly the Ministry of Pious Endowments and Islamic Affairs. This Ministry was tasked with revitalizing and defining traditional Moroccan Islam in a manner that counteracted the modernist radicalization of the population. King Mohammed VI was at the forefront of affirming this need and mandated the state's influential Ministry of Islamic Affairs to execute a far-reaching program. This program aimed to define Moroccan Islam and its significance for the nation's citizens. The Ministry was well-prepared for this task, continuing the efforts initiated during the reign of Hassan II, who passed away in 1999. It implemented a broad program consisting of practical steps to reaffirm the values and ethical principles that have been the bedrock of Moroccan Islam, a common heritage for all residents of Morocco since time immemorial.

In Morocco, the monarch is constitutionally recognized as the highest representative of Islam in the country. Being a descendant of the Prophet Muhammad and the head of state, he is officially acknowledged in the constitution with the title of Commander of the Faithful (*amīr al-muʾminīn*). In a speech available on the official website of the Moroccan Ministry of Pious Endowments and Islamic Affairs, Muhammad VI emphasized that his primary duty as the Commander of the Faithful is to safeguard Morocco's spiritual realm and the unity of the Mālikī legal school of jurisprudence. Upon the monarch's request, the Ministry of Pious Endowments and Islamic Affairs initiated efforts to regulate and monitor religious activities within Moroccan society. Constitutionally, this Ministry is a sovereign entity whose Ministers are appointed directly by the King.

The **primary** role of the Ministry of Endowments and Religious Affairs in Morocco is to enhance the awareness of Moroccan citizens about their Islamic heritage, emphasizing Islam's role in promoting the mutual well-being of its citizens based on deeply rooted values of religious tolerance. **Secondly**, the Ministry is tasked with upholding the ethical and moral values of Islam as reflected in the authentic tradition of the Mālikī school of jurisprudence. In pursuit of this, the Ministry has renewed its oversight of all mosques in the kingdom, focusing on the prayer leaders (Imams), those delivering Friday sermons (*khaṭībs*), and public lecturers (*wāʿiẓs*), to foster an atmosphere of tranquility, calm, tolerance, and brotherhood within these spaces of worship. The **third** mandate of the Ministry involves broadening efforts to rejuvenate the traditional cultural, intellectual, and spiritual heritage of Islam across the country and amongst its citizens. **Lastly**, the Ministry is responsible for the construction, restoration, and expansion of the nation's mosques, equipping them with modern amenities such as sound systems, clean facilities, office spaces, and libraries.[111] The Ministry has also launched a wide range of educational programs. These include traditional lessons in mosques, women's circles, and the establishment of new schools dedicated to training individuals for outreach in rural and impoverished areas of Morocco.

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[111] "Ikhtiṣāṣāt wa tanẓīm wizārat al-awqāf wa al-shuʾūn al-Islamia ḥasaba al-ẓahīr al-ṣādir fī 26 fabrāyer 2016 fī al-jarīda al-rasmiya ʿadad 6448," *The Ministry of The Pious Endowments and Islamic Affairs*, November 10, 2018, goo.gl/U6L7Yg.

<u>Mālikī School of Law</u>

The Mālikī school is one of the four major Sunni Islamic legal schools and has been adopted by Moroccans for centuries. "The text (Imam Mālik's Ḥadīth collections, *al-muwaṭṭaʾ*) was later used as the basis for the development of the Mālikī school; however, at the time of Mālik, it was not yet an established school."[112] Mālikism has a long-standing history in Morocco, dating back to the eleventh century. Throughout this period, various Moroccan dynasties, including the current ʿAlawite dynasty, have governed according to its legal texts. "In 1036, a jurist from North- west Africa, Jawhar ibn Sakkum, sought someone to improve the level of Islamic learning in the region of Sanhajah, present-day Morocco's Western Sahara. In the region of Sous, 'Abd Allah ibn Yāsīn, a Susi Berber trained in Mālikism in Umayyad Spain, agreed to accompany him. Though the geographic details of their expedition are up for debate, the content of their message is not: They preached a strict Mālikism, so strict in fact that later scholars questioned whether it could be considered Mālikism."[113]

A key component of the Moroccan government's religious reform program has been to modernize the interpretation and implementation of the Mālikī school of thought to align with contemporary societal standards. The Ministry has specifically concentrated its reform efforts on this legal school for several reasons. Primarily, it is the oldest school of law in Morocco and is deeply ingrained in the country's moral and ethical culture. Additionally, the Mālikī school is renowned for its moderation and adaptability, characteristics that resonate with Islam as practiced in a context marked by social and religious diversity. "The Mālikī *madhhab* also categorically

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[112] Melchert Christopher, *The Formation of the Sunni Schools of Law:9th–10th Centuries C.E. Brill, 1997, 156;*
Vikør, Knut S. Between God and the Sultan: A History of Islamic Law (Oxford University Press, 2005), 98.
[113] Park Thomas Kerlin, and Aomar Boum, *Historical Dictionary of Morocco* (Scarecrow Press, 2006), 32–33, 229.

rejects ascribing unbelief (*takfīr*) to a Muslim because of a sin committed or because of heresy. Dr. Tawil asserts that from the Mālikī perspective that there is no obligation to enjoin the good and forbid evil in matters in which there is disagreement (among scholars). It also guards against factional and sectarian strife. This, according to Dr. Tawil, is an important source of what makes the Moroccan faith community a tolerant and open community that allows for opposition from those who hold opposing views. This openness is enshrined in Morocco's Constitution."[114]

Legally, the Mālikī school offers a broad spectrum of principles, allowing its scholars to form opinions based on canonical sources. Key concepts like *ijtihād* (derived opinion) and *al-masāliḥ al-mursalah* (unrestricted interests) enable the addressing of contemporary issues not explicitly covered in the fundamental texts of the Qur'an and Sunnah. These features render the Mālikī school one of the most liberal and flexible within Islamic jurisprudence. Historically, the Mālikī *madhhab* has been central to Moroccan cultural identity, distinguishing Morocco from the caliphates of the East. Renowned Moroccan religious scholar Muhammad Raissoni elucidates this point, expressing:

> The diverse nature of a nation like Morocco necessitates rational thinking capable of accommodating differences, a quality inherent in the Mālikī *madhhab*," explains Muhammad Raisouni. "This is evident through its reliance on custom (*ʿurf*) and unrestricted interests (*al-masāliḥ al-mursalah*). The madhhab has skillfully accommodated local traditions, reconciling them with the teachings of fundamental texts." Raisouni continues, "In Morocco, the Mālikī madhhab has been a unifying force, bridging scholars, princes, kings, and the general populace. It has harmonized public and private lives, embracing various sects and affiliations. The school has been instrumental in facilitating peaceful coexistence among different groups within the Moroccan context. It brought together narrators of Ḥadīth and theologians, adherents of the Ashʿarite doctrine and Salafis, and comprehended the diverse practices of Sūfis. It even integrated those who

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[114] Kenneth Honerkamp, Fr. Michael D. Calabria, "Moroccan Islam: A Unique and Welcome Spirit of Moderation and Tolerance," *Center for Contemporary Arab Studies*, n.d., http://moroccoonthemove.com/wp-content/uploads/2013/11/Center-for-Contemporary-Arab-Studies-Moroccan-Islam-Oct-2013.pdf.

opposed Ashʿarism and mysticism. Throughout Moroccan history, despite intellectual differences, competition, and disputes among these groups, they have all been united under the Mālikī school of thought.[115]

Since its emergence in Morocco, the Mālikī school of jurisprudence has been renowned for its tolerance and moderation. In the aftermath of the 2003 bombings, Morocco's commitment to the unity and openness of Islamic jurisprudence has led the state to invest in and actively promote Mālikism. Dr. Muhammad Tawil, a professor at Qarawīyyīn University in Fez, attributes Morocco's unity to the positive influence of the Mālikī madhhab, stating:

> The Mālikī *madhhab* is characterized by the abundance of its legal sources represented in the Qur'an, the custom of Muhammad (Sunna), the consensus of the scholars (*ijmāʿ*), legal analogy (*qiyās*), unspecified interests (*al-masālih al-mursalah*), and others. The diversity of these legal sources and their broad applicability has assured that Moroccan scholars of the law continue to respond to issues as they arise with scholarly review and legal extrapolation. Dr. Tawīl, the Mālikī *madhhab* is characterized by the absence of strictures that lend it an openness that permits it to evolve and renew itself in an atmosphere of resilience, liberality, and facility, with moderation and temperance, and within a logical and rational nature. The Mālikī *madhhab* also categorically rejects ascribing unbelief (*takfīr*) to a Muslim because of a sin committed or because of heresy. Dr. Tawīl asserts from the Mālikī perspective that there is no obligation to enjoin the good and forbid evil in matters in which there is disagreement. It also guards against factional and sectarian strife. This, according to Dr. Tawil, is an important source of what makes the Moroccan faith a tolerant and open community that allows for opposition from those who hold opposing views. This openness is enshrined in Morocco's Constitution.[116]

Dr. Tawīl views the Mālikī *madhhab* as distinct from the other three widely recognized schools of legal thought in the Muslim world today, owing to its flexible and inclusive nature. This inclusiveness, particularly in dealing with various legal issues, is what initially appealed to the Moroccan scholars and led to its adoption centuries ago. The Mālikī *madhhab*, with its highly

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[115] "The Mālikī Madhab in Morocco Between Neglect and Exploitation (in Arabic)," Maghras 11, 2018, https://www.maghress.com/attajdid/1052.

[116] Kenneth Honerkamp, Fr. Michael D. Calabria, "Moroccan Islam: A Unique and Welcome Spirit of Moderation and Tolerance," *Center for Contemporary Arab Studies*.

respected textual tradition and adaptable approaches to significant Islamic creed issues, has demonstrated that it is not merely a school of jurisprudence. It also firmly belongs to the mainstream Sunni Muslim community (*ahl-al-Sunnah wa al-jamāʿah*), establishing itself as a foundational school in the development of Islamic *Sharīʿah* thought.

According to Ahmad Toufiq o, the Mālikī *madhhab* has long served as a guardian of the spiritual life of Moroccan society. It has consistently stood firm against any ideologies that threaten the populace's well-being or any dubious matters (*shubuḥāt*) that could cause division. This school of jurisprudence is distinguished by its resilience and its capacity to counter intellectual threats that seek to challenge the well-established norms of Sunni orientation.[117]

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[117] Publications of Moroccan Ministry of Pious Endowments and Islamic Affairs, *Dalīl al-ʾimām wa al-khaṭīb wa al-wāʿiz* (Casablanca: Matbaʿat al-najāḥ al-jadīdah, 2007), 19-20.

Moderation in the Mālikī *madhhad*: Historical Overview and Examples

Thus, We (God) made you a moderate community, that you may be witnesses to humanity,

and that the Messenger may be a witness to you. Quran: 2:143

In Islam, Muslims are encouraged to maintain a balanced approach in all aspects of their lives, adhering to the middle path. As affirmed in the Qur'an, they are instructed not to be extreme in their faith, nor to neglect it entirely. The essence of this teaching is to hold a balanced position, metaphorically described as holding the stick from the middle. "Muslims are not to force their religion on others, for as the Qur'an states "there is no compulsion in religion" (*al-Baqarah* 2.256) but were to give witness to others by the example of their faith."[118] In Islam, moderation is synonymous with the rejection of violence and extremism. It embodies the tolerant spirit and inherent ease of the religion, constituting a religious necessity. This concept of moderation is straightforward and does not necessitate extensive explanation or interpretation. It is one of the most salient aspects of how Muslims coexist with People of the Book, fostering a society where rights and duties are respected within a framework that honors theological, social, and cultural diversity.

In Moroccan jurisprudence, moderation has been a fundamental principle, vividly manifested in the teachings of the Mālikī school. Historically, Mālikī jurists in Morocco, particularly those specializing in *fiqh al-nawāzil* (the jurisprudence of newly emerging events/phenomena), have faced numerous challenges. These include looting, plundering, rebellion against ruling authorities, emergence of deviant sects, religious extremism, and violence. Within the framework of the Mālikī school of thought, these issues were addressed effectively, offering significant solutions. This is

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[118] Kenneth Honerkamp, Fr. Michael D. Calabria, "Moroccan Islam: A Unique and Welcome Spirit of Moderation and Tolerance," *Center for Contemporary Arab Studies*.

particularly evident in the school's response to extremist movements, such as Al-Wahbīyyah[119], and *Al-alʿAkākizah*[120], where Mālikī jurisprudence provided a mixture of moderate and strict approach. In this section, I will briefly address why Mālikism historically gained prominence in Morocco, explore the responses of Moroccan Mālikī jurists to early extremist sects, and provide examples illustrating the ethos of tolerance within the Mālikī context.

Historically, Mālikism has been widely embraced throughout the Islamic West, particularly in Morocco, due to the long-standing practices of Moroccan scholars and the endorsement by successive ruling dynasties since the eleventh century. Imam Aḥmad ibn Yaḥyá al-Wansharīsī, a prominent sixteenth-century Maghribī theologian and Mālikī jurist, offers insight into this phenomenon in his work, *al-Miʿyār*, (The Standard Measure), where he explains:

> The steadfast adherence of Moroccans to the Mālikī *madhhab*, as established by Imam Mālik, and their commitment to following both his teachings and those of his companions is a matter of customary transmission. This adherence is so ingrained that it hardly needs explanation. It is well-documented that Moroccan scholars have consistently followed the Mālikī *madhhab*, without deviation. Furthermore, Moroccan sultans and princes have historically played a crucial role in preventing any divergence from these teachings. Any individual who considered deviating from the Mālikī school or adopting another *madhhab* was met with strong disapproval, often leading to the denouncement of their knowledge and the disparagement of their opinions.[121]

The Mālikī school's selection by Moroccan scholars and political elites was largely due to the well-suited environment to the cultural and social identity of Moroccans, as the quote demonstrates. Its compatibility with Moroccan realities and conditions led the religious elites to

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[119] It is an Islamic movement that arose in North Africa at the end of the second century AH at the hands of Abd al-Wahhab ibn Abd al-Rahman ibn Rustam (832-784) (of Persian origins). It has nothing to do with the call of Sheikh Muhammad bin Abd al-Wahhab due to the difference in time, place, and type of call.

[120] It is a Sufī sect that appeared in the sixteenth century, and many differed in its truth and beliefs. A sect that lived in Morocco for about 4 centuries and spread over vast areas of its lands.

[121] Abū al-ʿAbbās Aḥmad ibn Yaḥyá al-Wansharīsī, *al-Miʿyār* (Ministry of Endowments and Islamic Affairs, 1981), v.2, 169.

staunchly uphold its teachings. They often rejected and marginalized any divergent views by underestimating and weakening them. A notable characteristic of the Mālikī school is its systematic integration of belief and worship, where its moderate approach to jurisprudence fosters moderation in belief. Additionally, Mālikī scholars actively worked to steer people away from corrupt beliefs and deviant sects, combating heresy and fanaticism to maintain the integrity of Islamic teachings.

Numerous texts within traditional Mālikism have documented instances of tolerance and coexistence between Muslims and non-Muslims, especially the People of the Book. These texts encompass ethical values reflected in both devotional practices and everyday transactions, including prayers, animal sacrifices, business partnerships, endowments, and conduct during times of war. In these areas, several Moroccan Mālikī jurists have demonstrated a moderate legal stance, offering balanced opinions on matters pertaining to the treatment of non-Muslims.

In a commercial context involving non-Muslims, Abū al-Walīd ibn Rushd, known as the grandfather (d. 1198, Marrakech), was once consulted for a legal opinion on selling Vitis vinifera (grapevines) to Christians who would use its grapes to make wine. The query posed was whether it is permissible to sell Vitis vinifera knowing that its fruits would be processed into wine, and if such a sale is impermissible, whether it should be revoked. In response, ibn Rushd, may God have mercy on him, stated, "Selling grapevines in this context is disliked, but it should not be categorically forbidden. If it were to be forbidden, the sale would consequently need to be revoked."[122] Ibn Rushd opted for a moderate *fatwa* on this matter, aiming to facilitate ongoing business interactions between Muslims and non-Muslims.

Another incident reported in *al-Miʿyār* by Imam Aḥmad ibn Yaḥyá al-Wansharīsī concerns a Mālikī jurist named Abū al-Ḥasan ʿAlī bin Muḥammad bin Khalaf al-Maʿāfarī al-Qarawī al-Qābissī. He was asked to provide a legal opinion regarding a Muslim man's relationship with his Jewish neighbor and how to navigate this friendship. The situation is described as follows:

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[122] Abū al-Walīd ibn Rushd, *Masāʾilu Abi al-Walīd ibn Rushd: the grandfather*, ed. Muhammad al-Ḥabīb al-Tujkānī (Casablanca: Dār al-ʾāfāq al-jadīdah, 1993), 1144.

The scenario involves a Muslim who has grown up alongside a Jewish neighbor. Occasionally, the neighbor asks the Muslim to run errands or they may need assistance with something. At times, they encounter each other during a walk, exchanging smiles and kind words. The Muslim, aware of his inherent dislike for Jews but recognizing his own gentle nature, queries from a legal standpoint: "God knows of my aversion to Jews, but I am naturally soft-spoken and amiable. Do you see any issue with this behavior, legally speaking? And how should I react if he (the Jew) greets me?"[123]

In response to the query, Abū al-Ḥasan ʿAlī bin Muḥammad, may God have mercy on him, advised: "If you are seeking guidance for your own actions, then it is preferable not to associate closely with someone who follows a different religion, as this is safer for your faith. However, regarding your *dhimmī[124]* neighbor, if he requests your help, there is no legal issue in assisting him. You may fulfill his need. When speaking to him, your words should be kind but without glorifying or showing respect for his religion, and without any indication of envy towards his faith. Responding to his greetings is acceptable, provided you do not add anything further.[125] In another incident documented in *al-Miʿyār al-jadīd* (The New Standard Measure), al-Mahdī al-Wazzānī was consulted regarding the appropriate response of a Muslim when offering condolences to a non-Muslim who has lost a relative or friend. In his response, al-Wazzānī affirmed, "A Muslim should console the non-Muslim and say: 'May God Almighty reward you for your loss with something better and make you a righteous person.[126]

These instances serve as living testimonies to the tolerance and moderation inherent in Mālikism throughout Morocco's early history. The various legal opinions, marked by their moderate nature, shed light on why the Moroccan state dedicates significant resources to

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[123] Abū al-ʿAbbās Aḥmad ibn Yaḥyá al-Wansharīsī, *al-Miʿyār* (Ministry of Endowments and Islamic Affairs, 1981), v.11, 300.
[124] Non-Muslim who is under the protection of the Islamic state.
[125] Abū al-ʿAbbās Aḥmad ibn Yaḥyá al-Wansharīsī, *al-Miʿyār*, v.11, 301.
[126] Al-Mahdī al-Wazzānī, *Al-Nawāzil al-Jadīdah al-Kubrá*, (Beirur: Dar Al-Kotob Al-ilmiyah, 1971), v. 1, 111.

promoting Mālikism, both within the country and internationally, among its citizens. These historical precedents of Mālikī jurisprudence continue to influence and justify the state's current efforts in nurturing and disseminating these values.

<u>Mālikī jurists and their renunciation of extremism in belief and behavior</u>

Extremism originates from one's beliefs and subsequently manifests in actions and behavior. It can manifest in two primary forms: The **first** involves pushing oneself beyond one's limits to the point of adopting radical thoughts and behaviors. The **second** form is characterized by neglecting religious rules to the extent of abandoning religious duties altogether. Both forms are condemned and rejected in Islam. An analysis of extremists and their misguided sects reveals common traits across various groups throughout history. These include ignorance, misunderstanding, a lack of balance in methodology, and a tendency to fixate on texts without considering the broader purposes and interests, especially in the context of evolving realities.

Among the key social phenomena documented in the two volumes of *Standard Measure*[127] are instances of atheism and heresy in Morocco and Andalusia at various times. These were reportedly adopted by groups claiming affiliation with Sufi orders, known for their permissiveness towards acts forbidden in Islam, including fornication, alcohol consumption, theft, and neglect of religious duties like fasting and praying. In response, 17th-century Mālikī jurists such as Abū al-Ḥasan al-Yūssī and Abū al-Ḥasan al-Majaṣī adopted dual approaches in treating religious extremism. They alternated between harsh and lenient methods when dealing with these deviant sects.

In his work *Rasāʾil al-Yūssī*, Abū al-Ḥasan al-Yūssī addressed the Moroccan Sultan Ismāʿīl concerning the threat posed by the deviant Sufi order, al-ʿAkākizah. He urged the Sultan to take serious action against them. Al-Yūssī comments:

> Abū al-Ḥasan al-Yūssī, in his writings, describes the misguided sect known as al-ʿAkākizah, prevalent in the Islamic West. He details their spread and the visible impact of

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[127] Al-Miʿyār of Imam Aḥmad ibn Yaḥyá al-Wansharīsī (d. 1508 in Fez, Morocco) and al-Miʿyār of al-Mahdī al-Wazzānī (1849-1923). Two Māliki jurists in Morocco.

their wickedness and shameful acts. According to al-Yūssī, the flaws and evils of this sect have become apparent, with their misguidance permeating both public and private life. Their audacity against God has become so widespread that it demands attention. Al-Yūssī appeals to the Sultan, praising his leadership, to take decisive action against this sect. He calls on the Sultan to uphold religion, subdue the transgressors, support the legislators, and protect the submissive, thereby extinguishing the sect's wickedness and rectifying their evil actions.[128]

Al-Yūssī was a highly influential scholar whose views significantly impacted public opinion. He expressed grave concerns about the religious extremism of al-ʿAkākizah, urging Sultan Ismāʿīl to take decisive action to prevent other sects from emulating their path. In response to al-Yūssī's call, Sultan Ismāʿīl chose to employ force, ultimately deciding to wage war against the sect. Al-Yūssī's *fatwa* was characterized by a stern tone, demanding that jihad be waged to prevent the recurrence of such issues. In contrast, other Mālikī scholars adopted a more lenient approach towards addressing religious extremism.

