

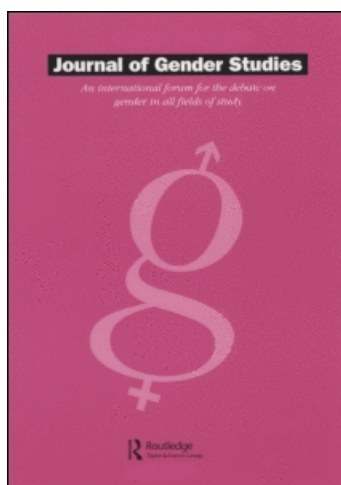
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The development of gender equality for Moroccan women - illusion or reality?

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RESEARCH ARTICLE

The development of gender equality for Moroccan women – illusion or reality?

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This article analyzes the situation of women in Moroccan society. From the viewpoint of social change as a multidimensional process, the main socio-demographic variables are discussed and the course of the pro-rights movement of women and the Family Code reform are examined. The authors find that although real progress has been made over the last 50 years, there is still much more to be achieved. Furthermore, there are indications that the incipient participation by women in the public sphere too often continues to reproduce schemes of subordination.

Keywords: social change; women; Morocco; education; social mobilization; Family Code

Introduction

Much attention has been given in the social sciences to the condition of women in the Muslim world. This interest has been renewed with the rise of Islamist movements, the Iranian Revolution and the Taliban regime in Afghanistan. The course of social change, the persistence of the patriarchy and the role of religion have all been key issues in studies on the reality of Muslim women.

In this article, the situation of women living in a Muslim context is analyzed from the perspective of social change. For this reason, Morocco constitutes an ideal scenario for study. At both the political, legal and social level, there are clear signs that the situation of Moroccan women is changing. Widespread schooling, the continuance of women in the educational system and their greater presence in the public sphere in general, and in the job market in particular, point in this direction. Moreover, encouraged by the reform of the Family Code in 2004, social organizations for the defence and promotion of women's rights are taking hold in the incipient civil society of Morocco. Nonetheless, it is legitimate to question the true scope of these changes, that is, to what degree has the position of women evolved in Moroccan society?

In order to identify the dynamics affecting the situation of women in Morocco, we base our analysis on the hypothesis that social change is a multidimensional process. While the notion of social change is a central issue in sociology, it remains problematic. Although it is not the aim of this paper to discuss this particular issue, we will provide the following definition: social change is understood as 'any observable transformation that affects, in a way that is neither provisional

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nor ephemeral, the structure or function of the social organization of a given collective, thus modifying the course of its history' (Rocher 1968).

To study social change we must take into account not only explicative variables of a socio-demographic type, but also the interactions that come into play between the actors and contextual, institutional and cultural factors. Furthermore, it is necessary to incorporate the subjective dimension that accompanies any process of change. This involves analyzing the existing values in society and assuming the reflective nature of such a process: that is, that the values reflect and act upon the process.

In line with this approach, this article is structured into four sections. Firstly, an analysis is conducted of the socio-demographic variables that are considered to be indicators of change. Secondly, the social mobilization of women is presented, focusing on the demands of associations that promote and defend women's rights. Thirdly, issues regarding legal reform and the most notable aspects of the new Family Code are reviewed. Finally, to conclude, we explore to what degree the identified trends are corroborated by the opinions and attitudes of the general population.

In sum, the aim of this article is to analyze the limitations and achievements of these phenomena in order to determine if they have led to real changes in the position of women in Moroccan society.

Socio-demographic variables of change

Wide consensus exists regarding the socio-demographic variables that play a key role in identifying the processes of social change. Access to education, the postponement of marriage and declining average number of children per women, as well as the effects that these phenomena have on the concept of family, are undoubtedly some of the most relevant factors for understanding the situation of women. In order to gain a better understanding of these processes it is necessary to adopt both a diachronic and synchronic approach. It is plausible to assert that important transformations have taken place in the sphere of education and the family in Morocco over the last 50 years, albeit that current data reveal the many shortcomings and limitations of these changes.

Education: the driving force behind change

Access to education by Moroccan women constitutes a true break with the past. Schooling and diminishing drop-out rates by school-age girls promise far-reaching changes. Nonetheless, the issue of women's education continues to be met with a series of obstacles.

