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RIGHTS & DEMOCRACY'S NEWSLETTER

INTERNATIONAL CONFERENCE IN MOROCCO

THE UNIVERSALITY OF DEMOCRACY

BY JEAN-LOUIS ROY, PRESIDENT, RIGHTS & DEMOCRACY

IN OUR TIME, democracy has changed the geopolitical landscape of the world and has become a universal aspiration. Although much remains to be done to increase its implementation on the ground, the recent historical evolution of democracy and democratic regimes casts promising light on the future.

Over the last-quarter century, the number of States considered democratic has doubled while the proportion of States not considered free has shrunk. This "wave of democratization" remains vibrant and powerful. Democracy is still the declared goal in many countries working to adjust to its basic requirements. Even those who oppose democracy find it necessary to appropriate the term. Among the seven major countries or regional groups that will most probably influence the direction of global development in the 21st Century (the United States of America, the European Union, the Russian Federation, India, Japan and China and Brazil), five of these blocs are full-fledged democracies.

The universality of democracy finds its roots in the very nature of democracy itself. Democracy is a common search to give effect to the underlying values

To emerge and endure, democratic values must translate into concrete political and socio-economical results.

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THE DEMOCRATIC AND SOCIAL REVOLUTION IN TODAY'S MOROCCO

BY DR. NACER CHRAIBI, PRESIDENT, COLLECTIF DÉMOCRATIE ET MODERNITÉ

IN THE LAST FEW YEARS, Morocco has achieved some remarkable advances in political and social rights as well as women's rights and others.

The genesis of this process dates back to the 1996 constitutional reforms that led to the introduction of a system of alternating power for the first time in Morocco's history. The Justice and Reconciliation Commission was established to examine the country's past, paving the way for the reconciliation of many Moroccans with their history. The Royal Institute of Amazigh Culture was also created, along with the legal and de facto recognition of Amazigh as a national language, taught in school to all Moroccan children, and the recognition of Amazigh culture as a part of the country's national heritage and a source of Moroccan pride.

Women received particular attention with the reform of family law, which gave them the same rights as men, in most areas. Polygamy was strictly limited by the conditions preceding the authorization of the second marriage. Divorce became a joint right regulated by the courts, including regulation of the management of property acquired during the marriage. Fathers and

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Rights & Democracy
International Centre for Human Rights
and Democratic Development

Rights & Democracy is an independent Canadian institution created by an Act of Parliament in 1988. It has an international mandate to promote, advocate and defend the democratic and human rights set out in the International Bill of Human Rights. In cooperation with civil society and governments in Canada and abroad, Rights & Democracy initiates and supports programmes to strengthen laws and democratic institutions, principally in developing countries.

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of participation, equality and justice in a manner that takes into account the constitutive diversity of humanity. In short, a democratic system recognizes the power of citizens to determine their collective destiny through mechanisms of consent, political pluralism, peaceful political competition, the legitimacy of opposition, the full right to challenge incumbent leaders and a framework for peaceful transfer of power between successive governments that are elected through universal suffrage.

Myriad successes and failures have marked the on-going expansion of democracy from a formal construct to systems that promise the realization of all human rights. Yet the mixed results of our historical experiences have not deterred democracy's champions from believing in the validity of their cause even though their expectations and aspirations have not yet been completely fulfilled.

To emerge and endure, democratic values must translate into concrete political and socio-economical results. The institutional and procedural dimensions of democracy are therefore complementary and inseparable from the realization of human rights. In other words, the entrenchment of the fundamental, institutional characteristics of democracy becomes sustainable through the implementation of the universal human rights standards. International human rights law indeed incorporates numerous legal concepts that inform the development and increasing acceptance of universal principles of democracy, centred around the idea expressed in the Universal Declaration on Human Rights that the will of the people is the basis of the authority of governments (art. 21). Democracy as an objective and democratic principles are also recognized by regional organizations such as the European Union, the Organization of American States, the African Union and the Association of South East Asian States.

This belief in universal principles of democracy expressed as human rights – or democracy as a human right or a precondition for the fulfillment of all other human rights – reflects the aspirations of millions of women and men in a large number of countries who have put their hopes in a democratic form of government. They believe that a democratic system will protect them from ethnic, religious or gender discrimination and from arbitrary detention, torture, ill-treatment or death while in custody of the State. They believe that this system can deliver access to justice, health, education, housing, work, food and to water. They also believe that this system can liberate them from poverty and social exclusion.

