

FROM ONE CHAMBER TO TWO: THE CASE OF MOROCCO

By James P. Ketterer, Director, International Development Group, State University of New York.

E-mail: ketterji@spo.rf.suny.edu

This appeared in the *Journal of Legislative Studies*, Spring 2001, vol. 7, no. 1, pp.135-150.

In the mid-1990s, Morocco shifted from a unicameral to bicameral parliament, thereby highlighting the role of the parliament in the nation's self-declared democratization project. While many scholars of Morocco have examined the political process surrounding the constitutional ratification of this new institution, little attention has been paid to the institutional implications of the cameral shift. In legislative studies, there has been a resurgence of interest in bicameralism, but little attention has been paid to bicameralism as it relates to ongoing democratization processes. Accordingly, this article see to fill the void in both Moroccan and legislative studies, focusing on the role that Morocco's bicameral parliament plays in ending a zero-sum game between the opposition and center-right forces; creating enough political space for an opposition-led government to take power; strengthening the multi-party system; expanding representation; and, reassuring ambivalent parties that the democratization process will not unduly threaten their interests. All of these elements support Morocco's incremental democratization effort and add to our understanding of bicameralism as a component of such an effort.

INTRODUCTION

Despite years of scholarly neglect of the role of legislatures in the developing world, it is now well understood that an effective and representative legislature is critical to the long-term success of any democratization process. Among other things, a state in transition to a pluralistic democratic system must develop a legislature that is active in discharging its various constitutional powers and representative functions without causing an impasse with the executive (which often gives cause for the executive or military to hijack the democratization process).¹ To do so, the legislature must provide the incentive for a wide range of political groups to participate constructively in the policymaking process. At the

same time, however, the legislature must ensure that minorities are represented and their rights protected, and that elite interests are represented to the extent that they do not seek a patron outside of the democratic system (often the military) – which can quickly destabilize a state. In short, the legislature in a state in transition must strike a difficult balance between simultaneously offering mass representation and maintaining stability through elite and minority interests. As the case of Morocco demonstrates, a bicameral legislature can provide structure for this balance.

The Moroccan electorate in 1996 ratified a new constitution that, among other things, replaced a unicameral parliament with a bicameral body. Although the 1996 Constitution generated considerable scholarly interest, little attention has focused on bicameral aspect of the new parliament and its intended effect on the political dynamics of Morocco. This cameral change, however, represents an important step for the Moroccan political system in both the structuring of a key governmental institution, allowing for an opposition-led coalition to form a government, thereby strengthening Morocco's political party system. As we shall examine, these changes in the Moroccan political system were made possible through the shift from unicameralism to bicameralism.

In short, Moroccan citizens directly elect members to the lower house of the new parliament. At the same time, members of the upper house are elected via regional assemblies and professional organizations. The upper house ensures that the parliament will represent local and elite interests and also control the power to dissolve the

government. At best, this new parliament can serve to strike a balance between increased representation and protection of interests. At worst, as some claim, it can maintain an authoritarian system with democratic window-dressing. Clearly, however, Morocco's new bicameral parliament specifically seeks to address two key items neglected by previous unicameral parliaments: representation and stability.

This article seeks to contribute to the democratization and legislative studies literature by offering a critical analysis of Morocco's new bicameral legislature and its role in Morocco's self-declared democratization process. Specifically, the article examines the ways in which Morocco's previous experiments with parliaments left many political forces outside of the political process. This left the Moroccan system unable to catalyze its democratization process because of the persistence of weak political parties, low levels of participation, and the resistance of entrenched forces seeking to maintain their interests. The article does not attempt to address the nature of bicameral legislatures vis-à-vis legislative efficiency or internal legislative processes.

Rather than a comparative study examining various cases of unicameral to bicameral shifts as part of a democratization program, this article employs the plausibility probe approach and analyzes the single case of Morocco. This is an initial test of a hypothesis that can be used to determine if more cases should be examined and different methodologies employed at a later date.² Morocco was chosen as a single case for theoretical purposes as it represents the only example of a cameral shift in the midst of a democratization

process. While other states are contemplating such a cameral shift, including Zambia's proposed House of Chiefs and Zimbabwe's upper house that was rejected in the most recent constitutional referendum, these cases are not yet at a comparable stage. The creation of the Polish Senate and other examples in Eastern Europe are perhaps the closest examples, but they came about as part of a regime change and the end of Soviet domination.³ Morocco, on the other hand, is a case of institutional re-design with no regime change – an attempt to design a legislative institution to cushion the regime from the inevitable shocks of the democratization process. In that regard, then, it is quite different from the Polish case. The comparative element of this study is between Morocco's 1992 and 1996 Constitutions and their respective unicameral and bicameral parliaments.

