



Development
Progress

THE ROAD TO REFORM

Women's political voice in Morocco

Clare Castillejo and Helen Tilley



Moroccan women gather at an event commemorating International Women's Day. Photo: © UN Women / Karim Selmaouimen.

Case Study Summary

*Women's empowerment
and political voice*

- Women's representation in parliament has increased dramatically, from 1% in 2003 to 17% today.
- Morocco's 2004 Family Code is one of the most progressive in the Arab world.
- In 1993, Morocco ratified an international agreement on gender equality that has provided leverage for further progress in domestic legislation.
- The 2011 constitution asserts women's equal rights and prohibits all discrimination, including gender discrimination.
- Data on the spending of public funds is now gender-disaggregated data and so can be used to inform lobbying campaigns to improve outcomes for women and girls.
- Women's health and social outcomes have improved dramatically: the fertility rate is now one of the lowest in the region; the maternal mortality rate fell by two-thirds in just two decades; girls' primary school enrolment rose from 52% in 1991 to 112% in 2012 (due to re-enrolment); and just under 23% of women are in formal employment (2011).

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Why explore women's political voice in Morocco?

Women's political mobilisation in Morocco illustrates how excluded and adversely incorporated groups can achieve greater political voice, even in the face of considerable obstacles. Morocco's active and effective women's movement originally attracted mostly urban-educated women but expanded during the 1990s. It broadened its appeal, drawing in both secular and Islamist women, and lobbied for equality for women and girls in access to services, employment and political voice. This has had an impact: women have acquired progressively greater presence in civil society and the formal political system, and they have become politically active in new ways.

This political engagement has enabled women to fight for their rights more effectively and has led to a series of institutional, legal and policy reforms that women elsewhere in the Middle East and North Africa (MENA) region, with the exception of Tunisia (Chambers and Cummings, 2014), have not been able to achieve. The campaign to reform family law in particular has been held up as a model for women's movements across the region. These reforms have, in turn, created further opportunities for women to exercise voice, both within formal politics and broader society.

The policy changes that women have achieved since the 1990s have been highly contested, challenging as they do existing power relations and the nature of the underlying political settlement. As a result, implementation has been slow and inconsistent. However, these policy reforms have unquestionably empowered women: they provide a crucial framework within which women can make further claims, and send a powerful signal about the future direction of women's rights and public roles. This iterative interaction between agency through mobilisation and structural change through institutional and policy reform lies at the heart of the recent progress Morocco has made on women's political voice.

What progress has been achieved?

The progress achieved on women's political voice and rights needs to be understood within the context of Morocco and the broader MENA region. Morocco is a constitutional monarchy in which the King and the traditional establishment enjoy vast powers; democratic space remains considerably limited despite top-down political liberalisation reforms undertaken since the 1990s. The region is characterised by entrenched gender inequality and women face severe social, political and economic constraints. Authoritarian political systems dominate, resulting in a lack of political space for *any* citizen demands.

In recent years there has also been the rise of powerful political Islamist movements that reject many elements of the women's rights agenda. In fact, while the Arab

uprisings of 2011 led Morocco's King Mohammad VI to adopt wide-ranging constitutional reforms, including an elected government and an independent judiciary, these reforms have had paradoxical effects for women. Opportunities for political voice have increased, but not only for women, and the first democratic election held in 2011 brought to power a moderate Islamist party – the Justice and Development Party (PJD) – that is opposed to progress on women's rights.

This context makes the ability of Moroccan women to promote their rights and influence policy all the more remarkable, and it shows that progress is not linear. Here we outline some of the most significant milestones in Morocco in terms of increased political voice.

Political opening and increased number of women in politics

The pro-democratic reforms that began in Morocco in the 1990s (in part as a result of international pressure) opened up opportunities for women to exercise greater political voice and participation.

The women's movement used Article 30 of the 1962 constitution, which states that women and men should have equal access to elected office, to push for quotas. In 2002, 30 seats were reserved for women in the Assembly of Representatives and this was increased following the Arab Spring. Women now occupy 17% of parliamentary seats, which is above the regional average and represents a dramatic increase from the 2003 election where only 1% of seats went to women (Quota Project, 2014).