Regarding its concrete implementation on the ground, the democratic construct requires that we fully recognize and act consistently with the fact that democracy is the monopoly of no country, no fragment of humanity and

no era of civilization. We also need to understand, accept and value the singularity of the democratic ideal but the plurality of democratic systems. Secularism, to take a single example, differs dramatically in Western society with its interpretation in India. Democracy can accommodate both the non-religious connotations of many Western countries and the equal respect for all religions in India. We have to be careful not to propose an artificial template but rather ensure that local realities and needs are reconciled with complex and specific spiritual, cultural and social heritages. We must also adopt a conception of democracy that is linked with the realization of social and economic rights.

Furthermore, our efforts to promote democracy require innovative thinking, research and programmes aimed at civil society, corporations and the youth of the world:

In our own practice of democracy and in our policies to advance democracy abroad in the 21st Century, we should develop and support effective models for civil society engagement, bearing in mind that the members of the civil society are the ultimate beneficiaries of democracy. In many countries where democracy is fragile or lacking, no force other than civil society can move the agenda forward and ensure that democratic principles stay at the center of the development debate. We must fully understand this situation and support civil society, as well as propose and support joint activities between NGOs and governments since both are indispensable partners in the concrete application of democratic principles and practices.

Myriad successes and failures have marked the on-going expansion of democracy from a formal construct to systems that promise the realization of all human rights.

With respect to corporations, our strategies for international trade and investment in all markets must be integrated within the paradigm of democracy and the framework of international human rights. A robust and enduring strategy for international trade and investment will systematically integrate the values, interests and legal obligations of human rights and democratic principles.

By 2020, between 55 to 60 percent of the combined population of North Africa and the Middle East will be below 25 years of age, representing more than 250 million people. The 21st Century will be an age of youth. If the universal principles of democracy and human rights are going to be strengthened, we must succeed in attracting the ideals, idealism and expertise of youth. Otherwise, our present effort to advance democracy and human rights will ultimately be in vain. ¹

THE DEMOCRATIC AND SOCIAL REVOLUTION IN TODAY'S MOROCCO

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mothers were given joint legal guardianship of children, and children's rights were recognized.

Educational reform, started under the reign of King Hassan II, was pursued and led to new developments in schools, including the recent introduction of human rights education, starting in elementary school, and the publication of new textbooks that promote tolerance and an openness to the world.

A new press code lifted certain restrictions on journalists and the media. A new code for political parties was designed to clean up the political realm and require greater democracy and transparency within political parties. As for healthcare, 30% of the population is now covered by mandatory health insurance, up from 15%, while the remaining 70% of the population, comprising the poorest social classes, will benefit from free medical assistance within public health facilities.

In terms of the economy, Morocco is one massive construction site, from North to South, with the construction of the Tanger-Med port, and a free zone; a beltway that links the northern Mediterranean cities; highways between Casablanca and Tangier, Rabat and Fes, Casablanca and Marrakech, and soon Marrakech-Agadir.

Particular attention has been paid to the country's mountain regions in an effort to open them up and provide the inhabitants with water, electricity and access to health and education.

The Initiative Nationale de Développement Humain (INDH) was launched to fight poverty and marginalization across the country, targeting, in particular, the poorest areas and populations.

Of course, the situation is not perfect and problems persist, including a high unemployment rate, widespread illiteracy and inadequate housing, to name a few. Furthermore, the Moroccan economy continues to be very dependent on rainfall. Social measures are delayed when the State's resources are limited by poor harvests. However, current investments and extensive construction sites are harbingers of significant economic and social improvement for Moroccans in the near future. Lastly, the country deserves credit for the development of its civil society, which is massively involved in all of these endeavours, and for its vigilance in protecting its past and recent gains, in particular with respect to human rights. *l*

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Libertas is available free of charge and is accessible electronically at www.dd-rd.ca. Articles may be freely excerpted, provided credit is given and a copy of the publication in which the material appears is sent to Rights & Democracy.

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Legal Deposit: 2nd quarter 2001

ISSN 1027-0884

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Printed in Canada by Club Imprimerie Montréal inc.



THE COLLECTIF DÉMOCRATIE ET MODERNITÉ IN BRIEF

THE COLLECTIF DÉMOCRATIE ET MODERNITÉ (CDM), founded in February 2003, is composed of non-governmental organizations and individuals from civil society who are of various political stripes but share the same commitment to progress and modernity. The CDM's goal is to foster a culture of openness and tolerance and to fight obscurantism.