In contrast to al-Yūssī, Abū al-Ḥassan al-Majaṣī adopted a different approach, one that avoided bloodshed. "He opted for a non-violent strategy to peacefully resolve the issue," as he believed in the power of faith to change hearts. Al-Majaṣī advocated for engaging with the hearts of the extremists through faith, with the aim of winning them over to the side of Islam, rather than resorting to their annihilation.[129]

Abū al-Ḥassan al-Majaṣī's approach reflects his peaceful disposition as a jurist who refrained from advocating violence in his *fatwas*, even when addressing extremist movements. In stark contrast, al-Yūssī maintained a strict stance in his *fatwas*, believing that peaceful measures

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[128] Al-Ḥassan bin Masʿūd al-Yūssī, *Rasāʾil al-Yūssī*, ed. Fātimah Khalīl al-Qablī (Casablanca, Dār al-Thaqāfah, 1981), 274.

[129] ʿAbd Allah Najmi, *al-Taṣawuf wa al-bidʿah bilmaghrib: Tāʾifat al-ʿAkākizah fi al-qarnayn al-sādis ʿashar wa al-sābiʿ ʿashar* (Casablanca, maṭbaʿat al-nnajāḥ al-jadīdah, 2000), 411.

would not effectively deal with such sects. The differing viewpoints of these two Mālikī jurists illustrate the diversity of opinion within this school of jurisprudence. Their perspectives also resonate with Morocco's modern approach to counter-terrorism, balancing repressive measures with normalization policies.

The rise of extremist sects necessitated varied jurisprudential responses and preventive measures, ranging from rigidity to severity. Despite these different approaches, they all share a common goal: to address the phenomenon of extremism within its legal and religious framework, ensuring responses are rooted in jurisprudential reasoning.

<u>The Creed of Imam Abū al-Ḥassan al-Ashʿrī</u>

Morocco's long-standing adherence to the teachings of Imam Abū al-Ḥassan al-Ashʿarī, whose doctrines are noted for their moderation and tolerance, has been a key component of the country's religious reform policy. The Ashʿarī creed, with its flexibility and open-mindedness, complements the Mālikī school's approach and has been a part of Moroccan religious practice for centuries. Characterized by its rejection of *takfīr* ideology, the Ashʿarī creed diverges from literal interpretations of sacred texts, favoring balanced theological readings instead. "In parallel with the Mālikī school, the Ashʿarī creed firmly repudiates the concept of *takfīr*, a principle that is crucial in countering the ideology of modern militant movements."[130] "While Mālikism calls for taking into account the practice of the community to supplement sacred texts in the field of law, Ashʿarism adds the use of human reason."[131]

Abū Ḥassan al-Ashʿarī (d. 936, Baghdad) laid the foundations of the al-Ashʿarī school of theology after distancing himself from the Mu'tazilite school, which he had adhered to since his youth. He earned the title "Imam of the People of the Sunnah and the Community" in recognition of his significant contributions to Sunni doctrinal thought, particularly his efforts to reconcile reason with tradition. Similar to Imam Mālik, the al-Ashʿarī school is known for its moderation and tolerance, embodying these principles of Islam within a context of social and religious diversity. "This school becomes the most inclusive of the creeds as it defines the Muslim community as all those that pray in the direction of Mecca (*ahl al-qiblah*). Among its key precepts is that it also categorically rejects ascribing unbelief (*takfīr*) to any of the *ahl al-qilblah* because of

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[130] Kenneth Honerkamp, Fr. Michael D. Calabria, "Moroccan Islam: A Unique and Welcome Spirit of Moderation and Tolerance," *Center for Contemporary Arab Studies*.

[131] Ann Marie Wainscott, *Bureaucratizing Islam: Morocco and the War on Terror* (New York: Cambridge University Press, 2017), 77.

a sin committed or because of heresy—a far cry from the practice of jihadists today."[132] Morocco regards Ashʿarism as a moderate school of thought that values human reason while maintaining respect for the traditional foundations of Islam, namely the Quran and the Sunnah of the Prophet.

According to Dr. Ahmed Abbadi, Secretary General of the Mohammedia League of Moroccan ʿUlamāʾ:

> I mean here the Ashʿrī doctrine which is balanced because it joins text and reason. And it is for this reason that the Moroccans have chosen this doctrine because Ashʿarī [the founder of the school] was Muʿtazilite [a sweeping rationalist theological school] and gave importance to reason. But he soon realized that reason by itself is not enough. It was necessary for this reason to be supported by another source. Information contained in the texts and knowledge cannot be accessed through simple reason. We need this information, that is to say, the Qur'an and the tradition or the Sunnah of the Prophet.[133]

The Moroccan state has strategically utilized the Ashʿarī theological school to counter the ideologies of modern Salafi jihadist organizations, such as the Taliban, al-Qaeda, and ISIS, which practice excommunication (*takfīr*) of Muslims to justify acts of violence. In addressing the challenges posed by these groups, the Moroccan Minister of Islamic Affairs, Ahmed Toufiq, provided insights before the United Nations Security Council Counter-Terrorism Committee, stating: "Ashʿarī doctrine . . . does not excommunicate people, nor does it accept death sentences for transgressing the Divine Decrees."[134] The testimonies of Abbadi and Toufiq embody the official religious discourse that the Moroccan state seeks to regulate as part of its counter-terrorism strategy.

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[132] Kenneth Honerkamp, "Moroccan Islam: A Unique and Welcome Spirit of Moderation and Tolerance."
[133] Rerhaye Narjis, "Entretien Avec Ahmed Abbadi, SG de La Rabita Mohammadia Des Oulémas," *Libération*, March 27, 2013, https://www.libe.ma/Entretien-avec-Ahmed-Abbadi-SG-de-la-Rabita-Mohammadia-des-oulemas_a36537.html.
[134] Burckhardt Titus, and William Stoddart, *Fez, City of Islam* (Islamic Texts Society: 1992), 113.

Ash'arīte scholars have been renowned for their rejection of the *takfīr* ideology since the inception of this creed. Imam Abū Ḥāmid al-Ghazali (d. 1111 AD/505 AH), an Ash'arīte scholar, in his work *Moderation in Belief* (*al-Iqtiṣād fī al-ʾIʿtiqād*), emphasizes this stance, stating: "It is predominantly the ignorant who hastily declare *takfīr*. One should be cautious in declaring *takfīr*, finding any possible justification to avoid it. It is a grave error to misappropriate the property and shed the blood of those who face the *Qiblah*[135] in prayer and profess that there is no god, but God and that Muhammad is His Messenger. Indeed, the error of inadvertently sparing a thousand unbelievers is far less grave than the error of shedding a single drop of a Muslim's blood."[136]

Imam Shaykh Muhammad Abduh (d. 1905) asserts "that God has not granted the caliph, judge, mufti, or shaykh of Islam any authority over beliefs or the establishment of religious rulings. It is unjustified for any of them to claim the right to control someone's faith or worship of their Lord or to dispute their views. In Islam, there is no religious authority other than offering good admonition, promoting goodness, and discouraging evil. Muslims, regardless of their strong or weak piety, have only the right to offer advice and guidance. It is a well-known principle in Islam that if a statement comes from a speaker who may have numerous faults but holds faith in one aspect, it is attributed to faith, and it is not permissible to attribute it to disbelief."[137] These opinions of the two renowned Ash'arīte scholars, Imam Abū Ḥāmid al-Ghazali and Sheikh Muhammad Abduh, represent the theological belief held by the majority of Muslim countries around the world who reject *takfīr* ideology.

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[135] Prayer direction to Mecca.

[136] Abū Ḥāmid al-Ghazali, *Moderation in Belief* (*al-Iqtiṣād fī al-ʾIʿtiqād* Arabic) (Cairo: Maktabat- Salabi, No date), 134.

[137] Muhammad Abdou, *al-Aʿmāl al-Kāmilah* (Beirut: Maṭbaʿat Beirut, 1972), v. 3, 283-289.

Sufism of Imam al-Junayd

Another strand of Morocco's religious policy is Sufism, a tradition that dates back at least eight centuries in the country.[138] In addition to the legal and theological schools of the Mālikī school and the creed of Imam al-Ashʿarī, Morocco has enriched its heritage with the traditional teachings of Sufi orders. These teachings have exemplified well-established principles of solidarity, selflessness, and generosity for centuries. Sufism focuses on the teachings of right conduct (*adab*) and ethical behavior (*akhlāq*). The Moroccan Minister of Islamic Affairs, Aḥmad Toufīq, defines Sufism as "a path of education towards love, Sufism has effectively contributed to shaping the religious, moral-ethical conscience of Moroccan Muslims, along with their social and national commitments. He adds that this is a well-established historical fact that cannot be changed"[139] Sufism, as defined by Toufiq, refers to the spiritual aspect of Islam, emphasizing the Muslim's good behavior towards oneself and God, as well as towards other people and the environment.

The impact of Sufism, as elucidated by the shaykhs of Moroccan Islam, has been and continues to be the spiritual bond uniting the cultural, social, and tribal components of Moroccan society under the theme of compassion. This compassion is considered a goal towards spiritual education and training in Sufi ethical behavior and self-purification. Compassion is epitomized by following the teachings of the renowned pioneer and master of the Sufi path, Imam al-Junayd al-Baghdādī (d. 298/910), also known as al-Junayd al-Sālik (the Traveler to God). For al-Junayd, Sufism involves disciplining the self to achieve the spiritual goal of ethical behavior among all members

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[138] David Robinson, *Muslim Societies in African History* (Cambridge University Press, 2004), 100.
[139] Publications of Moroccan Ministry of Pious Endowments and Islamic Affairs, *Dalīl al-ʾimām wa al-khaṭīb wa al-wāʿiz*, 29.

of society. This aim fosters spiritual harmony that reinforces values of solidarity, cooperation, generosity, and tolerance.

To maintain and preserve the values of tolerance and moderation in Sufi Islam, the Moroccan monarch, Muhammad VI, appointed Aḥmad Toufīq in 2002 as Minister of the Pious Endowments and Islamic Affairs. A Sufi intellectual, university professor, and former head of the Moroccan National Manuscript Archives, Toufīq's appointment was a replacement for the former Minister, ʿAbdu al-Kabīr al-ʿAlawī M'dāghrī, who had held the position for 18 years during the reign of Hassan II. Although King Muhammad VI does not openly align himself with specific Sufi brotherhoods, he generously provides monetary donations and extends words of support to them. On a recent Wednesday, a royal committee presented two royal gifts on his behalf to the distinguished members of the Sufi Zawīyyah Sidi Ayad Soussi, led by Sidi Abdallah Omoussa, and the Tijānīyyah Zawīyyah in Taroudant, marking the 24th anniversary of King Hassan II's death.

The two royal donations were handed over during a religious ceremony attended by Hussein Amzal, governor of the Taroudant region, the head of the local scientific council, Yazid al-Radi, and the head of the regional council, as well as civil and military figures."[140] In 2007, the King Muhammad VI, sent his supporting statement to the Tijanis affirming, "You can count on Morocco's support in your effort to disseminate [the Tijani] radiant message and expand its scope for the sake of Islamic, Maghrebyan, and African solidarity. We want the *Tarīkah Tījānīyyah*

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[140] Rashīd Bijīkin, "Royal donations sent to the two Sufi orders, the Sūfīyyah and al-Tījanīyyah," *Hespress*, October 27, 2022, https://tinyurl.com/47fyyaer.

[Tijani order] to emerge as a pillar of African unity."[141] The 2003 bombings in Casablanca led the Moroccan state to strongly embrace its Sufi roots and promote its spiritual heritage through various Sufi music festivals in both Fez and Marrakesh.

Morocco is regarded as the land of Sufism in the Muslim world, owing to its long history of Sufi practice and the presence of numerous Sufi orders. These include the Tījānīyyah, Qadiriyyah-Butshishiyyah, 'Aisāwa, and Hamadsha. "The brotherhoods are characterized by a strong relationship between a master and a disciple, sometimes a commitment to esoteric practices, and a prioritizing of the disciple's relationship to God over other concerns."[142] "In the Islamic world mysticism is regarded as a science, which is handed down from master to disciple just like jurisprudence, with this difference, that from the disciple a special qualification, or more exactly, an inward vocation, is required."[143] The relationship between the shaykhs and their disciples is characterized by respect, commitment, and obedience. As the shaykhs are believed to possess supernatural grace (*Barakah*), they are responsible for assigning daily, weekly, or monthly devotional tasks to the disciples, which are to be undertaken with commitment. Additionally, shaykhs who claim direct lineage to the Prophet are often believed to possess supernatural powers.

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[141] Wainscott, *The Bureaucratizing of Moroccan Islam*,79.
[142] Wainscott, *The Bureaucratizing of Moroccan Islam*, 78.
[143] Burckhardt Titus, and William Stoddart, *Fez, City of Islam* (Islamic Texts Society, 1992). 113.

<u>Empowering the Position of the Moroccan Monarch, Mohammad VI</u>

For centuries, Moroccan Sultans, including the modern-day monarchs, have ruled the country based on religious and political legitimacy. This is largely due to their claims of lineage connected to the Prophet of Islam. This claim traces back to the reign of Idris ibn Abdullah in the 8th century and has continued into the 21st century with the current ruling ʿAlawīte dynasty. Such a legacy of governance has been foundational since the establishment of the first Moroccan state. Consequently, post-independent Moroccan monarchs have held the religious title of *amīr al-muʾminīn* or Commander of the Faithful. The king serves as the guardian of religion in Morocco and the political leader of the community of believers."[144] Historically, the title *amīr al-muʾminīn* was adopted in the first Moroccan constitution of 1962. However, this does not imply that Morocco's monarch governs the country solely on a religious basis, with most laws derived from *Sharīʿah*. The state also incorporates aspects of French secular law.

Constitutionally, the king sees respect for Islam. He is the Guarantor of the free exercise of beliefs [*cultes*]. He presides over the Superior Council of the *ʿUlamāʾ* [*Conseil superieur des Oulema*], charged with the study of questions that He submits to it. The Council is the sole instance enabled [*habilitee*] to comment [*prononcer*] on the religious consultations (*Fatwas*) before being officially agreed to, on the questions to which it has been referred [*saisi*] and this, on the basis of the tolerant principles, precepts and designs of Islam.[145] Moreover, the king's religious and political authority is firmly established in the kingdom's motto: 'God, the Homeland, the King.' This motto, as well as the 2011 Constitution, emphasize that the person of the King is an individual who

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[144] Moroccan constitution of 2011, article 42, https://www.constituteproject.org/constitution/Morocco_2011
[145] Morocco's constitution of 2011, article 7.

commands the utmost respect from Moroccan citizens. In other words, he is considered an inviolable entity (*la tuntahaku ḥurmatuhu*), as stated in Article 46 of the constitution. For some critics, this status places the king above the law.

In the context of reform following the Casablanca bombing, the Moroccan monarch considered it an urgent religious duty to restructure the country's religious landscape. In a speech published on the official website of the Moroccan Ministry of Pious Endowments and Islamic Affairs, Muhammad VI made it clear that his primary responsibility as the Commander of the Faithful was to safeguard the spiritual security of Morocco and the unity of the Mālikī legal school of jurisprudence.[146] On the face of it, the reforms were launched in an attempt to eradicate extremist religious narratives from Moroccan institutions and public discourse. On the other hand, As Wainscott puts it, "such religious reforms are better understood as political opportunism."[147] In this context, El-Katiri affirms that "the reform must also be seen as serving political – as opposed to purely religious – goals; it is also aimed – implicitly – at strengthening the role of Morocco's King as Commander of the Faithful, *amīr al-muʾminīn*, which has in the past been contested by some minority Islamic movements, most especially the *Adl wa Al-Ihssan* (Justice and Benevolence)."[148] These reforms can be viewed as the king's initiative to quell the ongoing competition between political Islamists and militant groups over defining the true meaning of Islam and its implementation in the public sphere. The authority to interpret the Islamic faith rests

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[146] Muhammad VI, "Discours royal relatif à la restructuration du champ religieux au Maroc," *Ministere des Habous et des Affaires Islamiques,* April 30, 2004, http://www.habous.gov.ma/fr/Islam-au-maroc/29-Activit%C3%A9s-d-Amir-Al-mouminine/574-Discours-royal-relatif-%C3%A0-la-restructuration-du-champ-religieux-au-Maroc.html.
[147] Wainscott, *Bureaucratizing Islam*, 2.
[148] El-Katiri., "The institutionalization of religious affairs," (2013): 54.

with the royal institution and its religious scholars and functionaries, who are affiliated with the Ministry of Endowments and Islamic Affairs.

The king's initiative to launch a comprehensive series of religious reforms is a strategic political move aimed at strengthening the stability of the royal institution and highlighting the religious role traditionally played by the monarch. This move can be interpreted as a direct message to both Islamists, who challenge state policies based on religious grounds, and secularists, who advocate for the separation of religion and state. Consequently, the king emerges as the sole political authority embodying both religious and political power. The fact that the king is the exclusive wielder of these dual powers underscores the extent of this advantage.

In May 2014, the king of Morocco signed a royal decree preventing the country's religious leaders from participating in any form of political activity, including activity dealing with labor union.[149] Political parties founded on a religious basis are prohibited by law.[150] The political and religious advantages the Moroccan king enjoyed were intended to perpetuate and prosper by creating a loyal religious elite. This loyalty of producing both present and future religious employees is deemed as a method of bureaucratizing Moroccan Islam.[151]

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[149] "Morocco Prevents Religious Leaders From Participating in Politics: The Decree Also Stipulates Establishing a Commission to Take Care of Complaints Against Religious Institutions," *ALARABIYA News*, July 3, 2014, https://english.alarabiya.net/News/middle-east/2014/07/03/Morocco-prevents-religious-leaders-from-participating-in-politics.

[150] Morocco's constitution of 2011, article 7.

[151] Wainscott, *Bureaucratizing Islam,* 15.

<u>Creating pro-state religious employees</u>

The state's new strategy was to hire more trustworthy bureaucrats as well as prominent traditional scholars of Islamic law in post Casablanca bombings. According to Wainscott "the bureaucratization of religion can be defined as the process in which the state centralizes religious authority within its own institutions; religious leaders become bureaucrats."[152] Being a religious bureaucrat under Morocco's authority stipulates that the state can easily control individuals who have opposed its religious policies for decades. Ahmed Toufiq, the current Minister of Endowments and Islamic Affairs, has been considered the first bureaucrat of the reform project. His appointment came after 9/11 terrorist attacks on the USA. Wainscott confirms that Toufiq is not a religious scholar, he is instead a professor of history with extensive administrative experience.[153] Toufiq's appointment as Minister of Islamic Affairs was met with disapproval from some Salafi clerics, who consider him unfit to assume such a significant religious responsibility and to speak on behalf of the faith of Moroccan believers.

Toufiq holds a bachelor's degree in history, master's degrees in both history and archaeology, and a doctorate in history. [154] Abdelkebir Alaoui M'daghri, however, the previous Minister of Endowments and Islamic Affairs, held bachelor's degrees in law, *Sharīʿah*, and humanities—a more traditional background for a religious scholar. "He also, had received a PhD in Islamic Sciences from Dar al-Hadith al-Hassanīyyah, the state-run institution for higher Islamic learning in Rabat."[155] Abdelkebir Alaoui M'daghri was removed from the Ministry after serving eighteen

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[152] Wainscott, *Bureaucratizing Islam,* 14.
[153] Ibid, 127.
[154] Ministry of Islamic Affairs, "Ahmed Toufiq, The Minister of Endowments and Islamic Affairs," *Ministere des Habous et des Affaires Islamiques*, January 23, 2012, shorturl.at/pzGM7.
[155] Park Thomas, Boum Aomar, *Historical Dictionary of Morocco* (Lanham: Scarecrow, 2006), 25.

years (1985-2002). He was accused by many for his lenience towards the teachings and the spread of Wahhabism in Morocco. Mohammed Katiri believes that M'daghri was believed to tolerate Saudi trained imams to preach in different areas across the country.[156] M'daghri addresses these claims in his book, *Al-ḥukūmah al-multaḥīyyah: Dirāsah naqdīyyah mustaqbalīyyah,* affirming that the Moroccan Ministry of the Interior should be held responsible for providing robust protection to the Wahhabi movement in Morocco for both geopolitical and personal motives. He states that the Wahhabi movement received firm protection from state officials and some scholars of the Moroccan League of *'Ulamā'*. These scholars frequently requested former King Hassan II to extend protection to prominent Salafi scholars such as Taqī Dīn al-Hilālī, enabling them to freely conduct their religious activities in Morocco. Consequently, the Ministry of Endowments and Islamic Affairs was unable to intervene in the affairs of the Wahhabi movement in Morocco, as its members enjoyed private protection.[157] M'daghri was not a Wahhabi Salafist nor a promoter of Salafism either; he was more committed to the Mālikī *madhab* instead. His removal happened more likely because of his opposition to the King Hassan II's proposed reform of the family code in the late 1990s.[158]

What Abdelkebir Alaoui M'daghri asserts regarding the state's promotion of Wahhabism in Morocco corroborates Marvine Howe's argument. In her book *Morocco: The Islamist Awakening*, she confirms that the palace, under King Hassan II, sought assistance from Saudi Arabia in bringing more Wahhabi scholars and imams to Morocco. This move was aimed at countering ideologies challenging the royal institution. Allowing radicals to preach on Moroccan soil was a

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[156] Katiri, "The Institutionalization of the Religious Affairs," 57.
[157] M'daghri Abdelkebir Alaoui, *Al-ḥukūmah al-multaḥīyyah: Dirāsah naqdīyyah mustaqbalīyyah* (Rabat: Dār al-amān, 2011), 66.
[158] Wainscott, *Bureaucratizing Islam,* 129.

strategy intended to protect the state's national and international interests in the post-colonial era. Under the current king, Mohammed VI, the state's policy has shifted, with a focus now on promoting Sufism rather than Salafism. Another aspect of this religious strategy is to combat the roots of Salafism within the Moroccan kingdom.

The institutionalization or bureaucratization of traditional Moroccan Islam can be viewed as a strategy designed to create a large contingent of loyal religious scholars and employees. Their role extends beyond merely endorsing the state's directives; they also serve as front-line defenders against those holding divergent religious views or dogmas. This approach can be attributed to the state's prioritization of the quantity of bureaucrats over the quality of qualified religious scholars. As some Salafi critics have interpreted, loyalty to the state is paramount, with quality considerations following subsequently in the reform scenario.

Placing religious scholars on the state payroll ensures substantial control over their views and principles. Those who fail to adhere to the state's rules face either salary deprivation or outright dismissal. This approach effectively curtails the freedom of speech of many Imams and religious scholars, rendering them financially dependent on the state through the Ministry of Endowments and Islamic Affairs.

