

A Lowdown on Gender-Lag in the Moroccan Society: The Road Ahead



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ABSTRACT: Women's social and political rights have invariably been a focal point of discussion and debate in academic and political encounters. Currently, the issue of women's rights, far from being a third-rail issue, is an extremely contested, top-agenda matter both within and across countries. Focusing on Morocco, women continue to be marginalized in many facets of society despite the efforts that have been made so far. The slow-paced involvement of women in political life remains an issue that tarnishes the kingdom's proclaimed ambition to be a haven for gender equity. In spite of the legal reforms, namely the 'Mudawana' or family code, gender inequality and sexism persist in stark disregard of the internationally acknowledged rights of women. Although it is clearly stated in the Moroccan constitution that "men and women are guaranteed equal rights", Moroccan women continue to face obstacles and societal discrimination on a daily basis. Thus, an equity-oriented mobilization needs to be undertaken so that women would distance themselves from the absolute implications of traditional societal norms cloistering them to inferior social roles. Within this vein, this paper seeks to sift what follows: (1) how constitutional laws in Morocco are thwarted by deeply-rooted societal norms and practices that underestimate women's potential, (2) how representation of women in politics can be an authentic indicator of overall development and modernization, and (3) how Moroccan women's participation in political life can enhance the kingdom's global image and boost its capacity to play a larger role on the regional and international scenes. Using a content-based approach, this investigation reveals that empowering Moroccan women is a strenuous endeavor that calls for the keen involvement of different social and political actors, namely the Ivy League ones, in order to allot women their stakes as real asset-holders in sustaining multi-layered national development.

KEYWORDS: Women; Representation; Political life; Morocco; Practices; Development; Modernization; Indicators.

INTRODUCTION

The recognition of women's rights is currently an extremely contested issue internationally. With regard to Morocco, women continue to be marginalized in some facets of society. An epitom of this lag in the Moroccan society is the Mudawana or family code, though its reform is a push forward initiative. Throughout Moroccan history, there have been deeply-rooted norms and values that are of key significance in dictating and determining lifestyles, including the roles of individuals in society. One such norm is the traditional formation of a hierarchy of social roles that creates a dichotomy between women and men, whereby men are considered superior to women. Despite this cultural norm, since coming to power, King Mohammed VI has been pushing an initiative starting from 1999 to modernize and democratize Morocco, focusing on equality and respecting the International Rights of Man. Even far before the reign of Mohammed VI, in 1956 at the point of independence from France, Morocco declared equal citizenship for all, men and women alike (General Assembly of the United Nations, 2012). Subsequently, in 1962, the constitution declared that "men and women are guaranteed equal political rights," which was followed in 1963 by the declaration of the right to vote for women and the right to present themselves as candidates in elections (Demathieu, 2015, 192-195).

According to Moroccan constitutional law, men and women are equal in terms of political rights, namely in the right to vote and in the participation in the political sector as election candidates. In reality, women face obstacles and societal discrimination on a systematic basis. Thereby, constitutional law is trumped by societal norms and practices that hamper women from being real asset-holders in political decision-making nationwide (Demathieu, 2015, 192). Considering equal political representation challenges for women brings handy the evaluation of the overall modernization and development prospects of the nation.

Despite national laws in place today, inequality persists in outrageous ways. According to the United Nations International Index measuring gender disparity, Morocco is 118th out of 162 countries (United Nations Data, 2018). Unfortunately, up to 2022, Morocco continues to lag behind in the international standing relevant to gender equity. The disparity consists of differences in economic participation and opportunities, instruction, health and survival, and political power.

The end-goal of this paper is to investigate and propose ways for women to participate and involve themselves in political life in Morocco. We can discern from the above index that even after the establishment of equal political rights, there is still a strong

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disproportion, which can be easily recognized in spheres such as politics. In the last parliamentary elections in 2021, 24.3% of the seats in the national parliament are occupied by women. The deep-rooted structures of society in some ways still do not allow for the total acceptance of women in politics- a fact which is plainly emphasized by the 2012 United Nations Assembly Report.

Nonetheless, the voting system favors women in terms of being a larger feminine proportion of the population eligible to vote in comparison to the masculine proportion (Demathieu, 2015, 192). The origin of the problem rests in the fact that few women run for election. In other labor sectors, we observe a much more significant entry of women into the labor market. However, this tendency does not include the political sector. We note that there are social barriers in Morocco that strongly endorse the traditional role of women as housewives and guardians of children, preventing their entrance into the political sphere. The gender-specific discrimination and inequality in politics are liable to prevent efforts for development and modernization in Morocco.

