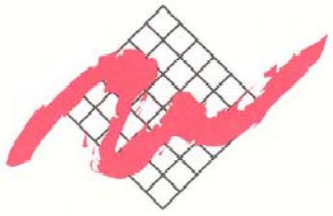
The Status of Women in the Middle East and North Africa (SWMENA) Project

Focus on Morocco| Opinions on the Family Law and Gender Quotas - Topic Brief

A project by the International Foundation for Electoral Systems (IFES) and The Institute for Women's Policy Research (IWPR) with funding from the Canadian International Development Agency (CIDA)



OPINIONS ON THE FAMILY LAW AND GENDER QUOTAS

One of the principal objectives of the SWMENA survey was to examine the level of popular support for law reforms that have the potential to enhance women's participation in the social and political realms. The Morocco Family Law, known as the Moudawana, which was adopted in 2004, continues to draw much debate among the Moroccan populace and advocacy groups. The introduction of gender quotas in 2002 to reserve 30 seats for women on a national list in Parliament increased the representation of women in elected bodies but continues to raise questions about the effectiveness of gender quotas and how ordinary citizens felt about this system. This topic brief thus presents the main findings from the SWMENA survey on the Family Law and gender quotas.

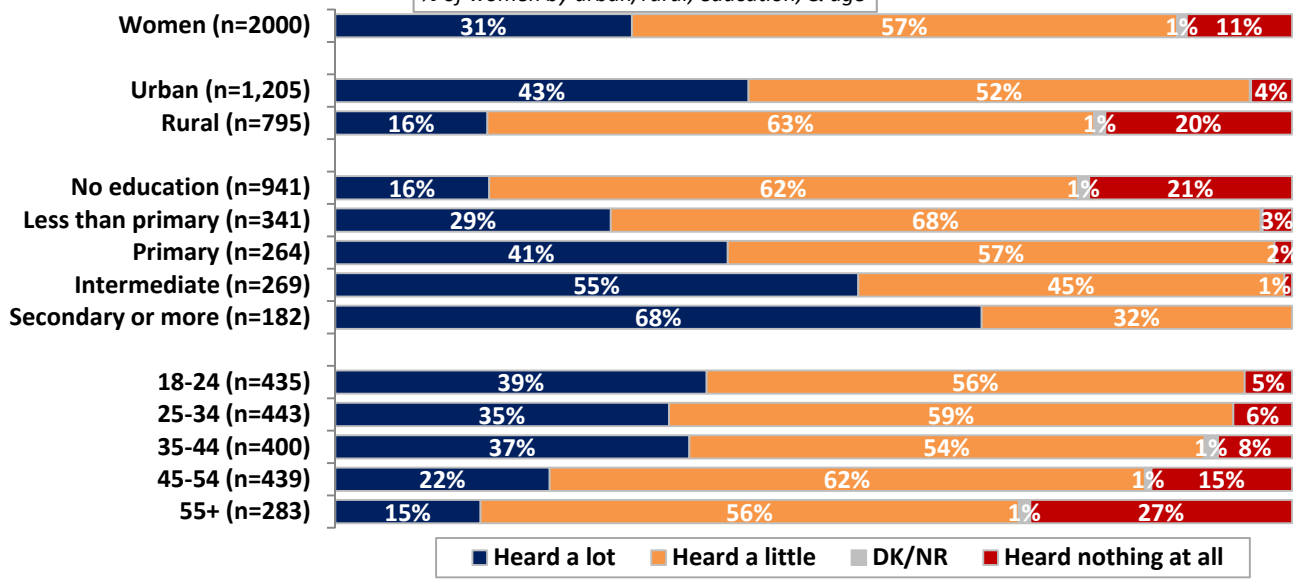
Awareness of the Family Law (Moudawana)

The Moudawana, or Family Law, is a decree of Majesty King Mohamed VI that was adopted by Parliament in 2004. The Moudawana establishes guarantees for women such as setting a minimum marriage age of 18, allowing for easier divorce, granting the ability of mothers to pass citizenship to their children, and providing other assurances for women in Morocco. Respondents to this survey were asked a series of questions about the Moudawana to understand how aware women in Morocco are of this law and to gather their opinions of it.

- First, when asked how much they had heard of the Moudawana, a third of Moroccan women say they have heard a lot about it (31%), over half of women in Morocco (57%) have heard a little about it, and 11% have heard nothing at all about the Family Law. Similar percentages of men have heard about the Moudawana with 38% of men saying they have heard a lot, 56% have heard a little and 7% have heard nothing at all.