CHAPTER SEVEN

MURSHIDĪN AND MURSHIDĀT AS A DISTINCTIVE

COUNTERTERROR STRATEGY

"The Moroccan approach to counterterrorism is unique in several ways. Although Morocco has embraced many of the counterterrorism strategies of other states in the region, including antiterror legislation, mass arrests of Islamists and prominent clerics, and prison rehabilitation programs, the country is **unique** in the degree to which its counterterror strategy relies on reforms to the country's religious institutions. This model contrasts with other Middle Eastern countries' policies, where the state aggressively polices the religious sphere," **Ann Marie Wainscott**.[159]

This quote encapsulates my stance on Morocco's new religious policy. In the wake of the 2003 Casablanca bombings and the 2011 Arab Spring, the state's distinctive religious model has proven to be impressive, setting it apart from the two dominant religious doctrines of Saudi Arabia and Iran. These doctrines, Salafism and Shī'ism, are characterized by extremist tendencies, respectively. Emerging as a regional leader, Morocco has embraced a theology rooted in tolerance and moderation, moving away from the coercive approaches of its neighbors. As demonstrated by this research, Morocco has implemented a comprehensive array of strategies in its battle against religious extremism.

The current Ministry of Islamic Affairs has been actively involved in a variety of training programs for both male and female religious scholars, both from within Morocco and abroad, including in Europe and sub-Saharan Africa. These young religious scholars are referred to as

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[159] Wainscott, *Bureaucratizing Islam,* 6.

Murshidīn and *Murshidāt* (male and female spiritual guides, respectively). In 2015, the Moroccan monarch officially inaugurated the opening of a prestigious new school in Rabat, named *L'Institut Mohammed VI Pour La Formation Des Imams*, *Murshidīn, et Murshidāt*. The Institute's goal is to implement an integrated strategy that promotes the values of moderate Islam among the younger generations of Imams and spiritual guides. This is part of an effort to counter the threat of religious extremism that has permeated Muslim societies. Additionally, this Institute, along with other institutions, seeks to preserve the identity of Moroccan Islam, distinguished by its openness, moderation, and tolerance.

The Institute serves as a transformative space for young generations of Moroccan scholars, shaping them into spiritual leaders. Their mission is to equip people with the knowledge necessary to understand the various aspects of their religion and to provide them with the intellectual tools needed in today's world. These tools are essential to navigate conflicting definitions of 'tradition' and to protect young generations against the radical threats that contradict the peaceful teachings of Islam. Additionally, these scholars play a crucial role in preventing desperate young Moroccans from joining militant religious movements, such as ISIS, or committing terrorist acts on Moroccan soil, like the Casablanca attacks on May 16, 2003. "Unlike Imams in the past that had limited formal religious training, the Moroccan government has built a $20 million International Imam Training Facility in Rabat to prepare, educate, and professionalize the next generation of Imams and religious leaders including women."[160] This new training institute, established in 2015, was initially founded to combat extremist interpretations of sacred texts. Originally conceived as an

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[160] Abdelmalek Alaoui, "Why Morocco Wants To Become A Major Islamic Training Hub," *Forbes*, March 31, 2015, https://www.forbes.com/sites/abdelmalekalaoui/2015/03/31/why-morocco-wants-to-become-a-major-islamic-training-hub/?sh=4cc157f761e0

institution for the deradicalization of vulnerable Moroccan youth, it later expanded its scope to train Imams from West Africa and Europe. This expansion positions Morocco as a leading religious country in the region, with a foreign policy that is increasingly visible and influential.

This new generation of young religious leaders, fostered by the state, is instrumental in helping society embrace both civil and traditional values within the modern context of a secular state. Here, values are grounded in the concept of citizenship intertwined with religious traditions. Imams who embody these dual values play a crucial role in immunizing members of Moroccan society against extremist narratives that contradict the principles of the modern state. "So, these training guides stand out for their enlightened vision and their awareness of the role they have in fostering national unity and the harmonization of identities. Furthermore, they have an intellectual ability and orientation that enable them to oppose the extremist trends that are spreading through the societies in which they live."[161] Producing such religious elites has not only aided Morocco in its deradicalization efforts but also enabled the state to position itself as an exemplary model of religious reform for other nations.

These religious leaders are dispersed throughout the Kingdom of Morocco, where people benefit from their knowledge and experience in mosques, educational institutions, youth centers, and prisons. The effectiveness of the training for Imams and female guides has gained international recognition among those interested in the objectives of this religious training in Morocco. The training institute has gained popularity not only through media coverage of the training but also through visits by political figures with an interest in religious affairs. The program achieved

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[161] Salim Hmimnat, "A New Generation of Imams in Morocco," *Fondazione Oasis*, June 26, 2020, https://www.oasiscenter.eu/en/a-new-generation-of-imams-in-morocco.

significant success, especially following the visit of the President of Mali to the institute for the training of Malian Imams in Morocco. News of the training spread across various African media outlets, leading to requests from several countries to benefit from Morocco's training programs.

The Mohammed VI Institute for the Training of Imams, Murshidīn, et Murshidāt, located in the capital city of Rabat, has begun to assume strategic roles on the African continent. The initiative to train African imams provides Morocco with an opportunity to showcase its religious policy on an international stage. The program for training foreign Imams from African countries is conducted under the guidance of King Mohammed VI. It aims to strengthen the bonds of brotherhood that the Kingdom of Morocco has historically maintained with several countries. Additionally, it responds to the officially expressed expectations and requests from various African nations.

The Minister of Endowments and Islamic Affairs explained that to benefit from this program, requests must be directed to the Commander of the Faithful from the leaders of countries sharing similar religious constants with the Kingdom of Morocco, particularly those related to theological doctrine. In addition to common subjects in Islamic knowledge and humanities, students receive an education tailored to the specific needs of each country. They also study the history, geography, and political sciences of their countries, taught by professors sent from the relevant institutions. Alongside their scientific and religious education, students undergo vocational training from specialized instructors of the National Office for Vocational Training in various fields, including

electricity, sewing, agriculture, computer science, and more."[162] Additionally, the institute

provides a variety of training programs to individuals from diverse nationalities.

According to the Muhammad VI Institute director, ʿAbd al-Salām Aʿaz:

> The Institute organizes two types of training programs. The basic training lasts one year for Moroccan students, two years for African students, and three years for French students. Additionally, there is a short-term training program, which lasts a minimum of three months. This program benefits imams who are already practicing imamate, preaching, lecturing, and guiding in their respective countries. They come to the Institute to enhance their experience and deepen their understanding and learning. Imams and guides have graduated from the Institute from various countries, such as Guinea, Tunisia, Nigeria, and Niger. They have participated in either the short-term training, which lasts between three to six months, or the basic training, which spans two to three years. These graduates are now spreading in their countries the model of a moderate, open religiosity. This model takes into account the peculiarities of each country and the traditions and customs of its citizens, in accordance with the local laws. It represents a model of open religious discourse that the Institute endeavors to refine, strengthen, and disseminate, serving humanity under the high patronage of the Commander of the Faithful, His Majesty King Mohammed VI, may God grant him victory and strength.[163]

Other countries participating in the Institute's programs include Mali, Ivory Coast, Gambia,

Senegal, Gabon, Chad, and France. A common challenge these countries face is the growing threat

of religious extremism in the region. Consequently, a primary objective of the Muhammad VI

Institute for the Training of Imams is to re-evaluate critical Islamic concepts such as jihad,

enjoining good and forbidding evil, loyalty and disavowal (*al-walāʾ wa al-barāʾ doctrine*), among

others. These concepts, often misinterpreted, have become catalysts for extremism and terrorism.

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[162] Al-Sharqī el- Ḥrash, "The Minister of Endowments and Islamic Affairs announces the outcome of the training of African imams in Morocco (in Arabic)," *Hespress*, February 8, 2023, https://tinyurl.com/2s3jprpf.
[163] ʿAbd al-Salām Aʿaz, Director of the Mohammed VI Institute for the Training of Imams, Murshidīn, and Murshidāt," *Ministry of Pious Endowments and Islamic Affairs,* October 3, 2019, https://im6.ma/%d9%85%d8%af%d9%8a%d8%b1-%d8%a7%d9%84%d9%85%d8%b9%d9%87%d8%af/

Another fundamental goal of the training is to harmonize religious discourse. To achieve this, professors from various specialties collaborate to rectify these concepts through dialogue, clarification, and evidence. In line with this approach, the Institute also organizes a weekly mosque program. In this program, students from each country undertake mosque duties such as the call to prayer (*adhan*), *ʾiqāmah*[164], leading the prayer, and delivering Friday sermons.

The Institute aims to cultivate a positive citizen who is committed to the welfare of his country and its people, and who contributes to fostering security and stability in his society. This individual serves not only himself and his country but also humanity at large. Equipped with serious dialogue, correct knowledge, and firm stances, he is capable of defending his religion, his country, and humanity. His understanding of Islam is his strength, promoting a moderate religiosity that is inclusive, spreading love and sincerity throughout society. The Moroccan government not only anticipates positive outcomes from the training of these young foreign Imams, especially upon their return home, but also hopes that they will impart the knowledge they have acquired to future generations.

Morocco's initiative to establish the institute can be seen as the state's ambition to promote its form of Islam as a unique, excellent, and successful model in managing religious narratives. This positions Moroccan Islam as a significant force in the region, competing with the two dominant religious doctrines of Saudi Arabia and Iran, namely Salafism and Shīʿism. Marketing the components of Moroccan Islam—Mālikism, Ashʿarism, and the Sufism of al-Junayd—is not without challenges, particularly since Wahhabis and Salafis often view Morocco's religious model

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[164] It is the second call to Islamic Prayer, given immediately before prayer begins.

as a misguided tradition of Islam. Salim Hmimnat affirms, "with the decline of prestigious institutions such as al-Azhar and al-Zaytuna, Morocco has begun to present itself as a flexible regional force: "a bastion of moderation and religious co-existence" capable, by virtue of its experience in training religious leaders, of helping and supporting neighboring countries (particularly the African ones) in activities preventing and fighting the transnational dangers threatening security and stability."[165]

In 2015, the Moroccan monarch established the Mohammed VI Foundation for African Scholars, as outlined in Royal Decree No. 1.15.75. This initiative reflects the King's commitment to preserving the unity of the Islamic faith and combating the intellectual and doctrinal currents of radical fundamentalist thought. It also aims to protect the spiritual unity of African peoples from ideologies that undermine the ethical-moral essence of Islam and its ideals. The Foundation's objectives include: **firstly**, uniting and coordinating the efforts of Muslim scholars in Morocco and other African countries to promote, disseminate, and strengthen the values of a tolerant Islam; **secondly**, fostering intellectual, scientific, and cultural movements in the field of Islamic studies and discourse; **thirdly**, reinforcing the historical ties that bind Morocco with the rest of Africa; and **finally**, enhancing relations between nations and consolidating cooperative ties with associations and institutions of shared interest.[166]

Furthermore, as a key aspect of its counterterrorism strategy, the state established the Moroccan Scientific Council for Europe. This move was a strategic response to combat radicalism,

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[165] Salim Hmimnat, "A New Generation of Imams in Morocco," *Fondazione Oasis*, June 26, 2020.
[166] The Moroccan Ministry of Pious Endowments and Islamic Affairs, "Muhammad VI Foundation for African Scholars (in Arabic)," *Ministry of Pious Endowment and Islamic Affairs*, February 3, 2015, goo.gl/1XHCKD

particularly following the involvement of young Moroccan Europeans, or those temporarily residing in Europe, in terrorist attacks in countries such as France, Finland, Belgium, and Spain, including the Madrid bombing in 2004. The Moroccan monarch himself underscored the significance of establishing such a scientific Council of *ʿUlamāʾ* in Europe to aid in the religious education of youth who often grapple with dual cultural identities. He recognizes that without proper outreach and education, these young people are vulnerable to recruitment by jihadist organizations, which exploit their limited religious knowledge in Europe.

To prevent the spread of anger and isolation among young people, the Moroccan Scientific Council for Europe was established by royal decree in 2008 to foster interfaith dialogue. One of the Council's primary objectives is to assist the Moroccan Muslim community, especially the youth, in understanding the ethical and moral aspects of traditional Islam, including its goals and principles. This involves bridging the gap between Muslim youth and their elders, as well as between the textual sources of their faith and cultural heritage, all within a context that harmonizes authenticity and modernity. Another goal is to engage in open dialogue with all faiths, emphasizing the shared moral values of the three monotheistic religions. This includes renouncing all forms of denigration and discrimination and reevaluating the moral role of religions. Additionally, the Council aims to heighten the awareness of the Moroccan Muslim community in Europe about the fundamental values of Islam, such as tolerance, moderation, and cooperation in righteousness and piety, while eschewing aggression. This is achieved through issuing *fatwas* that are well-interpreted from the teachings of the Qur'an and Sunnah, with respect for the unity of the Mālikī school. Finally, effectively addressing the concept of citizenship and the principles of progress will

aid the Moroccan community in Europe in integrating into their new societies, thereby contributing to the well-being of the entire European community.[167]

Other councils and institutions established by the Moroccan government in the aftermath of the Casablanca bombings, which are not covered in this study, include the Mohammed VI Foundation for the Publication of the Holy Qur'an in 2010, the Mohammed VI Institute for Qur'anic Reading and Studies in 2013, the High Council for the Control of Endowment Finances in 2010, and the Mohammed VI Foundation for the Promotion of the Social Welfare of Religious Workers in 2013. Additionally, there is the Royal Institute for Research on the History of Morocco, established in 2006.Wainscott asserts that "the reforms sought to shape public discourse through media, including the development of a religious TV station and a religious radio station".[168] To regulate the religious narrative through public discourse, all these institutions were established and deeply entrenched.

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[167] The Moroccan Ministry of Pious Endowments and Islamic Affairs, "The Moroccan Scientific Council for Europe," Ministry of Pious Endowments and Islamic Affairs, February 3, 2013, goo.gl/zHrkT8.
[168] Wainscott, *Bureaucratizing Islam*, 1.

CHAPTER EIGHT

MOROCCO'S DISTINCTIVE GENDERED RESPONSE

TO RELIGIOUS EXTREMISM

One of the state's strategies following the Casablanca bombings of 2003 is a gender-focused policy. This involves training local women leaders, known as *Murshidāt* (female spiritual guides), to address issues related to terrorism. This well-considered and unique approach is designed to integrate women into traditionally male-dominated religious institutions. It also serves as a response to militant groups like ISIS, which recruit women for their militant agendas. The inclusion of women in the reform project extends to their participation in the High Council of Religious Scholars, as well as the enactment of the New Family Code, known as *al-Mudawwānah*. This section will explore Morocco's gender-focused reforms as a distinctive model in the region.

Since its emergence in 2013, the phenomenon of jihadist women has captured the attention of regional, national, and global media. These women have been recruited by extremist organizations like ISIS to provide logistical support, execute suicide attacks, carry weapons, and participate in combat missions. In their book, *Terrorism in Perspective*, Mahan and Griset refer to the roles and activities of female terrorists as "sympathizers, spies, warriors, and dominant forces. These supportive women can provide food and hiding places for male terrorists, serve as decoys, messengers, intelligence gatherers, and spies. They also act as warriors who use weapons and incendiary devices and fight in battles on an equal level with men. A few women provide ideology,

leadership, motivation, and strategy for their group."[169] There has been a notable shift in the roles of women within militant organizations; their participation extends beyond traditional activities like child-rearing, meal preparation, and housework. Women's roles have become significantly vital, serving as an effective resource for these extremist groups.

After the 2003 bombings in Casablanca, the Moroccan state prioritized women in its reform policies. This began with the re-evaluation of personal status codes, eventually leading to the establishment of *al-Mudawwanah* in 2004. This new family code, rooted in the Mālikī school of thought, addresses matters such as dowry, engagement, marriage, divorce, child custody, inheritance, and other legal issues. The training of women as spiritual guides (*al-Murshidāt*) and their integration into the High Council of Religious Scholars are also key aspects of the reform strategy. These gender-focused policies are viewed as a counterterrorism tactic against extremist organizations that exploit women for their extremist agendas. In this section, I will explore these gendered reforms, starting with the role of *al-Murshidāt*, progressing to the inclusion of women in the High Councils of Scholars, and concluding with the *Mudawwanah* project.

For the Moroccan state, reviving the role of women in managing religious affairs is considered a fundamental aspect of religion. The state views this as an embodiment and continuation of Islamic tradition, wherein women were actively involved in public life. Nabil Ouassini and Anwar Ouassini affirm, "this rich historical narrative includes scholarly women like 'Āisha, the Prophet Mohammed's wife, the Sufi mystic Rabi'ah al- 'Adawīyyah, and Fatima al-Fihrīyyah the founder

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[169] Sue Mahan and Pamala L. Griset, *Terrorism in Perspective* (Thousand Oaks: Sage Publications, 2008), 250-251.

of al-Qarawīyyīn University, the world's first university located in Fes, Morocco."[170] Morocco's gender-focused reforms can be seen as a direct response to opposing religious patriarchal voices, which perceive the state's initiative as an innovative matter (*bidʿah*) in religion lacking religious foundations. Morocco, considering itself the guardian of traditional Moroccan Islam, is taking the initiative to restore women's dignity and defend their religiously guaranteed rights to preach in public and religious spaces.

The *Murshidāt* program is highly competitive. Women interested in joining are required to have at least a university degree and must have already memorized numerous chapters of the Quran by heart. The training period is one year for both Moroccan male and female spiritual guides. *Al-Murshidāt* represents the state's soft power approach in combating terrorism. The program was initiated in 2006, three years after the Casablanca bombing. In the wake of this traumatic event, Morocco recognized the necessity of integrating the *Murshidāt* into women's spaces in local mosques, hospitals, and prisons. This strategy aims to deradicalize young Moroccan women to prevent future attacks and recruitment by militant groups. The *Murshidāt* program is unique to Morocco compared to other Muslim states in the region. Dr. Rashid Muqtadir, a specialist in religious affairs, acknowledges the strengths and weaknesses of the experience of female religious guides. He highlights some positive aspects of the program, stating, "Opening the field of preaching and guidance to women and involving them in its management is a new phenomenon in the Arab and Muslim world. This is why Western media is so intrigued by female leaders and preachers as a novel model to showcase."[171] It is an unprecedented move in Morocco's entire

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[170] Nabil and Anwar Ouassini, "Resisting Extremist Ideologies: Counterterrorism, Women, and Religious Reform in Morocco." *African Journal of Criminology and Justice Studies* 1554-3897, vol. 13 (2020): 99.

[171] Hassan al-Ashraf, "The experience of female religious guides in Morocco...contexts and constraints (in Arabic)," *Hespress*, January 21, 2010, https://tinyurl.com/bdfu3nc4.

history for the *Murshidāt* to be given the opportunity to exercise religious authority, enabling them to defend women's rights.

The *Murshidāt* not only play a pivotal role in educating Moroccan women about Islamic legal and theological issues, but also assist local women in addressing and overcoming social and psychological challenges, such as divorce, spousal and child abuse, adultery, and experiences of violence, fear, pain, anger, and disappointment. Zineb Hidra, a *Murshidah*, shares her experience with a Moroccan woman trapped in an abusive relationship with her alcoholic husband, who inflicts violence on her and their children, particularly when under the influence of alcohol. The *Murshidah*, Zineb Hidra, gives the following advice to the woman, "I told her that she must try to get him help,' Hidra says. 'And then I insisted that if he didn't change, she must divorce him."[172] This advice, which some opposing voices might classify as a *fatwa* (legal opinion), underscores the authority in the *Murshidāt* religious discourse. Such an authoritative voice was not possible before the inception of the *Murshidāt* program in 2006.

The *Murshidāt* can challenge extremist interpretations of sacred texts and reinforce the state's new religious discourse, which emphasizes moderation and openness. This approach helps to strike a balance between traditional Islamic and Western secular laws. The *Murshidāt* have proven to be not only positive but also active contributors within Moroccan society, aiding in the creation of Islamic knowledge rather than merely consuming it.

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[172] Lisa Abend, In Mosques Across Morocco, Women Are Leading A Quiet Revolution, *ELLE*, January 30, 2019, https://www.elle.com/uk/life-and-culture/a25985996/morocco-mosques-women-rights-extremism/

The head of the scientific council of the city of Oujda, Mustapha Bin Hamza, "affirms that the *Murshidāt* are well-educated women with legal training and piety. He emphasizes that it was essential for the Ministry of Pious Endowments and Islamic Affairs to train them as religious leaders. This training enables them to guide thousands of Moroccan women in cities and villages, many of whom are unaware of various aspects of their religion and its teachings. This includes knowledge of God's law, jurisprudence, the Qur'an, Islamic etiquette, and education."[173] In a conservative society like Morocco, the *Murshidāt* policy can be regarded as a successful model, particularly because it targets women who are often illiterate or less educated and who might not feel comfortable discussing women's issues with male scholars. Additionally, having access to the women's world enables the state to monitor religious spaces and implement its religious policies against extremism, which includes efforts to recruit female terrorists.

While embracing development and modernization, and adhering to the tolerant values of Islam, women scholars and jurists have been integrated into the management of religious affairs. This integration includes granting them membership in local religious councils as well as the High Council of Scholars. This move signifies Morocco's reconciliation with Islamic civilizational history by including women in the reform process, which began in 2004. The appointment of women to the High Council of Scholars stands as one of the boldest decisions made by King Mohammed VI in Morocco's gender-focused reforms since the country's independence in 1956. Commenting on the King's initiative, El Haitami and Meriem underscore, "for the first time in

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[173] Hassan al-Ashraf, "The experience of female religious guides in Morocco...contexts and constraints (in Arabic)," Hespress, January 21, 2010, https://tinyurl.com/bdfu3nc4.

Morocco's modern history, after a yearlong selection process, 36 female scholars were accepted into various councils across the country."[174]

The state's undertaking to feminize the Moroccan religious scene is a major challenge that has had a positive impact on Moroccan society at large. Integrating women into the management of citizens' religious lives will inevitably contribute to reducing the degree of imbalance that hinders comprehensive social development. This positive step, which places men and women on an equal footing, further demonstrates the state's ongoing efforts to enhance the status of women and achieve a greater degree of equality in the women's sphere.