When Morocco gained independence in 1956, the prevalent norm was to exclude women from the educational system. In the school system of 1952, there was only one girl for every five boys. Fifteen years later, the ratio was one girl for every four boys (CERED 2005). Despite policies by the independent state to make education more widespread, this legacy together with a conservative society, poverty, and the lack of political will to fully integrate rural women in the process has meant that 45.1% of urban women and 84.2% of rural women continue to be illiterate today (compared with 22.3% of urban men and 49.4% of rural men).¹ It should come as no surprise, then, that illiteracy is one of the main traits characterizing the condition of Moroccan women.

It is also true, however, that 25 times more girls receive schooling today than in 1956; a trend that has continued to rise since the 1990s (Zirari 2005). While the schooling rate for girls was 61.8% in 1997, by 2002 it had reached 86.6%. This positive trend has been possible thanks to government campaigns such as the Schooling Development Strategy launched in rural areas

in 1997 (Lamrini 2005). This underlines the importance of political measures for overcoming structural and/or cultural limitations. Other steps in this direction include initiatives by the government and civil society to offer second opportunities for learning through informal literacy campaigns which seek to eradicate illiteracy by 2015.

When observing the data by age group, we can see that in primary education (6–11 years of age), urban girls (89.8%) have achieved a similar level of schooling as their male counterparts (91.2%) (Haut Commissariat au Plan 2005). In rural areas, the gap between both sexes has narrowed, dropping from a difference of 26 percentage points in 1990 to 10 percentage points in 2004 (78.5% for girls vs. 88.5% for boys).

As regards secondary education, the schooling rate for young people between the ages of 12 and 15 has doubled in the last 15 years (from 17.5% in 1990 to 31.9% in 2004). While this trend is the same for girls and boys in urban areas, this is not the case for rural areas where the schooling rate in secondary education is only 11.6% for boys, and 9% in the case of girls.

Finally, women account for 45.4% of the students enrolled in public higher education. The number of women holding diplomas tripled from 1990 to 2004, jumping from 46,000 to 146,000. Moreover, in medical, pharmacy and dentistry degrees, the female enrolment rate is nearly 60%.

The progress made since independence in terms of education is real, but continues to be insufficient, especially with regard to women in rural areas. For rural girls a solution has yet to be found for the problems of generalized schooling, the low completion rate at primary level (59% do not complete primary school compared to 20% of urban girls) and the still excessively low schooling rate at secondary level. It is also important to mention that the incorporation of women in higher education is occurring at a time when degrees have been devalued and no longer guarantee career opportunities for one out of every three women.²

In spite of these limitations, schooling provides girls with an outlet from the private sphere, a higher educational level than that of their mothers and a certain amount of parity with boys in terms of their expectations. This trend entails a break with previous generations whose legacy has a bearing on the process of social change currently underway in Moroccan society.

Parallel to the development of education, increasingly more women are entering the workforce. The rate of female employment rose from 8% of the working population in 1971 to 11.5% in 1982, reaching 23% in 1987 and 28.5% in 2004 (Zirari 2005). It should, however, be highlighted that this trend has slowed down as a result of decreased job opportunities in public administration due to budget cuts implemented by the government of the late 1980s. Furthermore, the incorporation of women into the labour force does not always occur on equal terms with men as evidenced by less favourable job conditions and lower salaries, not to mention the overwhelming presence of women in the informal economy (domestic service, textile and agro-food sectors, etc.) (Mejjati Alami 2006).

Neither is it a surprise that decision-making spheres remain off-limits to women. A quick glance at those holding positions of responsibility in the public administration from 2001 to 2002 is sufficient to demonstrate this form of exclusion. Few women can be found in directorial positions (24 women out of 315), among the heads of divisions or services (94 female heads of division out of 1338 and 396 female heads of service out of 2793) and not a single woman among secretary generals or general managers (Chraïbi 2005).

