

**THE CULTURAL, AND LEGISLATIVE FACTORS LEADING TO  
FEMALE SOCIAL, POLITICAL, AND ECONOMIC SITUATIONS IN  
MOROCCO**

**LES FACTEURS CULTURELS ET LEGISLATIFS CONDUISANT A LA  
SITUATION SOCIALE, POLITIQUE ET ECONOMIQUE DES FEMMES  
AU MAROC**

**Pr. El Fethouni Yasmina**

FSJES Souissi

Université Mohamed V

Rabat

**Abstract**

In recent years, the Moroccan government has been playing a significant role in enhancing the place of Moroccan women inside and outside of the nation. Policies has been installed in the purpose of increasing the participation rates of female entrepreneurs and politicians. Today, seats in both chambers of the Moroccan parliament are occupied by an important number of Moroccan female politicians. More financial help is given to female entrepreneurs to encourage women participation to bring an added value to the economy of the country.

However, the Moroccan family law remain stagnated by cultural factors that are participating to the limitation of the development of the country. Many articles in the family law are discriminating between the roles of both parents inside the family institution. Men are still considered the main family providers, and the main decision makers within the family. According to the family law, in the contrary to man, women are not impellent to provide financially for their families, but many of their legal rights are paid as the price to this exemption.

In a new constantly changing era, the Moroccan government is playing an important role trying to keep up with the continuous changes. However, exempting half of the nation population from financial participation to the family is also handicapping half of the economy by encouraging women to stay home instead of adding a value to the country. Today, we are in front of the fact of “equal rights for equal duties” inside both the family institution and society as a whole.

**Key words:** Morocco, family law, equal rights, equal duties, economy, political participation

### Résumé

Ces dernières années, le gouvernement marocain a joué un rôle important dans l'amélioration de la place des femmes marocaines à l'intérieur et à l'extérieur de la nation. Des politiques ont été mises en place dans le but d'augmenter les taux de participation des femmes entrepreneurs et politiciennes. Aujourd'hui, les sièges des deux chambres du parlement marocain sont occupés par un nombre important de femmes marocaines. Une aide financière accrue est accordée aux femmes entrepreneurs pour encourager leurs participations afin d'apporter une valeur ajoutée à l'économie du pays.

Cependant, le droit marocain de la famille reste stagné par des facteurs culturels qui participent à la limitation du développement du pays. De nombreux articles du droit de la famille établissent une distinction entre les rôles des deux parents au sein de l'institution familiale. Les hommes sont toujours considérés comme les principaux pourvoyeurs financiers de la famille, ainsi que les principaux décideurs légaux. Selon le droit de la famille, contrairement à l'homme, les femmes ne sont pas obligées de subvenir financièrement aux besoins de leur famille, mais bon nombre de leurs droits légaux sont payés comme prix de cette exemption.

Dans une nouvelle ère en constante évolution, le gouvernement marocain joue un rôle important en essayant de suivre les changements continus. Cependant, exempter la moitié de la population nationale de la participation financière, handicape également la moitié de l'économie en encourageant les femmes à rester à ne pas travailler. Aujourd'hui, nous sommes devant le fait « de droits égaux pour des devoirs égaux » tant au sein de l'institution familiale que de la société dans son ensemble.

**Mots clés :** Maroc, droit de la famille, égalité des droits, égalité des devoirs, économie, participation politique

# moroccanmom2021

I am a Moroccan mom in 2021

I carried my child in my womb for nine months until I GAVE LIFE to him, but

I am not the legal guardian of my child

I have no rights over my child

I am not allowed to make decisions about his education,

I am not allowed to make decisions about his extracurricular activities,

I am not allowed to make decisions about his medical treatments

I am not allowed to apply for his passport,

I am not allowed to create a savings account for him,

I am not allowed to go on a trip with my child without an authorization from his father

I am a Moroccan mom in 2021

When I pay for medical treatments, it's the dad who has the right of reimbursement

When I contribute more than 50% of the household expenses, it is the dad who receives the family allowance.