WHY BICAMERALISM?

Bicameralism...originated in the essentially pre-democratic view that the representation of the nation required both an upper and lower house, in the class-conscious sense of 'upper' and 'lower'.⁴

The above quote crystallizes much of the general thought on bicameralism, specifically the notion that upper houses tend to be a relic of a pre-democratic era. How, then, does Morocco's bicameral experiment fit into the historical context and evolution of bicameral legislatures? And, more importantly, how does a shift from unicameralism to bicameralism fit into the context of a process of political liberalization?

Most changes in the number of legislative chambers are from two to one. Yet some states have shifted from unicameral to bicameral legislatures (Poland, China, Hungary, the USSR), while Canada has examined ways to empower its relatively impotent Senate.⁵ As noted above, some maintain that ‘[i]n Western democracies, bicameralism is most often the inheritance of a predemocratic past. Either a second chamber is, like the British House of Lords, derived from earlier aristocratic or other non-democratic origins, or it is a compromise invention like the American Senate, designed to protect specific values other than specified democratic ones, such as federalism.’⁶ Neither is the case in Morocco. Why then, in the name of democratization, would Morocco buck the modern trend toward unicameralism?

Tsebelis and Money note that ‘[b]icameral institutions have been used to maintain the status quo, to amalgamate the preferences of different constituencies, and to improve legislation, and have been justified in all of these terms.’⁷ The majority of scholarly works on bicameralism focus upon the effect of two chambers on the law-making process and various intra-parliamentary institutions (committees, for example). In states in transition, bicameral legislatures seek to touch upon each of these roles. More immediately, however, bicameral legislatures can serve the institutional role of bringing diverse constituencies into the democratization process while at the same time maintaining state stability; this role of bicameralism has not been fully developed in either the legislative studies or democratization literature.

The role of bicameralism in democratic transitions is not limited to the most recent wave of democratization following the Cold War. It is well grounded in the evolution of legislative institutions. Tsebelis and Money detail the intellectual evolution of bicameralism, noting that the ancient Greeks elaborated the virtues of mixed government over simple government:

Simple government encompassed the interests of only one social class – the one (monarchy), the few (aristocracy), or the many (republic) – while the mixed government included representatives of two or three of these constituent interests. According to this line of reasoning, the various interests serve to balance each other, to prevent the degeneration of the political system into either tyranny or anarchy (emphasis added).⁸

Aristotle and Plato spoke about the need to achieve a balance of power through representation of different social classes and argued that the downfall of both oligarchies and democracies is caused by a failure to combine corresponding components. Tsebelis and Money note that this balance of power is achieved specifically through ‘multiple interest representation,’ in which ‘[n]o single element in society is able to employ the instruments of government to exploit the remainder of society, thereby avoiding the explosion of discontent and the ultimate overthrow of the political order.’⁹ Indeed, one of the key modern justifications for bicameralism is the ability of two chambers to represent class or other interests that would otherwise be left out of the political arena. In this case, the development of the British House of Lords and the emergence of the House of Commons serve as classic examples. In addition, early American colonial legislatures and the post-Revolutionary War Congress also split into two landed interests (the Senate) and populist concerns (the House).

Another argument that supports the notion that bicameralism is beneficial rests on the notion that two chambers allow for the ‘simultaneous representation of aggregate national views as well as the special outlook of geographical components such as regions or states.’¹⁰ In this case, bicameralism is a function of federalism. While Morocco could not be classified as having a strong federalist structure, there has been an increasing emphasis on the regional level of government and that is clearly reflected in the composition of the new upper house. Bicameralism is also often justified as an institutional ‘check on each other’s actions’ and mechanism for avoiding ‘legislative excess and ill-conceived or hasty decisions.’¹¹ Here again, the importance placed on stability in the Moroccan system and the preference for a gradualist approach to democratization fit well with this justification of bicameralism. In addition, but related to the previous justification, bicameralism is argued to offer a diversity of ‘legislative outlook and response.’¹² As we shall discuss below in greater detail, the Moroccan monarchy and other political actors have used these justifications for bicameralism, in one form or another, to address perceived inadequacies in the unicameral parliament’s role in the democratization process.

