

# Morocco: Elections for Continuity

**Bernabé López García**

Taller de Estudios Internacionales  
Mediterráneos (TEIM)  
Universidad Autónoma de Madrid

'In the spirit of continuity' has been the unexpressed motto which could be applied to define the will of the new Moroccan monarch since his ascension to the throne in 1999. But what could have been a prudent ruse aimed at the enemies of change in order to develop the reforming thrust that drove the policy implemented during the last period of Hassan II's reign, a king who in the 1990s tried to modernise his country in crucial issues such as human rights, the political participation of the opposition, and economic reform, seems, in contrast, to have been a constraint on the political evolution that twenty-first century Morocco is demanding. The elections of September 2002 are included in this dynamics of continuity, which has so far been unable to build on the most positive legacy of the previous reign. The elections, which should have been the main objective of the first triennial on the throne and, as a result of an intense debate on the new Morocco under construction, should have attracted the participation of the citizens, became in contrast an expression of popular despondency, the discredited position of the institutions, and the parties' lack of vigour. A continuity, in short, of a good deal of the worst of the past.

The electoral processes in Morocco had been marked throughout the reign of Hassan II by the stigma of corruption. Parties that were prefabricated in order to become a decisive force at specific moments, and manipulation of

results to fulfil the requirements of the administration meant that for many years, the powers of the opposition denounced these processes due to their constant manipulation, commanded by the Home Affairs Minister, Driss Basri. The paradox lies in the fact that this same historical opposition did nothing, and simply accepted the results, the parliaments, or the town councils that resulted from the falsifications. Even the last election of the previous reign, in November 1997, raised more than a few doubts, despite the fact that the interventionism of the administrative apparatus was more limited and that they were guided by the desire of the sovereign for the democratic opposition to form part of the government through as favourable a majority as possible. No less paradoxical, is that for this purpose a certain dose of manipulation was even necessary, given that the political discredit had also extended its reach to the opposition, considered by majority opinion to be an integral part of the system.

The end of this generalised apathy and the lending of prestige to public affairs and politics should have been the priority objectives of the new reign, and the first actions and speeches of the new monarch, including the dismissal of the Home Affairs Minister, seemed to be leading in this direction. This should also have been the main objective of a government presided over by the socialist Abderrahmán Yusufi, made up by a heterogeneous mixture of seven parties of very disparate trends. But this would have involved government action with clearer and more audacious objectives than those first marked out when it swore its allegiance to Hassan II, in common synergy with a

renewed crown which should have brought reform and regeneration. Neither the crown nor the government knew how to provide this energy, and in the meantime continuity took on in its worst guise, the status quo.

Many of the parties missed the opportunity for an overhaul in their congresses, as happened with the USFP in March 2001, when it opted for continuity by confirming Prime Minister Yusufi as leader of the party, which provoked a division instigated by the trade unionist Nubir Amaui. Other parties, forming a small minority, started a process of integration such as the process which gave rise to the Party of the Unified Socialist Left after the fusion of the OADP and several left-wing extra-parliamentary formations. Other processes of convergence coordinated actions such as those organised by the PPS and the PSD, but which did not culminate in the creation of new parties.

The great novelty was the appearance of thirteen new parties between April 2001 and July 2002, in the heat of the pre-election atmosphere, which further complicated the already fragmented Moroccan political panorama.

The achievement of the support of the political forces for a new electoral law was the first objective of the Home Affairs Minister, Driss Jettou, a man linked to the management of the royal heritage through the ONA. For the first time in Moroccan electoral history the law that was passed in April 2002 provides for an electoral proportional system based on the largest remainder. Proportionality was an old cause for criticism of the opposition, contrary to the old uninominal one-round system which favoured dominance by the local party leaders and the use of money

as a political weapon. It was estimated that the new method would allow the identification of the voter with a specific political option, allowing the strengthening of the party system. However, the low threshold of three percent at a provincial level to discriminate against the parties with a right to deputies meant that the votes were dispersed, further emphasising the fracturing of the political spectrum. Another novelty was the national list of thirty women standing for election, presented by the parties with the aim of guaranteeing a female presence in Parliament of at least ten percent of the seats. The electoral campaign included an

institutional bombardment of the media in order to encourage the population to participate. However, it proved impossible to overcome the prevailing apathy, with a decrease in participation, of 58.3 percent of the electorate in 1997 to 51.6 percent in 2002. To this abstentionism must be added the quantity of void votes, which amounted to a total of one million (being therefore the most voted option), which meant eight percent of the registered electors and 15.5 percent of the voters. In this way, only forty-four percent of the registered electors really participated in the election, in the sense of giving their support to a specific option.