- There are varying levels of awareness of the Moudawana between women who live in urban and rural areas, women of different education levels, and women of different ages. As education levels increase for women, the percentage of those saying they have heard a lot about the Moudawana increases as well. Women in urban areas are also more likely to have heard a lot about the Moudawana (43%) compared to women in rural areas (16%). Additionally, younger women ages 18-44 are more likely to have heard a lot about the Moudawana compared to women ages 45 and older (Figure 1).

Figure 1 - Awareness of the Moudawana
% of women by urban/rural, education, & age



Opinions on the Family Law

Next, a series of questions were asked of men and women who have heard at least a little about the Moudawana to gauge opinions on the law and support for it. The findings show there is a gender gap regarding support of the Moudawana.

- Of those women who had heard at least a little about the Moudawana, a strong 85% of Moroccan women support the Code either strongly (48%) or somewhat (37%). Only 5% of women who had heard of the Moudawana strongly (2%) or somewhat (3%) oppose it (Figure 2). Men, on the other hand, are less enthusiastic about the Moudawana. While still a majority 59% of men somewhat (45%) or strongly (14%) support the Moudawana, one third of men (30%) say they somewhat (18%) or strongly (12%) oppose it and 11% say they don't know (Figure 3). This means three in ten men (30%), compared to less than one in ten women (5%), are opposed to the Moudawana.

Figure 2 - Support of Moudawana
% of women (n=2,000)

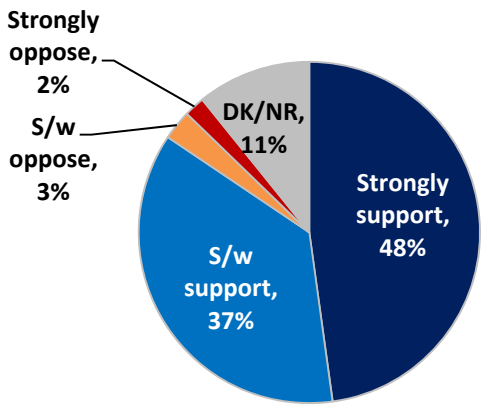
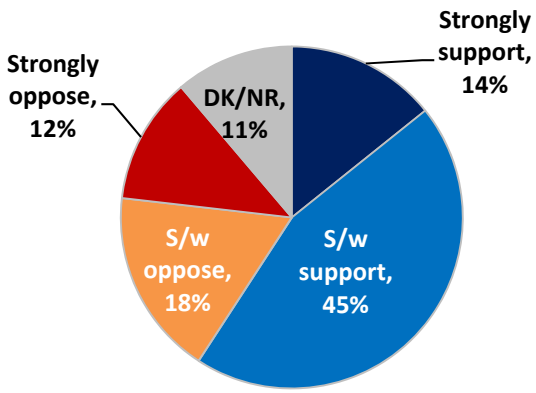


Figure 3 - Support of Moudawana
% of men (n=500)



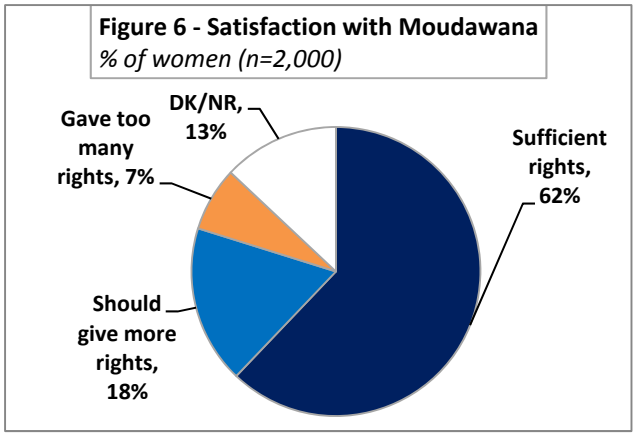
- There is also a gender difference in reasons for opposition to the Moudawana. Of those women who say they oppose the Moudawana, 23% say it is because it is just a theory and there have been no concrete actions, 17% say it adds nothing new to the women's issue, 11% say it creates problems between couples, 10% believe there are some rules that are not beneficial for women, 8% say it is opposed to their religion, 6% say some women became arrogant, and 5% say the percentage of divorce has increased (Figure 4).
- Of men who oppose the Moudawana, 34% say it is because spouse demands are exaggerated, 17% say it is because the Moudawana requires the equal division of possessions between spouses after divorce and that this is against Islam, 15% say it is oppsed to their religion, 12% say it is because some women have become arrogant, 10% say after divorce the financial maintenance of the wife and children is imposed on man, 9% say it increases the reluctance to marry, and 9% say it creates problems between couples (Figure 5). As seen in Figures 4 and 5, the top two reasons women state for opposition to the Moudawana are completely different than those cited by men against the law. The top two reasons women are against the law involve dissatisfaction with the law in practice/enforcement of the law and the feeling the code doesn't do enough for the rights of women. Women seem to have much higher expectations vis-à-vis the Family Law than men do. The disappointment of surveyed women stems mainly from the slow implementation of the new law reforms and the resistance to the enforcement of these reforms on behalf of different conservative institutions. The top two reasons cited by men