At the outset, this study explores the current status of women in Morocco since the reforms applied to both the Mudawana and Labor Code in 2004. Next, we examine the obstacles and barriers faced by women to enter into politics. Finally, we cast light on some levers in existence that aim to help women with this challenge and increase a forthright feminine representation in Moroccan politics. Augmenting female representation in government and decision-making positions is, we espouse, inherently linked to the future of Moroccan modernization and development.

The Status of Women in Morocco

The status of women in private life is intrinsically linked to their ability to enter the labor market and access the political sphere of public life. From an anthropological perspective, Zirari (2010, 285-291) adheres to the view that there are urgent matters to be accounted for: “concerning issues such as abortion, inheritance, polygamy or marital rape, these problems should make up the necessary reform agenda in the juridical, institutional, and political spheres that would give context and a real sense of gender equality and equity in both the public action sector, as well as in family and private life.”

Accordingly, it is not enough to simply demand reform either in public life or in private life, since both are fundamentally linked. The norms and values of society in Morocco that influence the comportment of women in private life are thus going to affect the activity and confidence of women in public life. If women are raised to believe it is normal that their place is limited to the household, it is less likely that they demand equality and entrance into public life. Until 2004, the Mudawana obliged women to be dependent on their fathers, and then after marriage on their husbands, treated essentially as minors. The first mobilizations of women concerning the reform of personal rights and family rights occurred in the 1940s. Moving forward, ever since the 1950s, women have been organizing in non-governmental organizations and other women’s organizations in the struggle to acquire fundamental rights that they did not exercise at the time (Zirari, 2010, 287). “Akhawat Al-Safa” was one of the first women’s organizations established to fight for equal rights for women in Morocco. Some examples of the inequality women faced, and areas wherein they demanded reform, are the marriage of young girls and absolute, irrational obedience to their male counterparts. Traditionally, women, Zirari (2010, 286) pinpoints, were subject to the “patriarchal model in which women are assigned simply the task of reproduction.” All of these practices giving women inferior social positions are factors that prevent the emergence of women in positions where they are called for to make decisions for themselves, and for those they represent, notably in the political arena.

The Reform of the Mudawana

Some political opposition surfaced in response to the modifications of the Mudawana. We can characterize two general visions concerning the status of women and the personal rights of women. Firstly, there is the more conservative opinion that advocates the perpetuation of the subservience of women, and the classification of social roles into a hierarchy. Next, there is the more progressive and modernist vision that espouses the principle of equal rights in private and public life. The reform of the Mudawana represents a transition from conservative rules and opinions in society to more progressive social rules. Showing initiative to be willing to establish the norm of equality for all as a priority in both private and public life is very important for the continued economic development and modernization of Morocco.

The Reform of the Labor Code

In regard to the advancement of women’s rights in the public sphere, the modifications of the Labor Code in 2004 truly captured worldwide scholarly and non-scholarly interest. The reform of Article 9 in the code consisted of the prohibition of “discrimination based on gender concerning the type and distribution of work assignments, salary, promotions, benefits, disciplinary measures, and professional training.” Additionally, the reform of Article 346 prohibits “all discrimination concerning salaries between sexes for work of equal value.” By simply looking at these modifications and reforms, we are given the impression that women have the tools and legal backing that they need to enter into any sector of the labor market without facing discrimination. In reality, discrimination cannot be abolished simply by passing a law or modifying a policy on paper. Labor-related discrimination in Morocco has been going on unabated up to 2022. Women in the Moroccan marketplace are not treated on equal footing as their male counterparts- a status that jeopardizes the willingness to empower women and get them involved as sustaining social actresses.

Even after establishing reforms and progress, laws permitting some discrimination against women persist. Looking at the Labor Code, even though the reforms protect women working in public life, many women work undocumented in the private sphere

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without any kind of monetary compensation. Women who work in the domestic and traditional sphere are not provided with benefits or social protection. These domestic workers are often women, girls, and migrant workers. The protection and establishment of equal rights for this vulnerable group are essential for the advancement of women economically and politically.

