

The New Muslim Personal Status Law in Morocco: Context, Proponents, Adversaries, and Arguments

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Introduction

Morocco has recently approved one of the most progressive laws on women's and family rights in the Arab world, which will see polygamy almost completely eradicated from the north African country. Last-ditch attempts by Islamist deputies in parliament failed to derail a law which had the backing of King Mohammed VI. "There are men who, for physical reasons, cannot satisfy themselves with only one wife," one Islamist deputy was reported as arguing during a month of parliamentary debate that ended at the weekend. "In that case they should seek treatment," the religious affairs minister, Ahmed Toufiq, reportedly replied.

The changes to the "mudawana" family code make polygamy acceptable only in rare circumstances, and only with the permission of a judge and a man's first wife. They also raise the age of marriage for girls from 15 to 18 and give wives "joint responsibility" with their husbands in family matters.

The change to the family code came nine months after a resurgence of radical Islamist violence, with suicide attacks claiming the lives of 45 people in Casablanca. King Mohammed VI delayed instituting the reform after Islamists brought hundreds of thousands of people out on to the streets to protest at any change to the mudawana. Islamists have now accused the king of bowing to pressure from Europe and the US.

Within the Arab world, only Tunisian women now enjoyed equal or better rights than their Moroccan counterparts. Several women associations and women parliament members have voiced support to the proposed family law (Mudawana) reforms, describing the amendments as "an initiative that would contribute to the edification of a modernist and democratic society."

These reforms, which put family under the joint responsibility of spouses, make polygamy almost impossible and re-organize marriage and divorce regulations. The 35 Women members of the

House of Representatives said in a message to the king the proposed reforms are a "landmark" that does justice to women, preserve men's dignity and protect children's interests.

The reforms reflect the king's resolve to promote the situation of women while respecting the principles of Islam. For their part, several women associations called the reforms a "victory" for Morocco and an evidence to a strong political will to halt the injustice toward Moroccan women.

The new initiative giving more rights to both men and women will definitely have a positive impact on families. The national coordination commission of women associations said the reforms meet the aspirations of Moroccan citizens and enhance justice, equity and equality in conformity with the teachings of Islam and international conventions.

The King said the reform, which has recently been endorsed by parliament, was designed to end "the iniquity weighing on women". But he has had to tread a fine line in what is a very controversial subject. Morocco's family law - or mudawana - has been one of the most hotly debated and divisive issues in the country in recent years.

The law, based on Islamic Sharia, has left women in a vulnerable position within the family. Husbands have been able to divorce their wives easily, and turn them out of the home, while it has been very difficult for women to get out of abusive relationships. Now part of that law is going to change.

Eleven Main Reforms

In an October 10, 2003 speech to members of the Moroccan parliament, King Mohammad VI introduced eleven fundamental

reforms in a new Family Law proposed in Morocco. The following are the eleven main reforms:

1- Men and Women are Equal Before the Law - A modern form of wording is adopted instead of that which undermines the dignity of women as human beings. The reform makes husband and wife jointly responsible for the family, in keeping with the words of Prophet Mohammad, who said that men and women were equal before the law, and also with the saying: 'Only an honorable man will honor them (women); and only an ignoble man will humble them.'

In the previous law, the wording was unfavorable to women; it treated women as dependent and minors; women were more like men's property than independent individuals.

2- A woman who has come of age is entitled to guardianship as a right, if she so chooses or if it serves her interest, in accordance with one of the interpretations of the Koranic verse which stipulates that a woman shall not be forced to marry against her free will: 'place not difficulties in the way of their (re-)marrying their husbands if it is agreed between them in kindness.' A woman may, of her own free will, entrust guardianship to her father or to a relative.

The elements of the Mudawana that were particularly oppressive to women were based on the first principle from which all the injustice comes. The woman was under the guardianship of her father and later on her husband. This prevented women from having legal independence or autonomy.

In the old personal status law, a woman, no matter how old, was under the guardianship of her father until her marriage, and then she fell under her husband's authority. She had no say if he chose to take up to three other wives, or to unilaterally divorce any of them. The old law left women with little control over their own lives, or their children's.

3- Equality between men and women is ensured by setting the minimum age for marriage at 18 years for both of them. The judge may, however, lower the age for marriage in certain justifiable cases. Also equality is ensured between boys and girls placed in custody, by allowing them to choose their custodian at the age of 15."

In the old code, the minimum age for marriage was 15 for girls and 18 for boys.

