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Parliamentary Elections and the Prospects for Political Pluralism in North Africa

HAVE PARLIAMENTARY ELECTIONS IN NORTH AFRICA IN THE 1990S bolstered prospects for democratization and greater pluralism? This study argues that, with the possible exception of Algeria's 1991 elections, they have not been harbingers of democracy in Egypt, Morocco, Algeria and Tunisia.¹ The elections can be viewed as public displays by the state or limited political barometers, rather than processes which create obligations for the government. They have been means through which regimes have sought to dampen reactions to political immobilism, structural adjustment and the death of a social contract. Some elections have been manipulative, exclusionary exercises of elites trying to roll back the liberalizations of the 1980s, while others have been pseudo-competitive instruments of regime maintenance. Most of the elections can be seen as mechanisms for a top-down 'artificializing' of pluralism in order to preserve the core of regime control. In Egypt, Tunisia and Algeria, there seems to be no contradiction between fostering a selectively pluralistic atmosphere and simultaneously undermining the transition to democracy. In Morocco, pluralism and *alternance* seem to remain quite compatible with continued political domination by the Makhzen. Mona Makram-Ebeid's characterization of Egypt's 1995 elections could equally be applied to others in the region: 'What has occurred is a pluralization of the political sphere, yet it has been liberal neither in intent nor outcome.'²

Egyptian and Tunisian elections have eliminated any significant competition in parliaments; Algerian and Moroccan elections have been pluralistic, yet Algeria's have taken place in the shadow of enormous state repression. All the elections have had some

¹ Only direct elections to lower houses of parliament are examined. Tunisia's 1989 parliamentary elections are also included.

² Mona Makram-Ebeid, 'Egypt's 1995 Elections: One Step Forward, Two Steps Back?', *Middle East Policy*, 4:3 (1996), p. 135.

combination of the following features: exclusion of the largest Islamist parties; fragmentation of opposition parties; absence of judicial oversight; constant changing of electoral rules; vote rigging; vote distortion; and general unfairness. At the same time, there has been a strikingly similar erosion of social and political supports for liberal politics in Egypt, Tunisia and Algeria. The rule of law, protection of civil and human rights, and a culture of compromise all have suffered setbacks in the 1990s in these three countries. Analysing these illiberal or partially pluralistic elections can tell us much about the obstacles that exist in the way of democratization.³ Election fall-out is likely to linger for some time, shaping the forms in which opposition expresses itself, the nature of ruling coalitions, and the prospects for different types of liberal, competitive political transitions.

THE POLITICAL CONTEXT OF ELECTIONS

Before examining electoral processes, it is important to situate them in each country's overall political and economic context. All of the North African regimes in the 1990s have faced the challenges of Islamism and economic restructuring while at the same time trying to resist fundamental political change. Nevertheless, there are significant variations in their responses to these challenges. Multi-partyism emerged abruptly in Algeria after the 1988 riots in a context of social and economic malaise. The National Liberation Front (FLN) was crumbling and non-Islamist reform parties found it difficult to mobilize outside Berber regions. As Slimane Cheikh writes, 'Improvising day by day, exhausting itself trying to plug up the holes of a boat taking in water everywhere, deprived of the comfortable cover of oil rent, [the political power] appeared in its pathetic nudity, completely powerless in the face of mounting dangers'.⁴ As a result, the 1991 election turned into a *remise en cause* of the political system itself.

³ Comparative studies of elections in the Arab Middle East have been rare. The democratization literature has largely ignored the region, perhaps out of a mistaken assumption that one can theorize about democratic transitions without examining 'unsuccessful' cases.

⁴ Slimane Cheikh, 'Les élections locales en Algérie à l'ère du multipartisme', in Bernabé López García, Gema Martín Muñoz and Miguel H. De Larramendi (eds), *Elecciones, participación y Transiciones políticas en el Norte de África*, Madrid, Agencia Española de Cooperación Internacional, 1991, pp. 257–8.

Egypt also faced a growing Islamist opposition and mounting economic problems following its top-down liberalizations in the 1980s. Per capita GDP had fallen in the 1980s and poverty had increased dramatically.⁵ However, the regime of Hosni Mubarak was less threatened by mass social unrest or mobilized political parties in 1990 than its counterpart in Algeria. Tunisia differed from both. The initial shock of structural adjustment occurred earlier (in 1986), and by 1989 economic conditions had improved. Expectations of greater liberalism had been fuelled by Zine al-Abidine Ben Ali following his 1987 take-over. The newly-named, ruling *Rassemblement Constitutionnel Démocratique* (RCD) was remobilized, something that was never experienced by Algeria's FLN or Egypt's National Democratic Party (NDP). The Islamist *an-Nahda* party, led by Rachid Ghannouchi, never gained as strong a mass base as Algeria's *Front Islamique du Salut* (FIS) or Egypt's Muslim Brotherhood. Despite these different contexts, the aftermath of all the elections at the turn of the decade was the same: they signalled the end of liberalization and the intention of ruling elites to cling to power indefinitely.

Significantly different economic and political conditions coloured subsequent elections in Tunisia in 1994 and 1999, Egypt in 1995 and Algeria in 1997. Tunisia's economy was booming from export-led growth and successful reforms. While Egypt's economy performed much better due to debt relief after the Gulf War and the attraction of more foreign investment, the middle class remained weak. In contrast, Algeria's economy had been in desperate decline for almost the entire decade preceding 1997, with the contraction of rent, employment and the middle class. The most important contextual change after 1991 in all three countries was the launching of repressive campaigns against Islamists. Powerful security and military apparatuses could not help but reveal themselves as the backbone of each state. Beginning in 1992, the Algerian military plunged the country into a virtual civil war which has left more than 100,000 dead.⁶ Mubarak's crackdown on terrorism since 1992

⁵ Eberhard Kienle, 'More Than a Response to Islamism: The Political Deliberation of Egypt in the 1990s', *Middle East Journal*, 52:2 (1998), pp. 231–32.

⁶ For detailed examinations of the violent struggle between Algeria's Islamists and the regime, see Séverine Labat, *Les islamistes algériens: Entre les urnes et le maquis*, Paris, Editions du Seuil, 1995; Luis Martinez, *La guerre civile en Algérie*, Paris, Editions Karthala, 1998; and Hugh Roberts, 'Algeria's Ruinous Impasse and the Honourable Way Out,' *International Affairs*, 71:2 (1995), pp. 247–68.

has meant large-scale coercion and arrests, as well as a dramatic erosion of 'negative' and 'positive' liberties so necessary to the expression of competing interests.⁷ Ben Ali's 'benign authoritarianism' has hardly masked the increase in human rights violations and the trappings of a police state.⁸ All the parliamentary elections since 1989 in these three countries have taken place in contexts of: strong state coercion (Tunisia 1994, 1999); formal state of siege (Algeria 1991); formal emergency law (Egypt 1990, 1995); and emergency law and virtual civil war (Algeria 1997). Opposition party elites and even candidates have often been harassed or detained before the elections. For example, FIS leaders Abassi Madani and Ali Belhadj were in gaol during the 1991 and 1997 elections, and scores of Muslim Brotherhood candidates were arrested just before the 1995 Egyptian elections. These have hardly been propitious conditions from which real pluralism and democratization could arise.

