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Ambrosi L. (ed.), Trisorio-Liuzzi G. (ed.), Quagliariello R. (ed.), Santelli Beccegato L. (ed.), Di Benedetta C. (ed.), Losurdo F. (ed.).

Women status in the Mediterranean: their rights and sustainable development

Bari : CIHEAM

Options Méditerranéennes : Série A. Séminaires Méditerranéens; n. 87

2009

pages 29-32

Article available on line / Article disponible en ligne à l'adresse :

<http://om.ciheam.org/article.php?IDPDF=801048>

To cite this article / Pour citer cet article

Knidiri M. **Women in Arab societies: the case of Morocco**. In : Ambrosi L. (ed.), Trisorio-Liuzzi G. (ed.), Quagliariello R. (ed.), Santelli Beccegato L. (ed.), Di Benedetta C. (ed.), Losurdo F. (ed.). *Women status in the Mediterranean: their rights and sustainable development*. Bari : CIHEAM, 2009. p. 29-32 (Options Méditerranéennes : Série A. Séminaires Méditerranéens; n. 87)



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# Women in Arab societies the case of Morocco

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**Abstract.** In the Arab world, women account for only 25-30% of the working population on average; however, in 2007, 70% of graduates were women. Indeed, the situation differs greatly: on the one hand, Tunisia is definitely the leading country and the principle of equality is expressly guaranteed by the constitution and the legislation; on the other, the Gulf States are quite far behind in their way to emancipation. In Morocco the history of the emancipation of women includes two distinct periods: at first, the approach is « humanitarian» recognising to women only the role of reproduction; later, from 1998, the issue becomes a political and strategic priority and the new Family Law Code is enacted in 2004. It sets out equality between the sexes by regulating some fundamental questions : shared responsibility of the family, woman's guardianship, marriageable age; (almost total) ban of polygamy; recognition of marriages contracted abroad; repudiation; divorce; custody of children; children born outside marriage, separation of property. At present in Morocco there are women ministers, members of parliament, and many others who hold positions in the public sector and in enterprises.

**Keywords.** Social structure – Role of women – Social legislation – Family – Fertility – Arab countries – Morocco.

## **La femme dans les sociétés arabes : Cas du Maroc**

**Résumé.** Dans le monde arabe, la moyenne de la population active féminine s'élève à 25-30% de la totalité ; toutefois, en 2007, 70% des diplômés universitaires étaient des femmes. La position de la femme dans les Pays arabes est nuancée : d'une part, la Tunisie est pionnière dans ce domaine et le principe d'égalité est garanti par les textes constitutionnels et la législation nationale ; d'autre part, les Pays du Golf accusent un retard flagrant dans l'avancée vers l'émancipation. L'histoire de l'émancipation de la femme au Maroc s'articule en deux périodes : dans la première, l'approche à l'émancipation se limite à un concept « humanitaire » qui valorise le rôle reproducteur de la femme ; dans la deuxième, à partir de 1998, la question féminine est abordée comme une priorité politique et stratégique avec la promulgation du nouveau code de la famille en 2004. Celui-ci reconnaît l'égalité entre les sexes en intervenant sur des questions fondamentales : la coresponsabilité des deux époux ; la tutelle de la femme ; l'âge du mariage ; la (presque) impossibilité de la polygamie ; la reconnaissance du mariage conclu à l'étranger ; la répudiation ; le divorce ; la garde des enfants ; l'enfant né hors mariage ; la répartition des biens. Aujourd'hui, le Maroc peut compter sur des femmes Ministres, des femmes parlementaires et plusieurs décideurs femmes au niveau des établissements publics et des entreprises.

**Mots-clés.** Structure sociale – Rôle des femmes – Législation sociale – Famille – Fertilité – Pays Arabes – Maroc.

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## **I – The role of women in the Arab world**

In Arab countries, the perception of women as being relegated to a role of secondary importance is supported by a whole social and cultural system which opposes female emancipation and the equality of the sexes.

In terms of numbers, there is still a long way to go before women's capacities are used rationally in the economy and in politics.

Only 6.5% of women are employed in the public sector, compared with a world average of 15.7%.

Women account for only 25-30% of the workforce, while the world average stands at around 45%.

However, the situation differs greatly from country to country. In some Arab countries remarkable progress has been made in women's rights, while the emancipation process has been delayed in others.

In 2007, 70% of graduates in Arab countries were women.

In Egypt, women occupy 31% of the jobs in the public administration.

Tunisia is definitely one of the leading Arab countries. The principle of equality is expressly guaranteed by the legal code and Articles 20 and 21 of the Constitution state: "women are electors and eligible".

