

Media and the Law



Young demonstrators protest in Rabat, Morocco, on February 20, 2011. Image via [aquilaSTYLE](#).

ASHA'B YURID: A TIME OF CHANGE

On February 20, 2011, thousands staged peaceful rallies in Moroccan cities demanding political reform and limits on the powers of King Mohammed VI. Between 3,000 and 4,000 people took to the streets of the capital Rabat, shouting: “The people want change,” and denouncing corruption. Speaking up for the first time, the women and men of Morocco’s youth movement, self-defined as “secular” and “modernist,” cried out *Asha’b yurid*, the masses want! In the case of Morocco, they wanted tangible and profound political, economic, and social reforms.

These motivated young people did not foresee, however, that only six months later this now famous slogan would bring the

Islamist Justice and Development Party (PJD) to power. Pushing through a religious vision and platform, the PJD's ascent to national leadership has unleashed worry especially among the women activists of Morocco. Presently, there is an ongoing, controversial debate between the PJD and female activists about the definition of the span and scope of women's rights in the country.

In sharp contrast to the early 1990s, today, women in Morocco serve as decision makers in politics and economics. In part, this development was made possible thanks to increased access to education. As women enrolled in universities and graduated with specialized degrees, over time, they have been able to obtain higher positions in the public and private sectors. In fact, nowadays, many Moroccan women financially support entire households and even businesses.

Indeed, the economic factor has played an essential role in enjoining women to participate in the development of Morocco. The exigency for increased income in an economy where the cost of living is steadily on the rise has encouraged women to join the work force in order to provide for their families' basic needs. Still other women have done so in the pursuit of financial independence. To that effect, not only women who have been to school have access to the job market. Today, thousands upon thousands of women throughout Morocco employ their manual skills in embroidery, cooking, and housekeeping to provide for their families, themselves, and, subsequently, contribute to the country's growth.

THE PUBLIC PERCEPTION OF WOMEN VS. REALITY: THE ROLE OF THE MEDIA

Media plays a significant role in shaping a society's self-perception and the permissible roles of its actors. At a certain point, the media's work may become a mirror of a

society, its developments, and its values. In the case of Moroccan media, however, although the economic, social, and political situation of women has changed drastically over the past two decades, the media has failed to catch up to the reality of women in Morocco. Instead, outdated, stereotypical images of women broadcasted on television programming, especially in sitcoms, neglect the diversity of women's roles in contemporary Moroccan society.

Women are characterized as instruments of temptation and degradation in Moroccan media. Most of the time they appear in TV shows and advertisements as reckless, controlled, uneducated, and are often portrayed as victims. Two widely popular TV shows, *Moudawala (Jury Deliberation)* and *L'khit L'byed (The White Thread)* provide perfect examples of this phenomenon. The two programs regularly write female characters from the lower classes as unskilled and submissive. Such generalizations ignore the complexities arising from a woman's social status in Morocco and, furthermore, this depiction is just not true for many Moroccans, including women from disadvantaged classes.

With regard to the status of women in Morocco, the media perpetuates a false image of dichotomy and extremes. Women are presented either as well-educated and chic, or docile and "traditional." [1] Reality is much more nuanced and complicated. Unfortunately, though, the media outlets that could be so helpful to the advancement of the Moroccan feminist movement by broadcasting the ongoing process choose to perpetuate false and, often, detrimental images of Moroccan women. When it comes to women, then, the media deprives Moroccan media consumers of opportunities to be informed of the dynamic and changing country vis-à-vis the women's empowerment movement—as well of other socio-economic developments that the 2011 demonstrations brought to the fore.

Aside from gender-biased stereotypes in entertainment programming, gender inequality in Moroccan media, and, thus,

in the Moroccan street, also surfaces in the way the news is reported. In Morocco, men are associated with “hard” news topics and women with “soft” news. In fact, most of the country’s mainstream newspapers and magazines give space only to men to express their points of view about subjects such as politics and economics. For example, in the country’s most popular newspapers, like Hespress.com and *Al-Massae*, women primarily appear in the sections that discuss fashion, cooking, and social scandals. Accordingly, a cursory look at the newspapers in Morocco reveals images of men in the sections reporting on the “hard” topics and pictures of women in the “soft” news sections. Furthermore, depending on the publication, the majority of columnists are men, if not all of them.

This media-created compartmentalization of men and women based on “gender-appropriate” subjects ignores the fact that women are involved in politics and business, be it through political activism or participating in an embroidery workshop, and denies them a voice in these matters. Again, this gendered construction of news and entertainment feeds a paradigm that frames the concerns of men and women in a way that fails to support and promote the contemporary reality of the country.

But the media, as any other big business, is an industry owned by the elite who aren’t particularly interested in the gender equality agenda. As a result of this lack of civic responsibility, the change makers of Moroccan society cannot utilize the power of the media in the uphill struggle for meaningful social, political, and economic reforms.

Specifically looking at the case of women, the media’s insistence on portraying women as victims, as uneducated, or as a source of scandal, may even exacerbate women’s social troubles and violence against women. A UN Women-sponsored study on Moroccan women in 2011 revealed that about “60 percent of Morocco women have experienced some form of violence recently.” [2] Of course it would be inaccurate to

claim that violence against women in Morocco is caused by their misrepresentations in media. However, the question is: To what extent are banal portrayals of women in the media unconsciously implementing and reinforcing the perception of women as less powerful than men in society?

Today, a young Moroccan woman comes of age in a society in which a significant number of women are decision makers in both the public and private spheres. Unfortunately, though, mass media, where she will receive most of her information about her female compatriots, insists on a world where women are predominantly weak and lacking agency.