The criteria set by the King for admitting women to the High Council of Scholars are both competitive and demanding. Candidates are required to demonstrate loyalty to Morocco's religious constants (*al-thawābit al-dīnīyyah),* a cornerstone of what is known as traditional Moroccan Islam. In the process of making appointments, the Ministry of Endowments and Islamic Affairs emphasizes: "Theologians should be recognized for their allegiance to the nation's constants and sacred institutions, and for their ability to meld religious scholarship with an openness to modernity."[175] These criteria, supported and encouraged by the King, serve as evidence of the Ministry's robust religious authority in determining the suitability of candidates for these positions.

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[174] El Haitami, Meriem. "Restructuring Female Religious Authority: State-Sponsored Women Religious Guides (Murshidat) and Scholars ('Alimat) in Contemporary Morocco." *Mediterranean Studies* 20, no. 2 (2012): 230.
[175] Mohammed VI, "Discours de SM Le Roi Devant Les Membres Du Conseil Supérieur et Des Conseils Provinciaux Des Ouléma." Presented at the Centre National de Documentation du Maroc, April 30, 2004, http://doc.abhatoo.net.ma/doc/spip.php%3Farticle1623

By paving the way for female scholars, the Moroccan state has made them key contributors in restructuring the religious affairs of society. Their participation in religious matters not only reinforces the state's commitment to moderation and tolerance but also distinguishes Morocco as a unique Arab and Muslim state in the region, with a religious model that is worthy of emulation.

Another aspect that underscores the uniqueness of these religious policies is Morocco's ratification of the new Family Code in 2004. The enactment of this new family law was expedited in response to the 2003 Casablanca bombing, which claimed the lives of thirty-seven civilians. This tragedy diminished the influence of conservative parties in parliament, thereby facilitating the state's initiation of reforms to the *Mudawwanah*. These reforms established legal equality between men and women.

Launching the New Family Code, known as *al-Mudawwanah*, in 2004, was a top priority in Morocco's gender-focused reform policy under King Muhammad VI. In the first month after ascending the throne following the reign of his father, Hassan II, King Muhammad VI addressed the nation, stating: "How can society achieve progress, while women, who represent half the nation, see their rights violated and suffer as a result of injustice, violence, and marginalization, notwithstanding the dignity and justice granted them by our glorious religion?"[176] The King's declaration was realized in 2004. While traditionalists initially opposed the King's move, citing strict interpretations of the Quran and the Prophetic narratives, moderate religious voices supported the New Family Code, advocating for flexible and open interpretations. However, there were still others who called for the separation of state and religion.

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[176] Fatima Sadiqi & Moha Ennaji, "The Feminization of Public Space: Women's Activism, the Family Law, and Social Change in Morocco," *J. Middle East Women's Study*, vol.2, no 2, (2006): 105.

The goal was to protect children's and women's rights and bring men and women to an equal level. "Morocco's adoption of a New Family Code in 2004 was hailed as a great step forward for women's rights domestically and as a model for the broader Muslim world."[177] The monarch initiated the *Mudawwanah* with the aim of establishing equal justice for both men and women, while also safeguarding the rights of children. "Through the King's direction, judges, lawyers, religious scholars, and civil society activists worked with politicians to pass these laws that raised the age of marriage to 18, strictly regulated polygamy, permitted self-guardianship, and the equal right to divorce, amongst many other new provisions that progressed women's rights."[178] The revision of the new family code was grounded in Islamic law, employing a combination of legal reasoning (*ijtihād*) and universal human rights standards. This new family code was seen as a progressive step toward establishing a democratic society in a Muslim country like Morocco, which aims to reconcile traditional and modern values together.

As a political and religious leader, King Muhammad VI played a very crucial role in supporting the gendered reform project. He established the Royal Commission to initiate the reforms by revising the previous code. "King Muhammad VI also provided direction for the code, advising the Commission to formulate laws that respected human rights, international treaties, and *Sharīʿah*."[179] The Royal Commission, tasked with reviewing the New Family Code, was chaired by Driss Dahak, President of the Supreme Court, and included three women commissioners. While women were a minority on this commission, their involvement was significant, especially when

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[177] Katie Zoglin, "Morocco's Family code: Improving equality for women. Human Rights Quarterly," 31:964.
[178] Nabil and Anwar Ouassini. "Resisting Extremist Ideologies: Counterterrorism, Women, and Religious Reform in Morocco." African Journal of Criminology and Justice Studies 1554-3897, vol. 13 (2020): 99.
[179] Zoglin, "Morocco's Family Code, 31:969.

compared to King Hassan II's 1993 commission for reviewing the Personal Status Code, which did not include any women. Unlike the Personal Status Codes of 1957 and 1993, which were issued solely by royal decrees without parliamentary involvement, King Muhammad VI insisted on the participation of the parliament in the Mudawwanah, marking it as a historic event.

The Royal Commission decided to carry out its job in three different steps. "**First**, the Royal Commission heard presentations from representatives of civil society. **Second**, it reviewed personal status codes from other Muslim countries. That study suggested that there were many similarities and relatively few differences in the codes of those countries. **Third**, the Commission debated and discussed the issues. A major challenge for the Royal Commission was to determine the underlying framework for the laws. For example, the commissioners discussed whether the Code should be based on international human rights standards, Islam, or jurisprudence. They also considered whether it should reflect the Mālikī tradition of Islam. The commissioners understood that their decision would have to be one that would be acceptable to Moroccan society. Given the range of opinions in Moroccan society, it took considerable time for the Royal Commission to achieve a consensus."[180] In formulating the New Family Code, the Commission considered modern human rights conventions and international agreements, alongside Morocco's ethical and religious values.

This current *Mudawwanah* differs from the two previous Personal Status Codes of 1957 and 1993 in various ways. "Before this reform, the husband was responsible for the family and the wife had the duty to obey her husband. The New Code introduced the principle that husbands and

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[180] Nouzha Guessous-Idrissi, Presentation at Conference on Family Laws in the Muslim World: Comparative Perspectives, Fes, Morocco (11 Dec. 2007).

wives have equal rights and equal duties in the family."[181] "Under the previous laws, there were

separate lists of rights for women and for men. Now, the rights of men and women overlap to a

great extent. The *Mudawwanah* introduced another significant concept to Moroccan law: the

recognition of the best interests of the child."[182] "Now judges and prosecutors are responsible for

safeguarding the rights of women and children. Judicial approval is now required to validate

divorces and certain types of marriages."[183] The new innovative measures are very visible in

marriage, divorce, children's interests.

As mentioned earlier, the *Mudawwanah* focuses on achieving equality between men and

women and is dedicated to protecting the interests of children. "Under the previous code, young

women could marry at the age of fifteen and men at the age of eighteen."[184] Previously, women

required a male guardian (such as a father, grandfather, uncle, or older brother) for a judge to

approve their marriage. However, under the New Family Code, the situation has changed. Now,

both men and women must be at least 18 years old to marry, and women no longer need a male

guardian for marriage approval. In some cases, involving underage individuals wishing to marry,

the judge can still grant consent, relying on a *walī* (guardian). Regarding polygamy, the

Mudawwanah has introduced significant changes. While polygamy has garnered much attention,

it is not commonly practiced in reality. Under the Personal Status Code, a husband did not need

judicial authorization if he wanted to marry a second wife, but he was required to notify his first

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[181] Code De la Famille, Bulletin Officiel No. 5358 (6 Oct. 2005), at 667 [hereinafter Moudawana]. An English translation of most of the provisions of the Moudawana cited in this article is available at http://www.globalrights.org/site/DocServer/Moudawana- English_Translation.pdf.
[182] Zoglin, "Morocco's Family Code," 31:970.
[183] Zoglin, "Morocco's Family Code," 31:970.
[184] L'Association Democratique des Femmes du Maroc (ADFM), Comparison of Former Moroccan Family Law with the New Provisions, available at http://www.learning partnership.org/docs/moroccofamlaw.pdf.

wife of his intent to do so."[185] "With the *Moudawana*, the parliament decided to retain a man's prerogative to marry a second wife while concurrently inserting provisions to protect the first wife. It consequently required that various prerequisites be met for a court to authorize polygamy."[186] Additionally, under the new regulations, a wife can stipulate in the marriage contract that her husband is not permitted to marry a second wife.

In the earlier codes, women were not permitted to initiate divorce; it was a right reserved exclusively for men. A man could divorce verbally, without the necessity of obtaining court approval. This practice was upheld in both the 1957 and 1993 Personal Status Codes. "The *Moudawana* introduces a number of significant changes regarding divorce, including adding a number of grounds for divorce and introducing new procedures."[187] The *Mudawwanah* offers different types of divorce: divorce by mutual consent,[188] divorce in exchange for compensation,[189] divorce based on irreconcilable differences,[190] breach of the marital contract,[191] non-respect of a condition of the marriage contract or harm,[192] failure to provide financial support,[193] absence,[194] latent defect,[195] and abandonment.[196] Most of these divorces are new in the *Mudawwanah*. Previously, men held the upper hand in divorce proceedings, often leaving women to endure years

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[185] Malika Benradi, Genre et Droit de la Famille: Les Droits des Femmes dans la Moudawana, in Féminin-Masculin: la Marche Vers l'egalité au Maroc 1993–2003, at 8, 36 (2004).
[186] Katie Zoglin, Morocco's Family Code. 31:972.
[187] Katie Zoglin, Morocco's Family Code. 31:972.
[188] Al-Mudawwanah, article 114
[189] Al-Mudawwanah, article 115-20
[190] Al-Mudawwanah, article 94-97
[191] Al-Mudawwanah, article 99
[192] Al-Mudawwanah, article 99-101
[193] Al-Mudawwanah, article 102-103
[194] Al-Mudawwanah, article 104-106
[195] Al-Mudawwanah, article 107
[196] Al-Mudawwanah, article 98-112

of delay before finalizing their divorce. Thanks to the *Mudawwanah*, women can now initiate divorce and have it completed in a shorter period.

Under the old code, a woman who remarried after a divorce would automatically lose custody of her children. This was based on the tradition that children from one marriage could not be raised by a subsequent husband. "The law identified family members who would be granted child custody in the case of divorce. The relative's ability to provide a positive environment for the child was not considered when determining who should serve as the child's guardian, nor were judges accorded a role in evaluating child custody issues."[197] In the *Mudawwanah*, however, the judge must take into consideration what is best for the child to determine the custody. " The *Moudawana* provides a list of potential guardians for the child. At the same time, the court now has the authority to evaluate what placement would serve the best interests of the child, even if that means naming a guardian who is not identified in that list."[198]

A woman now may retain custody of her children who are under seven years old or who have handicaps, even if she remarries.[199] Under the *Moudawana*, the father is the presumptive legal representative (tutor) of the children unless otherwise ordered by the court.[200] Moreover, under the prior Personal Status Code, boys could choose their custodial parent when they were twelve years old; girls could not do so until they turned fifteen.[201] Now, fifteen-year-old girls and boys may

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[197] Zoglin, "Morocco's Family Code," 31:974.
[198] Al-Mudawwanah, article 171
[199] Al-Mudawwanah, article 175
[200] Al-Mudawwanah, article 236
[201] Malika Benradi, "Genre et Droit de la Famille: Les Droits des Femmes dans la Moudawana, in Féminin-Masculin: la Marche Vers l'egalité au Maroc 1993–2003," 37-38 (2004).

choose their custodial parent.[202] Under the previous codes, the court had to have 12 people as witnesses to determine paternity in the case of children born out of wedlock. Now, however, a variety of factors, including medical expertise, can be part of the paternity determination process.

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[202] Al-Mudawwanah, article 166

CHAPTER NINE

REGENERATING RELIGIOUS DISCOURSE IN

THE CURRICULUM OF NATIONAL EDUCATION

"The objective of reconsidering the curriculum of Islamic education is to eliminate that which may instigate hatred and prevent the promotion of openness and tolerance,"[203] Fouad Chafiqi, Curriculum Director at the Ministry of National Education.

The 2003 suicide bombings brought national and international attention to the presence of extremist religious activism in modern Morocco, sparking renewed debates about the role of Islamic education in preventing violence. Since Islamic Studies is a core component of the national education curriculum, it became necessary to reevaluate how it was taught in public schools, including the standardized texts. The Moroccan monarch's call for reform in Islamic education became a prominent topic among scholars and educators, leading to a range of opinions on these reforms. Some, with a more secular-liberal perspective, argued that the existing curriculum design and the extensive hours dedicated to Islamic education in secondary and high schools could contribute to radicalizing students. Conversely, the Moroccan Ministry of Education contended that reducing the credit hours for Islamic education might lead to radicalization due to insufficient exposure to Islamic thought. According to these educators, ensuring students receive adequate credits in Islamic studies would help them build a defense against radicalization. This section will

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[203] Fouad Chafiqi, "Books of Islamic Education Contains no Disgrace (in Arabic)," last accessed September 28, 2019, https://www.medias24.com/ar/NATION/14426.html

explore the debates surrounding the new religious reforms that have impacted the national curriculum and the responses from Morocco's intellectual elite.

The initiative to rejuvenate Islamic education in the national curricula began when Moroccan King Muhammad VI publicly criticized the content of certain textbooks and their methods of instruction, particularly regarding the portrayal of faith traditions other than Islam. In his speech, King Muhammad VI called on the relevant authorities to conduct a comprehensive review of the entire national curriculum. An article published by the electronic newspaper France 24 on February 7, 2016, featured the monarch addressing both the Ministers of National Education and of Pious Endowments and Islamic Affairs, stating, "it has become an urgent necessity to review the curricula and programs of religious education, whether in public or private schools or in traditional educational institutions."[204] The King's directives were issued in response to numerous concerns about teaching methods that had not been adequately reformed since independence. These methods were criticized for fostering a lack of acceptance towards other faith traditions and potentially contributing to radicalization or encouraging terrorism in a country where it is reported that more than 1,500 young men have joined ISIS. According to Martin Chulov "up to 1,600 Moroccans are believed to have traveled to Iraq and Syria, making them, per capita, one of the largest national groups in the fast-shrinking caliphate."[205]

The King's suggestions were promptly acted upon by the Ministry of National Education. By 2016, the Ministry had removed Quranic verses dealing with jihad from middle and high school

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[204] "The Moroccan Monarch Orders a Review of Islamic Education in Schools to Promote Values of Tolerance," France 24, Febuary 7, 2016, goo.gl/qnJjv3.

[205] Martin Chulov, "Moroccan ISIS Terrorists 'Pose a Threat on Europe's doorstep: Hundreds of Islamic State Fighters have sneaked back into North Africa – and could use it as a base for further attacks," last accessed September, 2023, https://www.theguardian.com/world/2017/aug/20/spain-terror-attacks-isis-morocco.

textbooks, which had previously introduced the term to students. The ministry reasoned that students are too young to fully grasp the concept of jihad, especially in the historical context of the Quranic verses. Instead, the Moroccan Ministry of National Education replaced these verses with others emphasizing reconciliation and tolerance. In an article published by the Moroccan newspaper Hespress on July 10, 2016, journalist Ḥassan Ashraf detailed this textbook change, writing: "The Ministry of National Education omitted *Sūrat al-Fatḥ* (the Chapter of Victory)[206] from the curricula of Islamic education at the junior high school level and replaced it with *Sūrat al- Ḥashr* (the Gathering)."[207]

The necessity for this change is supported by experts in the field, as Sūrat al-Fatḥ features verses on al-jihad, while Sūrat al-Ḥashr includes many verses that emphasize tazkiyah (self-purification) and ethical-moral principles. Fouad Chafiqi, a curriculum director responsible for redesigning the new curriculum, affirmed that Islamic studies should be viewed as a scholarly pursuit, distinct from the role of preachers or Imams, who traditionally belong in the mosque. He contends that certain aspects of religious education are beyond the comprehension of students, requiring them to wait until they are ready. Chafiqi believes that the nuanced issues in Islamic studies often demand an understanding of the historical and social context, which young people may not yet possess and can misinterpret. Therefore, he argues, there is a need to develop a pedagogical framework that teaches children what is appropriate for their specific age and developmental stage."[208]

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[206] Chapter 48 of the Quran

[207] Ḥassan Ashraf, "The Ministry of Education Omits Sûrat Al- jihad From the Educational Textbooks in Morocco," *Hespress* July 1, 2016, https://www.hespress.com/societe/312398.html

[208] "Morocco Reforms Religious Education to Fight Extremism," France 24 video, 9:25, posted by "France 24 news," December 13, 2016, https://www.france24.com/en/20161213-focus-morocco-school-reform-religious-education-islam-fight-extremism.

The Minister of Education, Rashīd Bel-Mukhtār, asserts that this change will align with the mental and psychological development of learners and consider the social context. This approach aims to facilitate their understanding of the fundamental principles of *al-tawḥid* (the oneness of God), leading to self-purification, justice, and wisdom."[209] The Moroccan thinker and researcher of Islamic movements, Said Lekḥal, comments: "These changes in the religious education curricula represent positive and necessary steps for two key reasons: **First**, they align with the Moroccan constitution, which affirms the protection of citizens' rights to practice their religious rituals in a multicultural environment. **Second**, these changes promote and reinforce interfaith pluralism in Morocco."[210] Said also asserts "that this change is significant because it eliminates the word jihad and any notions that promote it. This fosters students' awareness to respect the beliefs of others, a principle rooted both in religion itself and in human rights. It also steers students away from a culture of anger and disdain for other faiths."[211] The Moroccan poet, Ṣalāḥ Būsrīf, "criticizes the current approach to Islamic education for students. He emphasizes that the methodology often instills fear and menace, rather than guiding students to discover the pure essence of religion independently. Būsrīf advocates for well-studied curricula, developed by scholars and specialists in fields such as comparative religion, philosophy, Islamic thought, heritage, sociology, and education."[212]

The Ministry of National Education asserts that to cultivate independent, open-minded, and balanced students, four sets of values must be integrated into the curriculum: 'Islamic values,'

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[209] Ḥassan Ashraf, "The Ministry of Education Omits Sûrat Al- jihad From the Educational Textbooks in Morocco," *Hespress*, July 1, 2016, https://www.hespress.com/societe/312398.html.

[210] Ḥassan Ashraf, "The Ministry of Education Omits Sûrat Al- jihad From the Educational Textbooks in Morocco," *Hespress*, July 1, 2016.

[211] Ḥassan Ashraf, "The Ministry of Education Omits Sûrat Al- jihad."

[212] Ṣalāḥ Būsrīf, "Subjects of Islamic Education fills Students with Fear and Menace (in Arabic)," *Hespress*, November 20, 2013, https://www.hespress.com/orbites/94279.html

'values of modern identity,' 'nationalist values,' and 'values of human rights."[213] These four tenets can all be encompassed under the concept of citizenship. It's crucial for both junior and senior high school students to gain a comprehensive understanding of what citizenship entails and its pivotal role in human development. The subjects taught to these students focus on acceptance of others, humility, moderation, and tolerance. Such educational qualities foster compromise, respect, and wisdom. This approach aids students in recognizing that religious differences, as an integral part of Morocco's rich historical tapestry, are unifying forces that contribute to social and spiritual sustainability, rather than posing threats.

Contrary to the above, a large number of Moroccan educators and critics opposed the above-mentioned reforms in Islamic education. The public dispute over the nature of Islamic education created social tensions among scholars, resulting in the emergence of those who supported the reforms and those who defended the previous program of Islamic education in secondary schools. The latter claimed that Islamic education acted as an immunization for Moroccan students against religious fundamentalism. They added that dedicating two hours a week for students to deeply understand Islamic teachings was not enough. Defenders of the previous system accused the Ministry of Education of considering reducing the number of hours of Islamic education from two hours to one hour weekly.[214]

Abd al-Karīm Lahouaychri, who was later elected to parliament as a member of the PJD (Party of Justice and Development), an Islamic party, believes that Islamic education does not lead to

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[213] This section is based on a study by a Moroccan think tank affiliated with the Islamist party PJD: Al- Markaz al-Maghribī li-l-Dirāsāt wa-l-Abh. āth al-Muʿāsira (2009, 266-267).
[214] Ann Marie Wainscott, "Defending Islamic education: War on Terror discourse and religious education in twenty-first-century Morocco," last accessed September, 2023, http://eds.b.ebscohost.com.proxy-remote.galib.uga.edu/eds/pdfviewer/pdfviewer?vid=6&sid=6158d49c-4fea-44bb-8c31-de3573d2c0fe%40sessionmgr4006

extremism but instead shields children from such beliefs. Lahouaychri acknowledges the challenges faced by teachers of Islamic education. However, he advocates not for reducing the number of instructional hours, as was done in the 1990s, but rather for employing better-qualified teachers for the subject. This suggestion likely refers to the previous practice of assigning Arabic language teachers to teach Islamic education instead of specialists in Islamic studies.[215] Lahouaychri's criticism suggests that the issue does not lie within Islamic education itself, but rather with the lack of qualified teachers in the subject. The practice of recruiting Arabic teachers to teach Islamic education remains one of the most significant challenges confronting the Moroccan education system.

Khalid al-Ṣamadi, President of the Moroccan Center for Research and Studies on Islamic Education, refuses to accept that Islamic education promotes violence and encourages extremist views. The blame can't be put on this school subject (Islamic studies) as a threatening danger to the Moroccan citizens. On the contrary, Islamic education is meant to protect Moroccan students from falling prey to radicalism which prospers in the fertile ground of religious illiteracy.[216] Like Khalid al-Ṣamadi, Aḥmad al-Hilālī, president of the Moroccan Center for Contemporary Studies and Research, rejects the accusations of Islamic education institutions as being responsible for producing religious extremism, calling the necessity of strengthening the role of these institutions in renouncing the manifestations of extremism and terrorism.[217]

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[215] A complaint mentioned by an Islamic education teacher in an interview in Fez in July 2011.

[216] Ann Marie Wainscott, "Defending Islamic education: War on Terror discourse and religious education in twenty-first-century Morocco," p. 643.

[217] Moroccan Center for Contemporary Studies and Research, "The Moroccan Center Discusses Issues of Religious Education at a National Seminar," last accessed September 28, 2023, http://cmerc.ma/index.php/activites/2016-07-18-07-45-02/316.html

CHAPTER TEN

THE ROLE OF *'Ulamā'* IN ISLAM

The Moroccan government has implemented a policy of institutionalizing the entirety of the religious narrative to counteract the radicalization of an increasingly marginalized segment of Moroccan youth. Central to these reforms, spearheaded by the Ministry of Endowments and Islamic Affairs, is the restoration of the status of the Moroccan *'ulamā'*. These representatives of Islam's long-standing tradition of scholars and jurists (*fuqahā'*) play a crucial role in Islamic society, and particularly in Morocco, in ensuring social stability and cultural continuity.