I am a Moroccan mom in 2021,

If the father of my child dies, it is not guaranteed that I will be the legal guardian of my child

If the father of my daughter dies, my girl will get only half of the inheritance

I am a Moroccan mom in 2021,

In case of divorce,

I can lose custody of my child if I decide to rebuild my life and create a new family, to his father who has the right to remarry without losing custody.

I do not have the right to manage my child's assets, so the father keeps this right even if the court is aware in case of violence and neglect coming from the male legal guardian.

I am a Moroccan mom in 2021

If I work hard and put assets in my child's name, the father can take them anytime he wishes, because he remains the legal guardian.

I am a Moroccan girl,

I don't have the right to control my body,

I don't have the same rights as my brother,

I inherit half of what he does, even if we both work and we both pay bills

I SAY STOP

IN THE FACE OF JUSTICE, I AM INFERIOR JUST BECAUSE I WAS BORN A  
WOMAN

“More countries have understood that women’s equality is a prerequisite for development.”

*Kofi Annan, 7th Secretary-General of the United Nations.*

## Introduction

“More countries have understood that women’s equality is a prerequisite for development.”

*Kofi Annan, 7th Secretary-General of the United Nations.*

After centuries of discrimination, Moroccan women are already participating in almost every sector, including health, business, education, and politics. Beside the fact Moroccan women are already succeeding in different sectors all over the world, females legal and social situation in Morocco are still a crucial matter compared to the international standards of gender equality.

Nevertheless, the situation of the Moroccan woman is rapidly enhancing, especially when it comes to access to education, political representation, public administrative positions, business and health sectors; but due to cultural barriers, women are still legally and socially struggling to reach a hundred percent legal equality. There are still many laws discriminating between the two genders, unfortunately battering women’s rights in majority of times. In recent decades, the Moroccan woman made a lot of effort to achieve higher positions in the society.

What may seem paradoxical, Moroccan women are both custodians of tradition and agents of change. They are an important vector of society modernization, essential "elements" in the economic and social development, focused on salaried work, access to positions of high responsibility, and community involvement.

Until some time ago, women were conditioned by two events that crowned their lives: marriage and motherhood, which were their only sources of social recognition and appreciation. Today, Moroccan women, more particularly educated and active ones, assert themselves within their family and their couple by impressing their will on family projects, where marriage and motherhood are no longer considered as the only principles of identification. When it comes to the level of education, income, number of children, and marital status, the Moroccan woman of the 2000s is very different from her elders.

Women have understood that the fight for equality gender equality starts from the associative and community service work, which is a fundamental way to make a change and gain recognition in all sectors. Increasing female literacy, awareness of equality of rights, and

supporting females' entrepreneurship are the main objective of the work done by the associations defending women's rights in Morocco. However, and undeniably, women in Morocco continue to be subjected to different forms of discrimination and violence since her social and legal statuses are still markedly unequal to the man's ones.

Therefore, this article will discuss the cultural, legislative, judicial, educational, and political factors impacting female economic and social situation in Morocco.

## **Part I: Female economic and Entrepreneurial situations in Morocco**

### *1. The empowerment of the Moroccan women*

The 2011 Constitution highlights in its introduction that Moroccan system « is founded on the importance of equality, mainly equal opportunities and social justice». The Chapter 19 of the constitution claims that «both women and men have access to equal civil, political, economic, social, cultural, and environmental and liberties». Therefore, the constitution ensures the guardianship of equality between men and women. Government programs were created to watch over female participation in the political image of the country through encouraging their participations in the political parties.

Since the 80s, Moroccan women started bringing a tremendous added value to the economy of the country. Today, 31.6 % of the doctors of the country, 31.3% of dentists and 41 % of pharmacists are all Moroccan women (New York report of the Kingdom of Morocco, 2017).

In order to ensure a fair and equal status for both men and women, the Moroccan government started making great efforts to include the gender equality approach in public policies schemes. Therefore, many projects were launched at the aim of institutionalizing equality in the public service sector. Therefore, modernizing the public sectors through integrating the principle of gender equality in its policies, was a good step towards reduce discrimination between the genders in the workplace.