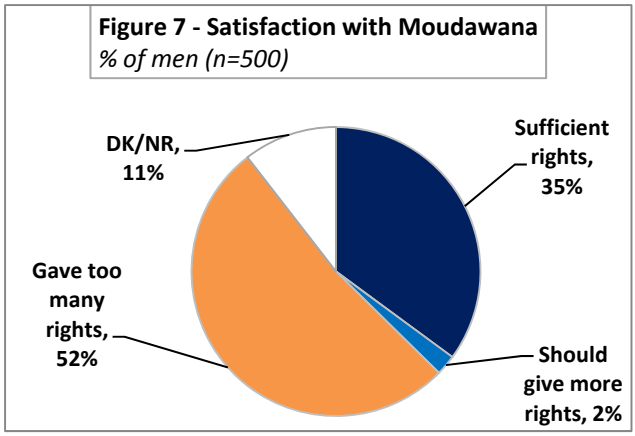
for opposing the Family Law center on dissatisfaction with the way they believe the law negatively impacts them. Men seem essentially worried about losing their long-held priviliges as the heads of the family and the main decision-makers in the household

Figure 4 - Top reasons for opposing Moudawana among women *(% out of women who oppose it n=90)*	**% of cases**
It is just a theory, no concrete actions	**23%**
It adds nothing to the women's issue	**17%**
It creates many problems between couples	**11%**
There are some rules that are not beneficial for women	**10%**
It is opposed to our religion	**8%**
Women will never be like men	**7%**
Some women have become arrogant	**6%**
Percentage of divorce has increased	**5%**

Figure 5 - Top reasons for opposing Moudawana among men *(% out of men who oppose it n=140)*	**% of cases**
Spouse demands are exaggerated	**34%**
Because it requires equal division of possessions after divorce and the belief that this is against Islam	**17%**
It is opposed to our religion	**15%**
Some women have become arrogant	**12%**
After divorce the financial maintenance of the wife and children is imposed on man	**10%**
Increases reluctance to marry	**9%**
It creates many problems between couples	**9%**

- When women aware of the Moudawana were asked how satisfied they are with the rights it gives to women, a majority of women say they are mostly satisfied. Sixty-two percent of women aware of the Moudawana say it gives sufficient rights to women and should not give any more, 18% of women believe the Moudawana needs to give more rights to women, 7% say the Moudawana gave too many rights to women, and 13% say they don't know (Figure 6). Over half of men (52%), on the other hand, believe the Moudawana gave too many rights to women, 35% believe it gave women sufficient rights and only 2% believe it should give more rights to women (Figure 7).

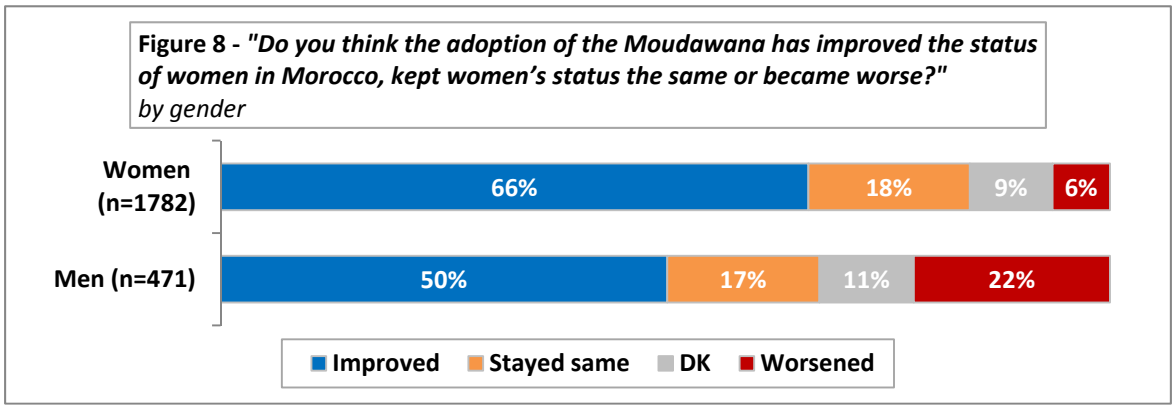




- When looking at satisfaction with the law by those women said they support or oppose the law, the data shows 71% of women who previously said they were opposed to the Moudawana say it needs to give more rights to women and only 19% of women opposed to the Moudawana say it gave too many rights to women. This highlights, again, most women's opposition to the law has to do with disappointment with the current law rather than opposition to the tenets the law attempts to put forward. Seventy-two percent of women who previously said they support the law believe the law gives enough rights to women.

