

A CAMPAIGN FOR Women's Rights

In several Arab countries, personal status laws restrict women's legal rights. In Morocco, women's groups took advantage of the country's political liberalization to press for reform. And they won.

by Rabéa Naciri. *Translated from French by Alcora Walden*

In February 2004, Morocco adopted a new *Moudawana*, or Code of Personal Status (CSP), which governs family relations and had held women to be legally inferior to men. The discriminatory nature of this code was at the heart of the struggle of the Moroccan women's movement for nearly a quarter century. It was only through sustained efforts of women and other members of civil society that the small, gradual gains were eventually translated—in what political analysts in Morocco consider to be a turning point in the country's history—into victory and a more fair and just law.

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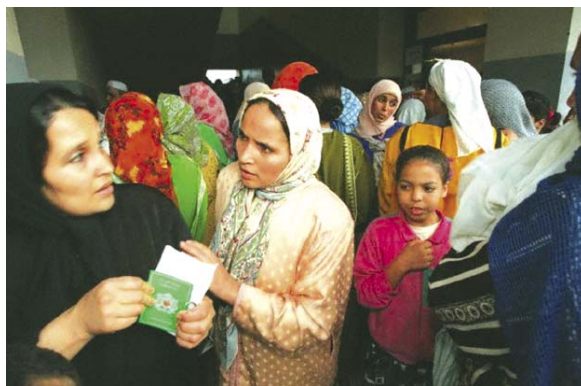
Moroccan women began calling for the revision of certain discriminatory practices like polygamy or divorce through repudiation (held to be lawful by the CSP) even before the country achieved independence from the French in 1956. Following the development of the Moroccan women's movement in the 1980s, women renewed their demands for legal reform and made the modification of the CSP the movement's main objective. In 1993, they achieved an important step with a superficial reform that established the CSP as a legal code created by humans and subject to change rather than a sacred text, divinely inspired and therefore immutable.

In 1998, the arrival of a center-left government interested in social and economic reform created several possibilities for change. In just a year, the government introduced

the National Action Plan for the Integration of Women in Development (PANIFD), which offered recommendations for integrating women in economic development but also proposed a series of measures to improve women's legal status: raising the marriage age to 18 (to match that of men), ending male supervision for adult women, prohibiting polygamy and giving women the right to divorce and to equitable division of marital property. However, reaction to the plan divided Moroccan society: modernists and democrats supported it and conservatives, led by the Islamist party of Justice and Development, mobilized some two million protesters against it. As a result, the plan was abandoned.

The accession of King Mohamed VI to the throne after King Hassan II's death in 1999 presented women with new opportunities. In March 2001, nine pro-women's rights associations created

a coalition called the “Spring of Equality” dedicated to the reform of the *Moudawana*. This coalition drew on the network of 200 women's, human rights and development




This historic change affects all Moroccan women.

groups that had mobilized to support the Action Plan of 1999. In April, the King established an advisory commission—three women and 11 men—tasked with revising the CSP. Its work lasted 29 months and was often marked by strong tension among its members.

During this time, the Spring of Equality waged extensive publicity campaigns aimed at convincing the commission and other political actors to reform the CSP. It was this work, as well as public demonstrations and the mobilization of numerous associations that led to the reform of the *Moudawana*. In October 2003, at the opening of the fall session of Parliament, the King made an historic speech announcing the changes. The new law was submitted to Parliament—the first time a Moroccan king had done so—and adopted in January 2004 with some procedural amendments. Under the new code, both spouses are recognized as heads of household, the minimum age of marriage for both sexes is 18 and women can appeal to a judge for divorce. While polygamy is still legal, it is now subject to conditions that make its practice almost impossible.

This historic reform is the result of the gradual process of democratization that Morocco has undergone. In the years preceding it, women's legal inequality was the subject of thorough media coverage; intense debate among political organizations, trade unions and citizens; and the passionate work of many civil society organizations and educational establishments. The reform of the CSP also supported democratic development not only for the rights it secured for women but also because the process used to pass it strengthened the institutions of public governance.

The reform of the CSP constitutes great progress for women and for Moroccan society, but it is only the beginning of a process that will continue for several decades. The changes in law will only have real significance if they are translated into tangible changes in the lives of millions of girls and women. This challenge is a serious one in a society that saw an incomplete democratic transition and that still finds itself torn between the forces of progress and the forces of regression. 

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