While the Moroccan economic context has not been unique, its political context has. The 1993 elections focused on poor economic conditions due to ten years of structural adjustment and two droughts. Despite more droughts in 1995 and 1997, overall economic development had proceeded well leading up to the 1997 elections. More important, in the 1990s King Hassan II initiated a seemingly sincere, gradual effort to liberalize the political system. The 1993 and 1997 elections were both preceded by 'inclusive' constitutional changes. There was no single, mass-based Islamist party that could pose any significant challenge to the regime. The radical Islamist party, Al-'Adl wal-Ihsan, led by Abdesselam Yacine was isolated and divided, while the moderate Islamist party, Al-Islah wal-Tajdid, led by Abdallah Benkirane was unofficially recognized.⁹ Ideological convergence, the freeing of political prisoners, greater emphasis on human rights, greater public discussion of corruption and police

⁷ See Kienle, op. cit., and François Burgat, *L'islamisme en face*, Paris, La Découverte, 1996.

⁸ See Ahmed Manai, *Supplice tunisien: Le jardin secret du général Ben Ali*, Paris, La Découverte, 1995.

⁹ For a sociology of Islamist movements in Morocco, as well as an examination of political changes in the 1990s, see Mohamed Tozy, *Monarchie et Islam Politique au Maroc*, Paris, Presses de Sciences Po, 1999.

brutality,¹⁰ and repeated references to the need for change of power between parties characterized the post-1991 period. Opening of the system helped to mollify opposition and re-legitimize the King's choices. Nowhere else in North Africa has a similar process occurred.¹¹

REGIME ATTEMPTS AT CONSENSUS-BUILDING

Most of the region's elections have been preceded by a regime's effort to create an explicit or implicit 'national pact' with opposition parties. These sometimes successful efforts at cooptation have been designed to head off boycotts and to bind parties to regime rules. In 1988, Ben Ali orchestrated a National Pact with various groups in civil society which promised periodic, free elections and guaranteed freedom of expression and assembly. Parties were disillusioned by the results of the 1989 Tunisian elections, in which Islamists running as independents got only 14 per cent of the vote and other opposition parties won next to nothing (see Table 1). In May 1993, the Commission Supérieure du Pacte National met with parties that had signed the 1988 pact, and later incorporated some of their ideas into the December 1993 electoral code. Although legal parties participated in the 1994 elections, where the turnout was high, Islamists boycotted them, with the result that the ruling RCD won almost 98 per cent of the votes (see Table 2). A subsequent

¹⁰ The Commissaire Tabet scandal and resulting national outrage intensified this public debate. See Dale F. Eickelman, 'Re-Imagining Religion and Politics: Moroccan Elections in the 1990s', in John Ruedy (ed.), *Islamism and Secularism in North Africa*, Washington, Center for Contemporary Arab Studies, 1994, p. 265.

¹¹ Jordan provides the closest parallel to Morocco in the Arab world, even though the Muslim Brotherhood there has been much more important. Hanna Freij and Leonard Robinson view Jordan's liberalization as a type of reform from above in which the opposition is allowed to share with the government 'the function of maintaining the stability of the state'. See Hanna Y. Freij and Leonard C. Robinson, 'Liberalization, the Islamists, and the Stability of the Arab State: Jordan as a Case Study,' *The Muslim World* 86:1 (1996), pp. 3–5. Similarly, Glenn Robinson sees Jordan's 'defensive democratization' as a 'series of pre-emptive measures designed to maintain elite privilege . . . while limiting the appeal of more fundamental political change'. Glenn Robinson, 'Defensive Democratization in Jordan,' *International Journal of Middle East Studies*, 30:3 (1998), p. 387.

change in the electoral code and amendment of the Constitution to permit contested presidential elections convinced legal opposition parties to participate in the October 1999 elections, in which the RCD won almost 92 per cent of the votes (see Table 3). In only six of the country's 25 electoral districts did the leading opposition party, the Mouvement des Démocrates Socialistes (MDS), get more than 5 per cent of the votes. The success of cooptation was manifest in the largely platitudinous party campaigning, and the willingness of the two largest opposition parties, along with every significant group in civil society, to endorse the candidacy of Ben Ali in the concurrent presidential election.

Table 1
Tunisia: Elections to the Chambre des Députés, 2 April 1989

Parties	Percentage of votes	Percentage of seats	No. of seats (out of 141)
Rassemblement Constitutionnel Démocratique (RCD)	80	100	141
An-Nahda (as Independents)	14.5	0	0
Mouvement des Démocrates Socialistes (MDS)	3.8	0	0

Turnout: 76 per cent

Table 2
Tunisia: Elections to the Chambre des Députés, 20 March 1994

Parties	Percentage of votes	Percentage of seats	No. of seats (out of 163)
Rassemblement Constitutionnel Démocratique (RCD)	97.7	88.3	144
Mouvement des Démocrates Socialistes (MDS)	1.1	6.1	10
Mouvement de la Renovation-Ettajdid (MR)	0.4	2.4	4
Union Démocratique Unioniste (UDU)	0.3	1.8	3
Parti de l'Unité Populaire (PUP)	0.3	1.2	2
PSP, RSP and Independents	0.2	0	0

Turnout: 95.5 per cent

Sources: The Electoral Web Sites, <<http://www.agora.stm.it/elections/election/tunisia.htm>> (6 November 1998); International Parliamentary Union, Parline Database, <<http://www.ipu.org/parline-e/parline.htm>> (6 November 1998).

Table 3
Tunisia: Elections to the Chambre des Députés, 24 October 1999

Parties	Percentage of votes	Percentage of seats	No. of seats (out of 182)
Rassemblement Constitutionel Démocratique (RCD)	91.6	81.3	148
Mouvement des Démocrates Socialistes (MDS)	3.2	7.1	13
Mouvement de la Rénovation-Ettajdid (MR)	1.0	2.7	5
Union Démocratique Unioniste (UDU)	1.7	3.8	7
Parti de l'Unité Populaire (PUP)	1.7	3.8	7
PSL, RSP and Independents	0.8	1.1	2

Turnout: 91.5 per cent

Source: *Le Renouveau* (online), 26 October 1999.