The attacks in May 2003 served as a brutal reminder of the need for even greater mobilization of civil society to defend these values. Since then, the CDM has tirelessly carried out actions to achieve this, by organizing debates and conferences, holding seminars and participating in many activities in various milieus designed to promote or defend democracy and progress. It was one of the co-organizers of the popular citizens march that brought together hundreds of thousands of Moroccans to protest fundamentalism and terrorism. The CDM has also actively participated in all of the actions to promote the status of women that led to the reform of family law.

Moreover, the CDM intervened effectively, in association with other NGOs, to defend some young musicians who were arrested and convicted of breaching values and public order. More recently, it intervened to defend some young women who were arrested and convicted of prostitution in Agadir.

The CDM organized a discussion on education, bringing together many Moroccan experts and representatives from the world of education. A book is soon to be published on these proceedings. The CDM also created a discussion group that worked on the introduction of modernist values in the education of children and adolescents. [ℓ](#)



COLLECTIF
DÉMOCRATIE
ET MODERNITÉ

International Conference on Democracy in Morocco

RIGHTS & DEMOCRACY, in partnership with Morocco's *Démocratie et Modernité*, will hold its annual international conference in Casablanca on the theme of democracy as a universal value, from June 8 to 10, 2007.

Henceforth, Rights & Democracy will be holding its annual international conferences in rotation on a bi-annual basis between Canada and a foreign country. After a series on Think tanks held in Ottawa in the previous years, Rights & Democracy presented its first International Conference in Ottawa in June 2005 on the Millennium Development Goals (MDGs). Stephen Lewis, UN Special Envoy on HIV/AIDS in Africa, joined Canadian and international decision-makers gathering in Ottawa to speak on the United Nations ambitious MDGs, which include halving extreme poverty and hunger and eliminating gender disparities in primary and secondary education by 2015.

The myriad democratic challenges facing Asian countries and options for Canadian involvement in the promotion of human rights and democracy in Asia were the subjects of Rights & Democracy's 2006 annual international conference, held in Toronto. Panellists included many of Asia and Canada's most prominent human rights advocates, including: Malaysia's Irene Fernandez, a leading campaigner for labour rights and an authority on HIV/AIDS in Asia; Han Dongfang, Hong Kong-based labour rights expert and celebrated journalist for Radio Free Asia; the Hon. Flora MacDonald, Canada's former Minister of Foreign Affairs; Dr. Sein Win, Prime Minister of Burma's government-in-exile, and Patrick Brown, CBC Television's Asia correspondent. [ℓ](#)

PREPARING FOR THE “FOURTH WAVE” OF DEMOCRATIZATION: SOME LESSONS LEARNED

BY RAZMIK PANOSSIAN, DIRECTOR, POLICY, PROGRAMMES
AND PLANNING, RIGHTS & DEMOCRACY



A DECADE AGO the world seemed to be on the cusp of the “Fourth Wave” of democratization. The “Third Wave” — a roughly 25-year period from 1974 to the emergence of post-Soviet democracies in Eastern Europe — had ensured that the majority of the world’s countries had become democratic, or at least “mostly” democratic. By the late 1990s some 120 countries were considered democracies. It was optimistically believed that the Fourth Wave was imminent, with the Middle East and North Africa leading the way.

However, when democratization hit the rocky shores of authoritarianism in some parts of the world, the impact was far from positive. The Third Wave dissipated and the Fourth one did not materialize. Some important countries, such as Russia and Venezuela, even went “backwards” politically — i.e. became less democratic and more authoritarian. Currently, the Fourth Wave of democratization remains mostly an academic discussion, a desire, an optimistic prediction or at best a policy goal; but it has not become a political reality.

Is a democratic wave approaching the Middle East, or other parts of the world? Will current authoritarian countries reform and start respecting human rights? Rather than giving “crystal ball” answers, it is best to examine the factors behind the success or failure of democratization processes, and to highlight some “lessons learned.” It is through such analysis that we can prepare for — and perhaps even facilitate the approach of — a Fourth Wave of democratization.

