

THE MOROCCAN FAÇADE

Politicized court cases, media law, harassment
undermine a nation's press gains.

By Joel Campagna and Kamel Labidi

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CASABLANCA, Morocco

Ahmed Reda Benchemsi, the 33-year-old publisher of the independent Moroccan weekly *TelQuel*, sensed someone was trying to send him a message. In a matter of months, two judges had ordered him to pay extraordinarily high damages in a pair of otherwise unremarkable defamation lawsuits.

It started in August 2005, when a court convicted Benchemsi of defaming pro-government member of parliament Hlima Assali, who complained about a short article that made light of her alleged experience as a *chiekha*, or popular dancer. At trial, Benchemsi and his lawyer never put up a defense—because they weren't in court. The judge had reconvened the trial 15 minutes before scheduled and, with no one representing the defense, promptly issued a verdict: two-month suspended jail terms for Benchemsi and another colleague and damages of 1 million dirhams (US\$120,000). Two months later,



Ahmed Reda Benchemsi, publisher of *TelQuel*

another court convicted Benchemsi of defamation, this time after the head of a children's assistance organization sued *TelQuel* and three other Moroccan newspapers for erroneously reporting that she was under investigation for suspected embezzlement. *TelQuel*, which had already issued a correction and apology, was ordered to pay 900,000 dirhams (US\$108,000)—several times the amounts ordered against the other three publications.

At the time, the damages were among the highest ever awarded in a defamation case in Morocco—and more than nine times what Moroccan lawyers and journalists say is the national norm in such cases.

A puzzled Benchemsi said he learned from a palace source several months later what had triggered the judicial onslaught. "I understood the whole starting point was an editorial I wrote about the king [two months earlier] saying that he doesn't have good

communication skills and he should practice,” Benchemsi told the Committee to Protect Journalists in an interview at *TelQuel*’s offices in downtown Casablanca. “Apparently, this was interpreted as a direct insult.”

Fortunately for *TelQuel*, the two plaintiffs eventually withdrew their monetary claims following negotiations with the magazine. But the *TelQuel* affair signaled the opening salvo in a round of judicial strikes aimed at Morocco’s increasingly vocal independent press corps. Since 2005, at least five journalists have been hit with disproportionate financial penalties, five have been handed suspended jail terms, and one was banned from practicing journalism altogether. Publications that have written critically about the monarchy have been in the crosshairs, and punishment has been most severe for writers and editors deemed beyond the palace’s control.

The recent sanctions have occurred against a backdrop of other disturbing long-term trends: In the last five years, three Moroccan journalists have gone to jail for extended periods for their published work—ranking Morocco alongside Tunisia as the Arab world’s leading jailer of journalists. Together, these factors prompted CPJ in May to designate Morocco as [one of the world’s worst backsliders](#) on press freedom.

[About this report](#) Benchemsi’s ordeal captures the unpredictable and increasingly sophisticated pressures Moroccan authorities have brought to bear on journalists to deter unwanted criticism while minimizing international censure. Unlike the blunt repression used by some of their neighbors, Moroccan authorities have exploited third-party lawsuits and a politicized judiciary to clamp down on the press. Beyond the courts, they have intensified pressures such as advertising boycotts, the use of state media to attack critics, and the covert planning of “demonstrations” against outspoken newspapers.

And this spring, government officials began discussing amendments to the country’s press law that call for the establishment of a national press council with the power to withhold advertising and to ban journalists for purported ethics violations. The revision leaves intact vaguely worded prohibitions against disrespecting the monarchy, Islam, and defaming state institutions such as the army and judiciary. Despite limiting the number of offenses that can land a journalist in jail, the draft legislation increases maximum fines for alleged violations of the law.

[CPJ’s recommendations to King Mohammed VI and the government of Morocco](#)

In response to these disturbing trends, CPJ sent a delegation to Rabat and Casablanca, where members spent 10 days meeting with Moroccan journalists and members of the government to investigate restrictions on the media, to assess their impact, and to express concern to officials. Despite boasting a lively print press, CPJ found, Morocco has come to rely on a stealthy system of judicial and financial controls to keep enterprising journalists in check. The record shows that press freedom conditions are far from the glowing version furnished by officials and many journalists.