Table 4
Egypt: Elections to the People's Assembly, 29 November and 6 December 1990

Parties	Percentage of votes	Percentage of seats	No. of seats (out of 444)
National Democratic Party (NDP)		78.4	348
Progressive Unionist Party (Tagammu)		1.4	6
Independents (nominally)		18.7	83

Note: Seat count reflects the fact that voting was suspended in 4 constituencies. After the elections, independents who switched to the NDP gave it approximately 385 seats (about 87 per cent of all seats). There are conflicting estimates of how many 'true' independents there were compared to de-facto party representatives.

Source: *The Europa Year Book 1994*, 1, p. 1032.

In 1984 and 1987, Egypt's Muslim Brotherhood had fielded candidates in alliance with several other parties, but Mubarak's coopting skills failed in 1990 when the Muslim Brotherhood and all significant legal parties boycotted the elections, leaving almost all the votes to the ruling National Democratic Party (NDP) and nominal independents (see Table 4). At Mubarak's behest in 1994, a National Dialogue Conference (*al-Hiwar al-Watani*) was held.¹²

¹² See Salwa Ismail, 'State-Society Relations in Egypt: Restructuring the Political', *Arab Studies Quarterly*, 17:3 (1995), pp. 37–52.

Although attended by all major legal opposition parties except the Nasserists, the agenda was controlled by the NDP, and the final committee's call for electoral reform was ignored by the government. The NDP subsequently won 94 per cent of the seats in the 1995 elections, despite the participation of the legal opposition parties and the Muslim Brotherhood, whose candidates ran under the Liberal Party emblem or as independents (see Table 5). Turnout was estimated at only 48 per cent.

In Algeria, although the prelude to the 1991 elections was anything but consensual, enormous pressure from the FIS and the Front des Forces Socialistes (FFS) produced electoral changes sufficiently acceptable for them to participate. Surprisingly, each party won more of the seats decided in the first round than did the FLN (see Table 6). Beginning in 1994, President Liamine Zeroual orchestrated a series of meetings with legal political parties which, along with a competitive 1995 presidential election (and despite an 'exclusionary' constitutional reform in 1996 that most political parties vehemently opposed), convinced them all to participate in

Table 5

Egypt: Elections to the People's Assembly, 29 November and 6 December 1995

Parties	Percentage of votes	Percentage of seats	No. of seats (out of 444)
National Democratic Party (NDP)		93.9	417
New Wafd Party		1.4	6
Progressive Unionist Party (Tagammu)		1.1	5
Nasserite Party		0.2	1
Liberal Party		0.2	1
Independents		3.2	14

Note: Seat figures reflect the fact that 99 out of 113 so-called 'independent' candidates switched to the NDP after winning.

Turnout: 48 per cent in the first round, with much lower rates in urban areas; very low second round turnout — according to the Independent Commission for Electoral Review (ICER), 'The ICER Report on the 1995 Parliamentary Elections', 2 January 1996, photocopy, p. 8.

Sources: The Electoral Web Sites, <<http://www.agora.stm.it/elections/election/country/eg.htm>> (6 November 1998); International Parliamentary Union, Parline Database, <<http://www.ipu.org/parline-e/parline.htm>> (6 November 1998).

1997. Zeroual's Rassemblement National pour la Démocratie (RND) and the allied FLN won a comfortable majority of the seats, while moderate Islamist parties (MSP and MRI) won a quarter, and Berber-based parties (FFS and RCD) won just a tenth (see Table 7).

Only Morocco has experienced anything resembling the 'pacted transitions' of third-wave democracies. It has always had a tradition of 'positive compromise' in which opposition parties participate in elections despite electoral shenanigans because the costs of exclusion from political institutions are high.¹³ From June 1992 to September 1993 a Commission Nationale Chargée de Superviser les Opérations Electorales, made up of representatives of the government and all major parties, resolved disputes and gave advice to the government on legislative texts governing the upcoming elections. Interior Minister Driss Basri permitted the Commission to examine the application of the already-written 1992 electoral code, but not to deal with the code itself or the drawing of electoral district

Table 6

*Algeria: Elections to the Assemblée Populaire Nationale, 26 December 1991
(First Round, in which 232 seats were decided)*

Parties	Percentage of votes	Percentage of seats	No. of seats (out of 430)
Front Islamique du Salut (FIS)	47.3	43.7	188
Front des Forces Socialistes (FFS)	7.4	5.8	25
Front de Libération Nationale (FLN)	23.4	3.7	16
Hamas	5.3	0	0
Rassemblement pour la Culture et la Démocratie (RCD)	2.9	0	0
Independents	4.4	0.7	3
All other parties	9.2	0	0

Note: Of the 199 districts where seats were to be contested in the second round, the FIS had won the most votes in 143, while the FLN had the most votes in only 46.

Turnout: 59 per cent, with variations from 45–75 per cent in individual districts

Source: Jacques Fontaine, 'Les élections législatives algériennes. Résultats du premier tour,' *Monde arabe Maghreb Machrek*, 135 (1992), pp. 155–65.

¹³ Mustapha Seimi, 'Maroc: Partis politiques et stratégies electorales', in López Garcia et al. (eds), op. cit., p. 225.

Table 7
Algeria: Elections to the Assemblée Populaire Nationale, 6 June 1997

Parties	Percentage of votes	Percentage of seats	No. of seats (out of 380)
Rassemblement National pour la Démocratie (RND)	33.7	41.4	156
Mouvement de la Société pour la Paix (MSP)	14.8	18.2	69
Front de Libération Nationale (FLN)	14.3	16.3	62
Mouvement de la Renaissance Islamique (MRI)	8.7	8.9	34
Front des Forces Socialistes (FFS)	5.0	5.3	20
Rassemblement pour la Culture et la Démocratie (RCD)	4.2	5.0	19
Parti du Travail (PT)	1.9	1.1	4
Parti Républicain Progressif (PRP)	0.6	0.1	3
Union pour la Démocratie et la Liberté (UDL)	0.5	0	1
Parti Social-Libéral (PSL)	0.4	0	1
Independents	4.4	2.9	11

Turnout: 66 per cent

Source: International Parliamentary Union, Parline Database, <<http://www.ipu.org/parline-e/parline.htm>> (6 November 1998).

boundaries. It could discuss regulatory texts, but not laws or the 'Hautes Orientations' of the King.¹⁴ Parties brought up issues like electoral lists, electoral commissions, money usage and voting bureaux. Opposition Koutla members (Istiqlal, USFP, OADP, and PPS) briefly suspended participation to force the redrawing of district boundaries, revision of voter lists and better media access.¹⁵ The Koutla ultimately won 45 per cent of the directly-elected seats in the 1993 elections, but protested about alleged electoral irregularities and refused to accept positions in a new government (see Table 8).

¹⁴ Royaume du Maroc, La Commission nationale chargée de superviser les opérations électorales, *Documents de la Commission nationale chargée de superviser les opérations électorales*, 1993, pp. 20, 23.