The 2011 Constitution and the Process of the Integration of Reform by Society

With the advent of the Arab Spring and the February 20th Movement in Morocco, a new constitution was adopted in 2011. One key priority of the constitution is working on the elimination of gender discrimination. For an authentic and genuine adoption of equality by the country, it is not enough to simply change the laws. It is also necessary to reform the mentalities, norms, and values of the population. “We have seen several cases where laws, and even the reform of laws, have not succeeded in battling the discrimination against women in society and in the workplace,” (Zirari, 2010). Concerning equal rights in the new and reformed constitution, the application of these reforms faced significant resistance, especially from social forces that perceive the empowerment of women as a potential threat to their interests. The UN study conducted in 2012 observed this unfortunate tendency in Morocco after the adoption of the new constitution: “[...] The legislation, despite its insufficiencies, was often more advanced than the mentalities of the magistrates and the judges charged with their application [...] The training and information disseminated to the magistrates and judges are insufficient and have not produced expected results. Conservative and patriarchal attitudes weigh on the law and its application, contributing to the maintenance of harmful practices.” The improvement of this mentality of resistance to changes among judges is essential for the application of true justice and equality. Additionally, despite the mobilization of certain women fighting for their rights, there is also “a lack of knowledge among women concerning new reformed dispositions” (Demathieu, 2015). The process of reform in everyday life must include all women being aware of the rights that they are accorded. As the reform is geared to benefit women, it is important that women know about their rights so that they can exercise them.

The examination of the status of women in Morocco and the reforms of rights enumerated for them in the Mudawana and in the Labor Code cannot be dissociated from the participation of women in politics, since both facets are indicators of the development of the role of women in society as contributing members. In an empirical, fieldwork investigation, Zirari (2010), vouches for the idea that in Morocco there is a schism between “legal equality and equality in practice.” Women have for the most part obtained equal legal rights, but this equality is not embodied in reality. The increased presence and participation of women in decision-making positions in politics and in the labor market, in general, is a gateway for putting genuine equality into practice in everyday life. Given this prognosis, questions continue to raise about the actual underpinnings of women’s underrepresentation in the Moroccan society.

Women’s Barriers to Entrance into Public Life

The barriers to entry for women in politics are based in the social and economic spheres. We can sort out six barriers which underlie the under-representation of Moroccan women. To begin, the literacy rate of women in Morocco remains low. The current total population of Morocco is more than thirty-seven million. Of the 10 million of the population who cannot read and write, 62% are women. According to the Moroccan High Commission for Planning (HCP), 48.7% of women over 25 were literate in 2021, thus we can see that more than half of women remain illiterate. By contrast, around 70.9% of young women between the ages of fifteen and seventeen are literate. This higher rate is a good sign for the future of women in the labor market in general, and more specifically the augmentation of the number of women able to operate in politics and decision-making positions where literacy is an essential base skill.

A second noteworthy point is the fact that women overly hold subordinate positions or jobs that do not require much qualification. This phenomenon is linked to the literacy rate figures and educational levels. The fact that a significant number of women hold positions that do not require much formal education or qualification perpetuates the marginalization of women, holding them back from the political and economic sectors. Without qualifications or base knowledge of how the state functions and the future of the country’s development, women will not be able to work in the “chambers of public decision making,” as Zirari (2010) puts it.

Thirdly, in education and media, we can assert that there is a veritable system in place to perpetuate and purvey the worldview that women should not exceed the traditional role of wife and mother. As we have established, despite the reform of the rights of women, the principle of their inferiority remains subconsciously in practice by society. This practice is incessantly fed by the media and continuously anchored by educational agencies, namely home, school, and the community. Concerning school textbooks, the education system, for instance, molds the students’ perceptions of work, family life, and citizenship. The way in which girls are educated will determine their success or failure to enter politics as well as the professional labor market outside of their familial sphere. An educational system that perpetuates the stereotypes of traditional gender roles also perpetuates the marginalization of women in politics and business.

The fourth point pertaining to the systemic discrediting of women is the fact that they continue to be demeaned by harassment in both the public and private spheres. This harassment spans in gravity from domestic violence to sexual harassment. Aggression toward women, in Demathieu’s (2015) words, “solidifies and perpetuates their containment in the private sector.” In this

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way, harassment is a way to devalue women and affirm masculine superiority. It also hinders the encouragement of women to develop a sense of confidence in themselves to pursue careers in politics and business.

Another barrier to women's integration is the organization of traditional workday schedules and hours. The organization of the day and scheduling of meetings can be very inflexible for women who, for example, may need to pick up their children from school every day before the end of the workday (Demathieu, 2015, 194). Thereby, mothers of families are not encouraged to enter the labor market. The fact that women are somewhat obliged to choose between having a family and actively participating in the labor market is another dissuasive factor toward the active participation of women in politics, business, and society.