Morocco's King Mohammed VI

he Moroccan authorities' efforts have dampened the editorial zeal of several independent publications. "We've been used as a tool to communicate to others where the boundaries are," said Aboubakr Jamaï, a former magazine publisher, frequent palace critic, and another recent victim of an extraordinary defamation judgment. The spate of attacks has dented Morocco's international image as a democratizing Arab nation and a relative oasis for press freedom in a region where independent journalists are often out of work or under siege. King Mohammed VI and government officials claim to lead a constitutional monarchy and insist that Morocco is in democratic transition. Publicly, they have embraced a free press. World leaders, among them U.S. President

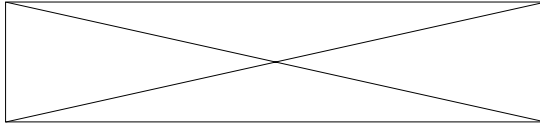
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George W. Bush, have praised Morocco for its progress on political and economic reform.

Despite a self-styled parliamentary government and a vibrant civil society, however, real power remains firmly in the hands of the king and the *makhzen*, a shadow government composed mainly of palace officials, leading members of the security apparatus, and the army who operate behind the scenes and guide major decisions. Critics say the young king and a small clique of his close associates are accumulating power rather than relinquishing it as a true democracy would demand. The growing threat of terrorism has compounded matters. Multiple suicide bombings rocked Casablanca on May 16, 2003, killing 44 people, and smaller-scale attacks have occurred since. Violent extremism coupled with a growing Islamist movement has kept the palace on edge and perhaps made some Moroccans willing to put security over civil liberties.

Before his death in July 1999, the ailing King Hassan II, who had ruled for nearly four decades, eased press censorship and gave free rein to a new breed of young journalist not beholden to the state or opposition political parties. At first the new press began to address economic issues with greater openness and later took on old political taboos such as rampant rights abuses and corruption. Self-censorship further eased when 36-year-old Mohammed VI ascended to the throne in July 1999, promising democratic change, allowing exiled dissidents to return home, and sacking Driss Basri, the notorious interior minister who directed political repression under Hassan II during the era known as the "Years of Lead." More recently, a new generation of journalists has challenged the so-called sacred institutions traditionally off-limits to critical examination by the press—Islam, the issue of Morocco's sovereignty over the disputed Western Sahara, which Morocco has controlled for more than three decades, and, to varying degrees, the monarchy itself.

The king has had an uneasy relationship with the country's press, singling it out for its sensationalism and, like his father, refusing to give interviews to Moroccan papers since assuming power. Press freedom violations have been on the rise in the past several years. Since 2000, 33 journalists have been sentenced either to suspended or effective prison terms while eight were imprisoned or detained, according to CPJ research. Three journalists were barred from working in professions for varying periods, and the authorities banned or censored 23 publications.



 Joel Campagna talks about Morocco and the backstory of the report

This new generation of journalists had come to “play a political role by publishing the shortcomings of democracy and pluralism, hot issues like corruption and palace budgets, narco-trafficking” and the lives of major politicians, said human rights lawyer Abdelaziz Nouyadi. “You

have young journalists who have no calculation and believe we are in a democratic society. They have only a calculation with their readers. Political elites and the monarchy became fearful of these people because they believe they have no boundaries.”

Morocco's press freedom record has an international dimension. Since the September 11, 2001, attacks on the United States, Morocco has become a frontline ally in the U.S.-led war on terrorism. It is believed to have hosted one of the so-called CIA black sites, where U.S. detainees were interrogated. In 2004 the United States awarded Morocco “major non-NATO ally” status and signed a free trade agreement with it. Although U.S. aid is relatively small, Morocco is eligible for up to \$750 million from U.S.-supported Millennium Challenge Account grants, which provide development assistance to ally nations but which are contingent on a number of factors, including press freedom. France is Morocco's largest trading partner, followed by Spain; each provides substantial economic aid. Over the last decade, the European Union gave some 1.6 billion euros (US\$2.1 billion) in social and economic assistance to the country and recently pledged 650 million euros (US\$870 million) in aid over the next three years to support economic reforms.