¹⁵ Royaume du Maroc, op. cit., p. 266 and Jean-Claude Santucci, 'Maroc – Chronique Intérieure 1993,' in *Annuaire de l'Afrique du Nord 1993*, Paris, Editions du Centre National de la Recherche Scientifique, pp. 512–13.

Table 8*Morocco: (Direct) Elections to the Chambre des Représentants, 25 June 1993*

Parties	Percentage of votes	Percentage of seats	No. of seats (out of 222)
Union Constitutionnelle (UC)	12.8	12.2	27
Rassemblement National des Indépendants (RNI)	13.2	12.6	28
Parti Istiqlal (PI)	12.2	19.2	43
Mouvement Populaire (MP)	12.1	14.9	33
Union Socialiste des Forces Populaires (USFP)	13.2	21.6	48
Mouvement National Populaire (MNP)	10.6	6.3	14
Parti National-Démocrate (PND)	8	6.3	14
(Parti du Progrès et Socialisme (PPS)	3.9	2.7	6
Other parties	9.6	3.2	7
Independents	4	0.9	2

Turnout: 62.8 per cent

Source: International Parliamentary Union, Parline Database, <<http://www.ipu.org/parline-e/parline.htm>> (30 May 1997).

Moroccan consensus-making before the 1997 elections was even more advanced. In 1996 King Hassan stressed the need for consensus and *alternance*. A joint government-party Commission Nationale de Suivre des Elections helped to shape the August 1997 laws organizing the legislative elections. An ongoing dialogue between the government and parties beginning in June 1996 led to a common declaration in February 1997 in which the government made a pledge to prevent misuse of its power and to guarantee the sincerity and lawfulness of elections, while parties pledged themselves to respect legislation, create a climate of public enthusiasm during campaigns, and praise the authenticity of the elections and the credibility of institutions that resulted from them. This *charte de déontologie électorale*, first tested in the June 1997 municipal elections, obliged parties in advance of a campaign to keep spending moderate, to respect the press code, and not to use the help of the administration. The formal, public nature of government pledges was unique in North Africa. These reciprocal promises helped to preserve competition while ensuring that pluralism remained within bounds acceptable to the king. The 1997 elections produced three equally-balanced party blocs in the new Assemblée des

Table 9
Morocco: Elections to the Assemblée des Représentants, 14 November 1997

Parties	Percentage of votes	Percentage of seats	No. of seats (out of 325)
Union Socialiste des Forces Populaires (USFP)	13.9	17.5	57
Parti Istiqlal (PI)	13.2	9.8	32
Parti du Renouveau et du Progrès (PRP)	4.3	2.8	9
Org. de l'Action pour Démocratie et Peuple (OADP)	2.9	1.2	4
Mouvement Populaire (MP)	10.3	12.3	40
Union Constitutionnelle (UC)	10.2	15.4	50
Parti National-Démocrate (PND)	4.2	3.1	10
Rassemblement National des Indépendants (RNI)	11.1	14.2	46
Mouvement Démocratique et Social (MDS)	9.5	9.8	32
Mouvement National Populaire (MNP)	6.8	5.8	19
Mouv.Populaire Constitutionnel et Démocratique (MPCD)	4.1	2.8	9
Front des Forces Démocratiques (FFD)	3.8	2.8	9
Parti Social et Démocratique (PSD)	3.0	1.5	5
Parti de l'Action (PA)	1.4	0.6	2
Parti Démocratique pour l'Indépendance	1.2	0.3	1
Koutla bloc (USFP, PI, PRP, OADP)	34.3	31.4	102
Wifaq bloc (UC, MP, PND)	24.8	30.8	100
Centre bloc (RNI, MDS, MNP)	27.3	29.8	97

Turnout: 58.3 per cent

Sources: The Electoral Web Sites, <<http://www.agora.stm.it/elections/election/country/ma.htm>> (6 November 1997); International Parliamentary Union, Parline Database, <<http://www.ipu.org/parline-e/parline.htm>> (6 November 1998).

Représentants: a reconfigured, opposition Koutla; a pro-monarchy, rightist Wifaq; and a pro-establishment centre bloc (see Table 9). Moderate Islamists running under the banner of the MPCD won nine seats for the first time. Nevertheless, a low turnout of 58 per

cent and more than a million blank or spoiled ballot papers (14.5 per cent) suggest that a sizeable part of the population did not view the electoral process as very credible.¹⁶

ELECTORAL LAWS AND CONSTRAINTS ON THE FAIRNESS OF ELECTIONS

Electoral laws have had profound effects on the degree of fairness and representativeness of elections. Broadly speaking, electoral laws govern such things as the voting system, who can vote and run for office, registration rules, district boundaries, and the control of voting places. Although usually spelled out in a single electoral code, these and other electoral matters are also often addressed in multiple related laws and in the constitution. North African regimes have made significant changes in electoral laws before almost every parliamentary election, always in an attempt to influence election results. By defining the rules of the game they have usually won the game, although often at the expense of lowering turnout rates and delegitimizing the voting process itself. The highly-politicized modification of electoral codes has frequently undermined potential opposition and disenfranchised or under-represented important segments of the population.

State officials and ruling party elites have usually constructed and revised the codes with little *de facto* participation by opposition parties. Only in Morocco has the government given parties a direct role in shaping some articles of the code through long negotiating processes before the 1993 and 1997 elections. Regimes have sometimes changed codes under pressure from courts and political parties. Egypt's Supreme Constitutional Court declared the 1987 electoral system based on party lists to be unconstitutional and forced the government to rewrite the electoral laws for the 1990 elections. Algeria's Constitutional Council declared conjugal proxy voting unconstitutional in October 1991. In 1993, the Tunisian government changed the electoral code in the face of complaints from small parties that *parrainage* – requiring a certain number of

¹⁶ Gema Martín Muñoz and Isaías Barreñada, 'Après les élections législatives: Emergence d'une transition démocratique ou alternance par le haut?', *Confluences Méditerranée*, 31 (Autumn 1999).

signatures in order to declare a candidacy – was unfair.¹⁷ More dramatically, after FIS protests against electoral laws led to a state of siege in Algeria in June 1991, the new government of Sid Ahmed Ghazali reduced the number of electoral districts and redrew some boundaries. Nevertheless, while regimes have altered codes to mollify minor parties, substantial fairness to the largest opposition parties is usually missing.

The types of electoral systems adopted have significantly affected the ability of the opposition to win seats.¹⁸ Majoritarian systems have predominated. In March 1990, Algeria's 1989 code was revised so that a party winning a majority of votes in a multi-member district would get a number of seats proportional to its percentage of the vote, rather than all the seats. If no party got a majority, the party with a plurality would get half of the seats. In both cases, the remaining seats were to be distributed on a proportional basis to parties meeting a seven per cent threshold (instead of the previous ten per cent). However, the system was again changed in April 1991 to a single-member, winner-take-all system in two rounds. In the first round, a candidate getting more than 50 per cent of the vote would win the seat. If no candidate got an absolute majority, there would be a run-off between the top two vote-getters.