Seven Lessons Learned About Democratization

First and foremost, democracy is not a stage that is attained once and for all. Democracies are dynamic processes and unless consolidated on an ongoing basis, they can be weakened and reversed. The institutionalization of democracy is crucial for the long term survival of democratic systems. This includes, among other things, free elections held on a regular basis, the safeguarding of civil liberties, and ongoing respect and protection of rights based on constitutional and legal norms. Such democratic practices must become “routine” and “normal” politics. Authoritarian regimes, even after their demise, tend to have long term influence on societies, and it is a constant struggle to minimize these. Hence, there is no such thing as a “final phase” of democracy but continuing democratization as a country passes through key thresholds of freedom. Once such thresholds are crossed, vigilance is required to prevent regress (e.g. freeing up the press, and then controlling it again; or respecting rights and then curbing them again in the name of stability or security). As Larry Diamond warns us, “The most dangerous intellectual temptation for democrats is to think that the world is necessarily moving towards some natural democratic end state. Democracy can deteriorate at any point in its development; its quality and stability can never be taken for granted.”

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Second, a culture of democracy needs to be inculcated — i.e. a civic culture that fosters tolerance, trust, negotiation and compromise. A vibrant, active and diverse civil society is absolutely necessary for this. Civil societies must not be reduced to “western-style” NGOs, but must resonate with local cultures, traditions, practices and institutions. Democracy can only take root if it is exercised through such familiar practices. Democratization suffers when local NGOs start developing closer relations with donor agencies at the expense of intrinsic relations with their own societies. In such situations, democracy and its local advocates are seen as alien to local culture and traditions.

Third, outside aid is important for democracy promotion, but it must follow local leads and address local needs. There is no “cookie-cutter” approach to democratic development. Programs and solutions must be tailor-made to address local conditions, and in partnership with local activists. However, this does not mean that local practices that run counter to the basic principles of democracy and human rights cannot be questioned, challenged and criticized. Respect for, and working through, a society’s traditions do not entail the justification for repression, corruption and malpractice. As such, conditionality in democratic development aid can be an important instrument of democracy promotion, as long as it is not arbitrarily and inconsistently imposed.

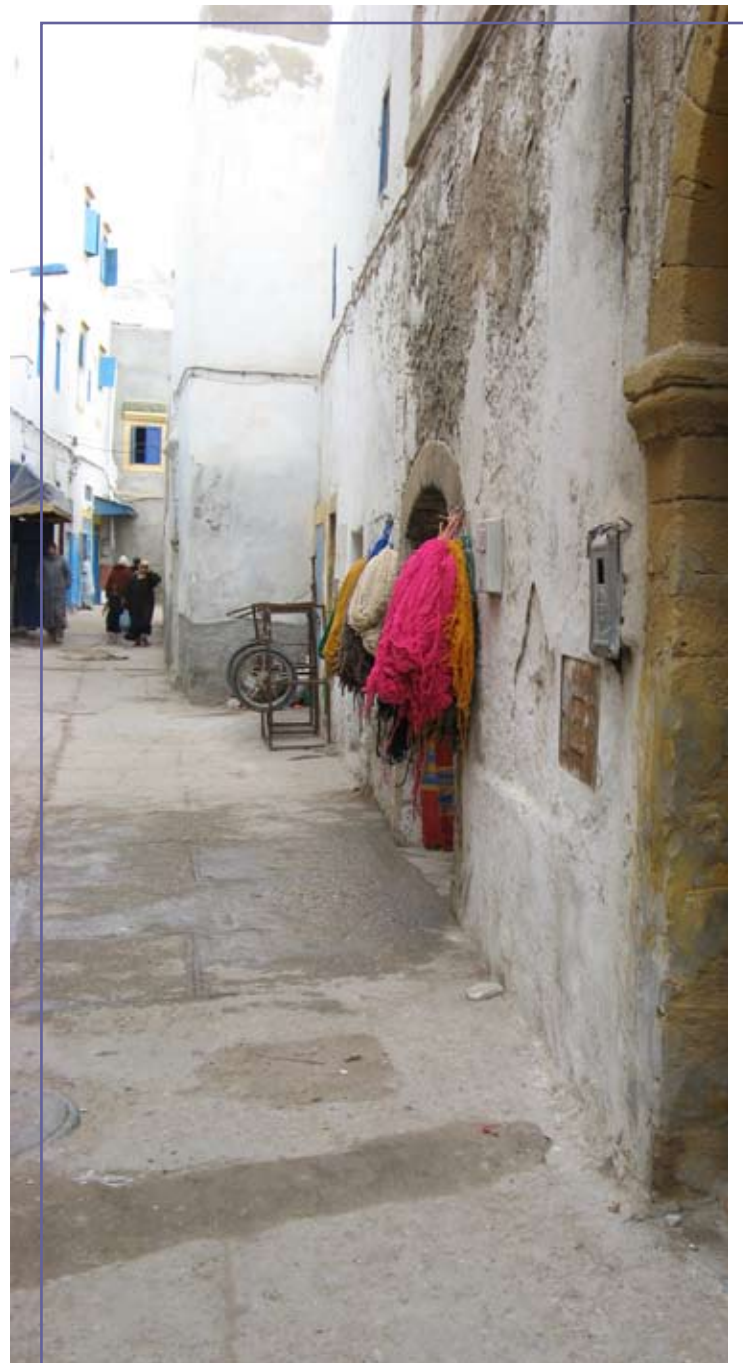
Fourth, the first democratic elections in a country in transition to democracy is not the end point of democratization, but the beginning point. Democratization is a long term process, especially when it entails cultural change. After elections often come institution building, the instruments to protect human rights, changes in political culture, and the strengthening of civil society. In other words, the real work in building a democratic political system comes after elections, and lasts decades. The success of democracy is not ensured just by free and fair elections, but through a whole series of (often gradual) reforms that change the institutional, social and political makeup of a country.

