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research article

## Monarchical Suppression of the Legislature in Morocco post-*Alternance*

—Trevor Mauck (Edited by Skye MacKay)

Morocco is a small North African country, uniquely located on the periphery of the Middle Eastern and European worlds. Influences from the two distinct cultures can be seen throughout Morocco in the country's dress, language, cuisine, and evolving political structure. Before colonization by the French, the area that now constitutes Morocco was ruled by sultanates and dynasties. Since gaining its independence in 1956, Morocco has been ruled by a hereditary monarchy (1).

In 1996 Morocco took an important step toward establishing a democracy: a bicameral legislature was formed and the first opposition government sworn in. This step established a Westminster-based parliamentary system, where the majority party(ies) forms the government and the minority party(ies) forms the opposition. More civil liberties, greater status for women and less religious control resulted from this new government, called the *gouvernement d'alternance*, the government of change. However, questions remained about how much real power the legislature and opposition voices had under the monarchy and about the future of civil reforms.

My interest in these questions was twofold: First, Americans take for granted the complexity of a functioning liberal democracy, so I wanted to look into the challenges that a country like Morocco faces, such as an undefined distinction between church and state and a weak separation between the branches of government. Second, I wanted to study the dynamics

between a legislature and a monarchy, two institutions with seemingly opposing natures. After extensive background research at the University of New Hampshire, I traveled to Morocco in the summer of 2007. Based at Al Akhawayn University in Ifrane (near Fès), I read reports and studies in its Mohammed VI Library, spoke with local Moroccan scholars, and traveled throughout the country to get a sense of how the people feel about the current political structure. One of the greatest barriers to my research was language. In the rural areas many of the people spoke only Arabic, but in the urban areas I could communicate with people in French, the language of government and business.



Morocco and its major cities

## Moving toward Democracy?

The Moroccan constitution, which outlines the country's political structure, was first adopted in 1962 and later ratified in 1970, 1972 and 1992. Each successive rendition of the Constitution reaffirmed the monarchy's preeminence and subordinate roles for the other branches of government (2). Article 1 states that Morocco "shall have a democratic, social and constitutional monarchy." Opponents of the monarchy feel this has not happened and, after the elections of 1993, refused to take part in the government.



*Al Akhawayn University in Ifrane*

In 1996 King Hassan II pushed through referendums amending the Moroccan Constitution to create a second chamber for the country's parliament and to give greater power to the parliamentary members. This move by the king was met with a variety of opinions. Many supporters heralded the referendums as another step in Morocco's emerging democracy; others saw them as a move to appease and weaken the opposition, who had become noticeably stronger and more organized (3). Nevertheless, the changes went through, and in 1997 the opposition parties decided to take part again in parliamentary elections. As a result, the *gouvernement d'alternance* took effect in what was deemed the first experiment in the Arab world in directly electing an opposition party.

Ten years later, however, in the wake of the September 2007 parliamentary elections, the *gouvernement d'alternance* has been unsuccessful in delivering on its commitment to form a liberal democracy, that is, a democracy that demonstrates the rule of law, universal suffrage, regular elections that are free and fair, and vertical and horizontal accountability (4). Instead, the role of the opposition parties in a state dominated by the chief executive (king) has remained ill-defined.

## A Political Structure Designed to Favor the Monarchy

The Moroccan government is headed by a prime minister assisted by a cabinet of ministers, all of whom are appointed by the king independent of election results. The legislative branch is composed of a bicameral Parliament (Articles 36–38). The two chambers of the Parliament are the Assembly of Representatives, whose 325 members are elected through direct universal suffrage for five-year terms; and the Assembly of Councilors, whose 270 members are indirectly elected through two electoral colleges for nine-year terms. Lastly, the independent judicial branch is composed of judges who are appointed by the king upon recommendation from the Higher Judiciary Council (Article 82).

The governmental structure has all the elements of a democracy; however, ultimate power rests with the king alone. The little power the branches of government do have comes from him. The Constitution affords the king power to appoint and remove from office any minister (Article 24), dissolve the Parliament (Article 27), revise the Constitution (Article 103), and rule by royal decree (Article 29). The king, not the government, has control over the ministries of defense, foreign affairs and the interior. He is the country's "most important farmer, biggest banker and most active venture capitalist" (5). In essence, the Constitution establishes a government that acts as an instrument of the royal will.

The Moroccan political structure is similar to other seeming democracies, products of the third-wave of democratization, a movement in the late 1980s inspired by the collapse of the Soviet Union and subsequent international praise for democratic ideas (6). Countries like Morocco started democratization backwards, introducing free elections before establishing formal institutions for a civil society such as the rule of law. From the outside, therefore, Morocco appears democratic, when in reality it is not. In fact, much of the authoritarian structure developed by the late King Hassan II remains in place today. Morocco has been very successful in creating a democratic façade that has allowed them to receive continued support from the West. Despite the notable array of institutions that appear democratic—a bicameral legislature, a multiparty electoral competition and a government composed mainly of opposition party members—“no significant power has devolved outside the regime” (3). For that reason, Morocco has been categorized as a “pseudo-democracy,” a governmental system that combines moderate civil liberties with political authoritarianism (3).