Egypt's electoral system for the 1990 and 1995 elections resembled that of Algeria's in 1991, except that there were two-seat constituencies. Electors voted for two candidates, one of whom was listed in the category of either worker or peasant, and the other who was listed in the category of other occupations. A candidate getting an absolute majority of votes in the first round won a seat. If no candidate got an absolute majority, there was a simple majority

¹⁷ Before 1993, Tunisia's small opposition parties were penalized, because potential *parrains* in many rural areas were afraid of government retribution if they sponsored candidacies. See Noureddine Sraieb, 'Tunisie – Chronique Intérieure 1993', in *Annuaire de l'Afrique du Nord 1993*, Paris, Editions du Centre National de la Recherche Scientifique, p. 596. Algeria's 1997 electoral code required independent lists to get 400 signatures of registered voters in a constituency (for each seat) in order to declare candidacy.

¹⁸ Moreover, the stakes in Egypt's parliamentary elections are high since it is the parliament that elects the president. Any electoral system that produces significant parliamentary pluralism would potentially deprive President Mubarak of the two-thirds of votes needed for re-election as president.

run-off amongst the top vote-getters.¹⁹ In 1993, Morocco used a simple majority system for 222 directly-elected seats in single-member constituencies. Another 111 seats were filled in indirect elections using a majority-list simple plurality system. Based on a constitutional change in 1996, Morocco in 1997 used a simple majority vote system to fill the 325 single-member constituencies in the new House of Representatives. Independent candidacies were prohibited.

Tunisia in 1989 had a party-list simple majority system. With 80 per cent of all votes, the RCD won all 141 seats. A revision of the electoral law in 1993 for the 1994 elections merely grafted a token proportionalism onto the winner-take-all system by allotting nineteen seats in a newly-created national constituency to parties that had lost in the 25 multi-member constituencies. These nineteen seats, a little more than 10 per cent of the new total of 163, were awarded based on the parties' percentage of the national vote and a highest average formula. In November 1998, Ben Ali again revised the electoral code to raise the number of seats in the national constituency to 34, while the number of seats in the 25 constituencies chosen by party-list simple majority was raised to 148. Thus, the opposition parties as a group were guaranteed at least 20 per cent of the seats in the October 1999 elections.

Only the 1997 Algerian elections were governed by a truly proportional representation system drawn up in a revised electoral code before the 1995 presidential elections. In the 48 multi-member districts, a list proportional representation system was used, based on a highest remainder formula. A threshold of 5 per cent of the votes was required for any list to gain seats in a district.

'Natural distortions' in these systems, reinforced by the effects of electoral design, fraud, and non-electoral constraints on political activity, usually produced voting outcomes highly favourable to existing regimes. In the absence of any strong (legal) opposition parties, the majoritarian electoral system in Egypt has given nearly every seat to the ruling NDP (see Tables 4 and 5). While Tunisia's 1989 majoritarian system gave the opposition no seats despite some 20 per cent of the votes, the subsequent grafting of proportionalism

¹⁹ There are special provisions in the system for guaranteeing that, by the end of the two rounds, at least one of the constituency seats is held by an (ostensible) worker or farmer.

onto the majoritarian system gave the opposition 11 per cent of the seats in 1994 with just 2 per cent of the votes and 20 per cent of the seats in 1999, despite only 8 per cent of the votes (see Tables 1, 2 and 3). Tunisia's hegemonic RCD has engineered these large vote-seat distortions to give the *Chambre des Députés* a semblance of pluralism.

Morocco's majoritarian system equalized the number of seats received by competing blocs in 1997. However, while creating large vote-seat disproportions that benefited the leftist Koutla in 1993 and the royalist Wifaq in 1997, it has penalized smaller parties with less than 10 per cent of the votes (see Tables 8 and 9). Given the wide mobilization of the FIS in 1991 and the FLN's exaggerated belief in its own strength, Algeria's majoritarian system produced a vote-seat outcome benefiting the FIS and the regionally-concentrated FFS and RCD, while heavily penalizing the FLN and the 41 smallest parties that got 18.5 per cent of the popular vote in the first round but no seats (see Table 6). The 1997 system was less distorting, but it still disproportionately penalized parties with less than 4 per cent of the national vote, especially the *Alliance Nationale Républicaine* and the *Parti de Renouveau Algérien*, whose dispersed votes translated into no seats. It ensured that the newly-created RND and the FLN could together control the majority of Assembly seats (see Table 7).²⁰

Gerrymandering and mal-apportionment through delineation of electoral districts have also been common forms of electoral engineering in North Africa. Although not always effective or significant influences on voting outcomes, they have been the subject of enormous opposition and politicization. Algeria's April 1991 drawing of electoral boundaries would have profoundly

²⁰ The distortions discussed in the preceding paragraphs help to account for the weaknesses in political parties (and thus pluralism) in the region. As William Zartman has argued, Maghribi opposition parties have a seemingly structural incapacity to become credible alternatives to voters because of lack of finances, state neutrality and patronage power (which can only come from gaining power). Although underestimating the importance of state coercion in weakening parties, Zartman makes the point that 'opening the political systems to competitive pluralism' is not necessarily the key to democratization. See I. William Zartman, 'The Challenge of Democratic Alternatives in the Maghrib', in John Ruedy (ed.), *op. cit.*, p. 201. With the exception of most Moroccan parties, many North African parties lack national implantation and thus have difficulty fielding candidates in all electoral districts.

distorted average voting power by not using size of population in each district as an explicit criterion. Many of the proposed 542 districts were in the sparsely-populated south, where the FLN expected to do well. Following the June general strike, Ghazali reduced some of the heavy gerrymandering in a proposal watered down by the FLN-controlled National Assembly. Still, the new October 1991 law creating 432 districts lacked a 'one man, one vote' principle. Instead, it gave cities with more than 200,00 people one seat for every 80,000 registered voters; *wilayas* (provinces) in the Hauts Plateaux got one seat for every 55,000; southern *wilayas* got one seat for every 45,000; and the most southern desert *wilayas* got one seat for every 25,000. In addition, every province, regardless of size, was guaranteed at least two seats. Coastal and urban areas where the FIS was strong were under-represented while areas where the FLN had done well in the 1990 local elections were over-represented.²¹ Despite this distortion, the FIS still did extraordinarily well, suggesting that the government had committed a 'tullymander' – a gerrymander whose effect was completely the opposite of what had been intended.²² Based on the new 1997 electoral law, the electoral district ordinance of 1997 eliminated most of the 1991 distortions by prorating the number of seats in a *wilaya* on the basis of its population. In every *wilaya*, one seat was assigned for each group of 80,000 people, plus another seat for any remaining group of 40,000. *Wilayas* with a population less than or equal to 350,000 were guaranteed four seats, and Algerians abroad were allotted eight seats.