Polygamy is Almost Impossible

4- Polygamy is so highly restricted that it has become practically impossible. In this regard, The Koran allowed polygamy, but subject to compliance with strict conditions; It says: '.and if you fear that you cannot do justice (to so many) then one (only).' "Then the Almighty ruled out the possibility for man to do justice in this particular case: He said: 'You will not be able to deal equally between (your) wives, however much you wish (to do so).' He thus made polygamy almost impossible, from the Islamic legal point of view. The reform makes it legally possible for a man to take a second wife, but only in circumstances beyond control. In addition, strict conditions must be observed and a judge's permission secured. Failure to allow for such exceptions by outlawing polygamy, may result in men being tempted to engage in unlawful polygamy. "Hence, polygamy shall be allowed solely in the following cases and under the legal conditions below:

- "The judge shall not allow polygamy unless he ascertains that the husband will treat his second wife and her children on an equal footing with the first, that he will provide the same living conditions for all, and that there is a clear and objective justification for polygamy... "

- "The woman has the right to impose a condition in the marriage contract whereby her husband will refrain from taking a second wife. If no such condition has been stipulated, the judge shall summon the first wife to secure her consent. Similarly, the second wife must be informed that her husband-to-be is already married. Her consent must also be secured. The first wife shall have the right to ask for divorce because of harm suffered."

In the 1957 personal status law, a husband could take up to 4 wives without the consent of his first wives. In the 1993 law, the consent of the first wife and of the would-be wife is necessary. In the new reform, the judge decides whether there is reasonable justification for polygamy.

Simplifying Marriage for Moroccans Living Abroad

5- As a token of the king's special concern for Moroccans residing abroad, and in order to reduce the hassle they face to get marriage contracts processed, He has decided that the procedure shall be simplified. The marriage contract shall simply be drawn up in the presence of two Muslim witnesses, in accordance with the

procedures in force in the country of residence, and shall then be registered with the relevant Moroccan consular or judicial authorities.

Until recently, the marriage contract had to be signed back in Morocco before it was translated and recognized by the host country.

Equal Divorce Rights for Men and Women

6- Divorce is made a prerogative that can be exercised as much by the husband as by the wife, in accordance with legal conditions set for each party, and under judicial supervision. Thus, the husband's right to resort to repudiation shall be limited by specific restrictions and conditions designed to avoid misuse of this right. In this connection, the Prophet (pbuH) is quoted as saying: 'The most hateful to God, of all lawful things, is divorce.' For this purpose, mechanisms for reconciliation and mediation, through the family and the judge, shall be strengthened.

Divorce is the prerogative of both the husband and the wife. Whatever the case, and before the divorce is authorized, it shall be ascertained that the divorced woman gets all the rights to which she is entitled.

A new procedure for divorce has been established, requiring the court's prior authorization. Divorce cannot be duly registered until all monies owed to the wife and children have been paid in full by the husband. Verbal repudiation is not considered valid.

In the past, a woman could be repudiated or divorced by the husband without any justification, and without providing any compensation for the wife and children. It was enough for the husband to disavow the wife.

7- A woman has the right to file for divorce if the husband fails to observe any of the conditions in the marriage contract, or if he harms his wife through lack of financial support, abstinence, violence, or any other wrongful deed. This provision is in line with the general legal principle which advocates balance and moderation. Its aim is to promote equality and fairness between husband and wife.

A provision has also been introduced allowing divorce by mutual consent, under judicial supervision.

In the previous legal text, a woman could ask for divorce (al khoulaa) only under special restricted circumstances (like being abandoned without any financial support for a long period of time by the husband), or only if she pays a material compensation to the husband.

Defending Children's Rights

8- Children's rights are protected by making the provisions of the relevant international agreements ratified by Morocco, part of the Family Law. Children's rights with respect to custody are also guaranteed by entrusting custody to the mother, then the father, then the grandmother on the mother's side.

"Should this prove to be impossible, the judge will entrust custody to the relative in the child's family who is deemed most fit to assume that responsibility, keeping in mind the sole interest of the child. "[The] requirement to provide suitable accommodation for custody children shall be considered separately from other alimony obligations. Alimony cases shall be treated swiftly, within a maximum period of one month.

In the previous code, children were not protected. The mother lost custody over her children if she re-married or if she behaved 'badly' by taking a lover, for example.

9- The law protects the child's rights to acknowledgement of paternity in case the marriage has not been officially registered for reasons beyond control. The court shall examine the evidence put forth to prove parentage. "A 5-year period shall be allowed for, in order to settle unresolved cases, so as to spare children in this situation sufferings and deprivations."