THE STAGNATION OF MOROCCAN POLITICS: SEEKING A WAY OUT

In the late 1980s and early 1990s, Morocco appeared to be making serious attempts to open its political system. These openings, however, were limited. The previous unicameral parliaments offered limited mechanisms for the representation of mass interests since those parliaments were dominated by indirectly elected political actors aligned with the monarchy. In addition, because the unicameral parliament was either seen as making

hasty and provocative decisions (thereby incurring the monarchy's wrath), or making no decision at all (thereby appearing to be entirely co-opted by the monarchy), the previous unicameral parliament did not engender popular support. Let us examine this stagnation of Morocco's democratization efforts in more detail.

While Morocco appears at first glance to have a relatively thriving political system, and the formal opposition seems to have made strides in the last decade compared to the rest of the Arab world, it is clear that Morocco has had substantial difficulties in finding mechanisms to represent large components of the population. This is no small problem: as institutions have failed to bring diverse components of Moroccan society into the democratization process, more and more of the poor and working class are attracted to criminal networks and informal opposition groups related to those networks. Islamist groups also attract a wide array of adherents; many of them discontented by limited opportunities for economic advancement or political participation. These various groups pose a clear threat to the monarchy and seek to undermine not only the democratization process, but also the very sovereignty of the state. Unlike many Arab states, political parties have long been seen as the primary answer to problems of representation in Morocco, and Morocco boasts a multiparty system. As we shall see, however, parties without corresponding institutions failed to offer avenues of representation for a wide array of interests in Morocco. By the 1990s, this was creating problems for the parties and the monarchy itself.

In the 1950's, much attention was given to the development of political parties in the Middle East, and political scientists saw the parties as important components of broader political development. These hopes were based on the Western experience, in which parties had supported polities as they organized citizens, helped them formulate their demands and gave an order to elections and the making of public policy. Those hopes have been largely unmet in the Middle East and North Africa; Morocco is no exception. Morocco's opposition parties have long been seen as ineffective agents of political change. While there are many parties in Morocco, they have rarely truly contested elections, sought to represent large constituencies, or challenged the monarchy. Many see the parties in Morocco as suffering from narrow bases of support, unclear platforms and vulnerability to manipulation from the palace. The result is a weak political party system and a polity in which decisions regarding reform emanate nearly exclusively from the palace. Unless Morocco can peacefully generate politically representative institutions, the democratization process will likely remain in the hands of predatory rulers whose commitment to the process is tenuous, or fall prey to violent opponents of the state.

Participation in and the structuring of a representative parliament are an important link between civil and political society - in cases in which the parties are credible and viable. Civil society, as conceptualized so often in recent works, does not alone supply the answers for a sustained transition to democracy. It is only when the social and political forces of a polity are institutionalized that a consolidation can have a real chance of developing. The development of a sustainable democracy is difficult without the

emergence of political society as an arena in which the system specifically arranges itself for political contestation in order to gain control over public power and the state apparatus. As Stepan notes:

A full democratic transition must involve political society, and the composition and consolidation of a democratic polity must entail serious thought and action about those core institutions of a democratic political society – political parties, elections, electoral rules, political leadership, intra party alliances, and legislatures - through which civil society can constitute itself politically to select and monitor democratic government.¹³

In addition, Robert Fatton says: “...unless civil society can generate - especially from ‘below’ - an effective political society, extrication from dictatorial rule can easily degenerate into a ‘sham democracy,’ or a new dictatorship. Should subordinate classes fail to create their own political organizations, the balance of power will inevitably favor predatory rulers and middle-sectors whose commitment to democracy is always ambiguous and tenuous.”¹⁴ A lower house of parliament often serves this role for the subordinate classes.

The creation of institutions capable of representing the interests of the subordinate classes clearly is a requirement for the establishment of a balance of power of societal forces from which democracy can emerge. Africa, for instance, in this age of democratization has given birth to social movements rather than institutions, and the political groupings that have crystallized have tended to be based on clientistic, ethnic and personalistic criteria.¹⁵ The representation of the subordinate classes alone, however, will leave other critical elements out of the process – with possibly destabilizing consequences. Politics, and the

political institutions of state, must be seen viable and credible means by which multiple interests are represented.

Although attitudinal surveys in Morocco indicate a reasonably high degree of political knowledge, the statement that ‘no man with a brain in his head gets involved in politics in Morocco’ has long epitomized formal political participation in Morocco.¹⁶ In the 1980s, Eickelman noted that there is a ‘silent majority’ in Morocco ‘who do not actively participate in formal politics.’¹⁷ The parties, too, have been seen as moribund.