In Morocco, redistricting has always been the prerogative of the Interior Ministry. Before 1993, it commonly resorted to *mixage*, where rural areas that were conservative were attached to urban and semi-urban zones in order to dilute gains of the left.²³ In 1993, parties briefly suspended negotiations with Driss Basri in the Commission

²¹ Salah-Eddine Cherrad, 'Elections municipales et législatives en Algérie: Les scrutins du 12 juin 1990 et du 26 décembre 1991', *Espace rural*, 29 (1992), pp. 36–37. With 37 per cent of registered voters, coastal *wilayas* were only allotted 29 per cent of seats. With 15½ per cent of voters, Algiers, Oran and Constantine had only 10 per cent of seats. By contrast, with only 12 per cent of registered voters, southern *wilayas* and some plains provinces held 21 per cent of Assembly seats. Semi-urban and Berber regions were near the voter-seat national average.

²² David M. Farrell, *Comparing Electoral Systems*, London, Prentice-Hall, 1997, p. 9.

²³ Seimi, op. cit., p. 225.

Nationale, partly to force revisions in the composition and number of voting districts. In the same year five districts whose seats were determined by Moroccans voting abroad were abolished. Since then, there has been relatively more transparency in redrawing district boundaries, but the government still has 'engineering' prerogatives. In July 1997 it announced that there would be 330 seats in the new lower house, requiring redistricting just months before elections. Likewise, the Egyptian government redrew electoral constituencies less than two months before the 1990 elections with no party consultation, and gerrymandering was an important reason for boycott by the opposition.²⁴ Tunisia's code of December 1993 allotted a seat in each electoral district for each base of 60,000 inhabitants, with an additional seat if more than half of this base remained. Each district was guaranteed at least two seats. The revised 1998 code boosted the base to 65,000.

Other effective mechanisms of vote distortion have been rules and practices of voter registration. Tunisian voter lists have been revised annually by municipal presidents and appointees of the Ministry of the Interior, but without any party involvement. In 1999, two special revisions were also carried out, one of which occurred just a few weeks before the elections, to bolster the number of registered voters. Algerian electoral lists have been determined by an administrative commission which includes a judge, but not without glaring problems. For example, it has been estimated that in 1991, 10 per cent of registered voters could not vote because they never received voter cards or because their names were not on lists at polling stations.²⁵ Despite a 1979 law establishing automatic registration, Egyptians must submit a written request to be registered to vote. The registration process in Egypt has always been rife with fraud, starting with multiple registration of the same person or of dead people.²⁶ Gender bias is high. An NGO study for the Population Conference of 1994 claimed that 93 per cent of Egyptian women were not registered to vote, and of those registered, only 28 per

²⁴ Kienle, *op. cit.*, p. 224.

²⁵ Cherrad, *op. cit.*, pp. 42–43.

²⁶ ICER, *op. cit.*, pp. 11–12. In one highly-politicized case before the 1995 elections, the Interior Ministry simply added 13,000 voters to the Cairo district of Nasr City in order to help an NDP candidate. An administrative court later declared the registration illegal.

cent actually voted.²⁷ Moroccan parties have traditionally complained about double registering, pre-set registration quotas, lack of list updating, and *parachutage* – registering large numbers of people outside the district in which they live.²⁸ Driss Basri, the Interior Minister, took these complaints more seriously in 1996 and 1997 when he met with party leaders to discuss irregularities and establish more registration transparency. By March 1997 administrative commissions had completed a cleaning up of the voter lists to the relative satisfaction of parties.

The relative fairness and competitiveness of elections has also been affected by restrictions on who can vote and run for office. Most important was the refusal of governments to legalize certain parties, which has profoundly altered outcomes. While the Algerian government's loose interpretation of the law on associations allowed the FIS to gain legal authorization and run candidates in 1991, exclusionary revisions before the 1997 elections barred parties based on religious, linguistic, or regional criteria. Similarly, Egypt's Law on Parties bars parties formed on the basis of class, sectarian, regional or factional criteria or whose programmes contradict Islamic law. As in Tunisia, where the 1988 law on parties has similar restrictions, the government has frozen the 'typology of public space inherited from the one party era' by refusing to legalize new opposition parties with grassroots support.²⁹ The non-legal status of the Muslim Brotherhood in Egypt and the an-Nahda in Tunisia has meant that their candidates have had to run as independents or assume another party label. One of Morocco's Islamist parties, Al-Islah wal-Tajdid, although not legally recognized as a party, was allowed to field candidates in 1997 via the Mouvement Populaire Constitutionnel et Démocratique (MPCD).

Candidacy restrictions have had a residual effect on outcomes. Government employees, judges and members of the armed forces

²⁷ Makram-Ebeid, op. cit. (footnote 2), p. 134, citing *Middle East Times*, 26 November 1995.

²⁸ Royaume du Maroc, op. cit., pp. 54–55. López Garcia estimated in 1991 that some one-third of potential Moroccan voters were not registered, particularly in urban areas with many recent immigrants. See Bernabé López Garcia, 'Leyes electorales, artimanas legales', in López Garcia et al. (eds), op. cit., p. 239.

²⁹ Mona Makram-Ebeid, 'From the Single Party Rule to the One Party Domination: Some Aspects of Pluralism without Democracy', in López Garcia et al. (eds), op. cit. (footnote 4), p. 123.

are generally precluded from running for office, and those with a criminal history or history of bankruptcy do not have political rights. Egypt's 1977 Law on Practising Political Rights bars candidacies for at least two consecutive elections to anyone sentenced to at least three years in prison. In 1994, Mubarak amended the 1956 law on political participation to exclude from electoral politics those people with assets under court-ordered supervision or those who had declared bankruptcy in the preceding five years.³⁰

Voting restrictions and expansions have potentially affected outcomes. Tunisia has barred members of the military from voting; in 1997, Morocco barred active-duty soldiers, gendarmes and policemen from voting. By contrast, in a September 1995 decree, members of Algeria's armed forces and police were given the option to vote where they worked instead of just where their permanent domicile was located, and Algerians abroad were given the right to vote. The expansion of the franchise apparently benefited non-Islamist parties. In 1997 there were numerous accusations of rigging of the armed forces' votes. In 1990 and 1991 there was extensive debate in Algeria over proxy voting. Some secular parties thought that men casting proxy votes for wives and children would help the FIS, while many FLN members thought it would help their party in southern regions. The government reduced the maximum number of votes that could be made through proxy voting from five to three, and then to one. In October 1991, the Constitutional Court declared conjugal proxy voting illegal. For the 1997 elections, voting by procuration was limited to travellers and people in hospital.