The final obstacle that thwarts women's emancipation in Morocco is the fact that there is a significant deficit in social infrastructure, specifically concerning daycare and childcare facilities. This lack of social support does not allow women with children to work full-time if they cannot rely on family members to watch their children while they are away from home. As such, the infrastructure of social resources constitutes another substantial hurdle that impedes the entrance of women into politics and public sector work.

Consequently, women must surmount numerous obstacles to enter into politics and the labor market as full-time workers and employees. In 2001, the Democratic Association of Women in Morocco (ADFM) published a book entitled *Mutilated Democracy: Women and Political Power in Morocco*. The expression "mutilated democracy" is a vivid illustration of the situation in Morocco where politics does not equally represent all facets of the population, notably women. Despite the fact that women were guaranteed the right to vote and to run for election by 1963, the actual number of women running for election on a regular basis remains small in reality. The disequilibrium of power and mutilation of democracy where the entire population is not equally represented are also perpetuated by the barriers to entry of women into political life. Change of these mentalities will not be immediate, but, for development to progress, they must change and evolve.

Recently, since the 2000s, some progress has been made in favor of the participation of women in political roles. The evolution of the number of female representatives in national politics since Moroccan independence from the French protectorate can bring handy for us a factual understanding of the situation. In the bicameral parliament, there is the House of Councilors and the House of Representatives. Only the House of Representatives is elected directly through national suffrage. There are a total of 395 representatives in this chamber who are elected for five-year terms (Enhaili, 2006).

The history of the election of women in the House of Representatives cannot go unnoticed since it provides real indicators of the process of Moroccan women's integration in public life. From independence in 1956 to the legislative elections of 1993, there were no female representatives in parliament. In the 1963 elections, of the 690 total candidates that ran for election, only 16 were women. Those 16 were not elected, but simply the fact that they ran for election was an essential first step for women in politics, in anticipation of the day the first women would actually be elected. Concerning voter participation rates, of the 73% national voter participation rate, women represented 45% of that figure in urban areas, and 39% in rural areas. From 1963 to 1993, there was no improvement of the number of women running or getting elected. By contrast, the percentage of women voters participating in elections did increase. For example, in 1977, the national voter participation rate was 82.3%, and women represented 48.54% of that total, which is almost half of total national participation (Enhaili, 2006). The progress is gradual, but over the years we glean that women are gaining ground in their efforts to attain equal participation in politics.

Eventually, in 1993 two women were elected to the House of Representatives. The national voter participation rate in this election was 75%. Of the 2,099 candidates that ran for election, 33 of them were women. The two women elected were Representative Bannani-Smirès and Representative Skalli. It is interesting to note that before their election to parliament, both of these women were already active in Moroccan political parties. Bannani-Smirès came from the Istiqlal Party (PI) wherein she was a member of the executive committee. Skalli came from the Socialist Union of Popular Forces (USFP) wherein she was the second in command of the central committee. These two parties combined won the majority of seats in general in the parliament in the 1993 elections.

Next at the local and regional level, the first post-independence elections took place in 1960. The number of seats up for election was much higher at the local level than the national parliament. Given these increased chances, women succeeded in being elected at the local level starting in 1976. However, with the augmented number of seats up for election in play, the small number of women elected is more shocking proportionally than at the national level. Continuing with the example of the 1976 elections, out of 13,358 seats in play at the local level, 9 women were elected, or 0.067% of total seats. This percentage, let us emphasize, is minuscule. The 1992 election is an example of a particularly large dichotomy and disconnect between the number of women who ran for election, and the number actually elected. "The disconnect between the percentage of female candidates (1.16%) and of those elected (0.35%) indicates that the voting population is not yet ready to put their confidence in the capability of women to handle the management of local affairs [...]" (Enhaili, 2006). Through this phenomenon in 1992, we can clearly see the disconnect between the establishment of equal rights, by which women have the right to run for election, and equality in practice where they have trouble getting elected in significant proportions in comparison to their male counterparts.

Up to 2022 and despite the incessant lip service that has been made to the absolute necessity to give women a much more significant role in running public affairs, the under-representation of women in prominent decision-making circles does not really capture the forward-looking wishes of pro-women activists. The Higher Commission for Planning's (HCP) most recent study from

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2021, states that the number of working women in public administration positions is still beneath the average. For instance, only 29.1% of women, which is less than a third, serve as ministers in the government. Additionally, based on the same source, only 22.3% are Moroccan working female lawyers, which represents less than a quarter of the total. The fact that only 12.8% of small, medium, and large businesses and enterprises are run by women, is a significant number that exemplifies the under-representation of women in the business world.