In the political terrain, the number of female candidates and elected representatives has been insignificant for years. From 1983 to 1997, the proportion of female candidates in both the municipal and legislative elections never reached more than 1.2%, while an even lower number of female candidates were actually elected. It would not be until the legislative elections of 2002 that 35 women were able to gain seats in the parliament, due to the fact that 10% of the Congress seats were reserved for women.³ Soon after the elections, three women took office in the government, thus maintaining the presence of women that had been initiated in the previous

term. The fact that in the municipal elections of the following year only 127 women were elected out of a total of 23,286 council members, demonstrates that the much-talked-about incorporation of females was more as a result of the imposition of quotas than the social and party dynamics of Morocco.

Changes in family size and composition

Without a doubt, the family is of particular interest for studying the effects of access to higher educational levels by women. For two decades now, the family has experienced a twofold transformation. In terms of size, there has been a transition from large to small families. As regards family composition, there has been a change from multigenerational (37.3%) to nuclear households (60.3%). These phenomena have left a greater mark on urban areas than in the rural sphere. Indeed, rural areas continue to be characterized by a relatively high number of children (on average, four) and by the coexistence of three generations under the same roof (El Harras 2005).

The size of the nuclear family has diminished significantly. This is evidenced by the fact that adults currently establish families with half the members that those of their parents had (see Table 1). Indeed, the synthetic index of fertility, that is, the average number of children per woman, is lower than three. What is more, certain segments of society, namely urban, well-educated sectors, have similar fertility indexes to those of Europe, in other words, two children or less.

This sharp drop in the number of children per women is arguably explained by the extended use of contraceptives and women's higher educational levels.⁴ The low use of condoms within marriage would seem to suggest that women take the decisions regarding fertility.⁵ Arguably this trend is an indicator of the growing power of women as wives.

The postponement of marriage

In Morocco, marriage is considered to be a universal social norm, but this norm is being questioned as evidenced by the rise of unmarried young people aged 15–34, a rate that has more than doubled over the last three decades.⁶ Although this phenomenon affects both men and women alike, it is particularly marked in the case of women. The rate of unmarried women has multiplied more than fourfold. Within the group of people aged 25–29, 54.1% are single, 40% of whom are women. This is especially significant given that it is at this age when young people complete their education, look for a job or are already employed and enter adulthood. The large percentage of single women over the age of 30 (18.3% of women aged 30–34) is also striking as is the fact that there were three times more single women who reached the age of 49 in 2004 than there had been in the previous 10 years. Finally, it should be pointed out that the data regarding unmarried women in the group of women aged 20–24 are equally relevant in both the urban and

Table 1. Synthetic index of fertility (average number of children per woman between the age of 15 and 49).

Year	1962	1982	1994	1998
Urban	7.77	4.28	2.56	2.3
Rural	6.91	6.59	4.25	4
Total	7.2	5.52	3.28	3

Source: Haut Commissariat au Plan (2004).

the rural sphere where celibacy rates are as high as 69.7% and 51.6%, respectively (Ministère de la Santé 1999).

Celibacy among youth is clearly related to the fact that young people are getting married at an increasingly later age (at 27 years of age for women and 31 for men) (Ministère de la Santé 1999). Schooling and longer continuance in the educational system are all factors that have played a key role in this trend, encouraging new aspirations such as having a professional career. Proof of this is that young women who reach secondary education get married seven years later than illiterate women. Other factors that come into play include the fact that young people want to choose their own spouses (67% of young women and 60% of young men),⁷ increased socio-economic difficulties due to unemployment, the obstacles to buying a house and the expense of paying for a dowry and/or wedding.

However, women aged 20–24 are seven times more likely to marry than men of their age. Arguably this indicates that women continue the social trend of marrying older men. If this is the case, it would suggest that hegemonic structures are still being reproduced on some level, where the husband's authority is grounded in age rather than as solely a product of his gender.

Feminist mobilization

Access to education by women since independence, albeit with its limitations, has led to the emergence of an urban and educated female elite. Some of these women were members of the National Student Union of Morocco (UNEM) in the 1970s and contributed to the intellectual debate about women's circumstances in the 1980s.⁸ These first experiences could serve to explain the emergence of associations for the defence and promotion of women's rights. Associations were created such as the Democratic Association of Moroccan Women (ADFM) in 1985 and the Women's Action Union (UAF) in 1987.⁹ These associations, which originated in the women's sectors of principally left-wing trade unions and parties, were founded with the aim of promoting gender equality and women's rights in a diversity of social spheres; an issue that had been ignored or relegated to a secondary place within these political organizations (Denoeux and Gateau 1995). In addition to endogenous factors, the programmes and activities organized by various agencies of the United Nations, namely the Nairobi conference held in 1985 and subsequent conferences in Copenhagen (1992) and Peking (1995), backed the demands of these women (Feliu 2004, Naciri 2005a).