Legal reforms to advance women's rights

Since the early 1990s there has been a series of legal reforms in Morocco that have gradually helped to advance women's formal legal rights, with positive implications for their agency and political voice. Early reforms were limited but built momentum for more substantial changes.

Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW, 1993)

In 1993, Morocco ratified CEDAW (although specific clauses were excluded), giving women leverage in their negotiations for progress in domestic legislation.

Labour code (2003)

This recognised gender-based discrimination and criminalised sexual harassment in the workplace.

Moudawana ('Personal Status Code') reform (2004)

The *Moudawana* codified women's subordinate status within the family and in relation to divorce, marriage, child custody, inheritance and property rights, limiting women's autonomy and agency. In 2004, it underwent substantial reforms. The 'Family Code', as it was renamed, is now considered one of the most progressive in the Arab world;

the Social Institutions and Gender Index (SIGI) identified it as the second most liberal of six countries in the MENA region in its treatment of women, after Tunisia.¹

Nationality law (2007)

This enabled children to gain Moroccan citizenship through the mother for the first time.

Constitutional reform (2011)

The new constitution strengthened and institutionalised women's rights and asserted equality between men and women.

Criminal legislation (2014)

A parliamentary amendment removed the proviso that a rapist could escape prosecution by marrying his victim, even if she was underage. Women's activists now hope to push for a substantial overhaul of the country's rape laws.

Budgetary reform

The introduction of gender-responsive budgeting (GRB) has resulted in changes to the way that Morocco analyses its budget for gender inclusiveness. It is hoped that this information (disaggregated by gender) will provide the women's movement with leverage in campaigns for greater policy effectiveness and implementation on issues related to women and girls.

What are the factors driving change?

Effective and broad-based political mobilisation of women

Despite the deeply conservative socio-religious context, profound social and economic inequalities and powerful contestation around every aspect of progress in policy reform, Morocco's women's movement has succeeded in communicating the need for improved rights for women. Effective political mobilisation has hinged on a combination of three main factors. First, women succeeded in building broad coalitions and networks and forging links with other political and rights-based actors. Second, they established close links with ordinary women and familiarised themselves with their concerns. Third, the women's movement showed great flexibility and agility in responding to changing circumstances and opportunities.

Broad coalitions

The women's movement in Morocco broke new ground in uniting religious (Islamist) and secular women and in bringing together women who promoted a feminist agenda across diverse fields. They also networked extensively, both with other like-minded social and political domestic movements and with the international feminist movement. These international links provided intellectual and practical support, and in 1992 women's organisations from

across the Maghreb formed a regional network known as *Collectif 95 Maghreb Egalité* (Collective 95 Maghreb Equality). This enabled Moroccan women to point to improved gender equality in neighbouring countries, such as Tunisia, helping them illustrate the compatibility of women's rights and Islam.

The women's movement in Morocco adopted an approach to policy engagement which saw them lobbying for change from *within* the establishment, rather than fighting for reform using confrontational and oppositional tactics. This 'within the tent' approach has made it possible for their networks to include the Palace, and for some to be appointed to positions on relevant boards and councils. This regular interaction with key power-holders and decision-makers has provided an important lever in negotiating for institutional change.

Links with ordinary women

Feminist non-governmental organisations (NGOs) emerged in the 1990s and sought to tackle the problems faced by ordinary women. This gave the movement an entry point into the practical problems and obstacles women experienced, and injected greater realism into the movement's priorities. Feminist groups adapted their communication to suit their different audiences – using Arabic rather than French, adopting an Islamic frame of reference, demonstrating an in-depth knowledge of religious scripture and challenging gender-based violence.

Women involved in the movement stressed the need to distinguish between true Islamic values and local patriarchal customs and justified their demands for reform with the notion of *ijtihad* (meaning diligence, or independent thinking), the Islamic legal process of (re-)interpreting religious texts. These approaches saw their grassroots support grow.