Twenty-five years ago, John Waterbury deemed Moroccan political parties to be nothing more than ‘open-ended receptacles devoid of ideological content.’¹⁸ With the opposition parties venting their frustration and in obvious disarray following the 1993 elections, it was clear that if democratization were to continue, then the structure and opportunity for representation in Morocco would have to change. What is less acknowledged, however, is that the stability of the monarchy itself is predicated on maintaining the legitimacy of all of Morocco’s recognized parties – and finding a place for them within government.

Formal Moroccan political parties have long been a key to the monarchy’s continued rule, as he simultaneously perpetuates their existence and fragments them. King Hassan II skillfully long played off ten major political parties against one another as they competed for patronage and power, and manipulates rivalries between them and the military.

Because of this fragmentation and manipulation, the parties under Hassan were not successful at attracting a wide base of support. Consequently, party activity was confined

to a small minority of the populace. In addition, parties were more susceptible to internal squabbling, personal rivalries, and poorly articulated platforms. While these weaknesses have prohibited the parties from mounting any credible position to the monarchy's rule, the monarchy does not want to weaken them to the point that they disappear. The parties play an important role in deflecting criticism of the monarchy's policies and in drawing away support for more radical elements and the military. In addition, active and viable parties are required to more fully legitimize the parliament as a credible democratic institution. Since the parties are often perceived as having been thoroughly co-opted and manipulated by the monarchy, using them to develop the legitimacy of the parliament is a difficult task. And, because the parliament does not appear to be legitimate, the parties running for seats in the parliament seem all the more to be lackeys of the monarchy. This process simultaneously eats away at the legitimacy and appeal of both the political parties and the parliament. Without creating a parliament in which all the major parties could aspire to leadership and parties capable of leadership, it was becoming clear in the early 1990s that King Hassan's strategy of multi-party rule would falter.

The bicameral experiment of the mid-1990s sought to break that cycle of political delegitimization by creating a political institution (the lower house) that could be openly contested in free elections and even ruled by the opposition. This would potentially bolster the image of the parliament and the viability of the political party system in Morocco.

MOROCCO'S PARLIAMENTS IN HISTORICAL CONTEXT

Upon achieving independence in 1956, Morocco established a constitutional monarchy with the king as head of state. Several parties were inherited from the independence movement, so a version of a multiparty system was included in the new state. As we shall examine, however, the credibility and viability of this multi-party system has been tenuous at times. In 1962, King Hassan II drafted a constitution, and a national referendum approved it overwhelmingly. The constitution gave extensive powers to the King and established a unicameral parliamentary system based on competitive elections. The first national elections were held in May 1963. The opposition did well in the elections, but the King had many opposition deputies arrested on accusations of electoral fraud, and in November 1963 the Supreme Court annulled many other races won by opposition members. Replacement elections were held in January 1964, giving the pro-Monarchy coalition (the Front for the Defense of Constitutional Institutions) control of the Parliament. The parliament was meant to legitimize the monarchy, but not to threaten it in any way. The strong showing by the opposition in the parliamentary elections threatened a king who saw himself as synonymous with the state, and he was therefore unwilling to place himself in competition with another state institution.

The next two years saw extensive social and political unrest in Morocco, and riots in March 1965 lead the King to suspend Parliament, ban all party activity, and appoint a new government with himself as Prime Minister. He thus assumed both legislative and executive power. For the next five years, Morocco remained without a parliament. In

July 1970, the King and his advisers prepared a new constitution and it was approved by another national referendum. A second round of parliamentary elections followed in August of that year, and a boycott by a coalition of opposition parties allowed pro-Monarchy candidates to win 220 of 240 seats. Many saw these elections as rigged in favor of the pro-monarchy parties, and the opposition boycott merely ensured their victory.¹⁹ This time, instead of arresting the opposition, the King apparently guaranteed that the parliament would pose no threat by guaranteeing the election results. Following attempted military coups against him in 1971 and 1972, the King submitted yet another constitution for a popular referendum in 1972. This time, it gave additional powers to the parliament and provided for regular elections every six years. Two-thirds of the deputies were to be directly elected and one-third selected by an electoral college of local officials.

Legislative elections that had been postponed twice due to the conflict in the Western Sahara were eventually held in 1984. Deeb maintains that these elections were ‘more representative than the previous elections and relatively free of manipulation.’²⁰ Nine political parties and two trade unions participated, with 1,366 candidates competing for the 199 seats elected by direct vote. (Note that the party participation increased dramatically when the powers of the parliament were increased.) Five seats were reserved for candidates representing the 450,000 Moroccans living abroad. The opposition, however, won relatively few seats in the new, larger parliament of 306 deputies.