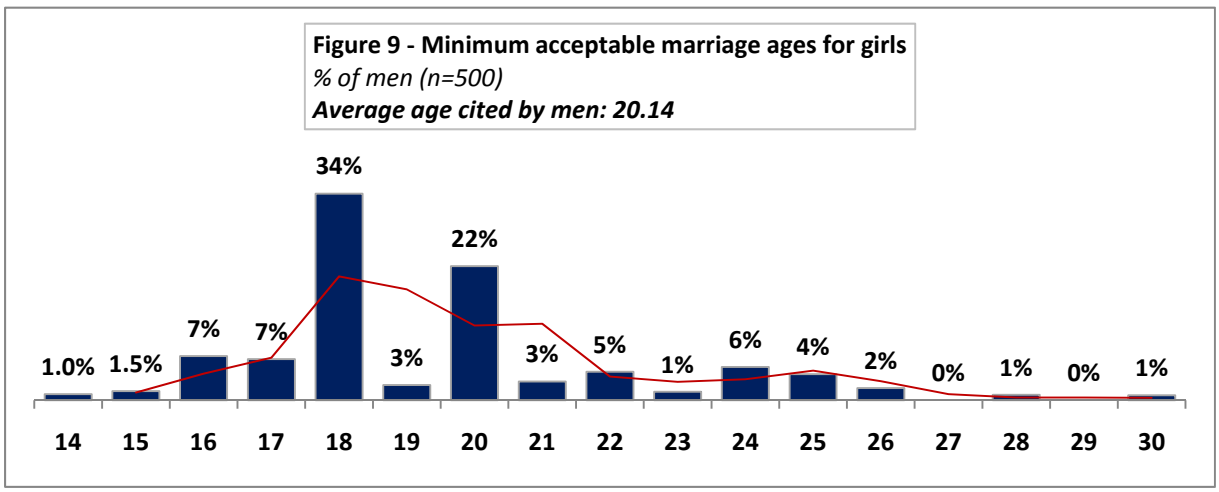
- While it may be somewhat premature to judge the effectiveness of the Family Law only six years after its adoption and given the slow implementation of the different associated reforms, survey respondents were nevertheless asked whether they thought the Moudawana has improved or not the status of women in Morocco. Overall, two-thirds of Moroccan women said the adoption of the Moudawana has improved the status of women in Morocco (66%), while 18% said women's status has stayed the same, 7% said it has worsened, and 9% said they don't know. This sentiment is consistent amongst women of varying education levels, ages, and women in rural and urban areas. There is some speculation that the implementation of the Moudawana has varied from region to region. Our data shows that more women in North Morocco believe it has improved the status of women (72%) than in other regions: Central Morocco (65%), Greater Tensift (62%), and North Central Morocco (64%). Women in North Morocco are also the most likely to say they support the Moudawana compared to the other regions. This may be because more tribunals in North Morocco than in other regions have been recognizing divorced women's rights to the accumulated assets during the marriage period which means that they have been respecting Article 49 of the Moudawana.

- Meanwhile, half of men aware of the Moudawana say it has improved women's status in Morocco (50%), 22% say it has worsened it, 17% say it has stayed the same and 10% do not know (Figure 8).



Opinions on Minimum Marriage Ages for Girls

- One of the tenets of the Moudawana set a minimum marriage age for girls, increasing the minimum age from 15 to 18. Therefore, we asked respondents to cite which age they believe is the minimum acceptable age for girls to marry. A plurality of men (34%) mention age 18 as the minimum acceptable age for women to be married, and a sizable proportion (22%) mention age 20. Seventeen percent of Moroccan men still believe women can be married at 17 years of age or younger. When tallying different ages given by men, we see that the average minimum age for a girl's marriage according to men is 20 (Figure 9).
- For women, the average minimum age is higher by almost six years, standing at 26. Indeed, a plurality of women (32%) believes the minimum age for a girl to be married is 20 and 22% believe it should be 18. Only 6% of Moroccan women believe a girl under 18 should get married, while men are almost three times as likely as women to accept a minimum marriage age of less than 18. In sum, 94% of Moroccan women are in line with the stipulations of the family law, in that they believe a girl should be at least 18 to get married, compared with 83% of men. Moreover, women are more likely than men to cite age 19 and above as an acceptable marriage age for girls: 66% of women cite age 19 or higher compared with 48% of men (Figure 10).