In an attempt to address the gross misrepresentation of women in the media, a couple of years ago the Moroccan Ministry of Communication, in collaboration with the United Nations Development Fund for Women, launched a yearly prize for media programming that seeks to encourage gender equality in the media and to promote the image of women in the industry. The initiative is considered to be one step on the path towards the implementation of the concept of gender equality in media content, and encourages journalists and the media industry to take into consideration new strategies for balancing representations of men and women in advertisements and programming. Despite this well-intentioned effort, the initiative has yet to yield any formative changes in the media.

MOROCCAN LAW: AN OPPORTUNITY TO SUPPORT AND PROMOTE GENDER EQUALITY

Media is not the only culprit in the perpetuation of inequality between men and women in Morocco. The legal system is another factor that sustains the gender gap. Contrary to the citizen-led campaigns to amend policy pertaining to the rights of women in Morocco, the laws still do not recognize

men and women as fully equal when it comes to the family code, known as Mudawana.

In 2004, Moroccan women's right organizations carried out a successful campaign to promote gender equality through reformation of the family code, which led to a revision of the Mudawana. Noted as a milestone victory for the women's movement, the 2004 Mudawana reform raised the legal age of marriage for women from 15 years to 18 years; gave equal parental authority over children to both the mother and the father; and ensured that women enjoy the right to sue for divorce, as well as men. While Mudawana in Morocco is based on Shari'a and customary law, it is considered a bold and forward policy throughout the entire region of the Middle East and North Africa. This is due to the fact that the legal committee that wrote the laws authored a policy suitable to the current needs of contemporary Moroccan society, yet still managed to satisfactorily incorporate Islamic texts. Critics of the revised family code, however, viewed it as falling far short of international standards of human and women's rights, as the reforms failed to address the issues of polygamy and inheritance. Additionally, the high percentage of illiteracy among rural women still prevents a majority of Moroccan women from understanding the legal gains that have been made on their behalf.

Regardless of reform, a nation that considers Islamic law as an irreplaceable component of its legal institutions will always face challenging obstacles in the quest for gender equality. The issue of inheritance, for example, is a controversial one; and the way in which the law enforces the right to inheritance is yet another example of Morocco's clinging to a past reality that is not shared by the present.

Family law in Morocco gives men the right to inherit double the amount that women do. This is based on Shari'a that assumes men will financially support families. But in modern Moroccan society where women obtain advanced degrees and well-

positioned jobs, men are not the only breadwinners in their families. It is an economic shift that is gradually altering the socio-economic map of Moroccan society. Yet, when it comes to inheritance, these socio-economic changes are not taken into account when national policy reform occurs.

Eventually, the laws will have to adjust to deal with the fact that women are building and supporting households, equal to their male counterparts. It will not be easy to reform inheritance law in Morocco due to religious, political, and cultural factors. Nevertheless, changes taking place within Moroccan families will make a serious re-visiting of inheritance law unavoidable, particularly, the treatment of women will need to be adjusted.

Aside from the issue of inheritance, with the new Islamist government there are a number of *other* matters that have Moroccan women's rights activists wary of the future. After a year and a half of heading the Moroccan government, the country is currently focused on how the PJD will deal with sensitive issues that Shari'a forbids, like abortion and children born out of wedlock. These types of challenges to status quo will demonstrate the extent to which the PJD is willing to empower women and support their human rights through the mechanism of the country's legal system.

A review of past positions held by the PJD on women's rights is not very encouraging. For example, prior to the recodification of Mudawana in 2004, the party criticized newly established women's rights and even called for the media to uphold its conservative image of women. Consequently, at this point, it is neither clear that the PJD will allow the voices of Moroccan women to determine their needs and rights as citizens of Morocco, nor is it assumed that the PJD will respect the changes made to gender policy before their rise to power. Although the PJD is not the only political authority in Morocco, and is mindful of referring to the monarchy—a steady advocate of women's rights in the last 15 years or so—as the

primary, legitimate decision-maker regarding national issues, women's rights advocates still fear that, ultimately, the PJD *will* determine the definition of equal rights for men and women, and that that definition will not match up to the agenda of the women's rights movement.

EXPLORING NEW HORIZONS: SEPARATING RELIGION AND STATE

Separation between religious institutions and the state, *à la marocaine*, needs to be considered on the road to establishing gender parity. For gender rights activists, the intertwining of religion and state poses one of the most formidable challenges to their efforts for a more gender-just Moroccan society. If this separation were possible, the media and the institutions of law in Morocco could serve as two arenas in which gender equality could be developed and encouraged. Using these two mechanisms for the purpose of establishing equal rights for men and women would forge a true path toward democratic rule and respect for human rights in Morocco.

Morocco's legal system and its media outlets have much to contribute in the struggle for gender equality in Morocco. But the journey will be long and there is much work to do. Developing a culture in which men and women are viewed as having equal human rights instead of one that holds the belief that a man is the one "who commands and should be obeyed" is very challenging. Nevertheless, the media industry and legal system can change women's situation for the better if, and only if, they implement models of gender equality into the mechanisms of both institutions. It will take a long time, and there will be much resistance to these changes, but it will be necessary in order to develop real democracy in Morocco.

This article was adapted from a talk given by the author at the 15th New Faces Conference, "Transitions in Egypt and Tunisia through the Prism of Gender Equality," organized by

**The German Council on Foreign Relations (DGAP) in Cairo,
February 2-5, 2012.**

[1] Read more about this dichotomy in a [2010 survey](#) by the Communication Ministry.

[2] Read more about this study in [this article](#) published by UN Women.