The most voted party was, as in the 1997 election, the USFP, which however, lost around 160,000 votes. What was really significant about the 2002 elections was that the Islamist PJD acquired, in number of votes, the same level as the Istiqlal Party (which lost almost a quarter of a million votes), despite having presented candidates in only two thirds of the constituencies (mainly urban) according to a kind of pact with the ruling power, which meant that the party would maintain a low profile in order to avoid any reaction of the electorate that could carry it to the doors of the government. Nevertheless, its excellent results put the gov-

TABLE 12 Comparative results of the 1997 and 2002 legislative elections

	1997	%	MPs	2002	%	Local MP Lists	Women MP Lists	Total MPs
USFP	884,061	13.8	57	718,725	11.87	45	5	50
PI	840,315	13.2	32	598,226	9.88	44	4	48
MP	659,331	10.3	40	396,932	6.56	25	2	27
RNI	705,397	11.1	46	561,514	9.28	37	4	41
UC	647,746	10.1	50	310,939	5.13	14	2	16
MNP	431,651	6.7	19	312,239	5.16	16	2	18
PND	270,425	4.2	10	275,884	4.56	10	2	12
MDS	603,156	9.4	32	163,546	2.70	7	0	7
PPS	274,862	4.3	9	275,024	4.54	9	2	11
OADP/GSU	184,009	2.8	4	81,985	1.35	3	0	3
FFD	243,275	3.8	9	296,288	4.84	10	2	12
PSD	188,520	2.9	5	179,131	2.96	6	0	6
MPCD/PJD	264,324	4.1	9	595,439	9.84	38	4	42
PA	89,614	1.4	2	28,563	0.47	0	0	0
PDI	76,176	1.1	1	61,258	1.01	2	0	2
UD	(*)	(*)	(*)	244,558	4.04	9	1	10
AHD	(*)	(*)	(*)	138,186	2.28	5	0	5
ADL	(*)	(*)	(*)	131,796	2.17	4	0	4
PRD	(*)	(*)	(*)	110,633	1.82	3	0	3
PED	(*)	(*)	(*)	90,609	1.49	2	0	2
PML	(*)	(*)	(*)	82,088	1.35	3	0	3
PCNI	(*)	(*)	(*)	120,330	1.98	1	0	1
PFC	(*)	(*)	(*)	104,247	1.72	2	0	2
ICD	(*)	(*)	(*)	49,710	0.82	0	0	0
PAI	(*)	(*)	(*)	39,483	0.65	0	0	0
Indep.	(*)	(*)	(*)	83,346	1.37	0	0	0
<b>Total valid</b>	<b>6,371,630</b>	<b>100</b>	<b>325</b>	<b>6,050,679</b>	<b>100</b>	<b>195</b>	<b>30</b>	<b>325</b>
<b>Void</b>	<b>1,085,366</b>	<b>14.5</b>	<b>-</b>	<b>1,114,527</b>	<b>15.55</b>	<b>-</b>	<b>-</b>	<b>-</b>
<b>Total votes</b>	<b>7,456,996</b>	<b>58.3</b>		<b>7,165,206</b>	<b>51.6</b>	<b>195</b>	<b>30</b>	<b>325</b>

Source: «Elections 2002», Édition Spéciale de *La Vie Économique*, September 2002.

Notes: The asterisk indicates non-participation of the party. The MPCD presented itself as an Islamist formation in 1997. It changed its name in 1998 to become the PJD. The percentage of the vote of the parties is in respect to the valid votes. The percentage of the void votes is in respect to the voters.

ernment into difficulties and it took some days to admit and make the definitive results public, apparently after negotiations to outline the moral victory of the Islamists.