Alongside these new types of women's associations, others were created to pursue social, economic or professional aims; some of which centred on issues that until then had been considered taboo (abandoned children, single mothers, prostitution, and AIDS, among others). Nonetheless, the boundaries between one type of association and another are unclear and these associations carry out a wide range of activities depending on a variety of circumstances (Desrues 2005). For example, the associations that promote women's rights also organize literacy campaigns or have set up centres to aid women who have been victims of violence.

Today, the network of associations for the promotion of women's rights constitutes one of the most dynamic and active sectors of the emerging civil society in Morocco. These associations have proven themselves to be capable of interacting with other sectors of political and civil society at the national level (for example, pro-human rights associations or associations for local development) and with international organizations and movements such as the European Union, the United Nations Development Programme (UNDP), Amnesty International, the International Federation for Human Rights and the World Social Forum among others. Likewise, they have been able to coordinate themselves in order to mobilize around key issues such as the campaign to gather a million signatures for the reform of the *Mudawana* or Family Code in 1993, to gain support for the National Plan for the Integration of Women to Development

(1999) and to monitor the Family Code reform (2001). Their forms of mobilization and action have diversified to include everything from public demonstrations such as the one held in Rabat in March 2000 and the launching of media campaigns to create follow-up reports on government actions or the situation of women in the country.

One of the most important achievements made by these associations was to bring to the fore in the political and public arena many features of the condition of women; aspects which until then had been taboo and limited to the private sphere or autochthonous cultural traditions. They have also gained a certain amount of recognition as legitimate interlocutors within civil society. Likewise, in spite of the conservative nature of society and opposition by a fast-rising Islamist movement, these pro-women's right organizations managed to put the issue of legal subordination, socio-economic discrimination and participation by women in political institutions on the political agenda in the 1990s. Nonetheless, when reforms and measures regarding these issues are proposed, women's organizations are widely left out of the process. Indeed, the King appropriated these political initiatives when he drew up a national list of women for the elections to the Chamber of Representatives in 2002 and promoted the Family Code reform in 2003.

The new Family Code

Since the 1990s women's organizations have been structured and have mobilized around the Family Code reform issue. Additionally, the need to improve the country's image and a political situation marked by the debilitated Islamist movement following the terrorist attacks of 2003 in Casablanca helped to speed up the process of drawing up a new text. King Mohammed VI finally presented the reform before parliament in October 2003. By stressing that the reform was in line with the tenets of the Koran, the monarch gained the support of almost all political and social sectors. In doing so, he was not only successful at overcoming opposition by the conservative sectors, but also obtained the backing of progressive movements by unexpectedly satisfying many of their demands.

The following is a list of the principle achievements of the new Family Code (Pérez Beltrán 2006, Ruiz-Almodovar 2006):

- The introduction of the principle of equality by which husband and wife are jointly responsible for the family (Art. 4) and the establishment of equal rights and duties within marriage (Art. 51). Consequently, the principle of the wife's obedience to her husband has been abolished, meaning that the wife is no longer obliged to ask her husband for permission to work, travel, etc.
- A woman who has come of age is entitled to marry of her own free will and the obligation to entrust guardianship to the wife's father or a male relative has been abolished.
- The minimum age for marriage has been raised from 15 to 18 (Art. 19).
- The nature of repudiation, that is, the exclusive and unrestricted right of the husband to dissolve the marriage, has been modified in that it is subject to a court ruling. Also the right to petition for divorce may be exercised as much by the husband and the wife either by mutual consent (Art. 114) or due to irreconcilable differences (Art. 100), in which event it is no longer necessary to provide proof of the harm suffered.
- The new code acknowledges the right of the mother to be awarded child custody even in the event that she decides to marry, move to another locality or change her country of residence.
- The recognition of paternity rights for children born during the engagement period is protected.