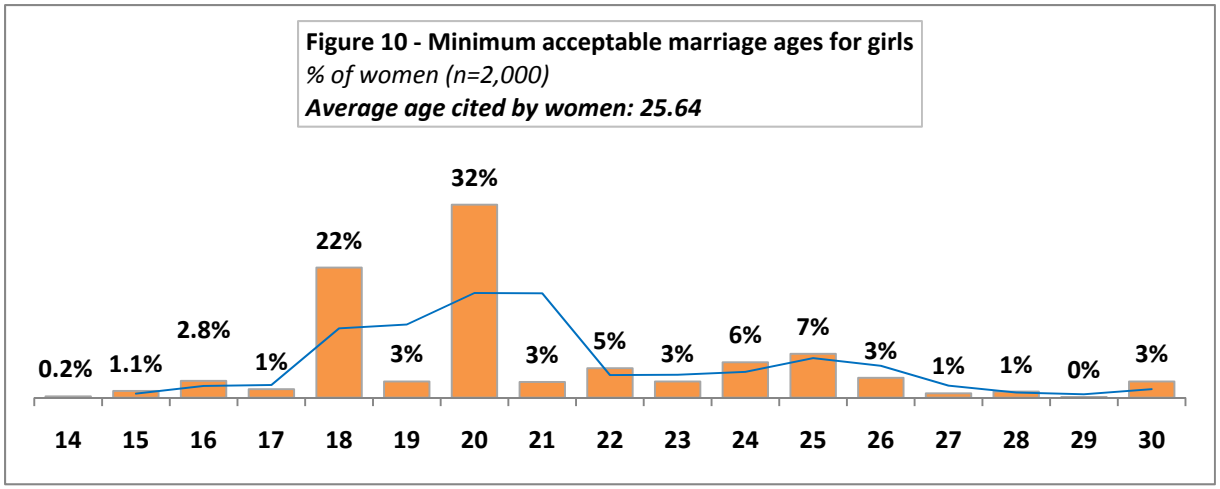


Figure 10 - Minimum acceptable marriage ages for girls
% of women (n=2,000)
Average age cited by women: 25.64
0.2%
1.1%
2.8%
1%
22%
3%
32%
3%
5%
3%
6%
7%
3%
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Opinions on Gender Quotas

One of the objectives of the SWMENA survey in Morocco was to examine if ordinary citizens were supportive of legislation that is aimed to advance women's rights and to promote their participation in political decision-making. For this reason, we asked respondents a series of questions about the system of gender quotas that was adopted in 2002, where 30 of the 325 seats in the Chamber of Representatives are reserved for female candidates.

- It is noteworthy that knowledge of gender quotas is alarmingly low. Very few Moroccans seem to be familiar with the notion of gender quotas even though the system of gender quotas has been in place since 2002 when political parties have agreed on a charter to reserve 30 seats for women on a special national list. Indeed, when asked how much they knew about the concept of gender quotas, a sweeping majority of Moroccan women (96%) said they have no knowledge at all about it (Figure 11). Knowledge of gender quotas is also very limited among Moroccan men but slightly higher than among women. Eighty-five percent of men also say they have no knowledge at all about gender quotas (Figure 12).

Figure 11 - Knowledge of gender quotas among women
% of women (n=2,000)