Government officials and many Moroccan journalists themselves have downplayed recent restrictions on the press, regarding them as isolated bumps on the path to democracy and preferable to the not-so-distant days of political repression. But many journalists worry that liberalization has gone into reverse and that the government is chipping away at press freedoms gained over the last decade by targeting the media's most critical voices. “I am not very optimistic,” said Driss Ksikes, a novelist and veteran editor who quit journalism after being sentenced to a suspended three-year jail term in January. “After 15 years in the press, I saw how it's worked all along. My feeling is that seven years ago we were opening the window wide open. ... People could speak their mind.

“Since 2003 we have been closing down the window bit by bit. I feel we are putting up an iron curtain. The window is still open but there are iron curtains.”

By all accounts, Morocco's print press had made important strides since the 1990s and even now ranks among the most critical in the Arab world. Private

publications abound—17 dailies and scores of other periodicals in Arabic and French—and they represent pro-government, opposition, and independent views. At least a few run political commentary that would have triggered torture, disappearance, or worse during the darkest days of Hassan’s rule.

High illiteracy rates keep circulation very low—journalists and government officials estimate the combined press readership at about 300,000 in a nation of 33 million. The government largely controls the powerful broadcast media, where most



A newsstand in Casablanca

citizens get their news. Yet the print press, especially the French language press, reaches the most influential people in Moroccan society and, at times, has been an important avenue for public debate and dissent.

The country’s most assertive political publications—those willing to scrutinize the activities of powerful personalities, track corruption, and tackle sensitive political topics such as the monarchy—amount to perhaps only a half dozen. The most daring among them has been Aboubakr Jamaï’s groundbreaking weekly, *Le Journal Hebdomadaire*. At 39, Jamaï has been a pioneer in Morocco’s new independent journalism. Many of the journalists working today in Morocco’s independent press learned the trade at *Le Journal* or its one-time Arabic affiliate, *Assahifa*, over the last decade.

Jamaï launched his publications in 1997, when Hassan II began to ease press controls. They quickly went to work smashing political taboos by reporting on victims of Hassan’s political repression, exposing business corruption, and calling for the resignation of the once-feared Basri.



Aboubakr Jamaï

For all the publications’ initial audacity, it wasn’t until King Mohammed VI came to power some two years after the papers’ founding that Jamaï’s hard-nosed journalism made him a target of state reprisal. In 2000, authorities banned editions of his newspapers for publishing an interview with the head of the Polisario Front rebel movement, which has been seeking independence for the Western Sahara since the 1970s. Months later, they were permanently banned after

printing an explosive 1974 letter—written by former leftist leader Mohamed Basri—alleging that former Prime Minister Abderrahmane Youssefi, a one-time activist, had been involved in a failed 1972 plot to assassinate Hassan II. In her 2005 book, *Morocco: The Islamist Awakening and Other Challenges*, author Marvine Howe quotes Youssefi as saying that he never had dealings with the lead coup plotter.

In 2001 the papers reopened under the names *Le Journal Hebdomadaire* and *Assahifa Al-Ousbouiya*—only to be hit with a 2 million dirham (US\$240,000) judgment. In that case, they were accused of defaming Foreign Minister Muhammad Ben Aissa in a report questioning the purchase of an official residence in Washington, D.C.