A further complication was the negotiations held with the parties in order to reach the formation of government. The determination of the two winning parties to reach the presidency (UFP and Istiqlal), was confronted with Yusufi and Abbas El Fassi. The attempts by both at combinations to form coalitions made up of a parliamentary majority failed, and the monarch therefore imposed a Prime Minister from outside the political spectrum, appointing Driss Yettú, the Home Affairs Minister. The

new government consisted once again of a wide heterogeneous coalition of parties, made up of the USFP, PI, RNI, MP, MNP, PPS and PSD.

One of the revelations of the September 2002 elections was that large cities, which in the past have been centres of a nationalist force against colonisation, and later for a bastion of workers and popular opposition to the authoritarian shift of Hassan II, was converted into a new breeding ground for Islamism. Faced with the proximity of the municipal elections planned for June 2003, this poses the need for the government parties to provide a new law allowing them to conserve their position in the town councils, especially

as the new elections were anticipating the reunification of the cities that for security reasons in the 1980s were divided into many municipalities. The debate between parties led to a consensus which maintained the uninominal system in rural areas, but instituted the proportional method for medium and large cities.

The Casablanca suicide attacks of 16th May will alter the course of the electoral battle, postponed until September 2003, and forces the Islamists of the PJD once again to keep a low profile in their candidatures, therefore accomplishing an advance moderation of their presence in the future town councils.

**TABLE 13 Moroccan political formations in September 2002**

Political formation in electoral contest	Secretary General/President	Date of Creation
Istiqlal Party (PI)	Abbas el-Fassi	1943
Democratic Independence Party (PDI)	Abdelouahed Maache	1946
Popular Movement (MP)	Mohand Laenser	1958
Party of Progress and Socialism (PPS)	Ismail Alaoui	1974
Action Party (PA)	Mohamed Idrissi	1974
Socialist Union of Popular Forces (USFP)	Abderrahmane Youssoufi	1975
National Rally of Independents (RNI)	Ahmed Osman	1978
National Democratic Party (PND)	Abdellah Kadiri	1982
Social Centre Party (PCS)	Lahcen Madih	1982
Constitutional Union (UC)	Mohamed Abied	1983
National Popular Movement (MNP)	Mahjoubi Aherdane	1991
Democratic Socialist Party (PSD)	Aissa Ouardigui	1996
Front of Democratic Forces (FFD)	Thami Khiari	1996
Democratic and Social Movement (MDS)	Mahmoud Archane	1996
Justice and Development Party (PJD)	Abdelkrim El-Khatib	1998
National Independence Generation Party (PNGI)	Omar Benslimane	17-11-1999
Moroccan Liberal Party (PML)	Mohamed Ziane	29-04-2001
Reform and Development Party (PRD)	Abderrahmane El Kouhen	02-06-2001
National Ittihad Congress Party (PCNI)	Abdelmajid Bouzoubâa	21-10-2001
Democratic Union (UD)	Bouazza Ikken	04-11-2001
Citizen Forces Party (PFC)	Abderrahim Lahjouji	10-11-2001
Alliance of Liberties (ADL)	Ali Belhaj	16-03-2002
Reformatory Liberal Party (PLR)	Mohamed Alouah	22-03-2002
Party of the People's Jihad (PYP)	El Malki el-Malki	23-03-2002
Al Ahd Party (of the Pact) (AHD)	Najib el-Ouazzani	30-03-2002
Citizen Initiative for Development (ICD)	Mohamed Benhammou	30-03-2002
Environmental and Development Party (PED)	Ahmed Alami	27-04-2002
Attachdid wa-l-Insaf Party (PAI)	Chakir Achahbar	11-05-2002
Party of Unified Left Socialist (GSU)	Mohamed Ben said Ait Idder	15-07-2002

(Continues)