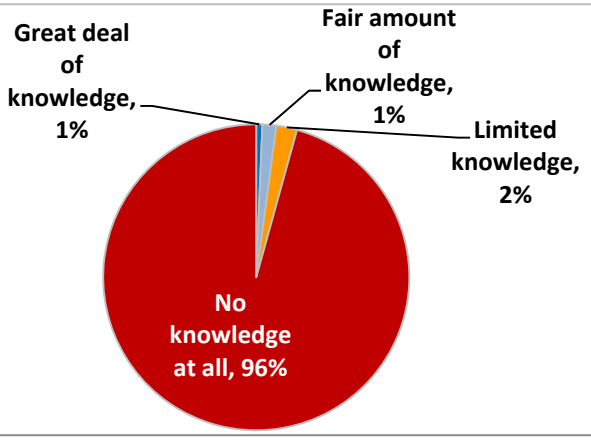
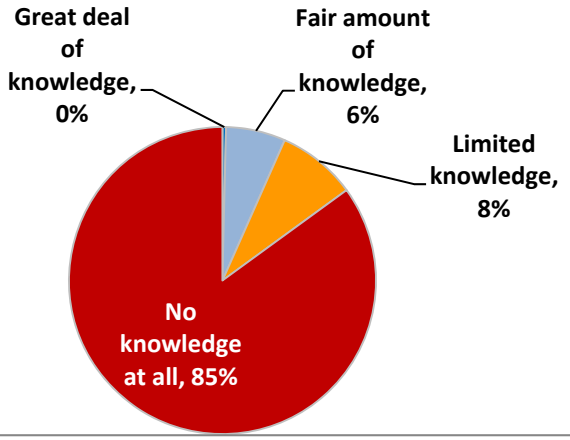


Figure 12 - Knowledge of gender quotas among men
% of men(n=500)

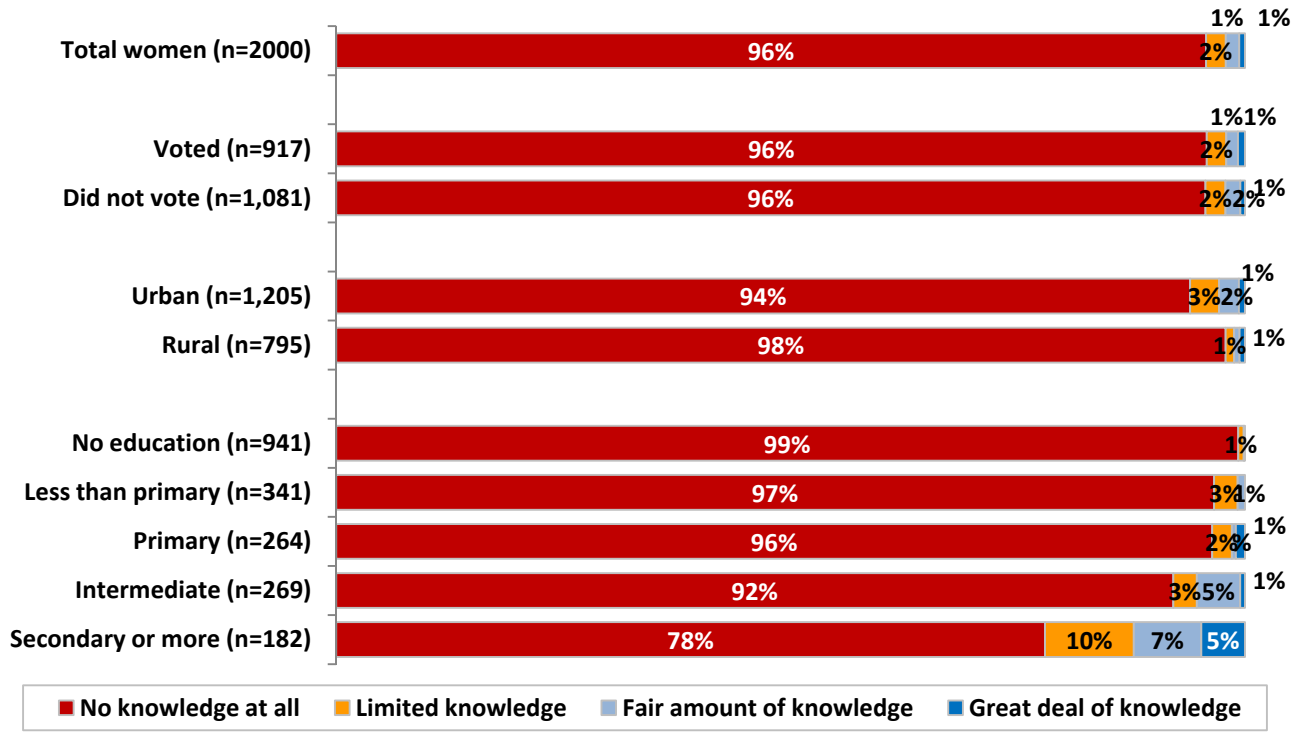


- Knowledge of gender quotas increases with educational attainment but it remains relatively low even for those who have a secondary education or higher. In fact, 78% of women with a secondary school education or higher say they have no knowledge at all about gender quotas. This compares to 12% who say they have at least a fair amount of knowledge and 10% who say they have limited knowledge about the concept. Among those with less than a secondary school education, at least nine in 10 women say they have no knowledge at all about gender quotas.