Jamaï weathered that and other lawsuits—along with a mass exodus of advertisers—until this year. He left the country in February as judicial authorities prepared to seize his assets following yet another record-breaking defamation judgment. In April 2006 the Rabat Court of Appeals upheld damages in the amount of 3 million dirhams (US\$360,000) against Jamaï and reporter Fahd al-Iraqi in a defamation suit brought by Claude Moniquet, head of the Brussels-based European Strategic Intelligence and Security Center. Moniquet said *Le Journal Hebdomadaire* had defamed him in a six-page article questioning the independence of his think tank's report on the disputed Western Sahara. Moniquet objected to a headline describing the report as being “remote-controlled” from the capital, Rabat, and to the article's suggestion that the report might have been funded by the Moroccan government. The court also fined Jamaï and al-Iraqi 100,000 dirhams (US\$12,000).

Moniquet told CPJ in June that no client commissioned the report. The organization studied the issue on its own initiative, he said, because of the international importance.

Unable (and unwilling) to pay the damages and fearful that authorities would move to close his publication in lieu of payment, Jamaï resigned and moved to the United States with his wife and two children.

For Moroccan journalists, lawyers, and human rights activists, the verdict was the clearest indication yet of the authorities' use of the courts to settle scores against independent journalists. *Le Journal Hebdomadaire* withdrew from the trial after it was barred from introducing expert witnesses. No explanation was offered for how the damage award was reached. Although the prosecution was a civil case in which the state was not involved, the state prosecutor volunteered his full-throated support for Moniquet in a statement to the court.

As with Benchemsi, a small, largely unnoticed matter may have triggered the heavy sanction. Jamaï said a palace source told the magazine that officials had been incensed by an unflattering 2005 cover photo of the king in *Le Journal Hebdomadaire* but that the reprisals against his magazine were part of a larger strategy to pressure his publication.

“The regime found an opportunity to settle scores with Jamaï and his editorial team because they were exercising journalism the way it should be—with truthfulness, trustworthiness, and courage,” Abderrahim Berrada, one of the journalist's lawyers, told CPJ.

What set Jamaï and his co-workers apart from other Moroccan journalists was an uncompromising belief in holding accountable the powerful, including the king, who under Moroccan law is deemed “sacred.” Jamaï eagerly pointed out when the palace failed to live up to its promises of greater democracy, and he exposed the extent to which the king’s businesses dominate the private sector. Jamaï’s critics



Ali Lmrabet

accuse him of being too political and having a personal ax to grind given his frequent focus on the monarch. Jamaï said he simply scrutinized the actions of the most powerful politician in the country—as any good journalist should.

“*Le Journal*’s main feature is to take on the king and big businessmen in Morocco,” Jamaï said during an interview in Cambridge, Mass., where he currently resides as a Nieman Fellow at Harvard University. “We are the only ones going after the king, the main political actor in Morocco.” *Le Journal* and its former sister paper, *Assahifa*, (the two publications cut ties in 2004) were also the only publications to open their pages to all political viewpoints, including the country’s powerful Islamist opposition.

The same hard-nosed approach forced another leading Moroccan journalist into exile by way of the courts. Ali Lmrabet, a 48-year-old former Foreign Affairs Ministry employee turned independent journalist, was a relentless critic of government officials and public personalities. After joining Jamaï’s *Le Journal* in the late 1990s, Lmrabet went on to found the independent weekly *Demain*, which was banned by the government in 2000. He later launched two new satirical publications, *Demain Magazine* and *Douman*, but by 2003 was serving a three-year prison sentence for “insulting the king,” “undermining the monarchy,” and “challenging the territorial integrity of the state.” The charges came after Lmrabet published satirical photomontages and cartoons about the king, and an interview with an opponent of Morocco’s monarchy who called for the self-determination of the people of the Western Sahara. Lmrabet was released by royal pardon in 2004 just before Prime Minister Driss Jettou visited Washington. But his legal woes would not end there.

In 2005, just a year after Lmrabet got out of jail, a Moroccan court summarily slapped him with an unprecedented 10-year ban on practicing journalism as a result of a defamation suit brought by the head of a little known pro-government association. The Association of Relatives of Saharawi Victims of Repression, whose spokesman is a government employee, sued Lmrabet for defamation after he wrote an article for the Madrid-based daily *El Mundo* that referred to the Saharawi people in the Algerian city of Tindouf as refugees, contradicting the Moroccan government’s position that they are prisoners of the rebel Polisario Front. Although neither the association nor its spokesman, Ahmed Khier, was mentioned in the article, the criminal court found against Lmrabet.