In the old personal status, a child-born from a non-legitimate relationship (outside marriage) was recognized neither by the state nor by society; he could not have a family name, nor a seat in school. He was basically an outcast, a burden on society.

A girl who was pregnant and gave birth in a public institution was sentenced to six months in jail because she had had a child outside of marriage. And the baby was put in an orphanage. Often,

these girls gave birth in a secret place and then got rid of their baby near a hospital or a public place in order to avoid the punishment or the dishonor of the family.

Clarification of Financial Rights

10- "In keeping with the principle of Ijtihad [independent judgment in a legal or theological question], the granddaughter and the grandson on the daughter's side, just like the son's children, shall be granted the right to inherit from their grandfather, as part of the compulsory legacy.

In the previous personal status, the granddaughter and the grandson on the daughter's side had no right to inherit from their grandfather.

11- "Regarding the management, by husband and wife, of the property acquired during marriage, and while confirming the principle of separate estate for each one of them, the couple may agree, in a document other than the marriage contract, on how to manage and invest the assets acquired jointly during marriage. "In case of disagreement, they shall resort to the judge who shall base his assessment on general regulations of proof to determine the contribution of each of the spouses in fructifying the family's assets."

Previously, only the marriage contract counted, and the wife had no right to obtain or manage her part of the property and wealth accumulated during marriage.

The new family law is consistent with Islamic principles which advocate human dignity, equality and harmonious relations. The family law is not to be considered as a legislation devised for women only, but rather as a code for the family: father, mother, and children. The proposed legislation is meant to free women from the injustices they endure, in addition to protecting children's rights and safeguarding men's dignity.

The new family law contains a provision which reaffirms that Moroccans of Jewish faith shall continue to be governed by the Hebraic Moroccan Family Law.

The King states: "These provisions should not be regarded as flawless, nor should they be perceived from a fanatic angle. Instead, you should address them with realism and clear-sightedness, keeping in mind that this is an Ijtihad effort which is suitable for Morocco at this point in time, in its endeavors to

achieve the development objective it is pursuing in a wise, gradual and determined manner."

Strengthening Moroccan Democracy

One of the goals of these substantive reforms is to ensure the participation of all the forces in the nation, particularly young people and women , in order to instill in them a sense of responsibility as citizens, and to involve them in the shaping of a democratic nation, firmly committed to solidarity and development.

King Mohammed, whose titles include that of "commander of the faithful", is considered to have religious, as well as political, authority over his subjects.

The House of Representatives (Parliament's lower chamber) unanimously approved on January 16th, 2004 the draft Family Code during a plenary session. The draft code, spelled out last October by King Mohammed VI, was adopted in the version amended by the House's justice, legislation and human rights committee.

The amendments that this committee brought to the family code mainly concerned terminology.

Attitudes Toward the Reform

There are two major attitudes toward the reform of the personal status law. Women's associations and democratic forces are favorable to the reform while Muslim fundamentalists and the lower class people are unfavorable or dubious about it.

Hard-line Islamists have now accused the king of bowing to pressure from Europe and the US. "These reforms have been elaborated in response to the desires of foreigners and the feminist movement, but not to produce any real change in women's lives," said Nadia Yassin, spokeswoman for Morocco's popular, but illegal, Justice and Charity Islamist movement.

Moroccan traditionalists had claimed that, without polygamy, some men might find it difficult to stay with an elderly or sick wife. Critics from the other side pointed out that, with 89% illiteracy among women in rural areas, many would never find out about their new rights.

Observers say that within the Arab world, only Tunisian women now enjoyed equal or better rights than their Moroccan

counterparts. The draft family code unanimously adopted by the House of Representatives is one of Morocco's big challenges, said Friday the Minister of Justice. Mohammed Bouzoubaa who was speaking before the vote took place, described the draft Code as a "crucial stage in the evolution Morocco is going through at the constitutional, democratic, social and human rights level."

Under this new law, polygamy will be permitted only under highly restrictive conditions and the new code also makes it more difficult for men to divorce their wives without their consent.

Several MPs described as "historic" and "revolutionary" the unanimous vote on this Code which "will play a major role in the construction of the Rule of Law."

"Morocco could become a model for Muslim countries in the field of women's rights," said law professor Fatima Belqadi, the first woman appointed at Morocco's Advisory Council of Human Rights (CCDH). In an interview published on January 17, 2004 by French magazine "Le Figaro Madame," Belqadi said "since the beginning of his reign, HM King Mohammed VI voiced support for women's rights. Today, she went on, His Majesty has launched a deep-rooted reform. And it takes courage to deal with such a hot issue in Muslim countries."