TABLE 13 Moroccan political formations in September 2002		
Non-participating political formations	Secretary General/President	Date of Creation
National Union of Popular Forces (UNFP)	Abdellah Ibrahim	1959
Democratic Socialist Vanguard Party (PVDS)	Ahmed Benjelloun	08-05-1983
Al Adl wa-Ihsán / Not recognised	Chejj Abdeslam Yassin	1988
Al Badil Al Hadari / Not recognised	Mohamed Muatassim	1995
Al Haraka min Ajl Al Umma / Not recognised	Mohamed Maruani	1998
Ennahjd Addimokrati (Democratic Process) / Not recognised	Abdallah el-Herrif	1999
Socialist Democrat Movement (MSD) / Not recognised	Mohamed Beyuki	2001

Source: «Elections 2002», Édition Spéciale de *La Vie Économique*, September 2002, p. 52.

### INNOVATIONS IN MOROCCAN LAW

New laws and regulations introduced in Morocco between 2002 and 2003 with relation to the Statute on Public Liberties, the Electoral Code, District Charters, the Wali El Madalim institution (The People's Ombudsman), and the reform of the Family Code.

**Act No. 75-00 on the Right to Association, enacted by *Dahir* No.1-02-206 of the 23rd July 2002, B.O No. 5048 of the 17th October 2002, p. 1062.**

For the first time since the *Dahir* on Public Liberties of 1958, new public liberties legislation has been introduced on various issues: firstly on the right to association, secondly on public gatherings, and thirdly on the law regarding the rights of the press.

The most significant changes made to the right to association concern a maximum time frame (of sixty days) for the granting of an acknowledgment that authorises the creation of an association. A further period, of a maximum of six months, is envisaged to grant said association the status of a public utility, which must be done via a decree that is ordained by the Prime Minister, and not via a *Dahir*, or royal edict, as was previously the case.

**Act No. 76.00 on Public Gatherings, enacted by *Dahir* No.1-02-200 of the 23rd July 2002, B.O No. 5048 of the 17th October 2002, p. 1060**

Simplified authorisation for the organisation of public gatherings.

**Act No. 77-00 on the Press and Printing code, enacted by *Dahir* No.1-02-207 of the**

**3rd October 2002, B.O No. 5080 of the 6th February 2003, p. 131**

**Organic Law No. 06-02 on the Election of the Members of the House of Representatives, enacted by *Dahir* No.1-02-187 of the 3rd July 2002, B.O No.5018 of the 4th August 2002, p. 709**

- Changes in the method of the election of the 325 members of the House of Representatives, which is currently a party list system with proportional representation based on the rule of «the strongest remains».

- Thirty members are elected to a national list (there is a pact between the various political parties to reserve thirty seats for women)

**Act No. 64-02 on the Electoral code, enacted by *Dahir* No.1-3-2003 of the 24th March 2003, B.O No. 5096 of 3rd April 2003, p. 245**

The right to vote at eighteen years of age

One ballot paper

Adoption of two methods of balloting for the election of district councillors: One single round of party list elections with proportional representation, based on the «strongest remains» rule for towns of more than twenty-five thousand inhabitants, and one member elections for towns with less than twenty-five thousand inhabitants.

**Act No. 78-00 on the District Charters, enacted by *Dahir* No.1-02-297 of the 3rd October 2002, B.O No. 5058 of 2nd November 2002. p. 1351**

Principle of the city unit. Areas with more than 500,000 inhabitants are divided into

*arrondissements*, or districts, as in the case of the six largest cities: Casablanca, Marrakech, Rabat, Salé, Tangiers and Fez.

More prerogatives for the President of the District Council

Reduction of the power of tutelage

**Dahir No. 1-01-298 of the 9th December 2001 on the creation of the Diwan AlMadhalim institution (People's Ombudsman), B.O No 4966 of the 3rd January 2002, p. 3**

For the first time in Morocco, an organisation has been established along the lines of the Spanish *Defensor del Pueblo*, or the Tunisian, Algerian and French mediator, the domestic application of which was promulgated by national *Dahir* No. 1-03-240 of the 4th December 2003.