In 1992 the major opposition parties formed the National Front (al-Koutla) to contest government policies and demand electoral reforms, guarantees for fair elections, lowering the minimum age for voting, and greater powers for the legislature. In response, the King proposed amendments to the constitution to meet some of these demands. The 1992 constitution made changes in key areas for more accountable government. It empowers the Prime Minister to select his or her own ministers and places the cabinet under the Prime Minister's authority. Previously, the King both chose and ruled the cabinet directly. In addition, the Parliament's oversight power over the cabinet was enhanced, and the Prime Minister and cabinet were held increasingly accountable for policy decisions.²¹

The parliament's powers also increased in other areas:

- Unlike all the previous constitutions, a royal decree of a state of emergency does not automatically dissolve the parliament (although the King did still retain the power to dismiss the Parliament in this constitution);
- The King must act on bills passed by the Parliament within 30 days after they have been forwarded to him. Previously, the King could avoid acting on a bill indefinitely, thereby entirely ignoring the will of the Parliament;
- The 1992 constitution empowered the parliament to create investigative commissions, thereby enhancing parliamentary oversight;
- Under this constitution, Ministers were mandated to respond to MPs' questions raised during official question period within twenty days. Previously, Ministers often ignored questions raised in the Parliament;
- The 1992 constitution requires that Parliament endorse a new cabinet and the program submitted by the government. If the vote on the government's program is negative, the entire cabinet must resign.

Denoeux and Maghraoui note that these changes were an attempt by the monarchy to respond to the political aspirations of the urban middle classes. These classes in Morocco were not well integrated into the channels of the monarchy and are more likely to press

their interests through formal organizations and institutions such as political parties, interest groups, NGOs, syndicates, trade unions and Parliament.²²

Despite these areas of legislative empowerment, the King retained considerable legislative authority. For example, the Parliament's area of legislation is limited to certain areas, while the King can legislate in any area. Article 27 of the 1992 Constitution also allowed the King to dissolve the Parliament by decree, and the King could set and change the date of parliamentary elections. While the 1992 Constitution substantially enhanced the powers of the Moroccan Parliament, the King still clearly reserved his prerogatives:

Islam forbids me from implementing a constitutional monarchy in which I, the King, delegate all my powers and reign without governing...I can delegate power, but I do not have the right, on my own initiative, to abstain from my prerogatives, because they are also spiritual.²³

Many opposition activists saw this statement as evidence that King Hassan II had absolutely no inclination toward creating a parliament with independent powers. In the context of past Moroccan parliamentary experiments, however, it is far more likely that the King was merely confirming his position as Amir al-Mu'minin (Commander of the Faithful). But this statement sends a message to both his supporters and the opposition alike that he will not allow any radical programs to threaten the stability of the state or the interests of his supporters. What is problematic in all of this, however, is that it undermines the credibility of the opposition and leaves them no political space or institution in which to operate.

Elections were held in June 1993, the fairest and most representative in Morocco since independence. The parliament of 1993 had 333 deputies, 222 of whom were elected by popular vote, and 111 of whom were indirectly elected by electoral colleges of local officials. Twelve parties and two trade unions participated. The ballot system for the parliament caused vociferous protest by the opposition parties, as a high number of the indirectly elected seats went to pro-government parties (79%), while the pro-government forces could only garner 54% in the direct elections. The King, who had said many times that he wanted to provide a mechanism for *alternance* in the political system offered the opposition the opportunity to form a government, but refused to grant them the portfolios of the Interior, Foreign Relations, Justice or Finance ministries. The opposition balked at this proposal. While seeking to find a way to put the opposition into leadership positions, the King was also seeking to maintain the support of those elite forces in control of those key ministries. In addition, he was seeking to prevent those powerful political forces that might feel threatened by the democratization process from abandoning or hijacking the process altogether and searching for other, non-democratic patrons to protect their interests (remember, King Hassan II survived at least two coup attempts carried out by elements of his own military).

THE 1996 CONSTITUTION

By 1996, a familiar pattern was in place in Morocco: For thirty-five years, King Hassan had periodically used popular referenda to support new formulae for ruling, and the precise powers and size of the parliament were adjusted to both meet the demands for greater openness and maintain the stability of the state. It is in the context of this formula

– and to address those previous parliamentary experiments that had not succeeded - that Morocco’s new bicameral parliament was created.