## Depoliticization and Suppression

Article 3 of the Constitution establishes a multi-party system: “[p]olitical parties, unions, district councils and trade chambers shall participate in the organization and representation of the citizens. There shall be no one-party system.” Again, the wording does not guarantee the political parties or the legislative branch any real power. In reality, the regime has actively weakened and repressed opposition through a variety of methods, including banning, imprisonment, threats, torture, and in rare cases, assassination of their leaders.

The monarchy has sought to “swell and fragment” the opposition by creating rivalry and tension within the parties (7). This has resulted in the creation of more parties with similar ideological backgrounds vying for the same power. As of 2007, Morocco had more than forty political parties, twenty-six of which participated in the 2002 elections. Amid the fragmented parties, political discourse tends to focus on trivial issues rather than on demanding accountability from the monarchy and questioning the uneven power distribution (8). This fragmentation creates a political atmosphere that is not conducive to building opposition movements.

In the post-*alternance* era, King Mohammed VI has sought to distract political attention from domestic affairs by citing Morocco’s new commitment to the free trade alliance with Europe. Domestic issues that have previously fueled the opposition such as the stagnant economy, rampant unemployment, widespread poverty, political corruption and human rights abuses have received insufficient attention. Instead, questions regarding domestic issues and political legitimacy have been revamped in purely economic terms. It is as though the monarchy has the entire population convinced that all political problems have economic solutions. Consequently, “parties that might have spearheaded democratic reform have meanwhile diluted their demands and embraced the monarchy’s claim that the country simply needs better economic management” (9).

Morocco has also witnessed a series of passive and assertive forms of political suppression by the monarchy. The first form is designed to lure opposition members into positions supportive of the government by either offering them esteemed, though impotent, positions or handing out material benefits, both designed to moderate or convert outspoken individuals. In this way several senior members of opposition parties have joined the palace. Passive measures also include monarchical encroachment on the base of support of a party or organization. For example, to counter the support of the Islamic community for the Party of Justice and Development (PJD), the regime has invested heavily in the religious sphere as a means of encroachment. The king, as both the religious and political leader of the country, is deeply concerned with maintaining religious as well as political authority. In 2006 fifteen new mosques were constructed by the palace, including the Mohammed VI mosque in the eastern city of Oujda (10). Using the new mosques as instruments of community outreach, the monarchy has sought to ingratiate itself with the Islamic community and thereby undermine the PJD’s political foundation.



The author in the 17th-century palace of King Moulay Ismail in Meknes

Assertive suppression by the palace comes in the form of punishments inflicted on parties, organizations or individuals who are “perceived to be overly critical [of] or even insufficiently cooperative” with the government (8). One example is the monarchy’s exclusion from politics of the group *Al-Adl wa Ihsan* (Justice and Charity). This group’s spiritual founder and leader, Abdeslam Yassine, has openly criticized the political and religious authority of the king. Retribution from the regime was a political ban on him personally and his organization in its entirety.

These two forms of political suppression have had their effect on the people at large. Throughout my travels I encountered individuals who dismissed politics as a process removed from them—a process that was for people other than themselves. The level of apathy is dangerously high, which has further allowed the status quo to remain uncontested. The 2007 parliamentary elections saw the lowest voter turnout in Morocco’s history with only 37% of the electorate participating.

## Arguments in Support of a Weak Opposition

It is important to note that monarchical rationalization for the suppression of opposition parties is not entirely centered on unjustified supremacy. There are two major arguments for why a weak opposition is necessary in Morocco’s political evolution.

The first is based on the fear that unregulated opposition parties may culminate in something resembling the “Algerian crisis” of 1991, where the Islamic Salvation Front Party (FIS) won a democratic majority, capturing 188 of the 430 seats in the first round. Five days before the second round of elections were to take place, the army intervened, cancelled the elections and set up a *de facto* government. This led to armed clashes between the FIS and the High State Committee. From the end of 1991 to 1993 thousands of lives were lost due to this fighting. Morocco has a geographical and ideological proximity to Algeria and fears a similar situation (11).

The second argument is that emerging democracies cannot have an overbearing opposition because such opposition could polarize the populace along socioeconomic lines. This is especially the case when the country needs unity, not competition, to strengthen its nascent democratic foundation. However, neither argument is valid in the case of Morocco.

Possible disastrous consequences of unregulated opposition parties, the first argument, are further supported by fear of political Islam, a threat prevalent in Morocco and the greater Muslim world. Fundamental Islamic movements, it is feared, employ democracy only as a means of achieving power; once in power, the

democratic institutions are systematically dissolved. This creates a political process that has been called “one man, one vote, once” (12). The reality of this problem is not in line with the Moroccan political structure. Unlike neighboring Algeria, Morocco has a relatively mature and well-defined state with an executive who has the power and the ability to maintain order.