In the October session of Parliament, on the 10th of October, the King also announced the new Family Code project to be adopted by Parliament in 2004. Also foreseen for 2004, Parliament will debate and vote on new legislation regarding political parties of which the most important feature will be the obligatory requirements for the formation of a political party, namely a broad regional representation (of at least ten regions). It will also cover auditing and management of the party.

Amina El Messaoudi  
Université Mohammed V  
Agdal-Rabat

## THE BAKER PLAN II, ANOTHER UNCERTAINTY IN THE CONFLICT OF WESTERN SAHARA

During the year 2002 to 2003, the most ancient conflict in the Maghreb has once again been through moments of both light and darkness, which have ended with the future of the territory of Western Sahara being plunged into another period of uncertainty and doubt. This sense of *déjà vu* in the situation of the former Spanish colony has been experienced over and over again since 1975, when Spain surrendered the administration of the territory to Morocco and Mauritania. Western Sahara has been subjected to continuous moments of upheaval, with more than a decade of war and incessant confrontations between the different sides involved: Morocco, Mauritania, Algeria, and of course the Saharawi people. At the beginning of the 1990s, the parties reached an agreement which led to a first attempt to find a solution. The 1991 Peace Plan envisaged the holding of a referendum of self-determination, and to this end the UN appointed a representative for Western Sahara and created the United Nations Mission for the Organisation of the Referendum in Western Sahara, the MINURSO.

However, difficulties soon emerged in producing a census for the referendum that would be acceptable to the parties, and in determining the status of the military forces and of the refugees. To this was added the never-ending conflict in relation to the contents of the consultation in the referendum, which continued to paralyse any possibility of a definitive solution. In this context, the United Nations promoted the idea of finding a political solution, or a «third way», that would establish a broad autonomy within the framework of Moroccan sovereignty. This in-

itiative materialized in the Framework Agreement Project known as the «Baker Plan», which was refused by the Polisario Front and which was finally brought to failure when it was rejected by the Security Council in Resolution 1429 of 30th July 2002, given that it did not allow the self-government of the Saharawi people.

Although other options were considered, such as a «fourth way», or division of the territory, or even the possibility of withdrawing the MINURSO, whose mission had expired and had been repeatedly renewed, the unfeasibility of a referendum, due to hundreds of thousands of appeals against the census presented by Morocco, led James Baker III, Representative of the Secretary-General, to produce a new version of the 1990s Framework Agreement, which was submitted to the parties during the visit that he made through the region in January 2003. Finally, it was made public together with the comments of the parties in the report of the Secretary-General of the UN on the situation of the Sahara (S/2003/565, 23rd May 2003).

This new project is based on the concept that the future status of the territory will be decided by a referendum. It recognises the status of Morocco as an administrative power, and establishes a transition period of four to five years during which a provisional authority under the control of Morocco will be elected, determining an exhaustive division of powers to be exercised during the transition period. One of the main pitfalls, the production of the census, is beneficial for the Polisario Front during the four or five transition year period, whereas it is favourable to Morocco concerning the referendum. Never-

theless, in general, Algeria has shown itself favourable to the plan, and the Polisario Front, for its part, gave its own acceptance in a letter sent to the Secretary-General on 6th July 2003. Morocco, however, opposed the plan, asserting that it will not accept any solution that may be imposed or the application of a plan that is not submitted to the consent of the parties in all its stages.

The so-called Baker Plan II, or Peace Plan for Self-determination of the People of Western Sahara, received the unanimous support of the Security Council, under the Spanish presidency, in Resolution S/RES/1495, of 31st July 2003. In a meeting held between a Moroccan delegation and the representative of the Secretary-General in Houston on 17th September 2003, Morocco asked for more time to consider its answer, and for this purpose the MINURSO mandate was once again extended until January 2004.

Not even this situation, therefore, seems to be a suitable scenario for the possible resolution of the status of Western Sahara, since the parties continue to confront each other in a day-to-day exchange of accusations, while at the same time they are trying to strengthen their support from international sources. The scenarios for the confrontations arise from diverse grounds, including politics and media, but whose consequences determine the conditions of life for the Saharawi people, impede the economic development of the area and condition any attempt of rapprochement between the countries of the region.

Lurdes Vidal  
IEMed