This approach led to an increase in women's contribution and representation in decision-making.

In 2020, the female employment rate in Morocco reached 16.7 percent, which shows a decrease compared to the years before. The employment female rate decreased from 22.3% in 2012 to

reach 16.7% in 2020. The peak was achieved in 2013 at 22.7 percent. On the other hand, the male employment rate in Morocco stood at 62.9 percent in 2020 (Doris Dokua Sasu, 2021).

Additionally, between 1999 and 2013, it was reported that 23 % of active women in urban areas have a higher level of education compared to 82.2 % of women in rural areas, who have no education level and are employed mostly as family helpers.

## *2. Moroccan Women in decision-making positions*

During the period 1999-2013, the professionals' independent women represented 13.3 % of the active working women's population, which has known a rise from 14.6 % in 1999 to 16.1 % in 2013, women who succeed in creating enterprises and employment represent only 0.6 % of active working women, because They face difficulties in creating enterprises, particularly in terms of funding, non-competitive methods, and the process of creating enterprises. Despite the importance of women in business and entrepreneurship to enhance competitiveness and job creation, professional integration, supports the creation and distribution of wealth, and reduces disparities.

Despite the difficulties that face women inside and outside the workplace, the Moroccan government keeps encouraging women's entrepreneurship and participation in the economic activities of the country. the Association of Women Entrepreneurs (AFEM) estimates that the number of women entrepreneurs does not exceed 10,000, which represents barely 0.5% of women's employment in the formal sector and about 10% of the number total enterprises. Therefore, the participation of Moroccan women in the economy does not exceed 26% (Bensassi, 2018). Even if female education rate is relatively high in Morocco, in 2016, women occupy no more than 5% of the managerial positions in the country. This can be considered as a red flag leading to other factors that can be affecting the development of the country.

In order to encourage women's access to the economic sectors, our country Morocco has launched a program that aims to improve the socio-economic conditions of women living in rural areas. Furthermore, in order to encourage entrepreneurship and project management, a socio-economic program was created, with an annual budget allowing the financing of 70 projects per year, which is today benefiting over 1,400 women living in rural areas. There are more efforts that have been made to improve the business skills of these women (New York Report of the Kingdom of Morocco, 2017).

General Confederation of Enterprises in Morocco is an example of a union led by woman, which have the objectives of creating gender equality in the work place, women's economic empowerment, girls' education, fighting against school dropout, and encouraging female entrepreneurship. Despite of all regulatory reforms by Morocco authorities to enhance women's access to equal economic opportunities, women are still facing several challenges such as the low participation rate in the economic activities, difficulties of access to financing; limited access to information and communication technologies (especially in rural areas), additionally to the social forces that are still discouraging women to enter the workplace.

### *3. Female entrepreneurship*

According to the multiple studies published by the International Monetary Fund and the World Bank, the economic development of any country requires the integration of women as a fully-fledged part of the global economy. Women's entrepreneurship is currently considered as the heart of many socio-economic development strategies, focusing on social inclusion and cohesion as a general objective. In Morocco, Women's entrepreneurship is a fairly recent practice that emerged in the late 1980s.

the 2018 Global Gender Gap report of the World Economic Forum showed that Morocco is ranked 137th in the global rankings in terms of gender gap. According to the 2019 Global Entrepreneurship Monitor, the percentage of female entrepreneurs or owner-managers of a 'new business' represents 0.5% compared to their male counterparts.

As several studies have shown, there is a close link between gender equality, economic prosperity and a country's competitiveness. It is therefore essential that women are integrated in all areas of activity, as underlined by HM King Mohammed 6 in his speech on 20th November, 2014, on the occasion of the Global Entrepreneurship Summit where he stressed on the importance of equal opportunities in the field of entrepreneurship to strengthen the contribution of women to the economic and social development of our country.