- When looking at knowledge of gender quotas by urban and rural settlements, we find that familiarity with this concept is extremely low at both levels but is slightly higher in urban areas where 6% of women say they have at least limited knowledge about the concept (Figure 13).

- When comparing those who voted in the local elections of June 2009 to those who did not vote, we still do not find any statistically significant differences in knowledge about quotas between women who casted a vote and those who did not.
- This highlights a major deficit in knowledge about gender quotas among the Moroccan population and suggests that women's groups should perhaps be doing more efforts to spread awareness about this concept and its importance in ensuring a more active role for women in political life.

Figure 13 - Awareness of gender quotas
% out of total women & women by urban/rural, education, & age groups



- Next, respondents who said they had at least a limited knowledge of gender quotas were asked if they supported or opposed the system of gender quotas in Morocco. Results show a slight gender split on this question. While majorities of both women (71%) and men (60%) strongly or somewhat support gender quotas, the proportion of men who strongly or somewhat oppose it (37%) is higher by 20 percentage points than the proportion of women who oppose it (17%). Also, of the men who support gender quotas, we see only 12% strongly support them and 48% of men somewhat support them. This compares to 40% of women who strongly support quotas and 30% who somewhat support. It must be noted too that three times as many women (12%) than men (4%) say they don't know if they support or oppose the system of gender quotas in Morocco (Figure 14). Again, this highlights the lack of knowledge on the gender quotas. There are no significant differences in opinions on gender quotas when breaking down results by age, education, or urban/rural settlement.

Figure 14 - *"To what extent are you for or against the system of gender quotas in Morocco?"*
% out of women & men with at least a limited knowledge of gender quotas

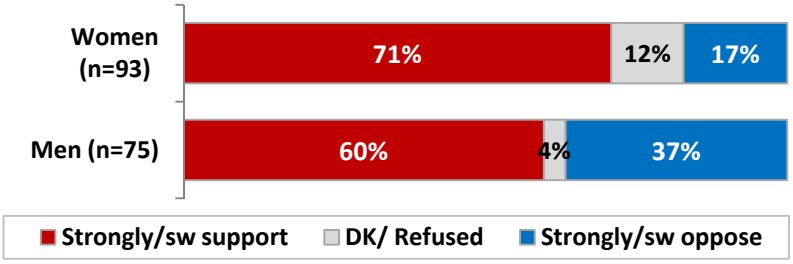


Figure 15 - Top five reasons for supporting quotas among women *(% out of women who oppose them n=65)*	% of cases
Because women should have the same rights as men	39%
Because elected bodies should represent major social groups in society/ Women are half the population and should be represented	28%
Because women should have a role in political life	21%
Because women are just as qualified/educated as men	16%
Because the current political system is male-dominated/ unjust	9%

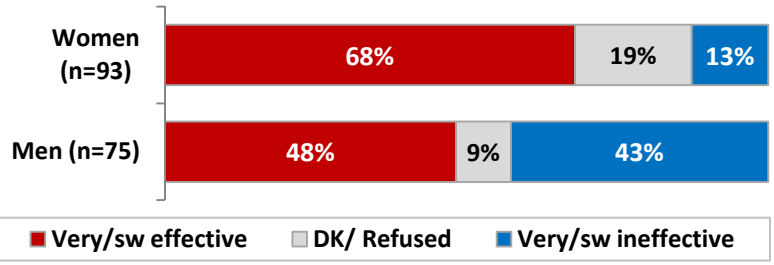
Figure 16 - Top five reasons for supporting quotas among men *(% out of men who support them n=44)*	% of cases
Because elected bodies should represent major social groups in society/ Women are half the population and should be represented	40%
Because women should have the same rights as men	40%
Because women should have a role in political life	18%
Because women are just as qualified/educated as men	10%
Because women in elected office would focus on new policy concerns, issues	6%

- Those who support gender quotas were asked to cite the main reasons for supporting them. Among women, the top reasons for supporting quotas are that women should have the same rights as men (39%), that elected bodies should represent major social groups in society/ women are half the population and should be represented (28%) and that women should have a role in political life (21%) (Figure 15).
- Among men, the top four reasons for supporting gender quotas are similar to those cited by women but in a slightly different order. In the fifth position, 6% of men mention that they support gender quotas because

women in elected office would focus on new policy concerns or issues that men officials would not focus on. Among women, the fifth mentioned reason for supporting gender quotas is out of their belief that the current political system is male-dominated and unjust (Figure 16).