Generally, the *'ulamā'* can be regarded as the bridge connecting the ethical discourse rooted in Islam's textual sources—the Quran and the Sunna (the customs and practices of the Prophet), as narrated in the Ḥadīīh literature—with the continuous thread of social, political, and intellectual heritage in the Muslim world over the past fourteen centuries. In essence, as custodians of Islam's textual tradition, the *'ulamā'* serve both as representatives and interpreters of what constitutes a normative Islamic society.

The *'ulamā'*, as previously mentioned, act as conveyors and interpreters of the 'text' to the 'people' of their respective eras. In this capacity, they are crucial in both the transformation and preservation of their societies. They provide a positive guiding influence, enabling individuals to independently understand and interpret the religious teachings of both the Qur'an and the Ḥadīīh. As influential figures in their communities, their role is vital; they serve as role models and religious leaders, shaping the spiritual and moral direction of their society.

This section illuminates the role of the *ʿulamāʾ* within the Moroccan context and examines how the state initiated its efforts to rejuvenate the religious discourse in the country. This initiative aligns with the long-standing Islamic traditions of promoting an influential scholarly elite, epitomized by the *ʿulamāʾ*. These scholars have consistently played a crucial role in the educational process of Moroccan society. They have contributed to national stability by opposing any religious ideology that poses a threat to the integrity and stability of the Moroccan political structure.

The *ʿulamāʾ* have historically exerted influence over both the public and private sectors of the Muslim community, actively participating in all spheres of human activity. In Morocco, their impact is no exception. Ahmad Toufīq, the Moroccan Minister of Pious Endowments and Islamic Affairs, emphasizes that the Moroccan *ʿulamāʾ*, as a scholarly elite, have significantly contributed to safeguarding the national identity and preserving the cultural heritage of the Moroccan people.[218] The role of the *ʿulamāʾ* in Morocco began with the introduction of the Mālikī school of thought to the "farthest west" (al-Maghreb al-Aqṣá, in Arabic) by a prominent jurist named Darrās ibn Ismāʿīl al-Fāsī (d. 357/ 968).

By introducing the Mālikī rite, Darrās facilitated the unification of the *ʿulamāʾ* under a single school of jurisprudence. This was a pressing need among scholars at the time to establish a foundation for the religious and legal identity of the Moroccan state. It was the Moroccan scholar, Othman al-Salāji, who first introduced the creed of Imam Ḥassan al-Ashʿarī. Al-Ashʿarī's doctrine is known for its moderate views and an ethos of openness.[219] The two Berber dynasties, the

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[218] Ahmad. Toufīq, "The Role of the ʿulamāʾ in Protecting the National Identity (in Arabic)," May 28, 2017, goo.gl/YH25s4.
[219] Moroccan Ministry of Pious Endowments and Islamic Affairs, The Hassanian Lectures (in Arabic), (Muḥammadia: Matbaʿt Fdalah, 2009), 22-23.

Almoravids (11th century) and the Almohads (12th century), played a significant role in promoting and strengthening two key schools: the jurisprudential and the theological. The Almoravids, known for their traditional tendencies and strict interpretation of legal texts, were staunchly committed to the teachings of Mālikism. They heavily invested in this legal school and promoted it across all state institutions. On the other hand, credit for the spread of the Ashʿarite school of theology goes to the Almohads. They propagated the Ashʿarite doctrine throughout Moroccan territory, particularly due to their dynasty's inclination towards a rational approach.

The Moroccan ʿulamāʾ have consistently stood firm against threats to the social stability of the Moroccan people. For instance, during the French protectorate in 1912, the ʿulamāʾ played a crucial role in resisting French and Spanish colonial powers. They called for numerous reforms across various spheres of life, including the military. Demonstrating solidarity, they issued statements condemning the occupation of Algeria, still under French control, and advocated for jihad against colonial aggression while denouncing acts of treason. The leaders among the ʿulamāʾ took up arms and organized resistance against the colonizers. Their efforts contributed to the rise of the Moroccan nationalist movement, led by four prominent scholars: ʿAllāl al-Fāsī, Muḥammad al-Makkī al-Nāṣirī, Muḥammad al-Mukhtār al-Sūsī, and ʿAbdu Allah Kanūn. These individuals later became the founding fathers of the League of Moroccan Scholars in postcolonial Morocco.[220]

With the emergence of modern militant movements, the Moroccan ʿulamāʾ faced the substantial challenge of countering these modernist political ideologies. They bore the responsibility of preserving the traditional teachings of moderate Moroccan Islam, particularly following the Casablanca bombings of 2003, which were exploited by a small, vocal, and well-

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[220] Moroccan Ministry of Pious Endowments and Islamic Affairs, The Hassanian Lectures, 28.

organized group of dissidents. In a speech to the Moroccan monarch, Muhammad VI, Ahmad Toufīq emphasized that it is the duty of the ʿulamāʾ to prevent the corruption of Islam and the spread of mischief through the manipulation of sacred texts. He asserted that the ʿulamāʾ have a continuing obligation to safeguard the religion from extremist sects intent on distorting it.

Toufīq emphasizes that 'the primary objective of the ʿulamāʾ is to address sensitive religious issues, particularly those related to intellectual deviations that could lead to internal conflicts or sectarian violence within Moroccan society. In the same speech, Minister Toufīq criticizes contemporary 'radical Salafist movements,' stating that 'this small faction has strayed and effectively excommunicated itself from the larger Muslim community, which represents the majority. By choosing violence, they aim to instill fear and terrorize innocent people.' Toufīq adds, 'Ironically, it is this group that has deviated from mainstream Muslims and all four schools of Sunni Islam. Therefore, they are the ones who need to reconcile with the entire Muslim community."[221]

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[221] Ahmad. Toufīq, "The Role of the ʿulamāʾ in Protecting the National Identity (in Arabic)," May 28, 2017, goo.gl/YH25s4.

<u>Defining Jihad</u>

In the context of Islamic discourse and as understood by the *'ulamā'*, the term jihad bears little relation to violence or what is commonly portrayed in the media as a 'holy war' against Jews, Christians, or other religious groups or minorities with differing belief systems from Islam. Jihad is a term that is frequently misused and often represented in the media in a manner divergent from its true meaning. Contrary to the portrayal by Western media, jihad does not solely signify 'war,' much less a 'holy war.' Instead, jihad has been acknowledged as a defensive principle by both prominent Muslim and non-Muslim scholars since the early days of Islam.

Linguistically, the word 'jihad,' derived from Arabic, is a noun that literally signifies effort and struggle in a positive or commendable sense. As a verb (*jāhada*), it denotes striving, making an effort, and fighting for the best. Rudolph Peters, in his book 'Jihad in Classical and Modern Islam,' explains. "The Arabic word jihad (verbal noun of the verb *jāhada*) means to strive and exert oneself. The word has a central connection of an effort towards a praiseworthy purpose. In a religious context it may express a struggle against one's evil inclinations or exertion for the sake of Islam and the *ummah* (Muslim community)."[222]

In Islam, the term jihad can be applied in various contexts to denote different situations. It may refer to a Muslim's internal struggle against good and evil forces, emphasizing the effort to act righteously in accordance with God's will. Additionally, it can signify the endeavor to establish a homogeneously ideal Muslim society, thriving for the benefit of the Muslim community. Lastly, jihad may denote warfare, but only in scenarios where there is oppression against Muslims.

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[222] Peters Rudolph, *Jihad in Classical and Modern Islam*, (Princeton: Library of Congress, 1996), 1.

This discussion returns us to the concept of defensive warfare, as addressed by Rudolph Peters, where he elucidates that the potency of certain Quranic verses predicates fighting against non-believers on their aggression or betrayal. Middle Eastern Muslim reformers, such as Muhammad ʿAbduh (1849-1905) and Muhammad Rashīd Ridā (1865-1935), "argue that peaceful coexistence is the normal state between Islamic and non-Islamic territories, and that jihad is permitted only as a defensive war. Peters points out that "this left the way open to proclaim jihad against colonial oppression, since the colonial enterprise was clearly an attack on the territory of Islam."[223]

Understanding the historical context in which Islam emerged is crucial before drawing any conclusions about the term jihad. As Michael Bonner discusses in his book *Jihad in Islamic History*: "Islam arose in an environment where warfare—or at any rate, armed violence with some degree of organization and planning—was a characteristic of everyday life."[224] Historically, when Islam emerged in the Arabian Peninsula, then predominantly a pagan society, it encountered an unwelcoming and often hostile atmosphere.

The Arabian Peninsula was rife with tribal conflicts and wars. Bloodshed and warfare against neighboring tribes were common practices. Tribes often attacked their neighbors unexpectedly, motivated by reasons ranging from revenge and theft to trivial causes, such as a cow trespassing on another tribe's field, which could escalate into full-scale war. Unfortunately, this pervasive violence led to the gruesome practice among some Arab tribes of infanticide, particularly of newborn girls. They believed that a tribe could not be strong enough to defend itself with a

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[223] Peters Rudolph, *Jihad in Classical and Modern Islam*, (Princeton: Library of Congress, 1996), 6.
[224] Michael Bonner, Jihad in Islamic History (Princeton University Press: Library of Congress, 2006), 7.

population predominantly composed of girls, as women were not considered reliable fighters in times of war. Conversely, they spared baby boys, viewing them as the future warriors of the tribe.

The Muslims of Mecca endured over a decade of persecution and oppression before receiving divine permission to defend themselves, a directive considered a form of jihad. The persecution was rooted in their simple proclamation, as stated in the Qur'an, 'Our Lord is God' [Al-Hajj: 40], which challenged the dominant pagan society. Faced with relentless social injustice, the Muslims were compelled to abandon their families and possessions, seeking refuge first in Abyssinia and later in Medina. The migration to Medina was not an easy transition for the Muslims, as life there differed markedly from what they were accustomed to in Mecca. While Mecca was a commercial hub with most inhabitants engaged in trade, Medina was primarily an agricultural oasis, with farming being the mainstay of its economy. This shift presented significant challenges for the Meccan refugees adapting to life in Medina.

According to David Cook in his book, *Understanding Jihād*, in which the author states, "the persecutions of the pagan Quraysh forced the Muslims to emigrate to Medina. During the course of this migration, many of the Muslims lost most or all of their worldly goods and were unable to adjust to life in the agricultural oasis of Medina as Mecca lacked any agriculture."[225] This religious oppression instilled a strong urge among Muslims to fight back as an act of resistance against their oppressors, and it was one of the main factors that led to the waging of jihad. In this context, jihad was not about attacking pagans simply for their beliefs; rather, it was a means of restoring dignity and establishing justice for those who had been persecuted.

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[225] David Cook, *Understanding Jihad* (University of California Press: Library of Congress, 2005), 7.

Jihad within the framework of Quranic teachings

The discussion above situates jihad within the historical and economic context of Medina immediately after the *Hijrah* (migration). The Qur'anic revelations elucidate this context, making it evident that Muslims engaged in warfare primarily as a defensive measure. The Qur'an clarifies:

> The believers against whom war is waged are given permission to fight in response, for they have been wronged. Certainly, God has the full power to help them to victory. Those who have been expelled from their homes are justified in doing so, for no other reason than that they say, "Our Lord is God. If God did not repel some people by means of others, monasteries and churches and synagogues and mosques, where God is regularly worshipped and His name is much mentioned, would certainly have been pulled down (with the result that God would no longer be worshipped, and the earth would become uninhabitable). God certainly helps whoever helps His cause. Surely God is All-powerful, All-glorious, with irresistible power. (Qur'an: 22. 39-40).

These verses, revealed to Muslims in Medina, were the first to address the concept of fighting, emphasizing the essential element of justice. They clarify that the primary motive was not to compel others to convert to Islam; rather, it was about acknowledging their natural right as human beings to defend themselves. This permission to fight was driven by the fact that Muslims were unjustly forced to abandon their possessions and homes without justification. The Muslims remained patient, submitting to God's will, until they were granted permission to fight. Whenever they sought the Prophet's approval to retaliate, he would respond, 'I have not yet been authorized to wage war.' Ibn Kathīr (d. 774/C.A. 1372), a renowned commentator on the Qur'an, explains, 'These verses were the first to recommend jihad to Muslims. They were revealed when the Prophet Muhammad (peace and blessings of Allah be upon him) and his companions had to migrate to Medina, having endured years of severe punishment, suppression of religious freedom, and

persecution for their faith."[226] Similarly, Al-Qurtubī (d. 671/CE 1272) emphasizes "that the initiation of jihad was a direct response to the tyranny endured by Muslims. This is exemplified by their forced migration, first to Abyssinia and subsequently to Medina as refugees. Consequently, jihad was sanctioned by divine command, granting Muslims the legitimate right to fight back against their adversaries.[227]

Some of the verses that justify fighting non-believers as a form of jihad can be found in the second Surah of the Qur'an, *al-Baqarah*, specifically verses 190-192. In these verses, God instructs Muslims to engage in warfare against those who oppress them. However, unlike previous instances, this was not merely a permission, but rather a directive:

> Fight in God's cause (to exalt His Name) against those who fight against you, but do not exceed the bounds (set by God), for surely God loves not those who exceed the bounds. (While at war) kill them wherever you come upon them and expel them from where they expelled you; persecution is grievous than slaying. But fight them not by the Holy Mosque until they should fight you there; then, if they fight you, slay them—such is the recompense of unbelievers—but if they desist (from fighting), surely God is All-Forgiving, All-Compassionate. (Qur'an: 2.190-192).

These verses not only instruct Muslims to fight against the infidels, but they also explicitly state the purpose of such conflict. Muslims were commanded to fight those who waged war against them and to drive out those who had expelled them. However, they were simultaneously instructed not to exceed the limits set by God. This means that Muslims are prohibited from exploiting the war for personal gain. This includes directives against harming non-combatants or those uninvolved in the conflict, such as women, children, religious figures like rabbis, priests, and

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[226] Ibn Kathīr al-Quraishī Abū Al-fidāʾ Ismāʿīl, *Tafsīr Al-Qur'an Al-ʿAẓīm*, ed. Shaykh Khalid Muhammad Maḥram (Beirut: Al-Maktaba Al-ʿAssrīya, 2002), 212.

[227] Abu 'Abdullāh Al-Qurtubī, Al-Jāmi' Li Aḥkām al Qur'an, ed. Abū Isḥāq Ibrāhim, vol 12 (Beirut: Dar Ihyāʾ a-Turat Al-ʿarabi, 1985), 68-69.

monks, as well as against destroying trees or killing animals, be they the enemy's livestock or wildlife. In essence, civilians should be spared as long as they do not engage in hostilities against Muslims. The verses further prohibit Muslims from initiating aggression and dictate that they should not fight in sacred places or during sacred times unless they are attacked first.

The verses also address a critical issue in human history: *fitnah*, which is translated as persecution in Arabic. The Qur'an regards *fitnah* as more grievous than killing or causing bloodshed. According to the Qur'an, actions such as preventing people from freely practicing their religious beliefs, expelling them from their homes, or threatening their lives are considered forms of *fitnah*. Consequently, Muslims are obligated to stand against such forms of social injustice. Regarding the term *fitnah* in this context, Peters (1996) points out that "expelling people from their homes, frightening them while they are safe, and preventing them from living peacefully without fear for their lives or possessions is persecution worse than persecution by means of murder and bloodshed. Therefore, those who practice or provoke such things must be fought just like those who fight."[228]

The subsequent verses address the legitimacy granted to Muslims to engage in conflict against non-believers who have violated a peace treaty. When the opposing party breaks their promises to the Muslims, the Muslims are obligated to take serious action by engaging in warfare against the oath violators. Surat *al-Tawbah* (verses 12-13) explicitly delineates this situation, stating:

> But if they break their pledges after their treaty (with you) and assail your religion, then fight those leaders of unbelief—surely, they have no trustworthy pledges—so they may desist (from aggression). Will you not fight against the people who have broken their pledges and have done all they could to expel the messenger and initiated hostilities against

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[228] Peters Rudolph, *Jihad in Classical and Modern Islam* (Princeton: Library of Congress, 1996), 74.

you? Do you fear them? But God has greater right that you should fear Him, if you are sincere believers. (Qur'an: 9. 12-13).

A rational examination of these two verses aids in understanding the context in which Muslims were compelled to wage jihad against non-Muslims, dispelling misconceptions and biases that portray Muslims as aggressively seeking to convert others through violence. The verse initially specifies that the primary reason for engaging in combat is the breaking of a treaty (rather than coercion to convert). The second reason is that the non-believers defamed the Muslim religion. Lastly, it is emphasized that it was the non-believers who first initiated aggression against the Muslims.

According to Maḥmūd Shaltūt in his book *al-Qur'an wa al-qitāl*, there is not a single verse in the Qur'an that encourages Muslims to fight solely for the purpose of converting people to Islam. In contrast, Shaltūt explains that the only justifications for waging jihad are to restore dignity and cease aggression, to ensure religious freedom for all, and to safeguard the mission of Islam. These reasons provide a comprehensive rebuttal to the claims that Islam's divine mission is to spread the faith worldwide through force and violence.

The Qur'an itself states that Muslims should not attack people of different faiths and philosophies as a fulfillment of religious duty. On the contrary, Muslims are urged, as quoted in the Qur'an, to show kindness, gentleness, and courtesy when dealing or interacting with people of different religious backgrounds. Such verses are found in Surat *al-Mumtaḥinah*, verses 8-9:

> God does not forbid you, with regard to those who don't make war on you because of your religion and don't drive you out of your homes, to be kind to them and to treat them with justice. For Allah loves those who are scrupulously just. God only forbids you to take as your guardians those who wage war against you on account of your religion, and drive you out from your homes, or help others to drive you

out. Those who take them for guardians or for their affairs are unjust. (Qur'an: 60.8-9).

The disbelievers referred to in these verses are a specific group of Meccans (idolaters) who rejected the message of Prophet Muhammad but did not exhibit hostility or wage warfare against Muslims. In essence, since these pagans did not initiate aggression and remained amicable towards Muslims, the Muslims were likewise obligated to show kindness to them. Consequently, Muslims were to leave them in peace, reciprocating the non-hostile stance they had shown. These verses can be interpreted as an Islamic covenant of peace regarding the relationship between Muslims and non-Muslims, serving as clear evidence of Islam's policy of peace towards nonbelievers.

Reading *surat al-Māʾidah*, verse 5, the Qur'an doesn't stop at the peaceable co-existence with people of different faiths, particularly the Jews and the Christians, seen as The People of Book, however, it transcends this to a more of an interfaith level:

> This day [all] good foods have been made lawful, and the food of those who were given the Scripture is lawful for you and your food is lawful for them. And [lawful in marriage are] chaste women from among the believers and chaste women from among those who were given the Scripture before you, when you have given them their due compensation, desiring chastity, not unlawful sexual intercourse or taking [secret] lovers. And whoever denies the faith - his work has become worthless, and he, in the Hereafter, will be among the losers. (Qur'an: 5.5).

After reading these verses, it's clear that Islam champions a spirit of peaceful coexistence with people of different religious faiths. Islam does not prohibit Muslims from engaging in intercultural interactions; in fact, it exemplifies this through practices like sharing food and supporting interfaith marriages. Rather than discouraging these interactions, Islam actively encourages and legitimizes them, promoting an environment of mutual respect and understanding.

<u>Jihad Within the Context of Prophetic Narratives</u>

The Prophetic narratives are a rich source of examples demonstrating peaceful coexistence and a compassionate spirit towards individuals of different faiths, and even towards enemies. A notable illustration of Prophet Muhammad's merciful generosity is evident in a passage describing his return to Mecca, his birthplace, from which he had been unwillingly expelled. Leading an army of ten thousand soldiers, he entered Mecca not only as a conqueror (*fātiḥ* in Arabic) but also as a beacon of mercy and forgiveness. Ibn Isḥāq recounts how Prophet Muhammad set an exemplary standard of mercy and forgiveness towards the people of Mecca, who had persecuted and oppressed the early Muslim community for over a decade. Faced with the Prophet's formidable army, the Quraysh of Mecca realized that they had no means of escape:

"The Prophet Muhammad called upon the Quraysh of Mecca to guarantee peace and said: "Whoever enters the house of Abī Sufyān is safe, whoever enters his own house is safe, and whoever enters a mosque is safe."[229]

In this passage, it is evident that the Prophet was not motivated by vengeance or a spirit of retaliation against those who had persecuted him for over a decade. Although he had the power to choose retribution, he instead chose to exemplify a crucial lesson to the Muslim community: that mercy takes precedence over wrath. This principle aligns with one of God's attributes in the Muslim faith, as it is said, 'God's mercy prevails over His wrath.'"[230] The compassionate and noble conduct displayed by Prophet Muhammad towards the people of Quraysh in Mecca served as a lesson for both Muslims and non-Muslims alike. It demonstrated that the primary mission of Islam

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[229] Abi Muḥammad ʿAbd al-Malik Ibn Hishām al-Maʿārifī, *al-Sīrah al-Nabawīyyah*, V III, ed. Al-Shaykh Muḥammad ʿAlī al-Quṭb and al-Shaykh Muḥammad al-Dālī Balṭa, (Beirut: Al-Maktaba al-ʿAṣriya, 2003), 40.
[230] Sahih Muslim 2751

is not to wage war or shed blood. Instead, its core objectives are to combat aggression and to establish religious freedom for everyone.

In a Ḥadīth reported by Abū Dāwūd in his book *Kitāb al-malāḥim* (The Book of Battles), "the Prophet Muhammad says Leave the Turks in peace as long as they leave you in peace and leave the Ethiopians in peace as long as they leave you in peace."[231] The Ḥadīth addresses a crucial aspect of mutual peace, instructing Muslims that peaceful coexistence should be the norm between Islamic and non-Islamic states. This is exemplified in the cases of the Turks, who were then pagans, and the Abyssinians, who were considered People of the Book (Christians). If the mission of Islam had been to coerce conversion, the Prophet might have commanded Muslims to wage war against these two nations due to their differing belief systems. However, what can be discerned from this Prophetic narrative is that jihad is intended only against aggressors and oppressors, not as a tool for forced conversion.