Today Lmrabet lives in Spain and works for *El Mundo*; editions of *El Mundo* that carry his byline have been banned by the Moroccan government. Lmrabet said he believes he was the target of a political vendetta, and many journalists agree.



Moroccan Prime Minister Driss Jettou

“Of course that was a fabricated case,” said independent newspaper publisher Abdelaziz Koukas. “I didn’t always agree with his style ... but Morocco needs Ali Lmrabet. Morocco needs *Demain*.”

In meetings with CPJ in April, Prime Minister Jettou and Communications Minister Nabil Benabdallah denied government involvement in the rash of judicial cases against journalists. With the exception of Lmrabet—whose case Benabdallah described as a “problem”

without further comment—they expressed hope that those no longer working as journalists would soon return to their profession. Jettou said that, as far as the government was concerned, the court case against Aboubakr Jamaï “fell from heaven” and was “in the hands of the judiciary.”

“The four or five problems we had to face were each time handled by the judiciary,” Jettou said. “We abide by the rule of law in this country.”

Benabdallah did acknowledge that the damages against Jamaï appeared to be excessive given the circumstances. He said he hoped that Jamaï would be “brave enough to reach a deal” and apologize to Moniquet, the think tank official. “But he is too proud to do that.”



Communications Minister Nabil Benabdallah

Government officials were quick to stress that recent sanctions against journalists were aberrations. Using a favorite formulation, they said press freedom is strong when compared with the country’s political past and prevailing conditions in the Arab world. “We have never sought to cause prejudice to our newspapers or journalists,” Jettou told CPJ. “We are proud to have the freest and the most dynamic press in the region.”

Still, officials such as Benabdallah stressed the need to discipline what they consider to be defamatory journalism. “All we need is a free press evolving in a democratic environment—not an anarchist press violating the law and defaming everybody without accountability,” he said. “This does not exist even in democratic countries. There are often dozens of defamation cases examined by the judiciary in these countries.”

True enough, but in Morocco the judicial deck appears to be stacked against the press.

The country's 1996 constitution stipulates that the judiciary "shall be independent of the legislative and executive branches," but in reality Moroccan courts are widely seen as corrupt and under the influence of the *makhzen*. Even high-ranking government officials, including those who met with CPJ in April, openly acknowledge problems. "One of the most important problems that needs to be solved in the new Morocco has to do with the integrity of the judiciary," Benabdallah said.

Abbas al-Fassi, minister of state without portfolio and second in government rank



Amy Marash

CPJ meets with Moroccan Prime Minister Driss Jettou, second from right.

after Jettou, put it more bluntly. "Judges should listen to the voice of their conscience, not to instructions given through their cellular phones," al-Fassi said in a February 2007 interview with the independent daily *Al-Massae*.

Moroccan law does not require defamation plaintiffs to demonstrate harm or judges to explain damage awards. In effect, judges are free to impose any sum as long as it does not exceed the amount requested by the plaintiff, lawyers told CPJ.

"We met with the minister of justice and raised this issue," Younes Moujahid, head of the Moroccan press syndicate, told CPJ. "In all court cases it is easy for the Ministry of the Interior to interfere. There is no independence of the judiciary." The Ministry of the Interior, heavily influenced by the high-ranking official Fouad Ali El Himma, wields considerable sway over press affairs, according to journalists who accuse it of being behind numerous instances of press harassment including politicized court cases and smear campaigns against the press in some newspapers. El Himma is a former classmate of the king and one of his most influential advisers. Despite requests, El Himma was not available to meet with CPJ.