The second argument for a weak opposition holds that a multiplicity of parties politicizes existing social cleavages and thus breeds disunity (13). Supporting this argument are examples of single party systems that have responsibly and successfully governed their respective countries. Leaders such as Julius Kambarage Nyerere in Tanzania, Kenneth David Kaunda in Zambia and Felix Houphouët-Boigny in Cote d'Ivoire each maintained a single party system (13). Each man was the first leader in his respective country and set up a one-party system to raise his country from political turmoil.

Although some form of effective government resulted in each case, more relevant is the fact that none of the three countries has yet developed into a functioning liberal democracy nor are they positioned to do so in the foreseeable future. Morocco is not a new nation emerging from chaos; political stability and a strong sense of national unity already exist. What Morocco actually needs to further its democratic evolution is the development of democratic institutions, like strong opposition parties.

## **Civil Society Reforms and the Future**

The current king, Mohammed VI, while retaining political power, has brought about significant reforms in the civil society of his country. He has not followed the despotic tactics of his father's era and has welcomed the return of political antagonists who were previously exiled or silenced. He also recognized and, through the Equity and Reconciliation Commission, sought to compensate victims and their families who had been subjected to an array of human rights violations. In addition, the young king established Morocco as a leader in the Arab world in terms of gender equality by liberalizing Moroccan family law (*Moudawana*), thereby granting women previously unknown rights and freedoms. In 2005, the monarchy set up an independent organization to investigate and combat corruption. Most notable among the resulting reforms was the expeditious removal of Driss Basri, who, during his twenty years as Interior Minister, became the poster-child of anti-democracy and repression within the regime through his ruthless tactics of election rigging and regime-loyalist favoritism (9).

Under the new king there has been a relaxation of political and civil control. There is now greater tolerance of dissent and more room for political organizations to operate. This has led to the creation of many organizations and associations that were previously banned such as human rights groups, women's associations, cultural movements, and youth groups. These organizations have not yet reached maturity, so their potential to effect change is still unknown. Yet their future will undoubtedly shape the direction of the country and perhaps present a real challenge to the king's monopoly on power.

During my time in Morocco the liberalization of civil society was clearly on display. The Morocco that I read about under King Hassan II was wholly distinct from the Morocco that I witnessed in my travels, particularly in the new roles for women. Many of the urban centers could be mistaken for European cities, where women are free to act and dress as they wish. The most recent elections (2007) saw more women elected to the federal legislature than ever before. More women are entering the job market and attending universities. At Al Akhawayn University, just over 50% of the enrollment was female (14). All of these advancements are promising, and they will, it is hoped, continue to influence the direction of the country.

Morocco, however, remains a monarchical state with much of the authoritarian apparatus set up under King Hassan II still in place. The original optimism surrounding the *gouvernement d'alternance* has largely dissipated, and many of its promises have gone unfulfilled. What remains is a compromised federal legislature that presents little opposition to the monarchy. Nevertheless, the civil reforms of the last ten years can potentially provide the basis for a legitimate democratic transformation. Despite the king's commitment to a weak legislative body, it is possible that he may be contested by the political associations and organizations that have arisen in the now more open civil society.

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## ***Author Bio***

*Trevor Mauck, a dual major in political science and philosophy from Deerfield, New Hampshire, has always been interested in current international affairs, especially the power structures of different forms of government. A course on world politics taught by Professor Sowers piqued his interests in the Islamic world and democracy. Trevor proposed his research idea to Professor Sowers and eventually received a Summer Undergraduate Research Fellowship Abroad to travel to Morocco, where he conducted the bulk of his research. While in Morocco, Trevor faced cultural barriers as well as the discovery that the democracy he intended to study was actually not present. After graduation in May, 2008, Trevor intends to pursue a law degree.*

## ***Mentor Bios***

*Dr. Jeannie Sowers, an assistant professor in the Department of Political Science, has been teaching for two years at the University of New Hampshire. There is no question as to why she mentored Trevor for his research, since her areas of specialization are Middle Eastern, comparative, and environmental politics. Although Dr. Sowers has advised students doing theses and independent studies, this was her first experience as mentor to an undergraduate researcher abroad. She found her involvement in Trevor's research rewarding on multiple levels. She especially appreciated watching Trevor change his research topic in response to the unexpected, complex politics he encountered in Morocco. "One great thing about working with such talented students," Dr. Sowers said, "is that I also learn new things as well!"*

*Dr. Audra K. Grant has been an associate professor in the Department of Humanities and Social Sciences at Al Akhawayn University, Morocco, for one and a half years. Her areas of research and teaching are democratization in North Africa, political Islam, and survey research in the Middle East. Dr. Grant became involved in Trevor's research project when Professor Sowers recommended her as a foreign mentor. Dr. Grant praised Trevor's enthusiasm towards and commitment to his research. She was so impressed by Trevor's intensity, focus, motivation, and general high quality of work that she commented, "Trevor and the undergraduate research program at the University of New Hampshire are models for the small Moroccan university I am affiliated with."*