In another Ḥadīth reported by Bukhari, the Prophet Muhammad not only emphasizes the importance of peaceful interactions between Muslims and non-Muslims under the rule of the Islamic state but also underscores the principle that Muslims must not commit aggression against non-Muslims. This means that no jihad should be waged against non-Muslim innocents who either live under the protection of the Islamic state or have a peace treaty with Muslims. The Prophet Muhammad states: "Whoever kills a person of the People of Covenant (such as Jews and Christian or people of other creeds) with whom there is a covenant between them and Muslims, he or she will not enter Paradise."[232]

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[231] Sunan Abi Dawūd 4302
[232] Sahih Bukhari, 3166.

<u>Lesser vs. Greater Jihad</u>

While delving into the meaning of jihad, it's important to highlight the distinction between its two crucial forms: the lesser jihad and the greater jihad. The lesser jihad is an external form of jihad, often referring to a military struggle between Muslims and non-Muslims in the event of war, specifically against oppressive forces. In contrast, the greater jihad, or jihad *al-Nafs* in Arabic, represents an internal spiritual struggle within a Muslim. This entails a personal endeavor to live in accordance with Islamic teachings and to strive to implement these teachings in daily life in a manner that pleases God.

The prophetic narration quoted below is a well-known Ḥadīth in which Prophet Muhammad distinctly differentiates between the two forms of jihad. He addresses a group of fighters, saying: 'You have done well in coming from the 'lesser jihad' to the 'greater jihad.' When they inquired, 'What is the 'greater jihad'?' he replied: 'For the servant [of Allah] to fight his passions."[233] In the view of the *'ulamā'*, the lesser jihad, which involves military warfare against external enemies, is considered less challenging compared to the greater jihad, which is a spiritual warfare. To elaborate, the lesser jihad represents a temporary conflict between Muslims and external forces, such as enemies or oppressors. In this form of jihad, Muslims engage in battle, and their mission concludes with their death. In contrast, the greater jihad represents a more profound internal conflict. It is a perpetual and ongoing struggle that begins at a Muslim's birth and continues throughout their life.

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[233] David Cook. *Understanding Jihad* (Berkeley, Los Angeles and London: University of California Press, 2005), 35.

For scholars, the struggle against one's passions and whims is the highest form of the greater jihad. In this regard, the great theologian and Sufi scholar Imam al-Ghazalī (d. 504/ 1111), in his literary work *Ihyaʾ ʿulum al-dīn* (Revival of Religious Knowledge), presents the desires and passions of the soul as an invading army trying to conquer the body and prevent it from following the path of mysticism. Al-Ghazalī made it clear that the real army against which Muslims must fight is their desires. Imam al-Ghazalī deliberately uses the word "army" to describe the constant spiritual battle in which Muslims live and engage throughout their lives."[234] Resisting their passions is what is the greater jihad from a mystical stance.

Abū ʿAbd al-Raḥmān Muḥammad b. al-Ḥusayn al-Sulamī (d. 1021), a prominent mystical scholar, considers the soul (*nafs*) to be the primary enemy of Muslims. Therefore, jihād must be waged against it:" It is not your enemy who kills you so that God may cause you to enter paradise [although] if you kill him, it will be a light for you - but the worst of all enemies is your soul, which is between the two sides [of your body]."[235] Imam al-Sulamī's description of the soul as the primary enemy is used figuratively to explain that any force that might distract a believer from being closely attached to the spiritual path, which is strongly connected to the remembrance of God, is an enemy. Since the remembrance of God is the cornerstone of the Sufi traditions that have profoundly shaped the mystical life of Sufi Muslims throughout history, anything that diverts a Muslim from this path is considered an enemy.

Al-Sulamī's perspective on the Great Jihad is akin to that of Imam al-Ghazalī in that both center their arguments on the soul as humanity's primary adversary. They share the belief that the true enemy originates from within, and this internal foe deserves utmost attention. For both Imam al-

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[234] David Cook, *Understanding Jihad*, 37.
[235] Ibid, 36.

Sulamī and al-Ghazalī, the soul represents an internal and formidable opponent, making its confrontation a top priority. However, neither scholar denies nor excludes the concept of militant jihad, nor do they attempt to replace it with spiritual jihad. Instead, they regard it as a primary concern when discussing the concept of jihad.

A variant of Sufi jihad is political jihad. For politicians, jihad encompasses all the social actions and political reforms that Muslim societies need to implement in order to achieve Islam's social and political agenda. Political jihad involves improving laws and constitutions in line with the expectations of the public. In this context, jihad is the endeavor to build a democratic state where every individual has equal voting rights without discrimination. Political jihad is the battle that must be waged against the widespread and detrimental corruption in Muslim societies, which threatens to destabilize them from within. It is a long-term struggle for the establishment of justice and prosperity in all spheres of society.

In the context of this political jihad, Richard Bonney, in his book 'Jihad from the Koran to Bin Laden,' provides the following illustration from a political standpoint:

> President Habib Bourguiba of Tunisia used the term jihad to describe the struggle for economic development in Tunisia, much as Lyndon Jonson spoke of a 'war on poverty'. In this context, jihad implies no more violence than do the terms "war" or "crusade" on poverty in contemporary English. Bourguiba clearly did not advocate violence to improve education and development in Tunisia. The Muslims in India proclaim on their website: We have kept our religion in our mosques and homes and we are waging a jihad against ignorance, illiteracy, poverty and disease and not against the state.[236]

This short passage introduces various facets of political jihad, departing from the classical interpretation of it as a 'holy war' or violence against non-Muslims aimed at converting them to

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[236] Richard Bonney, *Jihad from Qur'an to bin Laden,* forwarded by. Sheikh Dr Zaki Badawi (London: Palgrave Macmillan, 2004), 12.

Islam. Instead, the term 'jihad' is flexible and not bound by strict limitations. As demonstrated above, it can encompass a struggle to foster a robust economy, a battle against poverty, or an effort to address any form of political or economic deficiency that could impede or slow the development of Muslim societies.

In short, as discussed earlier in this paper, jihad was initially employed by Prophet Muhammad and his companions as a defensive principle. Both the Qur'anic teachings and the Prophetic narratives support this concept. Muslims endured more than ten years of persecution before divine permission was granted to wage war, not for aggression but to protect the community and establish religious freedom for everyone living under the Muslim state. It's essential to remember that the term 'jihad' is a concept rich in meaning, broad in content, and cannot be confined to the narrow realm of warfare and violence. Restricting it to 'waging war against nations to kill innocent people, plunder their property, or colonize their homelands in the name of religion' goes against one of the main pillars upon which Islam was founded, which is peace. Peace has always been Islam's priority for prevailing; even during times of war, it is incumbent upon Muslims to cease fighting and establish a peace truce if the enemy demonstrates complete willingness to do so.

Jihad may sometimes manifest as a stern response to oppression and injustice, but it encompasses various forms beyond that. Jihad is an all-encompassing term that begins with love for God and His Messenger and extends to actions in accordance with Islamic teachings. Foremost among these teachings is the principle of treating people with justice. Jihad represents a perpetual struggle to remain steadfast on the path of ethical conduct. It also involves efforts to remove corrupt politicians from power and liberate the general population from tyranny. It is a concerted endeavor to build a flourishing society.

In Islam, jihad is understood as striving in the path of God through diverse means. This includes striving with the pen, which involves seeking knowledge and excelling in it; with the tongue, by speaking the truth especially when others remain silent; and with the hand, through defending the oppressed and advocating for their rights. Additionally, jihad is manifested in simple acts of kindness, such as greeting someone with a warm smile, even on a challenging day.

At present, radical militants, who aim to advance a modern agenda, reject and disregard the nuanced interpretations of jihad discussed above. Instead, they adhere exclusively to extremist readings of the Quran and Sunna, using them to promote their own version of Islam. Such groups reject the use of reason and intellect upon which some schools of Islamic thought are based, opting for violence and armed struggle as their primary means of instilling terror among both Muslim civilians and established Muslim governments.

One of the ideologies they employ to justify taking up arms against citizens, governments, and rulers is the concept of *takfīr* (anathematizing). *Takfīr* involves declaring someone a non-Muslim (*kāfir*), thereby removing their protection under *Sharīʿah* law. The danger inherent in this ideology goes beyond merely labeling Muslims as heretics or infidels; it leads to questions about the justification of violence against fellow Muslims. Examples of this include the assassination of President Anwar Sadāt (by a jihadist group) in Egypt in 1981 and, more recently, the killing of at least 305 Sufi Muslims in 2017, an incident officials have labeled as the worst terrorist attack in Egypt's modern history."

The tragedy of this recent incident in Egypt lies in the fact that all the victims were Muslims who had just attended the Friday congregational prayer in a large Sufi shrine mosque in the Sinai Peninsula. Their sole 'crime,' in the eyes of the fundamentalists, was that they had prayed in a mosque where a Sufi saint was buried. Today, jihadists target this form of Islamic practice and its adherents, Sufis, not only due to their moderate interpretation of Islam or their path to God, but also because of their relatively passive stance towards government policies. In fact, some experts suggest that the amicable relations between Sufis and the Egyptian government may be the real

reason behind their targeting, adding a political dimension to the attacks. Alexander Knysh elaborates on the political aspect of the jihadists in an article, highlighting that, from their perspective, "If Sufis continue to support the government policies, we will be against them."[237] Professor Alexander D. Knysh suggests that they believe society is heading in the wrong direction and that Sufis are seen as assisting the authorities on this corrupt path."

For thease reasons, the ideology of *takfīr* is applied to any Muslim who does not actively oppose a government whose policies the jihadists consider un-Islamic, thereby legitimizing violence against it. The origins of takfir can be traced back to the fundamentalist sect of the Khārijites in the early centuries of Islam, and it has been recently revived by radical Islamist groups such as *Jamāʿat al-Takfīr wa-l-Hijra* (Association of *al-Takfīr* and Migration). The doctrines of the Khārijites opened the door to intra-religious conflict and have continued to shape the political spectrum within the expanding Islamic world up to the present day, as affirmed by a recent author.

The Khāridjites were notorious for their opposition to rulers and governments, often resorting to militant actions against fellow Muslims who disagreed with their views. This sect manifested itself in a variety of extremist actions; they went beyond the norms of mainstream Muslims and began to brand as infidels and outside the protection of the law those who did not accept their views and disown ʿAlī as well as ʿU<u>th</u>mān, they began to massacre people, sparing no one.[238] The Khāridjite crisis emerged in the first century of Islam and eventually faded away. Nevertheless, their ideology is enduring and can be rekindled at any time and in any place. This ideology can

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[237] Megan Specia, "Who Are Sufi Muslims and Why Do Some Extremists Hate Them?," *The New York Time*, November 24, 2017 https://www.nytimes.com/2017/11/24/world/middleeast/sufi-muslim-explainer.html.

[238] Encyclopedia of Islam, s.v. "Khāridjites," *Encyclopaedia of Islam*, last accessed September 11, 2023, https://referenceworks-brillonline- com.proxy-remote.galib.uga.edu/entries/encyclopaedia-of-islam-2/kharidjites-COM_0497?s.num=5&s.f.s2_parent=s.f.book.encyclopaedia-of-islam-2&s.q=al-Khawaridj.

assume various forms depending on different political and social contexts, as well as the methods employed by various jihadi groups to manipulate it. However, the Khāridjite ideology of takfīr endures; only the times change.

The same issue of *takfīr* arose again with the coming of Ibn Taymiyya (d. 728/1328),[239] who was considered a prominent theologian and jurisprudent who lived between the 13th and 14th centuries. As a scholar of his time, Ibn Taymiyya had acquired a broad knowledge and understanding of Islamic disciplines, including the Qur'an, the Prophetic narratives, theology, and jurisprudence. He was forced to flee to Damascus during the Mongol conquest of Iraq in the 13th century.[240] Ibn Taymiyya, is considered one of the most literal interpreters of traditional Islam, and he wrote prolifically on Sunni Islam. Above all, Ibn Taymiyya has been criticized in modern times as a reactionary, and someone who has given a "voice" to radical Islam activists, who are seeking to regain the alleged purity and uniformity of the early followers of the Prophet, as well as justification for the degree of intolerance among contemporary radical Islamists toward other Muslims and any expressions of the faith that are different from their own.[241]

Understanding this medieval scholar is crucial for anyone seeking insights into the origins of today's radical jihadists. The ideology of *takfīr* resurfaced with the Mongol conquest of the Middle East and the establishment of their own legal system in place of the pre-conquest Sharīʿa-oriented morality, even after their conversion to Islam. Ibn Taymiyya believed that the Mongols remained

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[239] There are some debates whether Ibn Taymiya held the ideology of takfīr or not, but according Rudolph Peters in his book, Jihad in Classical and Modern Islam, Ibn Taymiyya issued two fatwas regarding the legitimacy of the Mongol rule in the Middle East. For Ibn Taymiyya, the fact that the Mongol applied their own law instead of Shariʿa, was a sufficient cause to regard them as non-belivers, (Princeton: Library of Congress, 1996), 8.

[240] Yahya Michot, *Ibn Taymiyya Against Extremisms*, forwarded by Bruce Lawrence (Beirut: Dar Albouraq,2012), XIV.

[241] Bonney Richard, *Jihad from Qur'an to bin Laden*, forwarded by. Sheikh Dr Zaki Badawi (London: Palgrave Macmillan, 2004), 120.

outside the faith as long as they applied their own laws of governance instead of God's divine law. Despite the Mongols professing the testimony of faith ('There is no god but God, and Muhammad is His Messenger') and officially accepting Islam, it did not satisfy Ibn Taymiyya until they implemented Sharīʿa law in the courts. According to Ibn Taymiyya, any Muslim leader who fails to enforce Sharīʿa law in all aspects of life, including the conduct of jihād, forfeits his right to rule. Therefore, some jihadists justify their ideology of takfir based on Ibn Taymiyya's thought.

With the advent of modernity and colonialism, jihadi groups emerged as a resistance force against the Western colonial powers or, after independence, against the postcolonial nationalist elite that emerged from the struggle for independence. The main reason for this post-colonial struggle was the failure of Muslim governments to establish liberal democratic societies; these groups would later adopt the ideology of *takfīr*, as their counterparts (Khāridjites) did against their own co-religionists, other Muslims. Among them are *Jamāʿāt Islāmiyyah* (Islamic Groups), founded around 1972; al-Daʿwa (The Call), founded in 1976; the Association of Muslims (*Jamāʿāt al-Muslimīn*), founded in 1977 and better known as *Jamāʿāt al-Takfīr wa-l-Hijra* (The Association of al-Takfīr and Migration); and the Jihad Organization (*Tanẓīm al-Jihād*).[242]

As previously noted in this thesis, the failure of democracy in the post-colonial period within the Muslim-majority world resulted, on one hand, in the emergence of modernist Islam as a new perspective that accepted the Euro-American-imposed 'modern state' as a vehicle for Islamic reform. On the other hand, the need to establish justice in society led to militant religious movements that embraced violence as a means of reform. These two elements complemented each

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[242] Rudolph Peter, *Jihad in Classical and Modern Islam* (Princeton: Library of Congress, 1996), 154.

other without ever acknowledging their secular/modernist roots. The relatively 'new' interpretations of Islamic law and practice were always presented within the framework of traditional Islam, creating a dilemma in defining what 'tradition' actually meant.

Consequently, the struggle between Arab and Muslim states and militant movements revolves around the challenge of defining what Islam is. This has been an ongoing conflict between Muslim states and religious extremists since the post-colonial era. The 2003 bombings in Casablanca serve as evidence of this power struggle in defining the Islamic tradition.

CHAPTER ELEVEN

MOROCCO'S COUNTERTERROR STRATEGY COMPARED

TO OTHER STATES IN THE MENA REGION

As noted earlier in this study, the religious reforms adopted by the Moroccan state in 2004 represent just one facet of the strategies the government has employed in its fight against religious extremism. Other strategies, more repressive in nature, encompass the imprisonment of Salafi figures and political dissidents in general, extensive arrests and subsequent releases, instances of torture, and the enactment of a counter-terrorism law, which was later utilized as a tool to suppress opposition from both secular and religious quarters.

Initially, Morocco, like several countries in the MENA region, relied on a coercive approach when dealing with terrorism suspects. However, over time, Morocco has transitioned towards a less repressive counterterrorism strategy in comparison to other states in the region, such as Egypt, Saudi Arabia, and Syria. This transition involved a shift from widespread arrests and imprisonments to the institutionalization of the religious sphere as a whole. This institutionalization includes measures such as the training of female religious guides (*al-Murshidāt*), the inclusion of women in the High Council of Scholars, and reforms to the New Family Code.

This section will examine Morocco's coercive and gendered policies in comparison to those of other states to highlight Morocco's distinctive approach. The comparison will focus on the

following countries: Egypt, Saudi Arabia, Syria, and Jordan. These countries share two common aspects with Morocco: they have been affected by religious extremism, and they have employed coercive measures in response.

However, Morocco has transitioned from its repressive policies to a more inclusive and open approach, which can be seen as a novel model in the Muslim world. I will compare the number of arrests between Morocco, Egypt, Saudi Arabia, and Syria, while excluding Jordan and Tunisia due to the relatively small number of arrests in those cases. Furthermore, I will also examine Morocco's New Family Law in comparison to Jordan's Personal Status Code, as both countries are kingdoms and claim Sharīfīyyan lineage. This analysis aims to highlight the differences and emphasize Morocco's unique position.

Country	Date of major domestic terrorist attack(s)	Year(s) of mass arrests	Estimated number held
Morocco	May 16, 2003	2003	5,000[38]
Tunisia	2002, 2015	2015	20
Egypt	October 7, 2004	2004	2,400[39]
Syria	May 10, 2012	2011[40]	15,000[41]
Saudi Arabia	2003,[42] 2004, 2015	2003–2007; 2011–2012	9,000[43]; 5,000[44]
Jordan	2005	2005	100[45]

Table 1. Relationship between Date of Domestic Terrorist and Mass Arrests[243]

The number of arrests in both Tunisia and Jordan is significantly lower, with 20 and 100 arrests, respectively, compared to Syria, Saudi Arabia, Morocco, and Egypt, where the numbers are notably higher. Given the limited number of arrests in Tunisia and Jordan, this comparison will not focus extensively on their figures. These figures represent arrests made during and after terrorist attacks and are not static, as they have constantly changed in accordance with state policies.

As this section will illustrate, there has been a noticeable decrease in arrests in Morocco, while there has been an increase in Syria, Egypt, and Saudi Arabia. In Saudi Arabia, the number of arrests has fluctuated, while in Syria, it has steadily risen, particularly in the wake of the post-Arab Spring uprising.

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[243] Wainscott, *Bureaucratizing Islam*, 39.

As mentioned above, Morocco initiated a series of arrest campaigns following the Casablanca bombings of 2003, a move that drew criticism from human rights organizations. Human Rights Watch confirms "that Morocco's security forces and judiciary failed to uphold the rights of those arrested in the crackdown on suspected militants that followed the bombings of May 16, 2003. The police carried out massive arrests and home searches without judicial warrants, mostly in poor neighborhoods that are suspected Islamist strongholds May. At least 2000 individuals were arrested in the following months after the attacks. Numerous mass arrests took place in the weeks following the attacks of May 16, 2003."[244] "By the time of the Madrid bombings in 2004, where Moroccan citizens were involved, the total number of arrests was estimated at 5,000 people, with 1,500 already tried and jailed."[245] At first, the state's primary response was the policy of massive arrests, but it was eventually replaced by the policy of massive releases when the former proved ineffective and drew global criticism for human rights abuses.

Under the pressure of the international press and calls of human rights activists, Morocco changed its coercive policies to more lenient ones. "Over the next decade, and in contrast to some other states in the region, the Moroccan state moved away from a security-focused approach, which had garnered widespread negative press."[246] "This can be seen in the comparatively low numbers arrested following terrorist attacks in the country in 2007 and 2011, with 45 and 8 people arrested respectively."[247] However, in 2015 King Muhammad VI issued a royal pardon for 4,215 prisoners

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[244] "Morocco: Human Rights at a Crossroads," *Human Rights Watch*, October 20, 2004, https://www.hrw.org/report/2004/10/20/morocco-human-rights-crossroads.
[245] Marvine Howe, *Morocco: The Islamist Awakening and other Challenges* (New York, NY: Oxford University Press, 2005), 336.
[246] Human Rights Watch, "Morocco: Human Rights at Crossroads: IV."
[247] "Morocco Court Jails Bomb Plotters for 30 Years." *Reuters*, October 17, 2008, https://www.reuters.com/article/idUSLG506299.

in Morocco as he was celebrating the fortieth anniversary of the Green March[248]. "The pardon included thirty-seven individuals from terrorist-related cases, presumably stemming from the mass arrest in 2003."[249] "In 2015, it was reported that those released were given 3,000 dirhams (about USD 300) by state security."[250]

Egypt is a leading state in terms of arrests in the periods between 2005 and 2014. "In 2005, Egypt arrested approximately 2,400 people following the October 7, 2004, bombings in Sinai tourist resorts."[251] Approximately thirty people were killed, most of them Israeli tourists. Arrest campaigns were swiftly executed, resulting in nearly three thousand arrests within a span of two months. Egyptian human rights activists strongly criticized these arrests, accusing the Egyptian government of employing them as a means to silence political and religious opponents. Despite Egyptian officials' justifications claiming that they had apprehended the main culprits, Human Rights Watch concluded in a statement that either "the official statement did not fully reflect the investigation into the attacks, or that the government was using the occasion of the attacks to carry out a much broader crackdown against potential opponents, particularly those identified as having Islamist sympathies."[252]

Over time, the number of arrests significantly increased, particularly during 2013 and 2014, coinciding with the trials of former Egyptian President Morsi. "The Egyptian Center for Economic and Social Rights (ECESR) estimates that a total of 41,164 detainees were arrested between July

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[248] It is a march that was intended to force Spain to hand over the disputed semi-autonomous province of the Spanish Sahara to Morocco.
[249] Wainscott, Bureaucratizing Islam, 42-43.
[250] "Salafīyūn Maʾafa ʿAnhum Nālū 3000 Dirham Mina Al-Shurṭah."*Hespress*, November 12, 2015. www.hespress.com/medias/283981.html.
[251] Wainscott, *Bureaucratizing Islam*, 40.
[252] Human Rights Watch. "Egypt: Mass Arrests and TortureinSinai,"17,no.3, February 2005. www.hrw.org/sites/default/files/reports/egypt0205.pdf.

3, 2013, and May 15, 2014."[253] "This includes 176 foreign members of parliament, "mostly because of their alleged support for or association with the Muslim Brotherhood."[254] Egypt's tense political context and the enactment of the anti-terrorism law were used by the state to expand arrest policies. Most arrests targeted mainly members of the Muslim Brotherhood.