Judges have also violated basic fair trial standards. When Judge Mohamed Alaoui barred Jamaï's lawyers from calling key witnesses during last year's trial, he invoked a much-disputed interpretation of the law that said witnesses could testify only if the defense also submitted related documentary evidence. Alaoui was the same judge who sentenced Lmrabet to prison in 2003 and banned him from journalism for 10 years in 2005.

"In an undemocratic country like Morocco, the judiciary is not independent," said prominent human rights lawyer Abderrahim Berrada. "Magistrates lack training and human rights education. The magistrate is like a soldier serving a certain regime. He is one of the tools at the service of the regime in power in any Arab country."

Despite repeated requests, neither Minister of Justice Mohammed Bouzoubaa nor other judicial officials were made available to speak with CPJ's delegation.

Court judgments often reflect the prevailing political atmosphere and the plaintiff's social position, journalists and lawyers said. "When an ordinary citizen files a suit against a newspaper, the fine imposed by the court usually does not exceed 100,000 dirhams (US\$12,000)," said Ali Anouzla, an columnist for *Al-Massae*. "But when this citizen happens to hold a political position, the fine will be far higher."

The difference in the damages ordered against independent and state-backed papers reflects that political reality. Respected Spanish reporter Ignacio Cembrero, who has covered Morocco for the daily *El Pais* for many years, has been attacked by state-backed media due to his critical coverage of Moroccan politics. In 2003 Cembrero brought a libel suit against the pro-regime daily *Aujourd'hui le Maroc* when it accused the journalist of being a Spanish spy. Cembrero believes the charge was triggered by an epilogue he wrote for the Spanish translation of French journalist Jean-Pierre Tuquoi's book about the monarchy, which portrayed Mohammed VI in an unflattering light. Cembrero sued for 150,000 dirhams (US\$18,000) and in May 2003 was awarded damages of 10,000 dirhams (US\$1,200). In April 2004 the damages were quashed on appeal, according to court transcripts reviewed by CPJ. The judge reasoned that Cembrero had attacked Morocco's reputation.

Problems with the courts are compounded by restrictive laws governing the press, primarily the 2002 press code. The law criminalizes any offense to the king, "defaming" the monarchy, insulting Islam, insulting state institutions, threats to public order, and offending Morocco's territorial integrity—code words for the country's claim to the Western Sahara. Maximum penalties are up to five years in jail; the government also has the power to revoke publication licenses, suspend newspapers, and confiscate editions deemed to threaten public order. The vague language of the law provides government prosecutors and judges with a useful tool to punish—and dissuade—critical journalism. "You can violate it every day," the journalist Benchemsi said. "When they want to get you they can say you violated public order."

The new draft press law, touted by government officials as a major step forward, retains most of the current law's sweeping restrictions. Prison penalties remain for many so-called press offenses, although Benabdallah called them "symbolic." The draft also increases fines from a maximum of 100,000 dirhams (US\$12,000) to 1 million dirhams (US\$120,000). Most troubling, the new draft law stipulates the creation of a "national press council" whose 15 members would be appointed by the king, journalists, and publishers. One version of the measure grants the council powers to ban journalists from working in their profession, and to levy economic sanctions against newspaper journalists who violate an as yet to be drawn ethics code. Press syndicate head Moujahid said some provisions are being eased as the draft work proceeds.

Most journalists agree that government restrictions on the press are unpredictable and sometimes dependent on the political context. When he helped launch *Nichane* in 2006, Driss Ksikes had hoped to create a highbrow Arabic weekly that would address politics, culture, and society in Morocco with a critical edge. But just four months after its launch, *Nichane* was off newsstands and Ksikes was out of journalism.

Ksikes' offense was to publish a 10-page article in December 2006 analyzing popular Moroccan jokes about religion, sex, and politics. One of the jokes described a man at the gates of heaven, where God and the Prophet Muhammad were unable to locate his name on a ledger of entrants. After the man becomes frightened, God and Muhammad laugh and remark, "Thank you for participating in 'Candid Camera.'" Another depicted Mohammed VI at the gates of heaven in search of his father, Hassan II, only to be told by God that "I could not have created such a man."