Fifth, democratization should not be equated with secularization. Democracy can coexist with, and even thrive within, religious values as long as the basic premises of democracy are respected. Extremism, of any kind, that seeks to destroy pluralism and tolerance is the enemy of democracy, not religion. All political parties — be they religious or secular — have the right to run for office and be legitimately elected as long they respect the “rules of the game” of democracy. The legitimacy of the democratic system suffers if one advocates for democracy and yet rejects its electoral results. The success of the system — and its consolidation — depends on consistency.

Sixth, democracy as an idea and a vision faces competition globally; it is not “the only game in town.” There are alternative visions that equate democracy with the West, and deny its relevance to other parts of the world. Fundamentalist approaches to the organization of society, arguments based on cultural relativism, and the highlighting of tensions within democratic systems all serve to undermine the universal value of democracy. The success of democracy therefore depends on ongoing advocacy in its favour, demonstrating over and over its value to people all over the world, and to highlight its universal appeal to those whose rights are denied.

Seventh, the success or failure of democracy cannot be reduced to economic indicators or arguments. There is a link between economic development and democratic development, but this is not a linear or even a causal link — i.e. arguments along the lines of “we need economic development first, and then we will democratize” are not valid. Democracies tend to have open economic systems, but there are no magic thresholds of economic development for democracy to function. Poor countries can be democratic, and rich countries can be authoritarian.

Predicting “waves” of democratization is difficult, if not impossible, but understanding them is crucial if we are to contribute to the further advancement of democracy throughout the world. The challenge for the 21st Century is how to consolidate newly emerged democracies on the one hand and, on the other, how to maintain the core universal values at the heart of democracy — i.e. respect for dignity and rights — while adapting it to various cultures and societies. Democracy will not — and must not — look the same everywhere in the world, but it should be enjoyed by everyone. After all, democracy is not only about the acceptance of difference, but also its celebration. ℓ





RIGHTS & DEMOCRACY'S WORK IN MOROCCO

RIGHTS & DEMOCRACY aims to build a programme to help foster linkages between inhabitants of marginalized communities living in shantytowns and their local and regional governments, with the overall aim of increasing the government's accountability towards communities living in these areas. The programme will ensure that inhabitants of these areas have meaningful input in the rehabilitation of their communities. It will also attempt to structure local associative work and engage residents as a force of change in the context of Morocco's INDH.

There were several engagements this past year that emanated from the previous Morocco programme cycle. In a project sponsored by Elections Canada and Rights & Democracy, Moroccan media visited Montreal and Ottawa in February 2007 to learn about Canada's rules and procedures for fair election coverage.

In the spring of 2007, Rights & Democracy and the National Democratic Institute for International Affairs in Morocco (NDI) organized a visit to Quebec by the campaign strategists of four major Moroccan political parties to observe the provincial electoral campaign.

Rights & Democracy, in partnership with Morocco's Démocratie and Modernité, will hold its annual international conference in Casablanca on the theme of democracy as a universal value, from June 8 to 10, 2007.