Flexibility on the ground

Women activists were highly adaptive in responding to changing circumstances, both in taking advantage of opportunities (supportive political leadership in the late 1990s) and in responding to challenges (the rise of political Islam).

Political leadership and support from the monarchy

Royal discourse sets the path for policy trends in Morocco. King Mohammed VI's interest in promoting gender equality was a key factor in achieving progress. He publically championed women's rights and used his legitimacy as 'commander of the faithful' and the concept of *ijtihad* to justify reinterpreting the *Moudawana*. In 2001 he created a Royal Commission to draft the Family Code to replace the *Moudawana*, deflecting criticism by including both modernist and traditionalist experts. The King also encouraged political parties to adopt quotas for women in the 2002 national elections and the 2009 local elections. This gave them representation in formal

¹ The SIGI ranked only Egypt, Iraq, Morocco, Tunisia, Syria and Yemen, representing less than half of the countries in the MENA region.

political institutions. He backed the removal of Morocco's reservations to CEDAW, declaring them 'obsolete', and played a central role in promoting gender equality in the 2011 constitution.

Many feminists suspect the King's motivations, arguing that his support of gender equality served his own interests in response to international pressure from Morocco's western allies and the threat posed by the rise of political Islam, by helping to bolster (limited) liberalism. Regardless of the motivation, however, the palace's promotion of gender-equality issues provided a critical opportunity for Morocco's women's movement, which women embraced both strategically and adaptively.

Socio-economic changes

A number of socio-economic changes have empowered women in Morocco, enabling them to engage with the world outside the home on their own terms and giving them greater autonomy and freedom to express themselves politically. These include socio-cultural changes to rural Moroccan society, changes to family structure, improved girls' education, better women's health and greater opportunities for paid employment outside the home.

- **Family structures** have evolved in Morocco, with the nuclear family increasing in importance relative to the extended family. This has provided important context for women's increased agency within the home.
- **Girls' access to education** has improved, with girls' enrolment in primary school increasing from 52% (1991) to 112% (2012) – the highest in the region. The gender gap has fallen from 41% (1984) to 6% (2012) and although enrolment is lower in secondary school, the gender gap is also lower: 28% of girls enrolled compared to 32% of boys (World Development Indicators; UN Statistics). These trends matter as improved female literacy is likely to increase access to paid employment and give women greater confidence and agency, and ultimately greater levels of political voice.
- **Women's health has improved**, enhancing their human capital and freeing them for greater economic and political engagement. They are having fewer children, with the fertility rate falling from 5.54 (1981) to 2.24 (2011), giving Morocco one of the lowest rates in the region, and fewer women are dying in childbirth, with the maternal mortality rate falling from 300 deaths per 100,000 live births (1990) to 100 (2010) (a 67% decline, representing the largest in the region) (World Development Indicators).
- **More women are employed**, with just under 23% of women in formal employment (2011), one of the highest figures in the MENA region. But they continue to face discrimination, poor working conditions, unequal access to training, lower pay and longer hours, which indicates limited negotiating power. They are also particularly vulnerable to job loss and heavily concentrated in the textile sector, informal sector and agriculture. Women's

proportion of the unemployed increased from 25.7% (2000) to 30.6% (2011) (Haut Commissariat au Plan, 2012). Access to paid employment outside the home supports women's empowerment, providing legitimate access to the public sphere and potentially increasing their negotiating power and autonomy within the home – important building blocks for enhanced political voice.

International funding

The Moroccan women's movement has received fluctuating amounts of international funding, averaging only 0.3% of total official development assistance (ODA) and channelled largely through NGOs. The EU has given support to the government on GRB and other gender-related policies and interventions.

What are the challenges?

Morocco has faced considerable challenges in achieving progress in women's political voice. Policy reforms have been achieved, but implementation has lagged behind and there has been resistance to further policy reform.