For the professor, it is a reform that draws both on the principles of the universal declaration of human rights and Islamic teachings. "This reform is part of the country's evolution, but it is also a social revolution," she said.

Women MPs and Associations Praise Family Law Reforms

Several women associations and women parliament members have voiced support to the new family law (Mudawana) reforms describing the amendments as "an initiative that would contribute to the edification of a modernist and democratic society." The reforms reflect the king's resolve to promote the situation of women while respecting the principles of Islam, they said.

For their part, several women associations called the reforms a "victory" for Morocco and an evidence to a strong political will to halt the injustice toward Moroccan women. The new initiative giving more rights to both men and women will definitely have a positive impact on families, said the associations in a message addressed to the king.

The national coordination commission of women associations said the reforms meet the aspirations of Moroccan citizens and enhance justice, equity and equality in conformity with the teachings of Islam and international conventions. The commission also hailed the sovereign's decision to refer the family law proposals to parliament.

Moroccan women's associations hailed the reform proposals made by King Mohammed VI as "deep" reforms that "meet legitimate aspirations of Moroccan women and constraints of social evolution and democratic construction while being in total harmony with the Sharia (Islamic law)."

The national coordination committee of women members of political parties praised, in a statement released Friday, the reforms as "a step forward in the process of promoting women rights and implementing a democratic and modern societal project."

The national committee also expects the reforms to lift the injustice and discrimination suffered by women as a result of provisions of the present law and to secure to women their dignity and basic rights. The reforms were also seen as important factors for guaranteeing the balance, solidarity and stability of families.

While these reforms are confirming Islamic holy values and universal principles of human rights, they also contribute to portray a positive image about the Muslim religion which has always dignified human beings and established equality.

The committee says it is ready to contribute to promote awareness in the Moroccan society of the importance of the new law provisions and of the "efficient and fair" solutions they will bring to problems facing Moroccan families.

Women's groups had feared that reforms, first promised when King Mohammed succeeded his father, Hassan II, in 1999, would never happen after protests from Islamic conservatives.

For Amina Lamrini, Morocco's new women's-rights law is the reward for more than 20 years of relentless combat. Since cofounding the Democratic Association of Moroccan Women (ADFM) in 1985, Ms. Lamrini, a geography professor, has given most of her time to fighting discrimination against women. "This reform ... brought me back my dignity as a woman," she says. "It's like a slave who frees himself."

Leila Rhiwi, a leading feminist activist, says: "During the past 20 years of women's struggle to reform the Code, they would

always throw it in our faces that it is a sacred text and it cannot be changed. The penal code is secularized. We don't cut off the hands of someone who steals." The only legislation that belongs to this religious sphere is the Code of Personal Status that governs the relations within the family. Instead, Morocco's king chose to maintain the separation between secular law and the Mudawana. In part, this was in reaction to pressure from Islamist forces, lobbying for a complete restoration of Islamic law in trade, justice and in other areas, so that all society is governed by the same Islamic attitudes.

In their fight for equality with men in marriage and society, Moroccan women challenged some of the most deeply held traditional and religious beliefs in their culture. Morocco's constitution and secular laws granted women full equality. In practice, Islamic based family law – the centuries-old Mudawana – prevailed.

"The act of reform itself is revolutionary," says political analyst Mohamed Tozy, but it will have a real impact "only if it is combined with the massive education of young girls. One should not expect that it will change society. It will go along with social change."

While the Moudawana, the Personal Status Law established a year after Morocco's independence in 1957, declared that women were legally inferior to men, the new legislation, which is based on a reinterpretation of Islamic law, ensures equality of men and women before the law, greatly restricts polygamy, gives women equal status with men, the right to initiate divorce, and shared family rights. Moreover, women no longer need a "tutor"—generally their father or brother—in order to get married.

Some women hope this newly acquired equality with men will result in major changes in their daily lives. "Once I tried to open a savings bank account for my son and I was asked for the authorization of my husband," an ADFM activist says. "It was my money and I could not do it without his authorization. Now this law will fall."

Context, Adversaries and Arguments

The campaign and struggle of feminist activists and democratic forces in Morocco for the reform of the personal status law goes back to the 1970s. There were many meetings and workshops on the rights of women in Islam. There was research on women's rights in the verses of the Qu'ran. And there was a real concern to learn if it was possible to change the *Mudawana* as it was applied.