Ten days after the issue hit newsstands, Prime Minister Jettou banned the magazine for offending Islamic sensibilities—although he had no apparent legal authority to do so. A Casablanca court later handed down three-year suspended sentences to Ksikes and reporter Sanaa al-Aji, author of the report, for denigrating Islam, an offense under the Moroccan press code. The journalists were fined a total of 80,000 dirhams (US\$9,000) and an apology was issued by the publisher. According to *Nichane*, state-run television stations 2M and RTM aired provocative news stories about the ban, accusing the magazine of offending Islam and condemning the journalists by name. Within 24 hours of the broadcast, 50 phone and e-mail death threats were made to the magazine, and student demonstrators were burning copies of the publication at Kenitra University in the northwestern city of Kenitra.



The government response was set in motion when an Islamist Web site attacked *Nichane* for publishing "un-Islamic" material. Word of the *Nichane* jokes quickly spread to Kuwait, where the country's political opposition in parliament seized the moment to embarrass Emir Sabah al-Ahmed al-Jaber al-Sabah, who was traveling in Morocco at the time, and criticize him for visiting a country that showed no respect for Islam.

Moroccan officials defended the ban and the suspended prison sentences as a way to outflank the country's powerful Islamist opposition. Jettou called the ban on *Nichane* "one of the toughest decisions I had to make," saying the intent was to take away ammunition from the Islamists. "We decided to cut the grass under the feet of Islamists and we found out at the end that we were right," said Benabdallah, who claimed the government had no problem with the cartoons themselves. "Because the trial is now a thing of the past and *Nichane* is hitting the newsstands again and nobody was jailed, this turned out to be a much smarter attitude on the part of the government. ... Be assured that this is not a setback. This is a political way out."

"It was both a case of the government trying to go after me and also to appease the Islamists," Ksikes told CPJ. "I think they managed really well to strike a balance." Ksikes said he became a marked man a couple of years earlier, when he angered palace officials by publishing an explosive article for *Nichane*'s French language parent weekly, *TelQuel*, about King Mohammed's salary and budget. A palace official approached him afterward and told him he was lucky that his reporting had been meticulously documented.

The slew of court cases against the independent press has sent a strong message to all journalists, and many say papers have tamed their coverage of politics and the palace. “I know everybody has started to do self-censorship, but they won’t say it,” Ksikes said. With a three-year suspended jail sentence hanging over his head, Ksikes decided to quit journalism, vowing not to censor himself.

“There are no guarantees. They have a right to bring a case every week,” said Nouredine Miftah, editor of the independent weekly *Al-Ayyam*, who was sentenced to a four-month suspended jail sentence along with a colleague on a 2006 charge of disturbing public order by publishing “false” articles. *Al-Ayyam* reporter Meriem Moukrim had published a gossipy expose in which the king’s personal doctor revealed details of the private lives of the monarchs he had served. Journalists say *Al-Ayyam*’s editorial line has lost its edge ever since. Miftah did not seem to dispute that assertion. The case forced *Al-Ayyam*, he said, “to take its time and become relatively more cautious and even take refuge in self-censorship particularly before tackling issues considered taboos.”

Others feel the chill. “Surely we became far more cautious, understanding that anything, even the less harmful writings or pictures, could lead us to court trials, and God only would know the outcome,” remarked *TelQuel*’s Benchemsi.

Authorities’ use of advertising to reward and punish is another effective tool. State-owned companies and government agencies often withhold crucial revenue-generating ads from outspoken newspapers, numerous journalists said.

Private firms close to the king and government have also pulled ads from newspapers that have had run-ins with the government. When *Le Journal* was temporarily banned in 2000, the magazine lost 80 percent of its advertising, according to Jamaï. *Al-Ousbouiya Al-Jadida* publisher Abdelaziz Koukas noted that his independent weekly used to earn about 100,000 dirhams (US\$12,000) per month in advertising. But ever since he was charged with insulting the king for running a June 2005 interview with Nadia Yassine, daughter of leading Islamist Abdel Salam Yassine, he has received a total of 250,000 dirhams (US\$30,000) in advertising. Major companies such as Royal Air Maroc, ONA, and Meditel all stopped buying ads, he said.