The most significant aspect of the 1996 constitution is its establishment of a directly elected lower chamber, the 325-member Chamber of Representatives (Majlis an-Nawab). An upper Chamber of Councilors (Majlis al-Mustachareen) of 270 members is appointed by local councils, professional organizations and labor syndicates. White notes, that ‘[i]n contrast to the previous system, the new bicameral system should have less of a structural bias in favor of the palace than the unicameral Majlis.’²⁴

The constitution creating the new parliament was drafted between 1994 and 1996, with the assistance of three French constitutional scholars - Georges Vedel, Yves Gaudemet, and Michel Rousset.²⁵ The constitution provides that the lower house be elected for five-year terms by direct suffrage, and the upper house be elected for nine years with one-third of the chamber up for reelection every third year. The upper house is additionally complex because three-fifths of its members are elected by a regional electoral college consisting of local bodies known as *collectivites locales*. The remaining two-fifths are chosen by electoral colleges composed of representatives from professional associations. This arrangement is part of a larger government initiative to decentralize state functions to local authorities. White notes that King Hassan has, at times, invoked the German model in his vision of Morocco’s ‘need to move to a more federal system.’²⁶

Both chambers can initiate laws and propose amendments. Moreover, both chambers must examine a law successively so that it can be adopted in identical terms. Article 50 of the Constitution, however, accords preeminence to the lower house. That chamber possesses greater powers with regard to the composition of the ministerial cabinet, and it alone can vote after the cabinet submits a program. Like Italy and South Africa, Morocco is the third country in the world to give its upper house the power to censure the government (Article 70).

The ability of the upper house to act as a check on the lower house allows the lower house to be more fully representative while it defends the interests of those threatened by a rapid democratization process. In addition, the creation of two houses allows the King to continue to open up the political system within the context of the lower house, defend his own interests in the upper house, and remove himself as a direct political actor. In essence, the upper house is designed to represent a different constituency than the lower house in an attempt to keep as many political actors within the scope of formal politics as possible, thereby bolstering the democratization process. As we shall discuss below, such manipulations in the past were having a cumulative negative effect on the legitimacy of both the monarchy and the array of Moroccan political parties.

The creation of a new bicameral parliament, according to White, was the result of several forces at work, with a particular emphasis on the frustration of the opposition following the 1993 elections.²⁷ The King was faced with the difficulty of finding a way to revive the

interest in Morocco's political parties, which had been manipulated and co-opted so often since independence that they had become merely empty vessels for legitimate political opposition. As one observer noted, 'time may be running out for the parties.'²⁸ Without viable political parties, Morocco would be in danger of having opposition sentiments channeled into areas that would be destabilizing to the state: Some Islamist groups (contrary to standard Western opinion, not every Islamist group seeks to overthrow the state), criminal networks and other radical organizations. In addition, Morocco has been under considerable pressure from Western financial donors and the European Union (which the King is negotiating with for association status) to show real progress in the area of democratization. We will now examine the political context in which Morocco's new parliament was created, and those factors leading to its being structured as a bicameral parliament. More specifically, we will examine how the creation of the new parliament addressed two key areas in Morocco's democratization process: 1) bolstering the viability of political parties through *alternance* and, 2) offering a semblance of political protection of interests to those elites, minorities and others perceiving that the democratization process threatens their interests.

A HOUSE OF THEIR OWN

The constitutional amendment of 1996 and the elections of 1997 were supported by a considerable majority of the major political forces in Morocco, including the main opposition parties that had so strongly protested the 1993 elections. The fact that the opposition USFP (Socialist) party participated, along with the old-guard Istiqlal (the old Independence Party), indicates that those forces on the left were supportive of the new

parliament as a function of the democratization of Moroccan political life. The tenor of politics in Morocco changed substantially between the 1993 and 1997 elections. For example, ‘Abd al-Rahman Yusufi, the leader of the socialist USFP who had fled after the 1993 elections, returned to active political life, ran for office, and is now the Prime Minister. The control of the lower house by the USFP-led coalition finally allowed the opposition to take control of many of the key ministries and bring to fruition the King’s plan for robust political parties alternating power.

At the same time, the strong showing of the rightist parties in the local councils and their domination of the upper house indicates that entrenched elites have not abandoned the democratization project as they do not see their interests wholly vulnerable to a perceived tyranny of the majority as represented by the lower house. Business interests also voiced their support for the new parliament through the General Confederation of Moroccan Businesses. Those forces that dominated the 1993 parliament now control the upper house and serve as a check on the directly elected lower house. The zero-sum game of the 1993 unicameral parliament has become a power-sharing arrangement made possible by the new bicameral arrangement. This is illustrated in the 1993 and 1997 election results below:

Chamber of Representatives: seats won in the general election, 25 June 1993 (17 September for the third of representatives elected by indirect vote)	
Party	Seats
Union socialiste des Forces Populaires	56
Union Constitutionnelle	54
Istiqlal party	52
Mouvement Populaire	51
Rassemblement National des Indépendants	41
Mouvement National Populaire	25

Parti National Démocrate	24
Parti du Progrès et du Socialisme	10
Parti Démocratique pour l'Indépendance	9
Union Marocaine du Travail	3
Organisation de l'Action Démocratique et Populaire	2
Parti de l'Action	2
Independents	2
Total	333

Parliamentary Elections, 1997					
		Majlis al-Nuwab		Majlis al-Mustasharin	
		Seats	Share	Seats	Share
Bloc Démocratique (al-Kutla)					
Union Socialiste des Forces Populaires	USFP	57	18%	16	6%
Istiqlal/Parti d'Independence	PI	32	10%	21	8%
Parti du Renouveau et du Progrès	PRP	9	3%	7	3%
Organisation de l'Action pour Démocratie et Peuple	OADP	4	1%	0	0%
Sub-total (al-Kutla)		102	31%	44	16%
Entente Nationale (al-Wifaq)					
Mouvement Populaire	MP	40	12%	27	10%
Union Constitutionnelle	UC	50	15%	28	10%
Parti National-Démocrate	PND	10	3%	21	8%
Sub-total (al-Wifaq)		100	31%	76	28%
Centre					
Rassemblement National des Indépendents	RNI	46	14%	42	16%
Mouvement Démocratique et Social	MDS	32	10%	33	12%
Mouvement Nationale Populaire	MNP	19	6%	15	6%
Mouvement Populaire Constitutionnel et Démocratique	MPC D	9	3%	0	0%
Sub-total Centre		106	33%	90	33%
Other					
Front des Forces Démocratiques	FFD	9	3%	12	4%
Parti Social et Démocratique	PSD	5	2%	4	1%
Parti de l'Action	PA	2	1%	13	5%
Parti Démocratique pour l'Independence	PDI	1	0%	4	1%
Trade unionists	-	0	0%	27	10%
Sub-total other		17	5%	60	22%
GRAND TOTAL		325		270	

Source: Compiled from Moroccan Government Sources

There were also significant gains in the effort to bring previously disenfranchised groups into the political process through the parliament. Unlike 1993, for example, the new parliament brought political forces into the game that had been entirely excluded previously; Islamists, for example, won ten seats. Nevertheless, formidable political forces remain outside the sphere of Moroccan political institutions. One of the key Islamist groups, for example, has not been brought into the mainstream of Moroccan politics with the new parliament. Al-‘Adl wa al’Ihsan (Justice and Charity), led by ‘Abd al-Salam Yasin, was not allowed to publicly state its position of the new constitution. Yasin remains under house arrest and my research in Northern Morocco indicates that his many followers among the urban poor are not at all supportive of the political process. Drawing upon the same reservoir of supporters, many of those in Morocco involved in vast networks of smuggling and drug trafficking place their loyalty with drug barons with extreme anti-state positions (except to the extent that they can corrupt or coerce the state for their benefit). These exclusion of these two groups does not spell disaster for the Moroccan political system, but it is important to note that the new parliament is not a panacea for participation and stability. Each of these forces has substantial potential for creating instability and their sheer numbers of anti-state followers represent an obstacle to increased participation in electoral politics.

The ability of the monarchy, however, to both maintain the stability of the system and continue to open it up to previously excluded forces is a testament, in part, to the new bicameral parliament. The wide support for the referendum process, the heavy participation in the 1997 legislative elections, the formation of an opposition government, and the control of the upper house by pro-monarchy forces all bode well for Morocco's new bicameral parliament as a function of the democratization process. With each house having nearly equal powers and controlled by competing forces, the bicameral system enhances "the king's position as the ultimate referee."²⁹ This allows the monarch to deflect the rough-and-tumble aspects of politics and avoid the sort of electoral and institutional manipulations that underscored much of Moroccan politics in the past.³⁰

Only time will tell if the forces left out of the new game, or those entrenched anti-democratic forces, will have the desire and/or the wherewithal to upend this component of Morocco's democratization process. But with many of the major political forces brought into the realm of legitimate politics, it is clear that King Hassan II, who died in 1999, created a potentially key institution when the bicameral parliament was ratified. It is now left to Hassan's successor, King Muhammad VI, to build upon that initial work. If the Moroccan system is to continue its incremental democratization program – and it has been one of the most successful thus far in the Arab world – the parliament will have to move beyond merely representing a wide array of constituencies. Now that the long-time opposition has been leading the government for over three years, there is concern and frustration that they have been unable to deliver any substantive programs dealing with

Morocco's profound social and economic problems. The next stage of Morocco's democratization program will require, then, a parliament with the political will and the institutional capacity to more effectively carry out the lawmaking and oversight roles required of a democratic parliament. In the meantime, however, the seemingly anti-democratic concept of bicameralism has furthered Morocco's incremental democratization.