Saudi Arabia is also among the leading states in terms of mass arrests. After the terrorist attack in Riyadh in 2003, authorities arrested approximately 9,000 people over a four-year period. "It is estimated that another 5,000 people were arrested in 2012."[255] "Since 2001, however, the number of people being detained arbitrarily in Saudi Arabia has risen from hundreds to thousands. In July 2007, the Interior Minister reported that 9,000 security suspects had been detained between 2003 and 2007 and that 3,106 of them remained held."[256] "The situation became so dire that in 2013 a group of one hundred clerics signed a letter to the kingdom requesting fair trials for individuals held on security-related charges."[257] "Saudi Arabia not only arrests individuals en masse but also denies them basic human rights such as charging them with a specific crime, allowing them contact with their families, or allowing them access to a lawyer."[258] Saudi Arabian human rights groups condemned these arrests, viewing them as grave human rights violations. These arrests can be interpreted as tools employed by the state to consolidate its power, a technique used to silence dissenting voices.

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[253] Mai El-Sadany, "Remand: Guilt before Innocence in Egypt's Rule of Law," The Tahrir Institute For Middle East Policy, June 21, 2014, https://timep.org/2014/06/21/remand-guilt-innocence-egypts-rule-law/

[254] "Testimony of Sarah Leah Whitson." Tom Lantos Human Rights Commission, November 3, 2015, 1. http://tlhrc.house.gov/docs/transcripts/20151103%20 Egypt%20Hearing/Whitson%20Testimony.pdf.

[255] Ann Marie Wainscott, *Bureaucratizing Islam*, 42.

[256] "Saudi Arabia: Assaulting Human Rights in the Name of Counterterrorism," 27.

[257] Al Sharif, "Saudi Clerics Demand Fair Trials for Prisoners."

[258] Wainscott, *Bureaucratizing Islam*, 42.

Due to the current critical and unstable situation in Syria, I have chosen to include it in the comparison only at the very end. "It is estimated that about 1.2 million Syrian citizens have been arrested and detained at some point since March 2011. During this period, an estimated number of 99,000 persons have been forcibly disappeared, while the Syrian Regime is responsible for about 84,000 of these cases (SNHR Report of 30 August of 2020, p. 8, 9)."[259] "Now in its 10th year, the Syrian conflict has led to more than 500,000 deaths and displaced an estimated 13 million—over half of Syria's pre-war population. Over 6.2 million Syrians are internally displaced, and 5.6 million are refugees, predominantly in Lebanon, Jordan, and Turkey."[260] However, the situation in Syria differs from that in other states in the MENA region due to the involvement of multiple actors. These actors include the Assad regime, Syrian protesters, rebels, the Islamic State, al-Qaeda, Hezbollah militias, and other states, namely Iran, Turkey, Russia, and the United States. The presence of these various actors has intensified the situation in Syria, resulting in it becoming the leading country in terms of mass arrests as a repressive strategy in dealing with religious extremism.

As mentioned earlier, anti-terrorism legislation has often served as a pretext for states in the region to settle scores with their religious and political opponents. While some governments have abused their authority by inflating the number of arrests, as seen in Egypt, Saudi Arabia, and Syria, and treating it as the sole strategy to counter religious extremism, Morocco has shifted its policy towards a more inclusive approach, as exemplified by its institutionalization policy. The rhetorical questions to consider here are: Can mass arrests effectively resolve the issue of religious

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[259] Fadel Abdul Ghany, "99'000 disappeared and counting: The tale of enforced disappearances in Syria," International Law & International Legal Thought, December 23, 2020, https://voelkerrechtsblog.org/99000-disappeared-and-counting.
[260] "The Current Situation in Syria," United States Institute of Peace, August 26, 2020, https://www.usip.org/publications/2020/08/current-situation-syria.

extremism? Doesn't violence tend to breed more violence, particularly when addressing the global threat of terrorism?

Another area where Morocco distinguishes itself in the region is its gendered policy, which positions women at the facade of the reform strategy. This includes initiatives such as the training of female *Murshidāts*, the inclusion of women in the High Council of Scholars, and the reform of the new Family Law, *al-Mudawwanah*. Reviving the role of women in the governance of religious affairs holds significant importance for the Moroccan state within the framework of religion. This is considered a continuation of Islamic tradition in which women have been active in public life. Nabil Ouassini and Anwar Ouassini affirm, "this rich historical narrative includes scholarly women like 'Āisha, the Prophet Mohammed's wife, the Sufi mystic Rabi'ah al- 'Adawīyyah, and Fatima al-Fihrīyyah the founder of al-Qarawiyyīn University, the world's first university located in Fes, Morocco."[261] For the Moroccan authorities, the participation of women in religious leadership represents the continuation of a long historical tradition which requires revitalization in the face of modern challenges. This is embodied in the Murshidāt program, integration of women in Higher Council of Scholars, and the enactment of the New Family Code.

Since gendered-reform strategies are uniquely Moroccan, comparing such polices with other states in the Muslim world becomes challenging. None of these countries has adopted a similar reform strategy. In most religious institutions, male scholars still dominate, with women scholars being a rarity. The mainstream narrative of religious discourse in the region remains focused primarily on calls for the re-evaluation and reinterpretation of Islamic traditions in a way that aligns with the modern world. This narrative often overlooks the integration of women in the religious

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[261] Nabil and Anwar Ouassini. "Resisting Extremist Ideologies: Counterterrorism, Women, and Religious Reform in Morocco." African Journal of Criminology and Justice Studies 1554-3897, vol. 13 (2020): 99.

field. Meanwhile, regimes in the region have urged religious institutions to begin reinterpreting Islamic traditions.

The current Egyptian president, Abdel Fattah El-Sisi, is renowned for his calls for the rejuvenation of religious discourse to combat religious extremism. El-Sisi is quoted as saying, "it is necessary to renew religious discourse to save Islam and Muslims.' He further explains, 'we await renewal in the jurisprudence of worldly transactions in the areas of practical life.'"[262] El-Sisi continues, "for several years, I have been urging religious institutions, led by the Al-Azhar Al-Sharif Foundation, to prioritize the issue of renewing religious discourse. I emphasize this because any failure or negligence in addressing this issue leaves the field open to pretenders to knowledge and quasi-scholars who lack specialization. These individuals can hijack the minds of young people, making it permissible for them to kill, plunder, and attack property and honor. They deceive the youth by teaching them a false and deviant interpretation of the Qur'an and the Sharīʿah."[263] The emphasis on calling for a re-evaluation of religious narratives stems from several attacks on Egyptian soil by al-Qaeda-linked militant groups. The most recent of these was the 2017 attack in the Sinai Peninsula, where over 300 Sufi Muslims were killed while at worship.

El-Sisi's calls for the rejuvenation of religious discourse have raised doubts about the state's sincerity, especially as it continues to implement coercive policies. These include mass arrests and the enactment of laws that conservative Muslims perceive as provocative. Notable examples are the banning of the *niqab* (which covers the entire body, including the face) in schools for girls and the burning of books by Egyptian security forces. The targeted books include works by religious figures and scholars affiliated with the Muslim Brotherhood, such as Hassan al-Banna, Sayyid

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[262] "El-Sisi is requesting the Renewal of the Religious Discourse to Save Islam and Muslims (in Arabic)," *RT Arabic*, January 27, 2020, https://tinyurl.com/ypwj9er6.
[263] "El-Sisi is requesting the Renewal of the Religious Discourse to Save Islam and Muslims (in Arabic)," *RT Arabic*, January 27, 2020.

Qutb, and Yusuf al-Qaradawī. It's not just the banning of the *niqab* or the burning of books that casts doubt on El-Sisi's intentions to renew the religious narrative. The government's open support for secular and liberal individuals, who appear on state channels and claim that the *hijab* is a symbol of religious extremism, urging women to remove it, also contributes to these concerns.

In 2023, the Egyptian Ministry of Education decided to ban the *niqab* in schools. According to the decision, "wearing a head covering for female students is optional, as long as it does not cover the face."[264] The Ministry emphasized that if a student chooses to wear the hijab (head covering), it is essential that the guardian is aware of and supports her decision. Moreover, the choice should be the student's own, made without pressure or coercion from anyone, including the guardians. The Ministry "argues that banning the *niqab*, while maintaining school uniforms for both male and female students, aims to promote order, discipline, and harmony within schools. This policy is intended to establish rules of discipline and organization, foster respect for laws and regulations within educational institutions, and instill a sense of belonging to the school. It also seeks to achieve psychological and social harmony by eliminating material and social differences among students, thereby reinforcing the principles of justice and equality. Additionally, the uniform policy is seen as a means to reduce bullying and mockery among students by minimizing competition based on clothing, thus alleviating financial burdens on parents and reducing competition based on bragging and boasting."[265]

This decision has sparked controversy in Egypt, with people divided between support and opposition. While some view it as a positive step forward to facilitate communication between

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[264] "The ban on wearing the niqab in schools ignites controversy in Egypt," BBC, September 12, 2023, https://www.bbc.com/arabic/articles/cnlzww7y7pro
[265] "The ban on wearing the niqab in schools ignites controversy in Egypt," BBC, September 12, 2023,

students and teachers, others see it as an arbitrary infringement on a woman's freedom to choose her attire. Ahmed Karima, a professor of comparative jurisprudence and Islamic law at Al-Azhar University, supports the Ministry of Education's decision to prohibit the wearing of the *niqab* in educational institutions. He asserts "that the *niqab* is neither an obligation nor a Sunnah in Islam. Instead, he explains, the obligation is to cover a woman's hair with a veil, not the face."[266] As for the rector of al-Azhar University, Ahmad Tayeb, "the *niqab* is neither obligatory, nor sunnah, nor recommended, rather, it is permissible, and there is no reward or punishment for it, and it is not a legal command. Rather, it is an adornment, just like a ring."[267] On the other hand, some argue that dress is a matter of personal freedom, and it should not be the state's responsibility to dictate any specific style of clothing for its citizens. Additionally, they emphasize that just as it is wrong to impose the wearing of the hijab or *niqab*, it is equally wrong to mandate their removal.

Some even consider women's *hijab* as not obligatory and called scarfed women to gather at the Tahrir Square to take off their hijab as a form of protest."[268] Among these voices are the Egyptian journalist, Cherif Choubachy and the former Minister of culture, Gaber Asfour, who launch a campaign against *hijab*, claiming that it is un-Islamic, and it is an obligation for the state to fight this form of religious extremism. [269] Cherif Choubachy, in a video on social media, called for "a million removing the hijab campaign," as he encouraged veiled women who are forced to wear the head covering, to remove their *hijab* publicly in Tahrir Square in the heart of the Egyptian capital, Cairo, under the protection of men, in early May."[270] These voices have garnered significant

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[266] Ibid

[267] Ibid

[268] "Sisi calls for caution regarding religious discourse," *Aljazeera*, April 17, 2015, https://tinyurl.com/5rx82s83.

[269] "Sisi calls for caution regarding religious discourse," *Aljazeera*, April 17, 2015.

[270] "Jadal umazziq masr mʿa ʾiṭlāq malyūniyat khalʿ al-ḥijāb," *Deutsche Welle News*, April 18, 2015, https://tinyurl.com/yc52ar8d.

support from the government on state channels, leading to public skepticism about the state's commitment to renewing the religious discourse. Particularly, this skepticism is fueled by what conservative individuals perceive as attacks on religious constants (*al-thawābit al-dīnīyyah*) by the state.

The burning of books associated with the Muslim Brotherhood, orchestrated by the Egyptian security apparatus, represents another move by the state in its fight against religious extremism. In this context, Muhammad Abdel Razzāq, the head of the religious sector in the Egyptian Ministry of Endowments, elaborates on the new approach his Ministry has adopted in combating religious extremism: "We received confirmed information from the security services and some citizens that there are books by Muslim Brotherhood leaders such as Hassan al-Banna, Sayyid Qutb, Yusuf al-Qaradawī and Omar Abd al-Rahman, the former Mufti of the Islamic Group, in a number of mosques in the Republic. Therefore, the Ministry of Islamic Affairs decided to check all mosque libraries in order to remove these books and burn them."[271] All directorates within the Ministry have formed follow-up and inspection committees tasked with visiting all mosques. Their goal is to monitor the implementation of the Minister of Endowments' directives to remove books associated with the Muslim Brotherhood and Salafist groups. The Ministry claims that the objective behind collecting and removing these books is to eradicate ideas that encourage religious extremism and to protect the youth from the perils of radical thinking.

For some, the Ministry's move is seen as a concession to the Egyptian regime. They argue that it would be an insurmountable task for the Ministry of Islamic Affairs to achieve this objective, considering Egypt's more than 110,000 mosques and 30,000 Sufi orders affiliated with the

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[271] Abdul Rahman Aboul Gheit, Egypt's Endowments chases Muslim Brotherhood books in mosques (in Arabic), *Aljazeera*, June 25, 2015, https://tinyurl.com/2m25x5fx.

Ministry, in addition to thousands of private mosques. Professor of Islamic Studies at Cairo University, Wasfi Ashour Abu Zayd confirmed "that thought can only be confronted with a similar thought, but the current regime has no means of understanding other than exclusion, stressing that the regime that burned its opponents in *Rābiʿah al-ʿAdawiyyah* and the deportation vehicle will not hesitate to burn their books in the mosques."[272]

This kind of harassment of conservatives by the regime will not resolve the problem but is likely to exacerbate enmity between the state and its citizens. Egypt's reliance on coercive measures to combat the threat of religious extremism is often passive and ineffective in addressing the core issue. The government's approach appears counterproductive, as it positions the state in conflict with its own citizens, rather than as a defender of Islamic traditions and the spiritual security of its people. Furthermore, these steps fail to embody core Islamic values like moderation and openness that unite society. Instead, they seem to further divide society, creating tensions between the government and its citizens.

Similarly, Saudi Arabia is mirroring Egypt's approach. The state continues to rely heavily on massive arrests as a coercive policy, targeting not only those suspected of terrorist activities but also all opposing voices. However, in 2019, Saudi Arabia introduced significant reforms in the field of women's rights. These reforms included **lifting travel restrictions**, **allowing Saudi women to drive**, **enabling them to register the birth of their children**, and **introducing new protections against job discrimination and sexual harassment**. Despite these reforms, activists who advocated for them have largely remained either on trial or in prison. Since then, most have been either provisionally released or convicted and released on probation. Yet, Nassima Al-Sadah

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[272] Abdul Rahman Aboul Gheit, Egypt's Endowments chases Muslim Brotherhood books in mosques (in Arabic), *Aljazeera*, June 25, 2015.

and Samar Badawi, two prominent women's rights activists arrested during the 2018 crackdown, continue to be detained. With the absence of independent women's rights groups to monitor the implementation of these reforms and considering the arbitrary arrests and prison sentences for government criticism, the effectiveness of these reforms remains uncertain."[273]

Human rights activists in Saudi Arabia contend that the recent reforms are still incomplete. Saudi women continue to **require a guardian's permission for marriage**, to be **released from prison**, or to access **certain sexual and reproductive healthcare**. Furthermore, men retain the legal ability to file lawsuits against daughters, wives, or female relatives for 'disobedience,' which can lead to these women being forcibly returned to their guardian's home or imprisoned. The Saudi government faces challenges in codifying laws, as it currently lacks a comprehensive legal code. Crown Prince Mohammed bin Salman (MBS) announced plans in 2021 for new judicial reforms, aimed at paving the way for the kingdom to codify its laws, which are based on Islamic law. Saudi Crown Prince Mohammed bin Salman (MBS) announced that new judicial reforms, scheduled for 2021, will pave the way for the kingdom to codify its laws, which are based on Islamic law. Some of the proposed reforms include, "the Personal Status Law, the Civil Transactions Law, the Penal Code for Discretionary Sanctions, and the Law of Evidence represent a new wave of judicial reforms in the Kingdom," Saudi state news agency SPA quoted Crown Prince Mohammed bin Salman as saying late Monday."[274]

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[273] "Saudi Arabia: The proposed reforms ignore basic rights (in Arabic), *Human Rights Watch*, February 25, 2021, https://www.hrw.org/ar/news/2021/02/25/377980.

[274] Natasha Turak, "Saudi Arabia announces major legal reforms, paving the way for codified law," February 9, 2021, https://www.cnbc.com/2021/02/09/saudi-arabia-announces-legal-reforms-paving-the-way-for-codified-law.html.

While Crown Prince Mohammed bin Salman (MBS) takes pride in introducing a more liberal lifestyle in a deeply conservative country, freedom of expression remains significantly restricted. The liberal movement's manifestations include allowing entertainment such as movie theaters, music concerts, and international sporting events; implementing equal pay for men and women; ending the authority of the religious police; encouraging foreign investment and tourism; and not making the hijab compulsory. Critics, however, view these liberal reforms as a facade, intended to distract both Saudi citizens and the international community from the state's involvement in human rights abuses. Furthermore, the proposed reforms for women's rights fall short in certain areas; they do not address the training of female religious guides or the integration of female religious scholars into the High Council of Scholars, a progressive step seen in Morocco. Discussions on these specific issues have yet to be proposed.

Due to the civil war, which led to the emergence of extremist organizations such as ISIS and Jabhat al-Nusra, Syria has become a central hub and training ground for foreign fighters engaging in violent acts. The situation in Syria bears similarities to Afghanistan in the 1980s during the war against the Soviet Union, where multiple actors were involved. Further complicating the scenario in Syria is the exacerbation of sectarianism. Like his counterparts in Egypt and Saudi Arabia, Bashar al-Assad has held conferences with religious elites on issues related to terrorism and called for religious reforms to combat extremism. However, these calls have been met with skepticism, given the Syrian president's history of war crimes and human rights violations, which were particularly highlighted during the Arab Spring of 2011. Some observers interpret these calls for religious reform as part of a global trend where oppressive regimes seek to consolidate power under the guise of counterterrorism policies.

<u>Morocco's *Mudawwanah* vs. Jordan's Personal Status Code</u>

In this section, I will compare Morocco's experience with the New Family Law to Jordan's Personal Status Code to examine why the former — Morocco — approved the reforms, while the latter — Jordan — did not. The rationale behind choosing Morocco and Jordan for this comparison stems from several similarities between the two states. Both Kings, Muhammad VI of Morocco and Abdullah II of Jordan, ascended to their thrones in 1999 at a young age. Furthermore, both countries are constitutional monarchies, and their kings claim descent from the Sharīfiyyan lineage, linking them to the Household of the Prophet of Islam (with Morocco's royal family being ʿAlawites and Jordan's being Hāshimites). The two countries have a majority Muslim population. Both of them have influential Islamist parties, Party of Justice and Development (PJD) in Morocco, and the Islamic Action Front (IAF) in Jordan. The Islmist party in Jordan is affiliated with the Muslim Brotherhood. "Yet, despite these similarities, the PJD recently (2004) supported reform of Morocco's Family Code (FC) while the IAF voted against attempts in Jordan to reform the Personal Status Laws (PSL)."[275] Here, I will delve into the key factors that led to the approval of the family law in Morocco and its disapproval in Jordan.

As mentioned earlier in this study, Morocco's *Mudawwanah* has been lauded as a revolutionary development in the country's modern history. The new family code was seen as a progressive step towards creating a democratic society in a Muslim country like Morocco, aiming to balance traditional and modern values. "King Muhammad VI's proposed reforms included several key changes: strictly regulating polygamy; eliminating the requirement for females to contract their marriages through a male representative; allowing both women and men to initiate divorce on

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[275] JANINE A. CLARK & AMY E. YOUNG, Islamism and Family Law Reform in Morocco and Jordan, 334.

grounds akin to 'irreconcilable differences'; setting the minimum marriage age at 18 for both sexes; recognizing husbands and wives as equal heads of the household; and abolishing the requirement for wives to obey their husbands. The media immediately acclaimed the proposal as revolutionary."[276] Several fundamental factors underlie the success and failure of the family law reforms in Morocco and Jordan. **Firstly**, the presence of strong left-leaning parties in Morocco, which received royal backing, contrasts with the situation in Jordan, where such parties lacked similar support. Secondly, the political context in Morocco when the PJD (Justice and Development Party) ultimately approved the new family code played a significant role.

Both monarchs approved of the reforms and supported them every time they were introduced to the parliament before they were met with rejection by Islamists (PJD and IAF). In the Moroccan context, "the King supported the FC in both 1999 and 2004, yet the PJD only accepted it in 2004."[277] However, in Jordan, the Islamic Action Front rejected amendments to the Personal Status Code in 2004. This rejection prompted women activists to protest against members of parliament for not supporting the amendments. In both countries, governments modified the language of the reforms several times in attempts to appease Islamists. Consequently, these efforts led to acceptance in one country and refusal in the other.

King Muhammad VI of Morocco showed substantial support for leftist parties, women's organizations, and women's human rights activists. These groups have been advocating for equality and justice for women since Morocco's post-independence era. Their combined efforts and the King's backing were crucial in establishing and entrenching the New Family code in

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[276] JANINE A. CLARK & AMY E. YOUNG, Islamism and Family Law Reform in Morocco and Jordan, 335-6.
[277] JANINE & YOUNG, Reform in Morocco and Jordan, 334.

Morocco. "One of the driving forces of reform in Morocco was the leftist political parties, working in close political and ideological connection to the women's rights movement and larger human rights community."[278] "Several of the most politically powerful women's rights associations – such as the UAF, the Moroccan Association of Women's Rights (ADFM), and the Democratic League of Women's Rights—grew out of women's cells established within major political parties on the left – the Democratic Popular Action Front, the PPS and the Avant-Garde Social Democratic Party."[279] These three elements - leftist parties, women's organizations, and women's human rights activists - were instrumental in the development of Moroccan civil society and in garnering the political support essential for the success of the *Mudawwanah*. Empowered by their robust lobbying networks, they were able to exert pressure on opposing Islamists, leading to the acceptance of the reforms.

The pressure exerted on Moroccan Islamists became particularly evident in the aftermath of the Casablanca bombings on May 16, 2003, despite their increasing political influence and the gain of more seats in parliament in 2002. This tragic event unexpectedly accelerated the approval of the reforms by the Islamists, specifically the PJD (Justice and Development Party), even though they were not involved in the bombings. The leftists capitalized on this situation by applying pressure through the media, accusing the Islamists of being complicit in the bombings. Consequently, the PJD felt compelled to demonstrate its moderate stance by supporting the New Family Code.