Partial democracy limits women's political voice

Despite advances in political opening, most power continues to be invested in the monarchy, and the King decides what is of strategic importance. Parliament has little influence, elected governments have minimal autonomy, and some opposition forces remain effectively banned. The King directly established some of Morocco's political parties and his co-option of others further limits the effectiveness of Morocco's democracy, as does his control of important sectors of Morocco's economy.

Well aware of where power lies in Morocco, women activists have made strategic decisions to focus on harnessing the King's support for gender-related reforms. This, however, has given rise to criticisms that the women's movement has been co-opted and that reforms, which have mainly been driven from above, serve the monarchy's interests. This need to adapt to contextual realities has resulted in women's organisations deliberately limiting their demands on contentious issues. More broadly, unaccountable and non-transparent governance, the lack of a separation of powers and the absence of an independent judiciary have limited the ability of women's organisations to hold the state to account, especially with regard to implementation.

Tensions between Islamist and secularist interpretations of women's rights

Tensions between secularist and Islamist women's movements have become particularly visible since the Arab uprisings and the election of the PJD. Ironically, the opening up of the political system has given greater political voice and representation not only to women but also to Islamist groups who seek to limit women's political space and rights. Secularist women's movements worry that there might be a backlash against hard-won rights and are focusing on how to preserve them and ensure their

implementation. The PJD's support for a relativist and culturally specific interpretation of women's rights means that they oppose signing international treaties on women's rights, lifting reservations on CEDAW, the National Plan of Action to Integrate Women in Development (PANIFD) and reform of the *Moudawana*, which they see as a threat to traditional family life.

The fragility of the reforms is also illustrated by the paucity of senior women politicians in Morocco, with numbers of ministers below the MENA average (UN Statistics; World Economic Forum, 2012) and few high-visibility women in government since the election of the PJD.

Reforms over the past decade have brought about significant progress in many aspects of women's rights, but resistance to change continues in important areas, including, for instance, equalising inheritance rights, eradicating polygamy, removing a husband's unilateral right to repudiate his wife, and introducing alimony in the case of separation. These areas are sensitive in Morocco due to conservative interpretations of the Qur'an, and the women's movement has been cautious and slow to push for reform, illustrating how public opinion determines the speed of progress.

Failure to implement reforms fully

Implementation of new legislation in support of women's rights has been poor due to limited commitment, political will and capacity in key ministries. A failure to sell the reforms to street-level bureaucrats has left them unconvinced and unsupportive of the changes. Reform fatigue, deepened by the complexity and slow pace of the reform, has further dampened enthusiasm for change.

Inadequate disaggregated data on women's social and economic status limits the extent to which the state can be held to account. Effective GRB could provide useful ammunition, but there has been insufficient progress in budget reform, and sector-level monitoring and evaluation is still too poor to provide the necessary data. In addition, the institutional structures for including women's interests in policy-making are largely cosmetic and have little impact beyond ameliorating the most visible aspects of inequality.

Broader discriminatory norms and social practices

Reform is being hampered by institutional failures. The judiciary is not committed to upholding women's rights, and women's access to justice is further hampered by an ineffective and highly variable family division. Corruption also means that a favourable outcome must often be 'bought', which is beyond the means of many women. Local structures of customary power have resisted outcomes benefiting women.



Rally at International Women's Day 2011 in Rabat, Morocco. Photo: © Nacho Fradejas Garcia.

Patriarchal norms in Morocco mean that women are widely seen as subordinate to men, belonging to the domestic realm and unsuitable for leadership positions. This, and women fearing being stigmatised for challenging social norms, has slowed the implementation of gender reforms. Nevertheless, widespread awareness of the new Family Code means that, despite poor implementation, attitudes are beginning to change, with women viewing their role more positively and asserting themselves within the family.

Women in politics have found it difficult to translate their presence into policy influence. For the most part, they remain excluded from local and central party debates and decision-making processes (key informant interview, female Member of Parliament). Political parties have also been unwilling to promote women to leadership positions when in power, so Morocco has fewer women ministers than comparable MENA countries – 5.9% compared with Algeria (10.5%) and Tunisia (7.1%).