- The joint management of assets acquired during marriage is allowed when there is mutual agreement between spouses.

In spite of these advances, a series of contradictions regarding gender equality persist in the new code, namely:

- Legal guardianship of children is awarded to the father. Mothers may only exercise this right in the event of death, abandonment or the father's incapacity to exercise this right (Art. 231, 236 and 237).
- The marriage of a boy or girl below the legal age of 18 may be authorized, in exceptional cases, by the courts.
- The right to repudiation remains, albeit subject to certain regulations and that it must be approved by court decision. Divorce in exchange for compensation by the wife (known as a *khol'a* divorce) has also been maintained.
- Changes have not been made regarding inheritance rights or the preservation of polygamy as they are explicitly stated in the Koran.¹⁰ Nonetheless, polygamy is subject to stringent restrictions and can only be authorized by a court decision.

Moreover, other types of discrimination continue to endure in legal practice and Moroccan legislation, making it impossible to achieve true equality between men and women. Firstly, the constitution does not recognize gender equality regarding civil rights or legal capacity. Nor does it give priority to international treaties that have been ratified by Morocco regarding internal norms in terms of human and women's rights. Secondly, the Moroccan government maintains the reservations it declared when ratifying the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) in 1993. Finally, other codes, such as the labour code or the penal code continue to maintain discriminatory dispositions in spite of recent reforms (Naciri 2005b).

On the other hand, two years after its promulgation, the application of the new Family Code faces many obstacles and much resistance. Firstly, the justice system is manifestly conservative. Two examples illustrate this conservative attitude and the fact that the law is applied in a manner that opposes the very spirit of the Family Code. The first refers to the applications for marriage with minors between the age of 15 and 18. Of the total number of applications submitted, 96% were approved from February to December 2004, or to put it another way, only 127 out of 3730 applications were rejected. The second example concerns the authorization of polygamous marriages, of which 85% were approved in the courts of Rabat and Marrakech during this same period (Ligue Démocratique pour les Droits des Femmes 2005).

In addition, as demonstrated by a survey conducted in 2006 by the Haut Commissariat au Plan, the social impact of the reform is highly relative. More than 35% of Moroccans are unaware of the existence of the new Family Code, a percentage that reaches as high as 45% in the case of rural Moroccans.¹¹

Opinions about women's place in society

These considerations question the true reach of the changes affecting Moroccan women, the real impact of the movement to defend women's rights and the legal and political reforms carried out in recent years. The extent to which the situation of women in Morocco has changed needs further interrogation.

Given that the analysis carried out thus far has not provided a satisfactory answer, a subjective dimension should be considered. In order to do this, we determined the most prevalent values regarding the role of women in distinct spheres of social life. With this in mind

we extrapolate what we consider to be the most significant public opinion data¹² on issues such as education, family, professional life and the public sphere.

As regards education, 58.3% of men and 42% of women believe that university-level studies are more important for men than for women. In terms of marriage, barely 23% of both men and women approve of women marrying without a legal guardian. With respect to the family, 75.7% of those surveyed stated that in order to feel fulfilled, women must have children. Nonetheless, small families with two or three children are considered the ideal model for 66.9% of the population and 76.9% of young people in particular. Half of the population (55.8%) believes that it is possible to reconcile professional and family life, while a large majority (69%) share the idea that both men and women should contribute to the household income. However, this does not prevent the great majority of those surveyed (86.9%), both men and women, from believing that men should be given preference over women when seeking employment. Finally, 60.6% of the population (69.8% of men and a striking 51.7% of women) state that men make better political leaders than women.

Conclusions

The main conclusion that can be drawn from the data is that although the incorporation of women in the public sphere does not meet with complete rejection, women remain perceived as subordinate to men and their incorporation is in turn conditioned by this subordination. In spite of the progress made since independence, the situation of women in Morocco is far from egalitarian. This can be summarized as follows:

- Although schooling is increasingly widespread, the process is far from complete, especially in the case of rural women.
- While the age of marriage has increased and the size of the family has decreased, the reproductive role of women continues to hold great importance.
- Although women have joined the workforce, they have done so under conditions of inequality and in an adverse socio-economic context. To this we must add the low value given to female employment in Moroccan society.
- The Family Code reform constitutes one of the most advanced laws in the Arab world. Nonetheless, it has significant limitations and a large part of the population is unaware of its existence.