- Of note, while the SWMENA survey included probing questions to find out the reasons for opposing gender quotas, the sample sizes are too small to be able to draw robust conclusions from the following questions.
- When asked if they thought the system of gender quotas has been effective in giving women an important role in political issues, again we observed a gender split in opinions. Two-thirds of Moroccan women believe the system of gender quotas has been very or somewhat effective in giving women an important role in political issues compared with a much lower 48% of Moroccan men. In fact, 43% of Moroccan men believe the system of gender quotas has been very or somewhat ineffective compared with only 13% of women who share the same opinion (Figure 17).

Figure 17 - Opinions on effectiveness of the system of quotas
% out of women & men with at least a limited knowledge of gender quotas



- Respondents were asked if they would voluntarily vote for a woman candidate in parliamentary elections if the law on gender quotas was not used in Morocco. Answers were very different between men and women with women showing more willingness to vote for woman candidates while men were more likely to give a conditional support: seven in 10 women said yes, they would vote for a woman candidate if the system of quotas was not in place versus only four in 10 men. Thirteen percent of men said no, they would not vote for a woman candidate if the system of gender quotas was not in place. None of the women respondents said no.

Figure 18 - Likelihood of voting for a woman candidate among women
% of women with at least a limited knowledge of gender quotas (n=93)

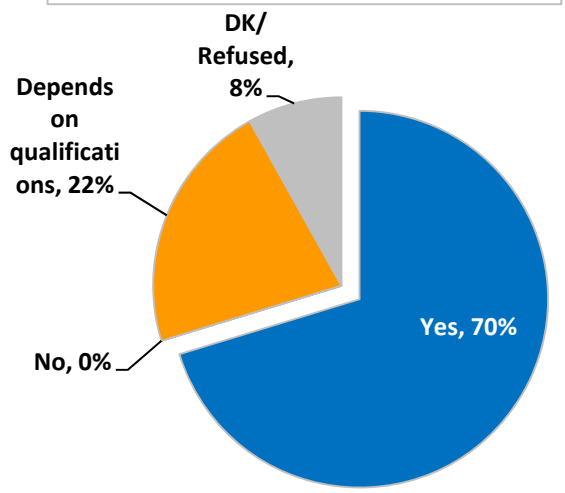
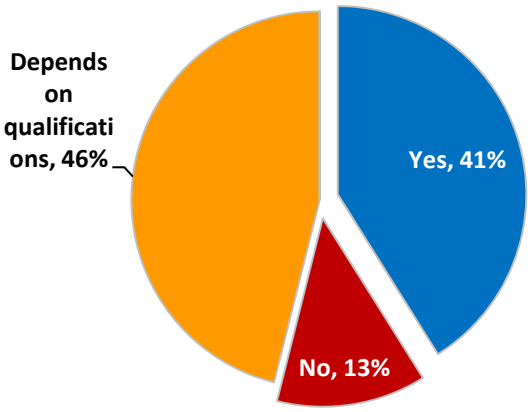


Figure 19 - Likelihood of voting for a woman candidate among men
% of men with at least a limited knowledge of gender quotas (n=75)



Meanwhile, 22% of women said it would depend on the woman candidate's qualifications versus 46% of men. When breaking down these results by other demographic characteristics, such as education, age and location, we did not observe any statistically significant differences in opinions (Figures 18 & 19).

- Respondents were also asked if they believe women in parliament represent women in Morocco and their particular needs. The gender split in opinions on this question was even more pronounced. While a sweeping majority of women (87%) strongly or somewhat agree with the statement that women in parliament represent women in Morocco and their specific needs, a plurality of men (47%) disagree with the statement and only 35% agree. Meanwhile, 18% of men said they don't know if women in parliament represent women in Morocco and 8% of women also said they did not know (Figure 20).

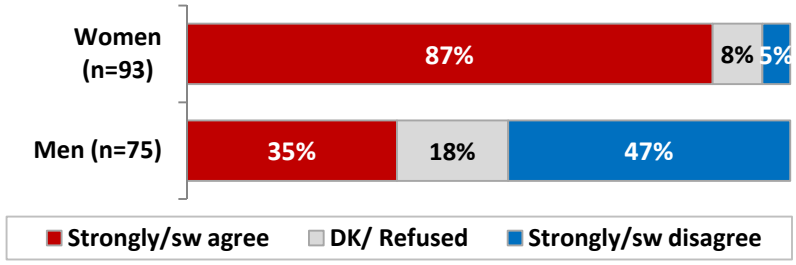



Figure 20 - Opinions on whether women in parliament represent women in Morocco and their specific needs
% out of women & men with at least a limited knowledge of gender quotas