

The time has come to look at society through the eyes of women, too

Zahra al-Zawi

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What does the word "reform" mean to you as a Moroccan citizen?

Firstly, I must thank you for incorporating a regional dimension to these interviews. I definitely regard myself as a citizen, but not a first class citizen. I would say that, as a woman, I consider myself not to have full citizenship, something that is connected to the problem of nationality. Although I haven't experienced this problem personally, I have come into close contact with it through many cases, including, for instance, Moroccan women who are married to foreign nationals. Some sort of reform has been made to the Nationality Law, but it hasn't given women like these the right to full citizenship, in the sense that they are able to pass on their citizenship to their children, but not to their husbands. And so, for me, the word reform here is still only the beginning. Basically, one cannot speak about reform until the national legislation and laws have been brought into conformity with their international counterparts.

What are the main factors that determine the success of any reform project?

The two most important approaches that must be integrated in every reform project are the gender approach and the participatory approach. The continuing enactment of these detached, lofty laws shows that we haven't yet grasped reform; in order to achieve reform we must start from the base, or at least include it in the concept and vision. The gender and participatory approaches in one way or another relate to truth, fairness and justice.

If you were to identify what was in most urgent need of reform, in what area would you begin?

With the family, of course. Reform must begin with the Family Law, given that all the discriminatory laws originate from the initial nucleus of the family, followed by the school, and then the world of work, which together form the basic constituents of society.

The Code of Personal Status and Inheritance modified the promulgation of the Family Law in 2004. What is your opinion of this law?

It is a positive law that created a revolution in Moroccan society. I have been engaged in it, and will continue to follow its progress until my primary concern and demand has been achieved, i.e. for us to be governed by the spirit of the text and legislation.

What does equality between the sexes within the family mean to you?

Equality? There is no equality between the spouses within the family, either in reality or in law. In reality, the Family Law has not yet been sufficiently digested by members of the family because it hasn't been explained to them properly. In law, I would like to point once again to the injustice that is done to women regarding custody and their authority to guide their children. And this is to say nothing of the injustice they encounter during divorce. Women are still being divorced without receiving all of their rights, as stipulated in the preamble to the Family Law. The preamble translates the royal directives regarding the law, which maintain that a woman cannot be divorced until she has received all her vested rights. However, the legal provisions have not translated these directives in their entirety.

Are you speaking about the philosophy of this law?

Yes, the spirit of the law. Those who drafted the law didn't interpret the spirit of the legislation, or rather the text of the royal directives.

And what is your personal opinion of equality between the sexes within the family?

Equality is a non-negotiable principle, and must be recognised in fact, in spirit, and in law. It is an ideal that must be worked at on all levels.

Do you feel that there has been a change in your position as a woman in your family environment since the promulgation of the law?

There has definitely been a positive impact on every family, including my own. The fact that I come from an educated family and that I participated in discussions before, during and after the completion of the law doesn't mean that I haven't perceived a significant shift in the behaviour of my husband, my son and my family as a whole.

As a lawyer, you have perhaps represented one of the parties in the family courts, and worked both before and after the issuance the Family Law in 2004. Do you sense that there has been a change in your professional and in the way in which the law is being implemented in the courts?

There has been a change in the jurisprudence following the issuance of the Family Law, because I have invested my personal time and efforts in interpreting the provisions of the law, according to my convictions, and have seen tangible results, thanks be to God. However, the road ahead is still long. Lawyers have an important role to play in conveying legal information and interpreting the legal texts, because judges usually refer to the legal texts and notes and apply their own judicial interpretation. As a result, lawyers are now needed, more than at any time in the past, to interpret and bring to

bear the spirit of the legislation, in order to influence and contribute to the jurisprudence.

In response to demands made by Soulaliate women, the state recently recognised their rights to benefit from restitution for communal land on an equal basis with men. When and how did you hear of the problems faced by Soulaliate women?

It was the Ouja *Ein al-Ghazal* 2000 association, the regional coordinator of the ANARUZ and a democratic association of Moroccan women (the national coordination of the network), that followed this case, and so I was aware of the subject from the start. As a lawyer I find myself bound to deal with issues of institutional violence that still affect Moroccan women, despite the fact that Morocco is a signatory to the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW).

However, the question of whether all Soulaliate women are aware of this decision needs to be raised, as well as how civil society organisations can become involved in this movement through the broader sensitisation and education of women, and by conveying their demands to the Ministry of the Interior. The main role of civil society is to pass on information. However, the time has come for the state to guarantee this right, because, constitutionally speaking, the state is the guarantor of individual and collective rights.

Measures have been taken to increase the representation of women in the elected assemblies via the adoption of the national list for the parliament and the additional lists for the local councils. Do these measures meet your expectations as a woman?