This panorama of contrasts points to a decline of the patriarchal substrate, but this seems unlikely to disappear, at least in the near future. In fact, we believe that this patriarchal substrate may be reproduced under new guises as women enter the labour market through the most vulnerable and least respected jobs and have access to the type of higher education that prepares them for careers that have, in many cases, lost their social prestige. The changes, which are far from being linear, are framed within a complex process that leaves no room for dichotomous categories such as 'tradition and modernity'. For this reason, it is necessary to analyze the newly articulated situation in greater depth from the standpoint of modifications in positions and perceptions. From this point of view, it is useful to explore the contemporary methods by which Muslim women define their position in society.¹³ Only in this way will we be able to gain a full understanding regarding the issue of the condition for women in a context such as Morocco that is replete with uncertainties.

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Notes

1. The comparative injustice suffered by rural women as compared to rural men who have largely benefited from schooling is reflected in the following data: the illiteracy rate for rural women in 1998/1999 was the same as for rural men in 1960. Furthermore, the difference between both sexes has widened, increasing from 18 points in 1960 to 20 points in 1998/1999 (CERED 2005).
2. Unemployment among holders of university diplomas has been a structural phenomenon since the 1990s. Today, 250,000 university graduates with diplomas are unemployed. To be more exact, 35% of women and 21.8% of men with diplomas are unemployed (Belcadi *et al.* 2005).
3. The election law stipulates that a proportional system be used for parliamentary elections, with 295 seats in Parliament elected in sub-national constituencies, while 30 seats are distributed through a nation-wide list which is reserved by political consensus to women.
4. In 1997, the Synthetic Index of Fertility was 3.7 among illiterate women, 2.3 among women with a primary level education and 1.7 among women who had completed secondary level studies or higher education (Ministère de la Santé 1999).
5. Some 63% of married women between the ages of 15 and 49 use some type of contraception: the pill (40.1%), IUD (5.4%), sterilization (2.7%), condoms (1.5%) or other traditional methods (8.2%) (Ministère de la Santé 2004).
6. See *L'Economiste*, 27 March 2006. *L'explosion du célibat au Maroc* [online]. Available from: <http://www.leconomiste.com> [Accessed 29 March 2006].
7. *L'Economiste*, 20 January 2006. *Grande Enquête L'Economiste-Sunergia: Les jeunes remettent en cause l'autorité parentale* [online]. Available from: <http://www.leconomiste.com> [Accessed 25 January 2006].
8. These include the publications 'Kalimat' (1986–1989) and '8 Mars' (1983–1987) or the 'Approches' social science research group under the direction of the sociologist Fatima Mernissi.
9. Other associations were created later such as the Moroccan Association for Women's Rights (AMDF) in 1992 and the Democratic League for Women's Rights (LDDF) in 1993.
10. 'And if you fear that you cannot act equitably towards orphans, then marry such women as seem good to you, two and three and four; but if you fear that you will not do justice (between them), then (marry) only one or what your right hands possess; this is more proper, that you may not deviate from the right course' (Koran, Surat 4–3 – Women).
11. See *Aujourd'hui le Maroc*, 20 September 2006. *Plus d'un tiers des marocains pas informés de la promulgation du code de la famille*. Available from: <http://www.aujourd'hui.ma/couverture-details49198.html> [Accessed 23 September 2006].
12. Data taken from the *World Values Survey*, 2001. Available from: <http://www.worldvaluessurvey.org> [Accessed 20 September 2006].
13. There are at least three main trends: (1) 'Muslim feminism', which claims its Muslim faith but is not identified with Islamist political ideology nor with occidental feminist tradition; (2) 'Veiled liberal women', who are involved in the global process of restoration of religious norms and conventions in public space but without any political compromise. They come from the new business class and they illustrate the syncretism between local culture and the 'American way of life' (Haenni 2001); and (3) 'Women militancy inside Islamist political organizations' which shows a break between traditional society and women and reflects the individualization process in progress in their societies as they often have to fight against family and Arab regimes' hostility.

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