Restrictions on electoral campaigns have been important mechanisms to reduce competition by preventing opposition parties in most states from adequately disseminating information and mobilizing voters. A whole range of restrictions has been used. Postponement or short notice of election dates have been tools of

³⁰ ICER, *op. cit.*, pp. 7–8, 15. More informal and traditional candidacy restrictions are also important. In Egypt's 1995 elections, none of the NDP's candidates were Copts. Mubarak has used his 10-seat appointment power to bring token Coptic and female representation into the People's Assembly. Although gender bias is high everywhere in the region, the high number of female candidates in Tunisia's 1999 election helped women gain 11½ per cent of the parliamentary seats.

some governments.³¹ All the Maghrebi states have had formal campaign periods during which posters could only be placed in special *emplacements*. Restrictions on access to state-controlled audio-visual media, as well as bias in state-owned media, have proved a major stumbling block for the opposition. General limitations on the press, such as Egypt's 1995 revision of the Press Law to increase penalties for slander and libel, have hampered party newspapers. Government resources have often been unfairly used by ruling parties.³² Spending limits are often set artificially low.³³

Algeria's revision of the electoral code for the 1997 elections exaggerated illiberal campaign restrictions. Use of a 'foreign language' during campaigning was prohibited, partly to placate Arabists and Islamists. No candidate could use money or services from a private individual. Every candidate was compelled to adhere to the programme attached to his or her declaration of candidacy. Commercial publicity was not allowed. And candidates were supposed to refrain from what the code defined as any 'gesture, attitude, action or other type of behaviour' that was 'unfair, offensive, dishonest, illegal or immoral'.

Perhaps what is most important, conditions for public meetings have prevented viable public campaigning. Algeria's newly-amended law on public meetings and demonstrations requires long advance notice and gives enormous discretionary power to public officials. In Egypt, which has formally been under emergency laws since 1981, public party gatherings, conferences and marches have been prohibited. And during the 1995 election campaign a large number of candidates and members of the Labour Party, the Islamic Coalition and the Muslim Brotherhood were arrested and sentenced

³¹ For example, King Hassan postponed elections from November 1992 to April 1993 and then June 1993. Mubarak announced the 1995 election date in October of that year and scheduled candidacy registration only one month before the election.

³² For example, during Egypt's 1995 elections government administrations put pressure on employees to support the NDP. Public vehicles were used by NDP candidates; and state TV and radio were blatantly biased towards the NDP. See ICER, *op. cit.*, pp. 12–20.

³³ For example, Egypt's 1995 campaign spending limit per candidate was a mere LE 5,000, although a newspaper estimated actual average spending per-candidate to be LE 100,000. See Makram-Ebeid, 'Egypt's 1995 Elections', *op. cit.* (footnote 2), p. 130.

by military tribunals.³⁴ The government systematically targeted Islamist candidates before the election with intimidation and campaign office seizures. Between November 1995 and the end of the second round of voting in December 1996, the government arrested 1,392 Islamist campaign workers and supporters.³⁵

Of course, the actual conduct of voting on election day and vote counting thereafter have affected the overall credibility and pluralistic implications of North African elections. Monitoring of voting places has been a highly contested issue. In Tunisia, each party list has had the right to place a delegate in voting bureaux, and each candidate or his representative has had the right to monitor vote tallying. Ben Ali established an Observatoire National des Elections Générales composed of ostensibly non-partisan luminaries from civil society to monitor the 1999 elections. Morocco has had election day commissions with party representatives, but they tend to be dominated by the Interior Ministry. In 1993 and 1997, the Koutla raised accusations of vote buying and administrative interference. In Algeria in 1991, each candidate could place a representative in a voting centre. For the 1997 elections there was a pseudo-independent commission made up of party representatives, government officials and prominent individuals who monitored voting, received complaints and reported election abuses. There were also international observers. However, with a massive military and police presence throughout the country, most of the thousands of polling stations had no independent observers.

Egypt's opposition parties had boycotted the 1990 elections largely because of the government's refusal to allow judicial supervision. The 1995 elections were Egypt's most violent ever, with an official tally of 36 dead, over 400 injured and considerable destruction of public property. Party representatives often could not monitor voting centres because they were either arrested, prevented from entering voting offices or ejected from them.³⁶ The Independent Commission for Electoral Review, an independent election observation body, claimed that there was an 'absence of security and honesty in

³⁴ ICER, op. cit., pp. 16–18 and Joel Campagna, 'From Accommodation to Confrontation: The Muslim Brotherhood in the Mubarak Years', *Journal of International Affairs*, 50:1 (1996), p. 279.

³⁵ Campagna, op. cit., p. 299.

³⁶ ICER, op. cit., p. 18.

hundreds of polling stations',³⁷ particularly during the second round when they witnessed pervasive irregularities by voting bureau directors.³⁸ Fraud and extremely exaggerated ruling-party wins, along with some violence and thuggery, ironically have shown North African political elites (Moroccans excluded) to be rather unsophisticated, if not inept, vote-riggers. Although commonly raised, accusations of vote-buying, misuse of private money and other forms of rigging are often difficult to substantiate because governments do not always disseminate complete and detailed voting data after elections.³⁹

THE PROSPECTS FOR POLITICAL PLURALISM

What can be concluded about the prospects for pluralism, *alternance* and democratization in North Africa from an examination of electoral processes in the 1990s? The lesson of the Egyptian and Tunisian elections is that no meaningful pluralism is tolerated in formal institutions. The NDP and the RCD face no relevant opposition in parliaments from which Islamists have been excluded.⁴⁰ Non-ruling and non-Islamist parties have been reduced to shell-like organizations with limited grassroots support and marginal influence.⁴¹ Elections take place without public debate over key issues.

³⁷ Ibid., p. 21.

³⁸ Independent Commission for Electoral Review (ICER), 'Egypt: Election Observations', *Civil Society*, (January 1996), pp. 6–9, p. 8.

³⁹ Election results are occasionally overturned by judicial bodies. Algeria's Conseil Constitutionnel can annul election results. In 1991, 11.8 per cent of ballots were officially nullified for various reasons. See Cherrad, op. cit., pp. 42–43. In Egypt, the judiciary has a formal role in guaranteeing the fairness of elections. The Administrative Court nullified first-round election results in 1995 in half of all districts due to irregularities and suspended an Interior Ministry decision to hold run-offs in a large number of districts. Even though the Supreme Constitutional Court upheld these rulings, the government simply ignored them and proceeded with the second round, while the newly-elected parliament insisted that under Article 93 of the Constitution only it had the power to determine the 'validity' of the membership of its members.

⁴⁰ In Egypt's 1995 elections, only a few of the approximately 150 Muslim Brotherhood candidates running as independents or Islamist-leaning Socialist Labour Party candidates won seats.

⁴¹ Sarah Ben Néfissa, 'Les partis politiques égyptiens entre les contraintes du système politique et le renouvellement des élites', in *Revue des mondes musulmans et de la Méditerranée*, 81–82 (1996), pp. 61–64.