The quota is necessary at this transitional phase and given the nearly total absence of awareness among women of local and political affairs. Women are distanced from these issues, and moreover local affairs are of no concern to them. And thus we must pass through a transitional phase. We also should not wait for society to become qualified, but instead must take control of the path of change and have recourse to these transitional steps and measures in order to rectify past errors. I say this because I disagree with those who claim that we have to wait for that to take place within a democratic framework. Democracy does not involve waiting for society to become qualified, but taking charge of the course of change, because the problem of democracy is tied to illiteracy and other factors. Political participation calls for political consensus and the sensitisation of the political parties towards the gender approach, because they're totally ignorant of it. Usually they regard it as being strictly related to women, while in fact it entails changing mentalities and thus training male politicians in the gender approach, sensitising women to issues of participation, and working to alter everyday behaviour. If women continue to play a triple role – in production, reproduction and the community – then they won't be able to contribute effectively to the path of progress. I would therefore underscore the need for men to get involved in work in the home and family. And we mustn't forget the state's responsibility to ease the burden on women by setting up nurseries, if we want women to be involved in political life. The state must also create spaces not only for the care of children, but also for the elderly and for those with special needs, because the responsibility for their care falls to women in most cases. Alleviating these burdens on women is the role of the state, the local municipalities, husbands, and political and government planners. And

herein lies the gender approach. Or, in other words, we must formulate answers for all the problems that obstruct the participation of women in political life and local affairs.

Is there anything else you'd like to add to your suggestions on this issue?

I can sum up my suggestion in a few words: To achieve a just society there must be development, and in order for there to be comprehensive and sustainable development, women must be empowered.

In the wake of all the reforms concerning Moroccan women that have been made over the past two decades, how do you view the development of their status in terms of the participation in the workplace, in politics, in the economy, in society, and in the family?

There has been positive development. Over the past decade we have lived through what can perhaps be considered as recompense for the decades that have passed since Morocco gained independence. I believe that the state has now started to play its role in this regard, and all that is needed is for society to play its role in mobilising and stimulate political and party-political affairs, similar to what is taking place with socio-economic issues. And all are invited, from their own perspectives, to assume their responsibilities, play a positive role, and use their intellect, intelligence and abilities to build a modern Moroccan society that will strengthen its human capital.

What are the problems that you encounter in your work as a human being/a citizen?

The main problem is patriarchy and the way in which society is viewed through men's eyes. The time has come to change this and to look at society through the eyes of women, too.

And in the home?

At home it's a different matter. I consider myself fortunate compared to other women, since my husband is a man of principles and to some extent shares my vision. However, I should point out that he, along with the rest of the elite, is still a victim of the current regime, which has been in power for decades and whose remnants are still very much present. It is perhaps my opposition to this situation that allows me to comprehend the social and other barriers that exist. I consider it to be a positive opposition, however simple it is, because it allows me to see issues within society from a relative perspective and to better grasp the difficulties that face other women. I possess the means with which to defend myself, and yet I still suffer from the remnants of patriarchy that are entrenched within society, let alone women who are vulnerable in all respects.

What problems do you encounter in your local community?

There are obstacles and resistance, as in the rest of Moroccan society, but I think that if women can comprehend and defend their rights, then they can help to achieve their goal of ingraining modern thought and propagating an egalitarian culture.

When you spoke about the problems you face as a human being and as a citizen, you addressed them as a woman. Does this imply that men don't encounter these problems?

Men also have problems, and one cannot attribute the problem to men as much as to society. It is society that defines roles and governs human relationships within a given community and at a particular stage in history. And don't we therefore have to agree on what sort of society we want? And on what the components of the family that we want are? The answers to these questions depend on the role that is played by the intellectual, the politician, the social worker, the psychoanalyst, decision-makers and people in charge of local and affairs and politics.

What do you think the role of women's associations is in terms of the impact they have on society?

They have undoubtedly played a very significant role. Behind the success of the Family Law lie struggles undertaken by women over the course of more than twenty or thirty years. It has been a positive role, the manifestations of which come to light when one reexamines the country's legal arsenal. You spoke about Soualilyate women. But who was it who handled and followed the case? You also spoke about the Family Law, and, again, who handled and followed the case? Here I would also recall the Spring of Equality and the Million Signatures alliance and others.

What is your personal experience with women's associations?

I come from a resistance family, from which I derived my desire to struggle and to enter the political arena, prior to the social arena, even though for me they are interrelated and mutually complementary. I was influenced by party political affairs during the time I spent in France, and following my return to Oujda I thought seriously about how to improve the status of women. At the time I developed ties with the Democratic Association of Moroccan women and other organisations active in the area. The primary motivation behind my determination to enter this field was the fact that I was involved in issues of gender-based violence against women.

Was it this that made you leave party politics for women's associations?

I worked in a political party when I was living in France. After I finished studying, I postponed my party political work since I was travelling around a lot from city to city. As soon as I returned to Oujda, I developed a clear vision and took the decision to work in the social arena, because it allows me to give, based on my abilities and qualifications.

What do you dream of as a Moroccan citizen, even if it is difficult or impossible to achieve at the present time?

As a citizen, I dream of ending injustice against women within the Family Law, and I dream of women rising to decision-making positions and influencing the future policies that Morocco is drawing up for the coming decade.

And as a woman?

I dream of equality, no more, no less. Justice is just a pipe dream.

But I asked about things that are difficult to achieve at the present time...

I always say equality. I could mention, merely as an example, the issue of inheritance, where it is difficult for me to speak at the current time about equality. My only dream is to end injustice against women and empower them in all their rights, as provided for by Islam and in law.