In order to encourage female entrepreneurship, the Association of Women Entrepreneurs of Morocco, created on 28th September, 2000, has concluded several partnership agreements with various institutions to ensure its members access to various products and services in order to support and accompany these women in the various steps and phases of their projects.

In 2013, the association has concluded a partnership agreement with the central guarantee fund which gave birth to the fund "ILAYKI" which is an incentive initiative to push the banking



sector in Morocco to encourage women entrepreneurship through products specially designed for this type of businesses, also an introductory and awareness campaign has been put in place for members of the association on this and various other financing and guarantee products. According to statistics published by the Central Guarantee Fund in 2017, 428 very small businesses were created as a result the loans of 141MDHS that were guaranteed by this fund. Despite all the efforts of various institutions and the orientations of the country, a World Bank study has shown that in 2017 Morocco is among the 20% of countries where the participation of Women in the labor market is the lowest. In entrepreneurship, in particular, the figures are indisputable: only 10 to 12% of entrepreneurs are women.

Several obstacles to the development of women's entrepreneurship are recognized in reality. The choice was made to classify the different obstacles highlighted in three broad categories. The first category includes socio-cultural barriers and the second issue is the difficulties in funding access as for the last issue it is related to the access to the support organizations.

#### **The obstacles:**

In general, the masculine culture is at the source of several socio-cultural problems for women entrepreneurs. From early infancy, girls are educated to be housewives rather than managers or entrepreneurs. They are confined to the role of the mother attached to her home who sacrifices herself for her family and cares for the education of the children.

According to customs and cultural habits, which have become obsolete in the current context, a woman can't manage men, command them or be at their head. Many men nowadays find it difficult to work under the command of a woman and to receive orders from her.

Regarding the institutional obstacles to the emergence and development of female entrepreneurship, a number of problems remain. These are mainly related to the access to funding which is an important obstacle for Moroccan women entrepreneurs. First because the cost of the credit is perceived as exorbitant also because of the diverse guarantees required.

Often these entrepreneurs find that the deposits required by the Moroccan banks are too high. Due to the reticence of the banks and the choice of some women not to take risks, the use of bank loans is extremely low. However, it should be noted that the problem of funding accessibility is not specific to women entrepreneurs. The majority of businesses created by women are small, which limits their access to institutional funding and limits their growth potential.



In Morocco, despite the presence of a series of associations and organizations for the support and promotion of women's enterprises, however, very few women have joined these groups. Among the most famous associations in Morocco, we quote the « Association of Moroccan Women Entrepreneurs ». Unfortunately; many women who are interested in entrepreneurship are unaware of the existence of these structures. Information campaigns are required to bring these organizations closer to Moroccan women.

### **Promoting women's entrepreneurship**

First of all, it is necessary to promote, in a pedagogical and coordinated way, entrepreneurial culture, entrepreneurial learning and its impact as a lever for social and economic development. Several studies have confirmed the role and importance of education as the main determinant of entrepreneurial intent regarding the younger generations. Both school and family structures should promote the autonomy and creativity of the female child.

Secondly, the entrepreneurial community must be based on equal opportunities for men and women. Indeed, while the legal framework guarantees the rights of women and the principle of equality of opportunity, the reality is quite different, women remain victims of discrimination. Women are capable to do as well as men in the field of business if the environment is more suitable.

Thirdly, an increasingly high number of women in Morocco are engaged in the informal economy and operating in the small-scale sector, and micro enterprises. With the proper governmental and social support, these women can create sustainable, organized and growth-oriented enterprises with a vision.

Finally, government policies and regulations regarding business and industry can be formulated with the intent to encourage women entrepreneurs. The first part of the approach must be to review the existing regulatory framework, and make necessary modifications. The second part should be to take vital steps to reduce the administrative hurdles.

Women are a real driving force in the development of our country and constitute more than half of the population, although there are still many social, financial or structural obstacles. They continue to develop every day and prove their ability to innovate and undertake in all areas regardless of their complexity.