There seem to be few places left to displace pluralistic voices of organized civil society in Egypt. The only really competitive elections have been in professional syndicates, where beginning in the 1980s Islamists began to win many seats on governing boards. In 1993 the Egyptian government established quorums for syndicate board votes, and then in 1995 put some syndicates under court-ordered custodianship. Algeria now has a tripolar system of key government parties (RND, FLN), moderate legal Islamists (MSP, MRI) and Berbers (FFS, RCD), all with relatively clear social clienteles and some contrasting party programmes. Yet the Egyptian and Algerian governments, unable to forge a new social contract, have alienated many middle-class supporters and undermined a secular counterbalance to Islamists. By contrast, Tunisia's Ben Ali has reinforced middle-class support with a successful economic growth strategy while at the same time placing a '*democratic décor*' on what is really a return to a hegemonic one-party system.⁴²

The most promising case, Morocco's 1997 elections, has its limits. The political cycle during the 1997 elections resembled that in earlier balloting: pre-election haggling in which parties sought guarantees and the King sought large participation; constant electoral rule changes by the King; squabbles over fairness of the elections; always a majority close to the government without any real ideology; and a feeling that the whole process escaped voters' understanding and that all the parties were filling a pre-defined role.⁴³ Jean Claude Santucci's assessment of Moroccan elections in 1977 and 1983–84 can easily be applied to those in 1993 and 1997: they do not call into question the regime itself or the fundamental values of God, Country, King/Islam, Monarchy and the Western Sahara.⁴⁴

⁴² Mohamed Mouadda, 'Lettre ouverte à Monsieur Le Président de la République Zine El Abidine Ben Ali', 8 October 1995, photocopy, pp. 3–4.

⁴³ Bernard Cubertafond, *Le système politique marocain*, Paris, L'Harmattan, 1997, pp. 39–40.

⁴⁴ Jean Claude Santucci, 'Processus électoraux et légitimation du pouvoir: réflexions sur l'expérience marocaine', in López Garcia et al. (eds), op. cit., pp. 288, 290. For a similar argument, see George Joffé, 'The Moroccan Political System after the Elections', *Mediterranean Politics*, 3:3 (Winter 1998), pp. 118–19. Moreover, the elections themselves did little to change the cultural foundations of authoritarianism, which Abdellah Hammoudi contends are based on deeply-rooted, master-disciple power relations. See Abdellah Hammoudi, *Master and Disciple: The Cultural Foundations of Moroccan Authoritarianism*, Chicago, University of Chicago Press, 1997.

Mobilization is top-down; competitiveness levels are controlled in advance; rural elite power is preserved; opposition is loyal; and parties are fragmented and socially un-anchored.⁴⁵ The outcome preserves and confirms a segmentary system described by John Waterbury as one in which the king orchestrates division and competition among circulating elites who are successively used and removed, causing immobilism and constantly changing superficial alliances.⁴⁶ Despite the subsequent formation in 1998 of a Koutla-dominated government led by the USFP's Abderrahmane Yousoufi, and democratic advances such as the removal of Driss Basri in 1999 by King Mohamed VI, the monarchy is still the central political actor, heavily influencing the country's policy orientations and key government decisions.⁴⁷ Pluralism and competition exist, but along with significant limitations on the real power of the opposition.

What pluralism does exist in lower houses has increasingly been counteracted by upper houses that can veto, stall, or modify legislation. Morocco and Algeria created upper houses in 1997. The corporatist electoral groups which chose indirect seats before 1997 and which mostly elected Morocco's Assembly of Councillors in 1997 have traditionally tended to support the monarchy.⁴⁸ The Algerian president appoints one-third of the new upper house. Mubarak has placed more emphasis on the Majlis ash-Shura in recent years. Governments have also offset legislative power by presidential veto, indirect election and diffusion of power to local administrators. In other words, even when the margin for opposition has been widened in lower houses, there has been little threat to the regime's control over policy-making.

International pressures for fair elections have been much weaker in North Africa than most places in the world. The regimes of King

⁴⁵ Santucci, *op. cit.*, pp. 288–91.

⁴⁶ John Waterbury, *Commander of the Faithful: The Moroccan Political Elite – A Study in Segmented Politics*, New York, Columbia University Press, 1970.

⁴⁷ See Abderrahim Lamchichi, 'Les spécificités de la transition marocaine: Islamisme et politique au Maghreb', *Confluences Méditerranée*, 31 (Fall 1999).

⁴⁸ In Morocco in 1993, one-third of the parliamentary seats were chosen by indirect elections that were manipulated so as to completely reverse the sense of the earlier direct vote. See Azzedine Layachi, *State, Society and Democracy in Morocco: The Limits of Associative Life*, Washington, DC, Center for Contemporary Arab Studies, 1998, pp. 84–86. In the December 1997 elections to the new upper house, the Koutla won a paltry 16 per cent of the seats, compared to 31 per cent in the lower house elections.

Hassan (and now Mohamed VI), Ben Ali, and Mubarak have had considerable political and economic support from the US and the EU, based on such factors as maintenance of political stability, promotion of economic reform and 'modernity', influence in the Arab-Israeli peace process and military alliance with the West. Even the Zeroual regime received some grudging support, for fear that a breakdown of his regime would lead to an Islamist government. Instead of unduly criticizing unfair electoral processes, the US and the EU have often praised the Tunisian and Egyptian governments for taking steps to democratize, protect human rights and enhance the rule of law, when evidence suggests they are doing precisely the opposite. Given these conditions, the prospects for internationally-induced freer and fairer elections appear slim.

Rather than being about accountability or democracy, North African elections in the 1990s have been about the range of voter 'spontaneity' that ruling elites are willing to accept. When Algeria's military felt threatened by the degree of spontaneity in favour of the FIS in 1991, it staged a coup. In Egypt and Tunisia, any form of spontaneity that could be expressed as electoral support for Islamists (of any relative level of 'moderation') has been squashed. In Algeria in 1997, spontaneity was widened for loyal Islamists and an impoverished population that simply wanted an end to conflict. In Morocco, a widening range of spontaneity was extolled by King Hassan in part because it produced weak, manipulable party coalitions. Whether Morocco's competitive elections will eventually diminish the political prerogatives of the monarchy remains to be seen. While electoral liberalization in the Maghreb in the 1980s was a response to economic problems and the breakdown of the social contract,⁴⁹ in the 1990s electoral de-liberalization has been a substitute for a social contract in Algeria and Egypt, and a concomitant feature of economic reform in Algeria, Egypt and Tunisia. The regrettable legacy of elections in Algeria, Tunisia and Egypt in the 1990s has compelled society to express many of its diverse political interests through religion, informal associations, and violence, or not to express them at all.

⁴⁹ Michel Camau, 'Démocratisation et changements des régimes au Maghreb', in López García et al. (eds), op. cit. (footnote 4), pp. 67–78.