[278] JANINE & YOUNG, Reform in Morocco and Jordan, 341.
[279] JANINE & YOUNG, Reform in Morocco and Jordan, 342.

The political situation in Jordan markedly differs from that of Morocco. In Morocco, the left has a substantial presence in parliament and collaborates actively with women's and human rights NGOs. This strong influence has been instrumental in shaping political decisions. In contrast, Jordan has a limited representation of leftist and nationalist parties in its parliament, which poses challenges for gaining approval for political decisions related to women's reforms. "Of these nine parties, five won seats in Parliament, and only one of these is leftist in orientation, the Jordanian Democratic Leftist Party. In total, only two out of the 110 seats in Jordan's elected lower house were held by leftist political parties. In their stead, the Parliament's seats are occupied by two dominant groups. The **first** are tribal independents or tribally based parties (such as the National Constitutional Party) and the **second** are the Islamists. Seventy-seven out of the 110 seats in the 2003–07 Parliament were held by independents, most of whom are pro-regime, largely tribal Figures."[280] The lack of a strong leftist political opposition is a primary factor contributing to the disapproval of the Jordanian Personal Status Code.

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[280] JANINE & YOUNG, Reform in Morocco and Jordan, 343.

CHAPTER TWELVE

THE INSTITUTIONALIZATION POLICY AT CROSSROADS

Although the policy of institutionalization has seemingly been effective in combating religious

extremism for the time being, it has not been without its critics, with some Muslim scholars

expressing dissatisfaction with these measures. Mohamed Tozy as well as Hamza Yusuf

demonstrate their disapproval of the institutionalization policies of the religious field. Mohamed

Tozy believes that "if you institutionalize it, it is dead. Moroccan Islam cannot be

institutionalized."[281]. Likewise, shaykh Hamza Yusuf assures that:

> "Endowments that once acted as social security for students and teachers all over the
> Muslim world have been usurped by the ministries of endowments. Our madrasas are now
> museums; our teachers are mere employees; our students of sacred law no longer come
> from intellectually gifted sons and daughters of our community but rather from uneducated
> families motivated by the possibility of securing the job of Imam in a government
> masjid".[282]

Here, Tozy confines the process of institutionalization to the Moroccan context, whereas Hamza

Yusuf views it within the broader scope of the global Muslim world. Both contend that the

institutionalization of faith strips it of its spiritual essence and diminishes its religious quality. The

institutionalization of a particular school of Islamic law or doctrine often implies restrictions on

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[281] "La Restructuration Du Champ Religieux Marocain, Entretien Avec Mohamed Tozy," *Sezame*, January 16, 2007, http://www.sezamemag.net/soci%c3%a9t%c3%a9/39-entretien-du-mois/333-La-restructuration-du-champ-religieux-marocain/.

[282] Hamza Yusuf, "Foreword," "In Instruction of the Student: The Method of Learning/Ta'līm al-Muta'allim T. arīq al-Ta'allum," Imam Al-Zarnuji," Translated by Gustave E. Von Grunebaum and Theodora Mead Abel, (Starlatch Press, 2003).

others, contradicting the spirit of moderation and acceptance that the Moroccan state advocates in its religious model. For Tozy, ironically, the existence of a formal policy is a legacy of the Protectorate era. "Institutionalization grants the state predominant control over religious practices, naturally leading to the transformation of ʿulamāʾ into state civil servants as an initial consequence."[283] This leads to a critical question about the role of freedom in Islam within the confines of Morocco's enforced religious policy. The pertinent questions to consider are: Does the policy of institutionalization conflict with the teaching philosophy of Imam Mālik himself? To what extent are Moroccans free to practice Islam according to a different school of jurisprudence or theological doctrine?

Some argue that Morocco's enforcement of the Mālikī school in its reform policies is in contradiction to the teachings of Imam Mālik himself. Mālik Ibn Anas (d. 795 CE), a revered Sunni Muslim jurist from Medina, played a pivotal role in shaping the early school of jurisprudence in Islamic history. "The text (his hadith collections) was later used as the basis for the development of the Mālikī school; however, at the time of Mālik, it was not yet an established school."[284] The story of Imam Mālik's interaction with the second Abbasid caliph, Jaʿfar al-Manṣūr (d. 775 CE), is often cited by critics to challenge the state's religious policy. Historical records indicate that when Caliph Jaʿfar al-Manṣūr requested Imam Mālik's permission to distribute copies of his Ḥadīth collection, *al-Muwaṭṭaʾ* – a comprehensive work on Islamic law – across the Abbasid Caliphate as the sole official source of Islamic law, Imam Mālik declined. His reasoning was that it is impractical to enforce a singular interpretation of legal texts, acknowledging that people have

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[283] "La Restructuration Du Champ Religieux Marocain, Entretien Avec Mohamed Tozy," *Sezame*, January 16, 2007,
[284] Melchert Christopher, *The Formation of the Sunni School sof Law:9th–10th Centuries C.E. Brill, 1997, 156;*
Vikør, Knut S. *Between God and the Sultan: A History of Islamic Law* (Oxford University Press, 2005), 98.

developed varied understandings of Islamic law. This diversity, he argued, stemmed from teachings of different Prophetic companions who had disseminated these teachings across the Caliphate.

Ibn ʿAsākir, in his work, *Kashf al-mughaṭṭa fī faḍli al-muwaṭṭaʾ* describes the conversation as follows:

> The Caliph expressed his intention, saying, 'I plan to order copies of your collections, that is, the al-Muwaṭṭaʾ, to be made. I will then send a copy to every Islamic province, instructing people to act according to what is in them and to discard other collections. I have observed that the origin of knowledge emanates from the city of the Prophet[285].' Imam Mālik responded, 'O Commander of the Faithful, please reconsider. The people have already embraced various sayings, heard Ḥadīths, and narrated stories. Each community has derived their practices from the teachings of previous generations, acting according to what has been transmitted to them, and they have their own views on those who differ. It is best to let people continue with what they are accustomed to, as they are acting based on their long-established practices.[286]

In this stance, Imam Mālik ibn Anas underscored his dedication to the values of tolerance and pluralism within Islam. He declined a significant opportunity offered by the Caliph to impose his book, *al-Muwaṭṭaʾ*, on Muslims across various regions. Imam Mālik emphasized the importance of the law's noble purpose in accommodating differing legal interpretations. He recognized the value in the sayings of knowledgeable people, the established customs and habits, and cautioned that altering these deeply rooted ideas could pose a serious risk to their societal stability.

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[285] he Caliph Jaʿfar al-Manṣūr refers to Medina, the city of the Prophet (located in present-day Saudi Arabia), which was both the place of upbringing and the residence of Imām Mālik. This reference serves as a recognition of Mālik's authority in Islamic knowledge, underlining the significance of his residency in the Prophet's city.

[286] Ibn ʿAsākir al-Dimashqī, Kashfu al-mughaṭṭa fī faḍli al-muwaṭṭa, ed. Ṣāliḥ bnu ʿAbd Allāh bnu Ḥamdin al-ʿUṣaymī, 22.

The concept of stability holds significant importance in Morocco's reform policy, particularly in matters of religious freedom. The prevailing stance is that individuals are free to worship God according to any Islamic school of law, as long as their practice remains private. This approach is endorsed by the Ministry of Endowments and Islamic Affairs. However, the promotion of religious narratives in official state institutions from any legal or theological school that deviates from 'traditional Moroccan Islam' is prohibited according to the state. The state firmly opposes the dissemination of religious narratives that lack elements of Moroccan Islam or do not embody moderation and tolerance. Although open-minded interpretations from the Hanafī and Shāfiʿī schools are still accepted, ideologies like Wahhabism and Shi'ism are specific targets in the state's reform policy. Consequently, institutionalization acts as a barrier against these two ideologies.

As an alternative to the institutionalization policy, M'daghri, "calls for an independent body of Moroccan religious scholars, as in the case of the judiciary system, with reasonable incomes from public budget so that they can sincerely do their job in matters regarding *Sharīʿah* law."[287] Some critics argue that the strategy of institutionalization may result in the erosion of Islamic prestige, which has been historically bolstered by embracing diverse interpretations of holy texts and enriching the content of various Islamic law schools. On the other hand, proponents of managing religious discourse view this approach as an effective means of countering religious extremism. They believe that by guiding and regulating religious narratives, it helps to maintain social harmony and prevent the spread of extremist ideologies.

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[287] M'daghri Abdelkebir Alaoui, *Al-ḥukūmah al-multaḥīyyah: Dirāsah naqdīyyah mustaqbalīyyah* (Rabat: Dār al-amān, 2011), 248.

CHAPTER THIRTEEN

CONCLUDING REMARKS

By taking decisive steps to restructure and bring the entire religious discourse under state control, Morocco has demonstrated its strong commitment to combating religious extremism. The country's ongoing counterterrorism efforts are focused on reducing the threat of escalating religious fervor, both within and beyond its borders. The tragic events of the May 16, 2003, suicide bombings in Casablanca served as a stark awakening for the Moroccan government and its people about the perils of religious zealotry in a nation traditionally known for its moderate and tolerant approach to Islam. In response, revitalizing the state's religious heritage and upholding Morocco's traditional Islamic values was seen as an essential strategy against the tide of religious extremism.

The Moroccan government's emphasis on the three pillars of traditional Moroccan Islam—Mālikism, the Ashʿarite creed, and Sufism—has been recognized as a strategic long-term vision to prevent future terrorist activities. In essence, through the Ministry of Endowments and Islamic Affairs, the Moroccan government now exercises full authority over religious institutions and their discourse. This unprecedented level of power, which was catalyzed by the Casablanca suicide bombings, has led to significant institutional changes. The state has successfully institutionalized the religious field, created a cadre of loyal religious bureaucrats, and strengthened the king's position as the sole authority wielding both political and religious powers in the country. Furthermore, the implementation of anti-terrorism legislation has effectively muted opposition.

This comprehensive approach underscores the state's commitment to maintaining stability and preventing extremism.

The importance of this research is multi-faceted. **Firstly**, it challenges Edmund Burke's assertion that traditional Moroccan Islam is a construct of the French in 1912. To counter this claim, the study examines the seventeenth-century scholar ʿAbd ul-Wāḥid ibn ʿĀshir, whose historical accounts provide an insightful definition of Moroccan Islam as he witnessed it. His works are among the earliest and most comprehensive texts on the three components of traditional Moroccan Islam. **Secondly**, these components, promoted by the Moroccan state since 2004 to combat religious extremism both domestically and internationally, are distinguished by their moderate tendencies. **Thirdly**, the research highlights how some aspects of Morocco's religious reform policies are unique, especially when compared to other countries in the MENA region. **Fourthly**, it draws comparisons between Morocco's approaches to religious extremism and those of other MENA states. **Finally**, the study offers a critique of the policy of institutionalization.

The key findings of this research study establish that traditional Moroccan Islam is not merely a theoretical construct but a distinct reality with unique characteristics. The distinctiveness of traditional Moroccan Islam forms the core of this research, serving as the central argument around which the entire study revolves, including the refutation of Edmund Burke's claim. Additionally, the findings demonstrate that Morocco is emerging as a leader in effectively managing religious affairs in the MENA region. Moreover, they reveal that the Moroccan government has exerted comprehensive control over the religious narrative, illustrating its significant influence in shaping religious discourse.

My study conclusively demonstrates that Moroccan Islam is an authentic reality, not a mere invention. I presented historical evidence dating back at least three centuries prior to the 1912 protectorate period, showing that Morocco and Moroccan scholars have long recognized a distinctive form of Islam. This particular expression of Islam has been perpetuated through successive generations. Importantly, the study relies on early historical sources written in Arabic, in contrast to the colonial archives of Morocco in France, which constituted Edmund Burke's primary reference. This approach reinforces the authenticity and depth of the historical understanding of Moroccan Islam.

In my study, I delved into the deep historical roots of traditional Moroccan Islam by analyzing the work of the prominent Moroccan scholar ʿAbd Al-Wāḥid ibn ʿĀshir (d. 1631), who documented these components in his book, *al-murshid al-muʿīn* (The Guiding Helper). I established that all three components of traditional Moroccan Islam share two key elements: moderation and alignment with the mainstream Sunni Muslim community, known as *ahlu-al-Sunnah wa al-jamāʿah*. To further illustrate my argument, I provided examples of distinguished Moroccan scholars who exemplify these elements, including Aḥmad Zarrūq (d. 1493), Ibn ʿAbbād al-Nafzī al-Ḥimyarī al-Rundī (d. 1390), and Ibn ʿAjībah (d. 1809). Their works and biographies vividly demonstrate the characteristics of Moroccan Islam.

In every aspect of this research study, Morocco's new religious policies have emerged as distinctly unique. As noted by Ann Marie Wainscott, "Morocco is unique in the extent to which its counterterrorism strategy relies on reforming the country's religious institutions. This model contrasts with the policies of other Middle Eastern countries where the state aggressively controls

the religious sphere."[288] The distinctiveness of Morocco's approach is evident in its response to religious extremism and in the implementation of gendered reforms. Initially, like many countries in the MENA region, Morocco heavily relied on coercive methods to deal with suspects involved in religious extremism. However, I illustrated that over time, Morocco has adopted a less repressive counterterrorism strategy compared to other regional states, such as Egypt, Saudi Arabia, and Syria. Specifically, Morocco transitioned from relying on mass arrests and imprisonments to a more comprehensive approach of institutionalizing the religious field. This includes initiatives like the training of female religious guides (*al-Murshidāt*), integrating women into the High Council of Scholars, and reforming the family law through *al-Mudawwanah*.

In my study, I compared the coercive and gendered policies of Morocco with other states in the region to highlight how Morocco distinguishes itself in these areas. The comparison focused on a select few countries — Egypt, Saudi Arabia, Syria, and Jordan — which share two commonalities with Morocco: they have been impacted by religious extremism, and they have historically relied on coercive approaches. I specifically examined how Morocco transitioned from a repressive policy to a more inclusive and open approach, potentially setting a new model in the Muslim world. For a more detailed analysis, I compared the number of arrests related to religious extremism between Morocco, Egypt, Saudi Arabia, and Syria, while excluding Jordan due to its relatively low number of arrests. The findings indicated that Morocco has advanced more significantly than these other countries in moving away from repressive measures.

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[288] Wainscott, *Bureaucratizing Islam*, 6.

As previously mentioned, the institutionalization policy in Morocco has successfully brought the entire religious narrative under state control. This achievement marks a first in Morocco's modern history. The Ministry of Pious Endowments and Islamic Affairs, with total authority over the religious field, operates under the mandate of King Mohammad VI. The King, who is constitutionally recognized as the sole religious and political authority in the country, perceived the restructuring of religious discourse as an urgent religious duty, especially in the aftermath of the Casablanca bombings of 2003. My study elaborates on how this pivotal event influenced the monarch's decision to reform the religious landscape.

I argued that the King's comprehensive initiative to implement a series of religious reforms serves as a political maneuver aimed at bolstering the stability of the royal institution while reinforcing the monarch's historical religious role. This strategic move addresses both the Islamists, who often challenge state policies on religious grounds, and the secularists, who advocate for the separation of religion and state. My analysis underscores that the king uniquely embodies both religious and political authority. This consolidation of power in a single institution, the monarchy, significantly amplifies the king's ability to leverage this dual role to his advantage.

The study also highlights Morocco's emergence as a regional leader through its initiatives in training foreign Imams from West Africa and Europe. I emphasized the significant moment in 2015 when the Moroccan monarch inaugurated *L'Institut Mohammed VI Pour La Formation Des Imams, Murshidīn, et Murshidāt* in Rabat. This elite school is central to Morocco's integrated strategy aimed at disseminating the values of moderate Islam among younger generations of Imams and spiritual advisors. This initiative is particularly focused on countering the threats posed

by religious extremism, which have permeated various Muslim societies. Additionally, the Institute, along with similar institutions, endeavors to safeguard the identity of Moroccan Islam, distinguished by its openness, moderation, and tolerance. The study underscores the unique position of this institute in the region, reflecting Morocco's distinctive approach in religious education and moderation.

I detailed how this innovative training institute was initially established to counteract extremist interpretations of Islam. Originally intended as a deradicalization center for vulnerable Moroccan youth, it has since expanded its scope to train imams from West Africa and Europe. This evolution positions Morocco as a leading religious authority in the region, with an increasingly visible and influential foreign policy. The study illustrates that imams and guides graduating from the Institute hail from various countries, including Guinea, Tunisia, Nigeria, Niger, Mali, Ivory Coast, Gambia, Senegal, Gabon, Chad, and France. These graduates have undergone either short-term training programs, lasting between three and six months, or more extensive basic training lasting two or three years. Now, these trained individuals are disseminating a model of moderate, open religiosity in their respective countries. This model respects local peculiarities, traditions, and customs, aligning with the laws of each country to which the guided imams belong, thereby promoting a balanced and contextual understanding of Islam.

My perspective on this research study is that state control over the management of religious affairs might not be the sole solution to the issue of radicalization, especially if other factors are not considered. Indeed, while religious reforms contribute significantly, they represent just a small part of a broader, necessary reform project that should encompass various sensitive areas. These

reforms should be aligned with improvements in education, politics, economics, society, culture, and the judiciary. Without such comprehensive changes, the effectiveness of religious reforms alone is limited and insufficient to counteract the religious extremism of desperate and marginalized young people. These individuals often become targets for recruiters from militant religious movements, who exploit their frustration with corrupt politics, injustice, and unemployment, using them for political ends. Therefore, while treating religious reforms as essential, it's crucial to prioritize other reforms as well. Striking a balance between these areas is indispensable.

One significant challenge to Morocco's reform initiatives is the impact of globalization, particularly regarding the consumption of extremist religious content broadcasted by Salafi clerics on foreign TV channels. For Moroccans who use satellite dishes and social media, accessing such religious discourse is straightforward, especially given the absence of state restrictions or censorship. This ease of access can lead people to seek out alternative sources of religious content, diverging from what is offered within Morocco. Furthermore, a lack of trust in the state's efforts to institutionalize religion may drive some individuals to explore and embrace religious teachings from external sources.

This dissertation addresses several key research questions: What defines the Moroccan model of religious policy? Why does Morocco prioritize the management of religious discourse? How do Morocco's religious reforms differ from those implemented by other states in the MENA region? The research aimed to comprehensively understand Morocco's approach to supervising religious narratives and the specific content of its reforms. It sought to compare Morocco's religious policies with those of other regional states, examining both the national and international contexts in which

these new policies were developed. Additionally, the study explored how Morocco leverages the global context to promote its unique version of traditional Moroccan Islam.

The first research question delved into the nature of traditional Moroccan Islam, exploring how Morocco, for the first time in its history, has comprehensively redefined its religious narrative. This was achieved through the establishment of new religious institutions, both within the country and abroad. In addressing the second question, I posited that managing religious discourse was imperative, not only to combat religious extremism but also to consolidate all religious institutions under the auspices of the monarchy. The final question focused on Morocco's revamped religious policy, discussing how these changes have positioned Morocco as a model of moderation and a leader in the MENA region.

This dissertation forms a crucial component of an extensive literature review, contributing new insights to the existing body of knowledge on traditional Moroccan Islam and the reform strategies initiated by Morocco in 2004. A significant aspect of this research involves responding to and building upon Edmund Burke's seminal work, *The Ethnographic State: France and the Invention of Moroccan Islam*. My study stands out in this academic field, as it addresses aspects of traditional Moroccan Islam that, to my knowledge, have been relatively unexplored by other scholars. This unique focus underscores the originality and importance of my contribution to the discourse on Moroccan religious reforms.

This research was further enriched by a detailed focus on Salafi profiles, particularly those who were extensively targeted. I meticulously examined the circumstances surrounding their arrests, as well as their religious and political beliefs, both pre-and post-detention. My personal connection

to Sidi Moumen, the neighborhood where I was raised and which was also home to the suicide bombers, adds a significant layer to this study. My firsthand experience within this community provided invaluable insights into the mindset and circumstances of those involved in the suicide bombings.

Another key contribution of my work is the exploration of the manifestation of moderation and the rejection of religious extremism within Mālikism, approached from a historical perspective. In this section, I presented historical analyses and examples of how early Mālikī scholars addressed religious extremism. This historical exploration offers a nuanced understanding of Mālikism's stance on moderation and its historical evolution in response to extremist ideologies.

While the institutionalization policy has shown some positive steps forward, there remain significant challenges that the state encounters, despite its strict security approach, especially in this era of globalization. As mentioned earlier, some obstacles are related to the consumption of extremist religious content from foreign TV channels and social media accounts. Another limitation of the research study concerns the state's claims of preserving religious security and national unity. Specifically, the country still relies heavily on security measures against those who do not comply with the state's prescribed moral order. This includes Shīʿī and Wahhābī sympathizers, as well as Christian proselytizers.

In 2009, Moroccan authorities closed a Shīʿī center after it was accused of promoting Shīʿī Muslim ideology in northern Morocco. The state viewed this as contradicting the jurisprudence of Imam Mālik, the Ash'arite creed, and the tasawwuf of Al-Junayd, which Moroccan Sunnis adhere

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to. The state is deeply concerned that if Moroccans convert to Shīʿīsm, their loyalty might shift to the Shīʿī *Faqīh* of Iran, rather than to the Moroccan king, *Amīr al-muʾminīn*, thus prompting a more coercive state response. Similar policies are applied to Wahhabism and Christian missionary activities. Due to suspicions of promoting Wahhabism, Morocco closed Quranic schools in 2011. The Moroccan authorities also expelled foreigners and closed their schools on suspicions of Christian proselytizing. These government attitudes are often interpreted as restrictions on religious freedom.

While composing this dissertation, I identified two key areas for potential further exploration to enhance the depth of my research. **Firstly**, the incorporation of a qualitative research approach could significantly strengthen my analysis. Conducting interviews with scholars and officials from the Ministry of Endowments and Islamic Affairs would provide valuable firsthand insights, offering a more robust foundation for my arguments than relying solely on published materials. **Secondly**, a critical examination of the long-term effectiveness of Morocco's reform policy merits attention. Considering that the reforms are only two decades old, it is premature to fully assess their impact. Future research should therefore focus on evaluating whether the reforms have met their intended goals and objectives, particularly in light of ongoing discussions in Morocco about revising the New Family Code, *al-Mudawwanah*. This would provide a more comprehensive understanding of the reform's effectiveness over time.

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