## **PART II: Political Situation**

### *1. Female participation*

Since the 1990, women in Morocco have acquired progressively better representations in both the Moroccan society and in the political scene. This political engagement has led to a series of legal and policy reforms that have strengthened women's formal rights to political participation. The Moroccan legislator have made several commitments in order to improvement the female situation in the national and international levels.

Therefore, in 1993, Morocco ratified the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW: was adopted on December 18, 1979 by the General Assembly United Nations). The signature of such international agreement means that the Moroccan government acknowledged the universality of women's rights. This gave the Moroccan feminists movements leverage in their negotiations, in order to make more progress in domestic legislation, which was a big step for the political life of Moroccan women.

Women gained both the right to vote and the right to stand in an election on the same date in May 1963. The assumption of leadership by women is historical and considered to be a great gain for Moroccan women. Morocco also reformed its electoral code to introduce a quota aimed at increasing female political representation; 67 women currently have a seat in the country's legislative chamber, and since 2011, provisions promoting gender equality have been enshrined in the Constitution.

Furthermore, at the Council of Ministers, King Mohammed VI endorsed a decision allowing women to become public notary officials (adoul). Women can now therefore draft marriage and divorce certificates, or other legal documentation, particularly with regards to inheritance and property.

To continue improving the status of women's rights, the Moroccan legislator have to overcome the actual cultural representation of the Moroccan women, by promoting progressive social change assuring female dignity, social and civil rights. His majesty the King Mohamed VI is continuously advocating for a gradual approach to empower the Moroccan woman in every sector. The objective of reaching gender equality in the face of justice can easily be reached if the Moroccan legislator make efforts to attain the same purpose.

## *2. The historic events leading to female participation in politics*

The history of Moroccan women's right movement dates from the period of independence, which was marked by the discouragement of women by nationalist leaders or by French colonizers. Women were not the first priority of the state at that precise moment, since the state was just liberated from the French colonizer. Only a few women, who belonged to families with male nationalist leaders, participated in the liberation movement in struggle for independence. Malika Fassi, was an example, who belonged to the family of the influential national leader Allal Fassi, and who took part in signing of the manifesto of independence in January 1944.

The second phase is called the Liberation one. This stage was characterized by women's freedom of expression in the public space, when many women from different social classes joined political parties, and created more movements discussing women's issues, and demanding equity and human rights. Women at this stage became more aware of their role as true agents of change in education, job market, and political scene (Sadiqi,2004).

The third stage is the one of Democracy, which was characterized by a significant number of events that occurred between 1993 and 2003, summarizing the consolidation of women's activism in civil society. In 1993 two women entered the parliament as elected members for the first time in the history of Morocco. Both women belonged to political parties for the first time: the socialist party and the Independence party. In 1996, a new constitution was established, and four women were appointed as ministers later in 1997. In the same year, four women were designated by the late king Hassan II as secretaries of state in a government of 30 members. In 1998 for the first time, two women were appointed by the socialist party. One of these women was responsible for the department of International Cooperation affiliated to the ministry of foreign affairs, and the second one had the responsibility for the department of people with disabilities. In march of the year 2000, the massive national march was held by feminist NGO in the honor of recognizing women's right in Morocco. of women's day. In the same year, the country witnessed the designation of the 1<sup>st</sup> woman minister after 54 years of independence. This female minister was responsible for women's issues, childhood and people with disabilities, additional to three women who were designated as ambassadors of Morocco.

At the same period, feminists NGOs started calling for a quota system to enhance more women to have access to politics, which led to the promulgation of the 2002 quota system. During that period, 30 seats of the chamber of representatives are reserved for female candidates, 35 women were elected to the Chamber.

In January 2004, the New Family code came to life, and Moroccan women were appointed to religious decision-making positions, which was a male dominated sector. Since 2007, the charge of governors was no longer promulgated by men, and seven women became head ministers.

Therefore, in local councils, the participation of women exploded, as the rate of participation multiplied by 22, increasing from 0.56% in 2002 to 12% in 2009, taking the number of elected women to local councils from less than a hundred to more than 3465.

