

PhD Third Year Report

This report summarizes the progress of the doctoral research in political science (Executive Authority in the Constitution of 2011 in Morocco: comparative legal study in the light of the constitutions 1996-1962). The report includes the activities carried out during the period from November 2017 to December 2018, which corresponds to the Third year of the doctorate.

1- Introduction

The issue of the Constitution in the history of modern Morocco as ideas and a system of laws, reflect the political transformations that Morocco has known since independence, it is mainly related to linking the production of the Constitution with the development of concepts and institutions and their relationship to democratic construction and the establishment of the modern state in the time of independence. The constitutional amendments also reflect the transformations known to Moroccan society, at the political level, or at the social level, the transition to building a democratic society, and the emergence of civil society and human rights organizations in the national political arena, in addition to demanding political and constitutional reforms.

The research project reflects the evolution of executive authority in the successive Moroccan constitutions, up to the 2011 Constitution, with a legal comparison between the powers and competences of the Head of State with the powers and competences of the Prime Minister, and highlighting the transformations of this area in constitutions (1962-1970-1972-1992-1996), the accumulations that led to the distribution contained in the 2011 Constitution, and problems of practice during the previous government mandate.

2- Research description

2.1- Significance

The importance of the subject itself is linked to the importance of the executive institution within the state, as it is a subject that clarifies the

roles of the executive institution in the Moroccan constitutional system and the body responsible for it. It is based on the comparison between the new constitution and the previous constitutions, as well as the constitutions of other States, such as the French Constitution. Thus, the choice of this subject was not merely a coincidence or a random choice, but this choice had its useful reasons, which can be summed up in the fact that the field of study has several characteristics in the formulation and approval of the Moroccan constitution, in the political situation of the region associated with the changes of the Arab Spring and the reforms that Morocco has known recently, including what is social about the motives of the movement known by Morocco on February 20, 2011 and raise demands unprecedented in its content, including what is legal and constitutional, it is to examine the continuity of the centrality and centrality of the Royal Institution in the Moroccan political life, including the subjective knowledge and research on the various constitutions of Morocco and their meanings and understanding of the context, which may give answers to some of the current issues.

2.2- Research questions

The central problem of research is the status of the king in relation to the executive authority:

Can the King be considered an executive authority under the provisions of the 2011 Constitution?

Does the Government exercise executive authority individually or share it with the Royal Institution?

Based on the central problem, several sub-questions arise, among them:

What are the most important constitutional revisions defined by the Moroccan political system?

What has changed in the Moroccan constitution at every review, especially the executive?

Did these constitutional revisions change the structure of power distribution in Morocco?

How did the relationship of the Royal Institution with the Prime Minister's institution evolve under the 2011 Constitution?

2.3- Hypotheses

The first hypothesis: The Constitution of 2011 establishes new constitutional and political rules characterized by a balance between power, and the lack of dominance of the royal institution over the executive authority.

The second hypothesis: The government exercises executive authority effectively and fully as provided for in the section devoted to the executive authority in the 2011 constitution.

2.4- Theoretical framework

The historical approach, since the use of the historical approach is one of the requirements of research in the relationship between political practice and the Constitution in general, and the executive authority is the subject of study in particular, because the Constitution was founded through different stages and historical eras, and there are in particular historical events affected, directly or indirectly to get it out the way it is today.

The comparative approach, based on the constitutional revisions that Morocco has witnessed previously, and also between the Moroccan Constitution and the Constitution of the French Republic because of its close relationship with the Moroccan model, is the source used by the Moroccan legislator.

Analytical approach, which is necessary to study and analyze and comment on the constitutional reviews, in particular on the executive authority and the limits between the domain reserved for the King and the field of the Prime Minister, as well as the views and readings and writings of researchers in the constitutional law, will also rely in the context of the details of the subject, Constitutional and some of the problems created by actual practice during the first governmental term after the 2011 Constitution, as a constituent mandate.

3- Progress report

3.1- Main achievements

In the next phase, the following tasks will be accomplished:

- Completing the necessary references according to the research needs
- To revise the research methodology according to the developments and the need for research
- Writing the rest of the chapters of the thesis
- Complete the thesis and revise it
- Translation of the thesis into English

3.2- Course of English

- Attendance at the Course of English for PhD in UK (Three months)
- Attendance at the Course of English In Malta (Two months)

3.3- Training abroad

Complete the rest of the thesis and references in Morocco (Eight months)

4- Conclusions

The report's data were collected from the original research that was completed and from the research proposal presented, and also jointly with the presentation that will be presented to the doctoral committee. The report describes the achievements of the last years.