

Pro-Women Legal Reform in Morocco: Is Religion an Obstacle?¹

Imane Chaara²
ODID, University of Oxford

April 2014

Abstract: The question of the role of modern law in triggering social change is of particular importance in societies where customs and norms support the marginalization of some social groups. An implicit condition to the effectiveness of the law is the identification of agents with its content. In this paper, we focus on the adherence of agents to a pro-women legal reform in Morocco, the reform of the Family Code. We use first-hand data that we collected in 2008 to provide evidence about the factors that drive conservative positions and opposition to a progressive legal reform. We observe that women who are expected to benefit from the reform are not unanimously in favor of it. Conversely, a non-negligible part of the male population supports the new legislation. In order to explain these behaviors, we mainly focus on three factors: education, place of residence, and religion. Contrary to what naïve beliefs would suggest – rural men with a low level of education and intense religious practice is less in favor of the new Family Code –, we find that there is no straightforward relation between the three aforementioned factors and the support for the new law. Rather paradoxically, conservative positions are observed among educated people, when they are very religious.

Keywords: Family law, legal reform, women's rights, equity, Islam.

JEL codes: K36, Z12, D63

¹ The author thank the *Agence française de Développement* (Afd) for financial support, Jean-Philippe Platteau, Catherine Guirkingier, Jean-Marie Baland, Gérard Roland, Stephan Klasen, Vincenzo Verardi, participants at the 18th ERF Annual Conference, the CRED workshop and several other conferences for useful comments.

² Author's contact information: University of Oxford, ODID (QEH), 3 Mansfield Road, OX1 3TB. E-mail: imane.chaara@qeh.ox.ac.uk; imane.chaara@sant.ox.ac.uk. Office Phone: +44 1865271913. Mobile Phone: +44 7501585352.