### **Part III. Female legislative situation**

#### *1. Gender equality*

In 2011, new reforms occurred in the constitution bringing additional recognition to Moroccan women. The Article 19 of the 2011 Constitution states, “The man and the woman enjoy, in equality, the rights and freedoms of civil, political, economic, social, cultural and environmental character, enounced in this Title and in the other provisions of the Constitution, as well as in the international conventions and pacts duly ratified by Morocco and this, with respect for the provisions of the Constitution, of the constants of the Kingdom and of its laws. The State works for the realization of parity between men and women. An Authority for parity and the struggle against all forms of discrimination is created, to this effect” (Moroccan Constitution, 2011). This article freed Moroccan woman from males’ guardianship requirements, and recognizes them as an equal human being to the other gender.

The country’s progressive Family Law called Moudawana, came to secure some basic human rights in the favor of Moroccan women, including the right to self-representation, the right to divorce, and the right to child custody. Among other things, the new code brought some modifications such as raising the minimum age of marriage and securing women’s right to divorce. Therefore, the legal marriage age changed from 15 to 18 years, and women are no longer required to have a male guardian to authorize their right to marry.

In 1993, Morocco acceded to the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and maintains a reservation to article 29, and a declaration to article

2, stating that the government of Morocco is ready to apply the provisions of the article as long as these do not conflict with Islamic law. Additionally, women can obtain a passport and travel without their husband's or other male guardian's permission.

## *2. Protection against violence*

Concerning the protection against violence, the Moroccan criminal code was modified to protect women from such acts. Physical violence, sexual harassment, rape, and sexual assaults are recognized as crimes against women. The new modification repealed the rape marriage law, which used to allow rapists avoid any kind of punishment by marrying their victims. The Law no.103-13 incriminates all forms of domestic violence, and prohibits sexual harassment in public places, and forced marriage. Today "any act based on gender discrimination that entails physical, psychological, sexual, or economic harm to a woman" is considered as an act of violence against women.

## *4. The legislative loopholes*

Human beings are born equal no matter their race, religion, or gender. According to the Moroccan constitution, all citizens are treated equally no matter the nature of their gender. However, there are many loopholes in the family code where the two genders are not considered equal in the face of justice.

### *a. Father of the bride legally representing her*

**Article 25** discusses the legal representation of the bride by her father to his daughter, without mentioning any kind of representation to the groom.

### *b. Dowry*

**Article 26** all the way to **Article 33**, discuss the dowry, which is the amount of money or property that a man has to give bride when marrying her. This article in itself is a literal application of gender discrimination, since it an obligation is created based on type of gender.

### *c. Polygamy*

Starting from **article 39**, the family code discusses the conditions of one-sided polygamy. It is permitted to a Moroccan man to marry more than one woman, while women don't share the same right. Even if the new code made many efforts to make it more difficult to have more than one wife, the fact that this kind of polygamy still exists is in itself one of the biggest discriminatory laws.

### *d. The mother is not the legal guardian of her child, and the father can write a guardianship testament to someone else, even if the mother is still alive*

**Article 230-231:** states that the father is the legal guardian of the child, and the mother can gain guardianship only if the father loses his capacity or dies.

**Article 237:** the father is the legal guardian of the child. He can therefore choose to write a testament to transfer this guardianship, after his death, to a testament guardian, without taking the permission of the mother, and even if the mother is still alive. This insinuates that there is a chance that even after the death of the father, the mom can remain unable to become the legal guardian of her child.

**I Carried my child for years inside and outside my body, but in  
the face of justice,  
I AM NOT THE LEGAL GUARDIAN OF MY CHILD**

Beside the fact that both parents should be the legal guardians of the child, both parents should have the right to write a testament of guardianship. More importantly, the concept of testament of guardianship should not be considered at the first place if the mother is still alive. The family code considers the father as the main legal guardian even after the couple gets divorced. These texts are a complete application of gender discrimination, since the mother should not only have equal guardianship, but a superior one since she is the one who carries the child inside her body for nine months, and since she is the source of nourishment to the child.