Rights & Democracy published a Democratic Development (DD) study in 2004 and hosted follow-up regional meetings within Morocco to discuss the study's findings. It was the result of a participative study in partnership with

Espace Associatif and in close cooperation with Moroccan civil society. The study analyzed various aspects of democratic development in Morocco to enable a better understanding of the role of civil society in a rapidly evolving political climate. Two of study's main conclusions were that civil society in Morocco had largely failed to move beyond the "Casablanca-Rabat" axis and that it had not effectively represented Morocco's marginalized populations. These conclusions inform Rights & Democracy's current programme in Morocco.

The objectives of the follow up regional meetings were to develop and enrich national cooperation and coordination amongst civil society actors in Morocco, with the aim of formulating improved strategies for civil society efforts at the local, regional, and national levels. Each regional forum resulted in the formation of a coordination committee comprising major regional organizations. These committees intend to implement practical recommendations resulting from the meetings.

In 2004, Rights & Democracy provided a small grant to a civil society coalition to monitor the Equity and Reconciliation Commission, which was created in 2003 by the Moroccan government to report on the forced disappearances and arbitrary detentions since 1956. *ℓ*

Documents

The Morocco Democratic Development Study, available in French and Arabic, with English summary. (www.dd-rd.ca/publications)

CITIZEN PARTICIPATION AND HUMAN RIGHTS

THE CASE STUDY OF LATIN AMERICA

BY NICHOLAS GALLETTI, AMERICAS REGIONAL OFFICER

IT HAS BEEN THREE YEARS SINCE the UNDP published its groundbreaking report entitled "Democracy in Latin America: Towards a Citizens' Democracy." This report received widespread attention for its survey on the perception of democracy in the region. It concluded that only about half of Latin Americans are convinced democrats and only one in three is satisfied with the way their democracy works in practice. This was not good news for a region supposedly at the tail-end of a democratic transformation from authoritarian rule. To address this crisis in legitimacy, largely derived from persistent inequality and poverty despite advances in civil and political rights, the UNDP recommended that countries in the region urgently adopt policies that "promote democracy in which citizens are full participants." It is now clear that many countries in the region have taken this recommendation seriously, albeit with adverse effects.

What does it mean for citizens to be "full participants" in democratic society? From a rights-based approach to democratic development, this means that citizens are able to enjoy all of their universally-recognized civil, political, economic, social and cultural rights, and that together these rights form an interconnected and indivisible package. What are not universal however are the institutional rules and political systems that are used to achieve the full realization of human rights.

Recently, much has been made in the media of Latin American voters responding to their dissatisfaction by voting in leaders from the "left" who proclaim that they are accountable to local citizens rather than international financial institutions, the United States, or more importantly, entrenched national political leaders. These popularly elected leaders, namely from Venezuela, Ecuador, Bolivia and Nicaragua, are claiming that electoral democracy has not produced the results that democracy promises, and have begun to push through reforms to change the political system and institutional rules, ostensibly in favour of "full participation." These reforms often take the shape of direct democracy initiatives, such as referendums or popular initiatives. In theory, the more citizens are able to participate directly in the decisions that shape their country, the more democratic that country will be. However, there are risks associated with these mechanisms, particularly with respect to human rights.

In Latin America, direct democracy initiatives have served to both strengthen, and undermine, democratic institutions. In Uruguay in 1980, a referendum on constitutional reform promoted by the military government was voted down, paving the way for civilian rule four years later. In 1999, Venezuelans voted in a new constitution which on the one hand strengthened the constitutional recognition of human rights, but on the other significantly strengthened the powers of the executive branch to the detriment of the legislative branch. The president of Venezuela has since then used these powers to undermine democratic institutions, and weaken human rights protections. The verdict is still out on current constitutional reform processes in Bolivia and Ecuador.

Direct democracy mechanisms can have a positive impact on citizen participation and lead to better human rights outcomes, but the institutional framework within which these mechanisms are used will play a crucial role. In states with weak institutions and a lack of respect for rule of law, direct democracy mechanisms may be used by powerful interests to solidify their powers. Where the opposite is true, in societies with strong rule of law protections, an organized civil society,

access to information and a competent and independent judiciary, direct democracy mechanisms can contribute to "full participation" as defined by the respect for human rights, and enhance democratic culture. It is therefore imperative that initiatives to increase the involvement of citizens in decision-making be anchored in the creation of strong institutions. [L](#)