40% of doctors and 70% of pharmacists in Tunisia are women.

The personal status code of Tunisia (issued on 13.08.1956) abolished polygamy, introduced judicial divorce, established 17 as the minimum age for consensual marriage, and gave mothers the right to act as guardians for their under-age children if the father should die.

Other Arab countries which have followed this example are Egypt, Syria, Jordan, Lebanon, and Morocco, which is dealt with in the second part of this presentation.

Apart from the United Arab Emirates and Bahrein, the other Gulf States are quite far behind, despite the various initiatives promoted by feminist NGOs. For example, Saudi Arabian women do not have the right to vote and to drive a car, although it is estimated that women in Saudi Arabia possess assets worth a total of 40 billion dollars.

## **II – Morocco and women's rights**

First of all it must be stressed that the emancipation of women and their integration into the processes of development have always been central issues for the authorities in Morocco since independence was achieved in 1956, although two distinct strategies have been pursued. The first of these was put into practice from 1956 to 1997, and the second from 1998 (the start of the so-called "government of change") to the present. It is useful to take a brief look at the phases of this process.

### **1956-1997**

The public policies to promote women's rights in Morocco were clearly very limited in scope. Firstly, the strictly social and "charitable" or "humanitarian" aspect of women's situation, in which the only important role was that of reproduction.

These public policies aimed only at women and put the emphasis on social work, school attendance, family planning, promotion of women's cooperatives and business ventures and so on. The main organizations in charge of promoting women were part of the Ministries of Health, Youth and Sport, and had limited personnel and financial resources available.

These policies were carried out without involving the target groups or society in general.

Nevertheless, this period saw some more or less decisive progress made, for example, in terms of girls attending school in towns and cities, where the percentage rose from 24% in 1970 to 48% in 1998.

Women in employment amounted to about 29.3% of the total workforce in 1998.

Moreover, the family planning policies gave women greater awareness of their own bodies and made it possible to reduce the fertility rates. This meant transition from the extended family to the nuclear family with 2 or 3 children.

## **1998-2008**

When the “government of change” began in 1998, and HRH Mohammed VI came to the throne in 1999, a new process of female emancipation took shape - of strategic importance for the development of the country.

The issue of women's place in society was tackled as a political and strategic priority for the development and modernization of the country. An operational plan was initiated which counted on the cooperation of the organizations in society.

This operational plan will be extended to all sectors (social, political, economic etc.) with the aim of giving women responsibility and the possibility of contributing to national development.

### ***A. Social and personal spheres***

Following publication of the new Family Law Code in January 2004, women now have almost complete equality.

The new code made changes which improved the status of women in comparison with the previous legislation. In particular there are 11 main points of this reform:

- Shared responsibility: the family is now the joint responsibility of the parents, and no longer the exclusive responsibility of the father;
- Guardianship: a woman no longer needs a legal guardian in order to be able to marry;
- Marriageable age: this has been raised from 15 to 18;
- Polygamy: this is now subject to conditions making it almost impossible;
- Civil marriage: the new code recognises marriages contracted abroad;
- Repudiation: this is now only possible when authorised by a judge; in the past this was an exclusive right of the husband;
- Divorce: Women have the possibility to ask for a divorce;
- Custody of children: custody is awarded first to the mother, then to the father, and lastly to the maternal grandmother; custody must be guaranteed by a decent home and the payment of maintenance;
- Children born outside marriage: children have a right to paternity if the marriage is not formally registered;
- Division of property: a couple can sign a pre-nuptial contract regarding the administration of property acquired after marriage.

### ***B. Politics***

Morocco has always given women the right to vote and to be elected. At present, during the reign of HRH Mohamed VI, women are investing a great deal in politics. Following all the changes which have taken place, a certain number of women have succeeded in achieving important positions in political life.

There are now 7 women ministers, 33 members of parliament, and many others who hold positions in the public and state-controlled sector.

### C. The economy

In addition to the women ministers and parliament members who decide the economic policies of Morocco, other women are high-level officials in the public bodies, and there are also female entrepreneurs.

Therefore women in Morocco have managed to make progress in all areas of the economy (from the primary to tertiary sectors).

## III – Conclusions

Despite the delay in women's emancipation seen in the Arab world, it must be recognised that women have made some important progress in the last few decades. Many Arab countries have adopted laws which guarantee equal rights for women as much in the family sphere as at the level of local organizations, town councils and advisory bodies, in the certainty that no adequate socio-economic development is possible without the real participation of the women in society.

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