**Article 169:** claims that the father who is the legal guardian of the child, and the mom who has custody, both of them have to watch over the benefit of the child. This article is another discriminatory text, since both parents should benefit from the rights of guardianship and custody in an equal manner.

The fact that Family code obliges men to answer to their wives' financial needs discourage women to go to work, which can also explain the decrease in the employment rate in the last year.

**Article 198** oblige only the father to pay alimony and answer his kids needs, which is also a demotivational factor to encourage women to join the job market and bring an added value to the economy of the country.

Beside the fact that both parents should be legal guardians of their child, both the mother and the father should have the right to write a testament of guardianship. More importantly, the

concept of testament of guardianship should not be considered at the first place if the mother is still alive, because this text opens the door to injustice, which can cause for a mother to be deprived from her children her whole life.

e. The father the only one who controls the assets of the child, even divorced

**Article 233** stipulates that the father, who is the first-degree legal guardian of the child, can manage the child's assets, without taking into consideration the decision of the mother. This means that even if a mother creates a saving account for her child, buy him assets, or put his name in her assets, the father can at any time use these properties, even if the parents are divorced from each other.

f. Mother can lose custody of the child if she gets remarried

**Article 174** states that the mother lose her guardianship if she decides to remarry, even if building a new family can be a positive factor that leads to the stability of the child. The text however does not specify that the father could lose custody of the child if he gets remarried.

g. Mother can not travel outside the country with her child without permission

**Article 179:** doesn't allow the mother to travel with her child outside the country without the permission of the father, since he is the legal guardian. The text however does not specify if the father cannot travel without the mother's permission, which make it possible for him to take the child outside of the country at any time.

h. The husband is the only one supporting the family needs

**Article 194:** states that married men should answer to their spouses' financial needs, even without having children (not specified in the article), while women are fully capable to go to work and answer to their own need.

**Article 198** states that a man should answer to his children's needs. In order to ensure equality, both parents should be responsible of answering their children's needs, since both parents are capable to work and provide for their family.

i. The mother answering the family needs in case the father can not (but without the benefit of custody)

**Article 199** states that if the father is unable to answer the needs of his family, the mother has to provide for her children, but the unproviding father remains the legal guardian. This article is actually conflicting with the rest of text, since even when the mother is required to pay the bills of the household, she remains deprived from the right of legal guardianship of her children.

j. The father is the only one legally representing the child



Since **Article 230** states that the father is the first legal guardian of the child, which also exclude the mother from the guardianship in the case of the father's presence, the article 235 also states that the father is the first one that watches over the child's interests. The text also includes the fact the any legal representation is given solely to the father.

Therefore, the mother is banned from representing her child in any administrative work, which means that she cannot enroll her child at school, apply for administrative documents, such as a passport, she cannot open a bank account for her child, she can not travel with her child outside of the country, and so many others.

**No text of law should dare to exist if it includes any kind of discrimination.**

k. The misogyny of succession laws

Even if Moroccan women today are economically required to go to work in order to answer to their own needs, their family's one, and most of the time answer to the needs of their parents and siblings, succession rights remain discriminating toward women.

Starting by article 321, all the titles discussing succession acts favor males' rights of inheritance. A child can fulling inherit his parents' assets only if he is a male. A male inherits double what his sister does. Article 349 is an example of supreme gender discrimination, stipulating "The âsaba heirs by themselves are ranked in order of priority as following:

- 1) the male descendants from father to son ad infinitum;
- 2) the father;
- 3) the paternal grandfather and full and consanguineous brothers;
- 4) the male descendants of siblings and consanguineous infinity;
- 5) paternal uncles...."

The Moroccan text of law is full of loopholes when it comes to women's right. It fails to explicitly recognize marital rape, women's right to control their body, including abortion, freedom of sexuality, criminalization of consensual sexual relations outside marriage, and so many other rights that remain suppressed by the Moroccan legislator.

In the face of justice, women are still not equal to men in so many levels, and the succession laws are demonstration of such misogyny. No text of law should dare to exist if it includes any kind of discrimination.