The Levers Encouraging the Entrance of Women into Political Life

Working on decreasing the disparity between equal rights on paper and equal rights in practice is not always simple. Yet, should they be considered, some existing levers may serve as stepping stones for the integration and participation of women in politics. The first propelling lever is the adoption of quotas in elections. Starting with the 2002 election, Moroccan political parties actively encouraged the participation of women in politics by guaranteeing a minimum of 30 seats in the House of Representatives for women. This approval and support of women by political parties seems to have also played a role in increasing the confidence of the voting population. We come to grips with this increased confidence right away in the results of the 2002 election when 35 women were elected, exceeding the amount required by the quota.

In 2011, a law increasing the female representative quota in the House of Representatives to 60 seats or 15% of the total 395 seats was enacted. The law requires that political parties submit a list of candidates running for election from their party that includes at least 60 women and 30 men under the age of 40. This time the imposition of a quota is not simply an agreement between political parties, but it has become a national law. This law also shows that it is not only women who are disproportionately represented in government, but also the youth. The quota for men under the age of 40 is important for ensuring the political participation of newer generations, who will play an invaluable role in the future of the country and its development. In the 2011 election, 67, or 16%, of seats were filled by women in the House of Representatives, once again exceeding the quota.

Another law enacted for the 2011 elections requires political parties to “achieve a one-third proportion of the participation of women in their governing body at the national and local levels. However, “this law does not specify any sanctions that will be administered in the case that it is not respected” (UN General Assembly, 2012). A 24.3% total female representation rate in 2021 does not reflect a one-third representation of women in political parties on the national level. While Morocco has made a lot of progress in terms of legislation to improve the under-representation of women in politics, to tackle the objective of achieving equality in practice, legislation reform must be coupled with reformed social practice, norms, and values of the society.

One way to work on correlating legislative reform with actual societal practice is through education. In addition to traditional education, the UN 2012 General Assembly Report maintains that “[...] in environments dominated by men, women should benefit from special training to help develop their sense of professional direction and their confidence in themselves.” Education and training are one of the best methods of empowerment and changing social norms. When discrimination persists after laws are reformed, there is an absolute necessity to attack the process of the production of inequality and discrimination. Using education as a method of changing societal systems and politics, Morocco can move toward emergence as a more developed and modernized nation on the international scene. This emergence requires a systematic push for sustainable gender equality.

Election quotas and education are the levers in Morocco helping to encourage the entrance of women into political life. These forms of “positive discrimination” are, however, slightly paradoxical. The base meaning of the word discrimination is very negative. In the case of the participation of women in politics in Morocco, discrimination with good intentions in favor of women is necessary to revolutionize the system to the point at which the equal presence of women in parliament is perceived as completely normal.

CONCLUSION

The fight for gender equality in Morocco has experienced a significant paradigm shift in recent years. Even if legislative reform is not perfect, and resistance persists from certain judges and patriarchal members of society, the progress made is undeniably significant. A 24.3% female representation proportion in the House of Representatives is meaningful. To give a comparison with the United States, 123 of 435, or about 28.3%, of the seats in the House of Representatives are currently held by women (Congressional Research Service, 2022). We can see through this juxtaposition that Morocco has made spectacular progress in two decades concerning the proportion of the participation of women in politics.

By mobilizing in favor of equality, women are distancing themselves from the absolute implication of traditional societal norms assigning them inferior social roles that deprive them of giving free vent to their potential as game-changer citizens.

The emergence of women in politics, encouraged by positive discrimination, is a gateway for the country to actively work on the eradication of discriminatory dispositions. The road ahead is far from being challenge-free. The voting population must develop confidence in women holding decision-making positions in politics and all sectors of the labor force in general. An increasingly equal emergence of women in politics and public life is vital for Morocco’s future development and capacity to play a larger role on the international scene.

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This paper is an attempt to invite scholars and researchers to tap into this fertile research avenue. Gender issues in general, in Morocco in particular, provide an alluring site for cross-disciplinary investigation. Gender-related axes invite scholars from all walks of academia, in anthropology, sociology, cultural studies, discourse studies, and media studies, to cite but a few. Conducting such a multi-layered kind of research is liable to provide deeper insight into the pathways amenable to women's emancipation and self-assertion- a persistent need should Morocco hope for a coveted, viable, and unshakeable foothold on regional and global scales.

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