¹ A. Baaklini, "Legislative Structure and Constitutional Viability in Societies Undergoing Democratic Transition", in A. I. Baaklini and H. Desfosses (eds.), *Designs for Democratic Stability: Studies in Viable Constitutionalism*, (Armonk, NY: M.E. Sharpe, 1997), p. 127.

² H. Eckstein, "Case Study and Theory in Political Science" in F.I. Grenstein and N.W. Polsby, eds., *Handbook of Political Science* (Reading, MA: Addison-Wesley, 1975), pp. 108-113. See also B. Seaver, "The regional Sources of Power-Sharing Failure: The Case of Lebanon" *Political Science Quarterly*, Vol. 15, No.2, Summer 2000, pp. 247-271.

³ See D. Olson, "From Electoral Symbol to Legislative Puzzle: The Polish Senat" in *Senates: Bicameralism in the Contemporary World*, S. Patterson and A. Mughan, eds., (Columbus, OH: Ohio University Press, 1999), pp. 301-332.

⁴ G. Loewenberg and S. Patterson, *Comparing Legislatures*, (Boston: Little, Brown, 1979), p. 121.

⁵ D. Olson and L. Longley, "Conclusions: Cameral Change Politics and Processes in Three Nations and Beyond", in L. Longley and D. Olson (eds.), *Two Into One*, (Boulder, CO: Westview Press, 1991), p. 204.

⁶ D. Olson and L. Longley, "Conclusions: Cameral Change Politics and Processes in Three Nations and Beyond", p. 204.

⁷ G. Tsebelis and J. Money, *Bicameralism* (New York: Cambridge University Press, 1997), p.13.

⁸ Tsebelis and Money, *Bicameralism*, 18-19.

⁹ Tsebelis and Money, *Bicameralism*, 19.

¹⁰ Longley and Olson, *Two Into One* (Boulder: Westview Press, 1991), p. 2.

¹¹ Longley and Olson, *Two Into One*, p. 3.

¹² Longley and Olson, *Two Into One*, p. 4.

¹³ A. Stepan, *Rethinking Military Politics: Brazil and the Southern Cone* (Princeton: Princeton University Press, 1988), p.4.

¹⁴ R. Fatton, 'Africa in the Age of Democratization: The Civic Limits of Civil Society' *African Studies Review*, 38 (1995), 89-90.

¹⁵ R. Fatton, 'Africa in the Age of Democratization: The Civic Limits of Civil Society', p. 90.

¹⁶ H. Munson, *The House of Si Abd Allah: The Oral History of a Moroccan Family* (New Haven: Yale University Press, 1984), p. 13.

¹⁷ D. Eickelman, 'Royal Authority and Religious Legitimacy', in M. Arnoff, ed., *The Frailty of Authority* (New Brunswick: Transaction Books, 1986), p. 182.

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- ¹⁹ I.W. Zartman, 'Opposition as a Support of the State,' in A. Dawisha and I.W. Zartman, eds., *Beyond Coercion: The Durability of the Arab State* (London: Croom Helm, 1988), p. 87.
- ²⁰ M. Deeb, 'Morocco,' in *World Encyclopedia of Parliaments and Legislatures* (Washington, DC: Congressional Quarterly Publications, 1998), pp. 467-468.
- ²¹ G. Denooux and A. Mahgraoui, 'King Hassan's Strategy of Political Dualism,' *Middle East Policy*, Vol. 4, No.4 (January), p.108.
- ²² G. Denooux and A. Mahgraoui, 'King Hassan's Strategy of Political Dualism,' p.110.
- ²³ *Le Monde* (Paris), 'Un entritrien avec le roi du Maroc,' September 2, 1992.
- ²⁴ G. White, 'The Advent of Electoral Democracy in Morocco? The Referendum of 1996,' *Middle East Journal*, vol.51, No. 3 (Summer), p. 393.
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- ²⁹ A.Baaklini, G.Denooux, and R. Springborg, *Legislative Politics in the Arab World* (Boulder: Lynne Rinn Publishers, 1999), p. 127.
- ³⁰ A.Baaklini, G.Denooux, and R. Springborg, *Legislative Politics in the Arab World*, p. 128.