#### **PART IV: Cultural aspect**

Moroccan women are reputed to be some of the best wives, mothers, and hard-working women in the Arab world. Therefore, since the history, Moroccan women contributed not only to the independence of the country, but also to its development.

Moroccan females are known to work hard inside and outside the household. They take care of their children, husbands, parents, siblings, grandparents, and even the rest of the relatives. A Moroccan female has the reputation to work hard without complaining. Even if the female employment rate officially decreased in recent years, it is important to understand that the number of females working in the informal sector can be much higher to the formal one. Almost every middle- and upper-class household in Morocco has a housekeeper. The great majority of these women are not declared as working. Most of the people working in the agricultural sector are females, and the majority are also not declared in the female employment rate. Many other sectors employ women who work mostly without social security, which makes them undeclared in the female employment rate.

Whether rich or poor, Moroccan women tend to watch over the needs of their family, both close and extended. There is also the famous social phenomenon of single Moroccan women going to work either under the minimum, minimum, or middle wage salaried, and by the end of the day, they are not only forced to pay the bills of their parents' houses, but also give pockets money to their male siblings, who prefer to not wake up early and go to work.

Even all the efforts that Moroccan female are making, they are still suffocated by the social pressures of not being able to control their bodies, of being ashamed for not dressing in a conservative way, for being ashamed for having relationships outside of marriage, for being ashamed for going out of their houses, for being ashamed of not getting married at an early age, for being ashamed for not perfectly doing the housework even when they are working mothers, and so many other social forces limiting their growths.

One of the major factors encouraging this social discrimination is actually the decimating laws that keep insinuating that Morocco is still a misogynistic patriarchal society.

Women are expected to provide inside and outside the household without benefiting for the same rights that Moroccan men actually have. The text of laws state so many things that are actually contradictory to what really happen in our everyday real life. The text of law state that men are the main providers of their households. The same texts encourage women to go to work. Which makes the working Moroccan woman of today obliged to also go to work in order

to help her husband provide for the family. But even if she is also a main provider, she keeps being the inferior gender in the face of the law.

Its socially know that most Arab families, including Moroccan ones, prefer the chance to give birth to boys instead of girls. It is understood now that a life of a Moroccan women destined to be full of suffering and discrimination, which starts from the moment she is born.

## Conclusion

Despite all obstacles, Moroccan women have been contributing to the development of the Kingdom, playing leadership roles in all sectors in the national and international levels. They have been challenging the power of a patriarchal society, with an unlimited amount of pressure. They are among the first Arab women to enter the political scene of a nation.

Moroccan government is one of the Arab countries with the best international diplomatic relationships. Its government is making tremendous efforts to honor the international norms of human rights. Morocco is therefore a member of the United Nations, and it also belongs to the African Union, Arab League, Arab Maghreb Union (UMA), Organization of Islamic Cooperation (OIC), the Non-Aligned Movement and the Community of Sahel-Saharan States (CEN\_SAD), and also maintains a very important economic and political relations with USA and Israel.

The Moroccan government has signed many international Human rights treaties promising to provide equal rights to its citizens. It has been over 30 years that the “Convention on the Elimination of All Forms of Discrimination against Women New York” (18 December 1979), was signed, promising equal rights to women. The rectified constitution of the country states in its preamble that both Moroccan men and women should benefit from the same rights and yet, a Moroccan woman is legally not allowed to:

- Be an equal legal guardian to her children
- Making decisions about her children’s education, activities, medical treatments...
- Applying for administrative documents such as opening bank account, or even a passport
- Enrolling her child in a school
- Traveling abroad with her children
- Get the family allowance
- Cancel the guardianship testament in the presence of the mother
- Guarantee the custody of her children even after divorce
- Freedom of getting remarried without losing custody of her children
- Participates in all decisions regarding her children
- Having control over her child’s assets
- Equal inheritance
- Freedom of control over her body
- In the face of justice, being equal to a human being called Man.

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