Advertising disparities between independent and pro-government publications are unmistakable. Pro-regime newspapers like the dailies *Aujourd’hui le Maroc* and *Le Matin* are flush with pages of advertising. “In *Le Matin* there’s not a single page without an ad,” observed Anouzla as he leafed through the paper’s April 2 edition.

If advertising pressure was too subtle, the government resorted to covert harassment in 2006. When *Le Journal* published a special report about controversial cartoons depicting the Prophet Muhammad, it ran an Agence France-Presse photograph showing a reader holding a Paris daily that reproduced the drawings. The actual drawings were barely visible, but to avoid controversy *Le Journal* inked out the cartoon anyway.

It did not work. Within days, police set up an area for protesters outside *Le Journal*’s Casablanca offices. Several minibuses with “J” license plates, which signify they belong to the Casablanca city government, brought about 100 people to demonstrate.

Reporters and photographers at the scene witnessed people they identified as municipal employees giving the crowd placards and Moroccan flags. Photographs of the vehicles and municipal employees were taken by *Le Journal* and several other independent publications, including the Arabic-language dailies *Ahdath Al-Maghribia* and *As-Sabah*.

Municipal employees used loudspeakers to shout slogans against the publications, according to witnesses. Several people in the crowd told journalists that they were brought by the municipal authorities. One woman told *Le Journal* reporters that she had come because she had been told the municipality would reward her—although she had no idea what the protest was about.



Human rights activist Abdelhamid Amine

The following day, demonstrators appeared in front of the magazine's printer in Casablanca. They were again organized by local authorities and transported in municipal vehicles, according to *Le Journal's* published report. The magazine identified several civil servants openly participating in the demonstrations. Protesters interviewed by the magazine and other newspapers said that they had been brought there by the Ministry of the Interior.

State-run television stations 2M and RTM played up the story. The 2M station accused the magazine of "running against public opinion by taking up positions against the sacred values of our country."

Benabdallah, the communications minister, did not answer repeated questions from CPJ about whether the government had organized the demonstrations against *Le Journal*. He did concede without elaboration that state television made a "mistake" in its coverage of *Le Journal*.

Morocco's independent press has both pragmatists who make compromises within the current limits of press freedom and uncompromising idealists who see their mission as pushing the limits no matter the consequences. At the heart of the argument is how much the government and the king should be held to account. "I won't pretend to be as strong as the state," said Benchemsi, a self-described pragmatist whose paper still undertakes critical stories. "You never start a fight before having an idea of the balance of power between the two sides."

Others see a yawning gap between the government's rhetoric and the press' reality. "The authorities keep saying you have a right to express yourself on all issues except the taboos," said Abdelhamid Amine, head of Morocco's independent human rights association. "Why do some journalists say there is progress on freedom of expression? Because they've gotten used to years of self-censorship."

In their own way, government officials invoke that same context. They downplay restrictions by comparing contemporary press conditions with those of Hassan II's repressive regime or to the very poor conditions in the Middle East at large.

Such comparisons, however, are greatly misleading. Despite improvements over conditions in the 1990s, CPJ found that press freedom has regressed notably over the last five years. For all of Morocco's progress, much more needs to be done in a country that describes itself as a constitutional monarchy.

Eight years into King Mohammed's reign, Moroccan leaders need to put words into action to demonstrate their professed commitment to democratization and press freedom. The press law now under revision provides a timely opportunity to do away with measures that allow Morocco to imprison or ban journalists in the same manner as other Arab countries that are said to be so much more repressive. Judicial reform is needed to eliminate politicized prosecutions and dirty tricks. After all, judges who issue verdicts while the defense is out of the courtroom make Morocco's declared support for moderation and the rule of law ring hollow.

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