By the 1980s, Morocco was facing a financial crisis, and King Hassan II agreed to a program of structural adjustment. A series of economic and human-rights reforms followed. With Parliament discussing a new constitution, women renewed their fight for equality on two fronts: in government and in their petition to revise the *Mudawana*.

In October 1990, a coalition of professional middle class women, the Union for Feminine Action, or UAF, launched a campaign to gather a million signatures on a petition to reform the *Mudawana*.

Their goal was to raise awareness, especially among rural women, that widespread poverty, illiteracy, and even domestic violence stemmed from the *Mudawana*, made women second-class citizens.

In 1992, Islamic fundamentalist leaders issued a *Fatwah*, or religious ruling against those involved in the drive to reform the *Mudawana*. They went repeatedly to the most distant cities in Morocco, to many mosques, to incite violence against and the killing of all those who signed the campaign petition.

There was an eminent Islamic scholar who said, "In our religion, if somebody dares to counter the divine laws that we must interpret according to *Shariaa*, they must be punished." That is what they considered a *Fatwah*. They made big media coverage of this.

As the dispute between the women and the Islamists escalated, an unexpected development took place. The Commander of the Faithful, King Hassan II, intervened in a national broadcast on August 20, 1992.

He said: the *Mudawana* is my responsibility. I am the only one with the authority to amend the *Mudawana*. The King also acknowledged that the women had grievances and asked them to meet with him.

When in 1992, the King made his statement and recognized the injustices against women, it was a happy moment for all women, and for everyone who was fighting for women's causes.

After meeting with the women, King Hassan brought some of their proposed reforms before the all-male council of Ulemas – the panel of jurists and scholars who rule on matters of Islamic law.

Nearly a year later, the King unveiled the reforms approved by the council of *Ulemas*. A man now needed his wife's permission to take other wives, and a religious judge's approval was required for divorce. A mother over 18 would receive custody of her children, if their father died.

As limited as the reforms were, they opened the door to change for the first time in centuries.

In this regard, Abdelilah Benkirane, leader of the Islamist party (Party of Justice and Development- PJD) states:

In the past, any man who wanted to marry another woman in addition to his wife, it was easy. Today, he is obliged to take the advice of his first wife and of the judge. Sometimes, that simply pushes the man to divorce his first wife. For us, divorce is a catastrophe. Everyone knows that. Satan is never so happy as when there is a divorce in the family. This is stipulated in our religion. So maybe we have been too carried away with pleasing the Westernized elite which is tied to the West and tied to money.

Despite opposition, the women continued to campaign for further reforms of the *Mudawana* and improvement of their political status. In 1999 their pressure forced the government to adopt an unprecedented national Plan of Action to integrate women into the economy. High on the agenda was protecting women from violence and raising the low levels of female literacy.

On March 12, 2000, a supportive rally in Rabat drew hundreds of thousands of people. Islamists organized a counterprotest the same day in Casablanca, with at least as many marchers denouncing what they called the Western nature of the project.

This modest bill, which was presented by former State Secretary for Family Affairs Mohamed Said Saadi, was not intended to revolutionize women's rights, but, aimed to assert some basic rights for women against discrimination and abuse. However, opponents of the plan see these changes as a diversion from Islamic moral values.

Mohamed VI, who made this issue a priority when he reached the throne in 1999, decided to step in, leveraging his status as the country's supreme religious authority. An advisory commission composed of religious theorists, academics, and women activists was later set up to propose a revised, Islam-derived reform.

However, the conservatives in Morocco have been placed on the defensive after suicide bomb attacks by radical Islamists which claimed 45 lives in Casablanca in May 2003.

"Now [opponents to the reform] can't say it's against Islam. The King has settled the issue once for all," explains Mohamed Benyahia, a socialist deputy and former adviser to Mr. Youssoufi. "The new *Mudawana* is similar to [the 2000 reform] on most issues," he says.

This time, however, Islamist leaders say the plan is in tune with their ideas. In a statement, the official Islamic party, Justice and Development (PJD), declared that the new plan "constitutes a substantial accomplishment for the entire Moroccan people."

PJD leaders claim the king's reform directly refers to Islam, unlike the earlier proposed reform, which had socialist roots. "The *Ijtihad* [the reinterpretation of Islamic law] has no limits. We just want to avoid contradictions with Islamic law," says Abdeslam Ballaji, a member of the National Council of the PJD.