Blocked influence leaves many women disillusioned with politics and they are less likely to vote than men. Those who want to exercise public voice have done so through NGOs, although even here women gain fewer leadership roles than men.

In the labour market one important factor driving women's exclusion is an employer's commonly held perception that women (particularly married women) are less productive. This is compounded by the absence of institutional and legislative support for working women (such as maternity leave or affordable childcare). So, while the jobs they have provide an important entry point to employment outside the home, they do not indicate that women have achieved parity with men in Morocco's labour markets. The limited availability of high-quality work for women in the formal sector and the strong concentration of women in the informal sector may also limit the instrumental value of secondary and tertiary education for girls.

Women's rights and gender equality in Morocco have become a political battleground within broader struggles between traditional elites and Islamist movements over the very nature of the political settlement underpinning the state.



Moroccan women working in a marketing department in Rabat. Photo: © Arne Hoel / World Bank.

Lessons learned

Women's voice in Morocco has been influenced by profound changes in the MENA region in recent years, including the rise of political Islam, the 'war on terror' and the turmoil of the Arab uprisings, as well as the strategic response by the Palace to these challenges. Women's rights and gender equality in Morocco have become a political battleground within broader struggles between traditional elites and Islamist movements over the very nature of the political settlement underpinning the state. This case study delivers the following key lessons.

- **Inclusive and well-organised social movements that can reach across divides and respond strategically to change can drive policy change.** Morocco's women's movement has shown how a flexible and responsive leadership has been able to build a broad coalition among women coming from different traditions and perspectives, driving change from inside the establishment and making the most of opportunities, including the King's support for reform and foreign donors' backing for GRB. To increase its cross-cutting appeal, the women's movement also sought to understand ordinary women's issues and improved the way that it communicates in order to gain wider recognition.
- **Even highly effective social movements cannot drive change on their own: they need influential champions involved in the decision-making process.** In Morocco, the King's position gives him strong influence over the national policy debate and he has been able to push through specific equalising reforms, publically championing women's rights and using his legitimacy as 'commander of the faithful' and the concept of *ijtihad* to justify reinterpreting the *Moudawana*.
- **A pragmatic, strategic and gradual approach to sensitive areas of policy reform may be more effective, at early stages, than direct political confrontation.** Feminists in Morocco have avoided falling into the trap of pursuing a radical agenda with vocal opposition to the status quo, which would have probably divided women and provoked a stubborn

response. Instead, they have networked with senior establishment figures and taken an approach of working 'inside the tent' to lobby for change. By strategically delaying pushing for certain sensitive areas of reform (such as inheritance law) they have gained progress on wider reforms. This gradualist approach has helped to ensure that the women's movement remains intact, incorporating women with very different interpretations of Islam and life experiences.

- **Democratisation processes provide avenues for increased political voice, but paradoxically this can empower actors that oppose progressive change.** In Morocco's case, the 2011 constitution gave women important new rights and opened the way for more democratic elections, the most recent of which brought to power an Islamist-led government that rejects the universal definition of women's rights.
- **Progress in political voice is rooted in broader changes in society.** In Morocco, socio-cultural changes in rural areas have combined with other socio-economic changes to enable greater political voice for women. Women have gained improved education, smaller families, better health and greater access to paid employment outside the home. These factors have empowered women, making it more possible for them to claim their rights by engaging in political processes and social movements.
- **Progress in women's political voice is not experienced equally.** Urban, educated women from upper income groups are more able to participate publically in the political arena. They are more likely to run for and be elected to political office, especially parliament, and more likely to work in the media or for NGOs and rights organisations. Despite welcome improvements in health and education, which support women's improved human development and enable women to access better employment, the more tangible effects of increased political voice remain elusive for poorer, more rural and less well-educated women.

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Overseas Development Institute

203 Blackfriars Road
London SE1 8NJ

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Charity no. 228248

Contact us

developmentprogress.org
developmentprogress@odi.org.uk
T: +44 (0)20 7922 0300

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