Analysts say, however, that PJD leaders were acknowledging the king's religious authority while also moderating their language in response to May's terrorist attacks in Casablanca. Many Moroccans blamed the PJD for inspiring the May 16 strikes.

The bombers belonged to the Salafist Jihad, an underground radical Islamic movement created by former Afghanistan fighters in the 1990s and linked to Al Qaeda.

In spite of the king's recent move, an important part of the population is reluctant to accept this new impending legal equality between men and women.

"We fear that men might become afraid of 'reverse discrimination'. And they will not want to get married, then," says Mr. Ballaji.

Since its ratification by Parliament on January 16, 2004, the new Mudawana has been on everyone's lips. In a crowded commercial street in Rabat, the capital, a man loudly complains: "Now I will be commanded by a woman in my home. What do I have left to do in this country now?"

Another man in his early 20s says: "It's fine with me as long as a father or a brother can still correct the behavior of a woman. Some women behave very badly."

A sign that, even if politicians manage to unite in this project, a change in mentality might take a while.

Conclusion

The new reform of the personal status law aims to assert some basic rights for women and children against discrimination and abuse. Emancipating women is not against the Shariâ, and I believe that the amended articles of the "Mudawana" (that certain parties find scandalous), represent the bare minimum that could be done for our female citizens, who suffer severely from poverty, illiteracy, unemployment, and all kinds of abuses and discrimination. The Moroccan legal system was unfair towards women and needed to be revised.

While most of the world is celebrating women's achievements and contributions to society, many theologians in the Muslim world are hiding behind their distorted interpretation of the Koran and Shariaâ, which reduces women to objects that men can use -

through marriage- to satisfy their selfish needs. According to recent statistics, of 100 seven year old girls, 51 will enroll in school, and only 7 of these lucky 51 will finish high school. The rest will end up as maids working 16 to 20 hours a day in very abusive homes, or in appalling conditions in sweatshops and tapestry. We should recognize that there are many inequalities and barriers that are preventing Moroccan women from enjoying their basic human rights and from assuring their participation in the development of Morocco. As His Majesty wondered in his first throne speech in July 1999, "How can we imagine setting up a civilized and prosperous community while women who represent half of it have their rights abused?".

For the first time in Moroccan history, this reform has dared to change a sacred text. Topics and changes relating to the personal status are particularly sensitive. We should remember what happened in Egypt when Anwar Sadat decided to amend the personal status law in between two sessions of the Parliament in order to avoid conflict within Parliament. The Egyptian leader, already under fire from Islamists for signing a peace treaty with Israel, paid with his life, for his proposed changes to the family law. After Sadat died, these changes were abandoned. So the Mudawana or personal status issue is extremely sensitive in the Muslim world. It should be treated with realism and great wisdom. Similarly, in Iraq today, the chiites are pushing for going back to Shariaa in order to re-institute polygamy and the right of the husband to disavow his wife.

For decades, revising the Mudawana seemed all but impossible. It is partly derived from Shariaa – ancient Islamic laws drawn from the Qu’ran, or Muslim Holy Book. The Qu’ran is believed by Muslims to be the literal word of God, and therefore unchangeable. This meant that only those elements of the Mudawana that were based on tradition and custom, and not on the Qu’ran, could be changed.

Further complicating matters was Morocco’s colonial history. After seven centuries under Islamic law, Morocco came under French rule and French secular law. Only the Mudawana, or family code, remained under the authority of the King, Morocco’s highest spiritual leader.

With independence in 1956, some particularly progressive forces and feminist associations wanted the Mudawana, like other laws, to be brought under secular law. The new reform of the Mudawana seems to be a significant step of the long journey

towards secularization of the personal status law.

The feminist and democratic civil society made the Mudawana not so sacred. This Mudawana that was considered like the Qu'ran became more like secular law, more open to debate. We must open the door for creativity and scholarly research, research that is not foreign to Moroccan culture. So the changes made started from the Moroccan tradition, including values that are positive and egalitarian.

What I really hope is that we encourage the schooling of girls, because schooling of girls would make women aware of their rights later. And when a woman is aware, eventually she will demand her rights and get them.

On the other hand, women are essential to modernization and democracy. We cannot imagine any true development without women. It is the women's movement that has opened space for civil society and for democratic society.

I would like to call all Arab societies and governments to exert more efforts to promote women's rights, guarantee their social rights and enable them to participate in political life. Arab states ought to do their best in legal and cultural expertise trading, following Morocco's efforts to better women's condition, which would improve their political life significantly.