

The Current Debate on the Moroccan Family Code “*Mudawwanat Al-'Ussra*”

Dr. Karima Nour AISSAOUI 

Faculty of Letters and Human Sciences
Abdelmalek Essaâdi University Tetouan, Morocco

k.naissaoui@gmail.com



OPEN ACCESS

Date received: Feb 27, 2024

Date revised: Mar 15, 2024

Date accepted: Mar 25, 2024

DOI: [10.5281/zenodo.12546499](https://doi.org/10.5281/zenodo.12546499)

ABSTRACT

The *Moudawana* (Moroccan Family Code) went into effect in February 2004. Twenty years after its implementation, this legislation has drawn increasing criticism from civil society, including feminist movements and, human rights associations. The urgency to reform the “*Moudawana*” and correct its shortcomings is beginning to be felt. However, the sensitive nature of this contentious subject entails a need for consensus among various components of society. This article will consider the current discussions surrounding the “*Moudawana*”, detailing, the most significant issues associated with this personal status code, in particular in terms of its understanding and interpretation of laws, and will also highlight the main demands of feminist movements.

KEYWORDS:

Moudawana; Family Code; Morocco; Malikite School; Islamic Family Law.

النقاش الدائر حول مدونة الأسرة المغربية



الدكتورة كريمة نور عيساوي

كلية الآداب والعلوم الإنسانية

جامعة عبد المالك السعدي، تطوان المغرب

k.naissaoui@gmail.com

OPEN ACCESS

تاريخ الاستلام: 27 فبراير 2024

تاريخ التعديل: 15 مارس 2024

تاريخ القبول: 25 مارس 2024

المعرف الرقمي: DOI: 10.5281/zenodo.12546499

الملخص:

دخلت المدونة (قانون الأسرة المغربي) حيز التنفيذ في فبراير 2004. وبعد عشرين عاما من تطبيقها، أثار هذا التشريع مستوى متزايدا من الانتقادات من طرف المجتمع المدني (الحركات النسوية، وجمعيات حقوق الإنسان، وما إلى ذلك). لقد أصبحت بدايات إصلاح "المدونة" حساسة، مما يقتضي تصحيحا بشكل عاجل لأوجه القصور فيها. لكن حساسية هذا الموضوع الشائك تستلزم ضرورة التوافق بين مختلف مكونات المجتمع.

تتناول هذه المقالة الوضع الحالي للنقاش حول "المدونة"، مع عرض تفصيلي في الوقت نفسه لأبرز الإشكالات التي تطرحها مدونة الأحوال الشخصية من حيث فهمها وتفسيرها للقوانين، وكذلك تسليط الضوء على أهم مطالب الحركات النسوية.

الكلمات المفتاحية:

المدونة؛ قانون العائلة؛ المغرب؛ المذهب المالكي؛ قانون الأسرة الإسلامي.

I. INTRODUCTION¹

For centuries, the women's voices had been marginalised, and their role in traditional society had been reduced, in most cases, to roles of procreation, child-rearing, and domestic labour. In the modern era, the status of women has undergone through several changes. Equality between men and women has become a value shared by those who believe in a world where there is no discrimination based on race, age, and sex. Unlike what is unfolding Europe, Morocco has been engaged in a slow and cautious legal process for reforming the family law since its independence in 1956. As far as I am concerned, this process had been gone through three phases: the first phase was in 1958, the second in 1993, the third one was in 2004, and the last uncompleted amendment in 2024.

This paper is an attempt to review the current legal system concerning the status of women in Morocco during the undergone protectorate period (1912-1956), then of the first and second phases, before focusing on the 2004 reform, which, despite its importance, sparked controversy. The demands of civil society and the usefulness of the evaluation of the family code after twenty-five years of its application both contribute to a likely and comprehensive revision in the near future.

II. THE STATUS OF WOMEN IN MOROCCO: HISTORICAL OVERVIEW

During the rule of the Umayyad dynasty in Damascus, the advent of Islam to Morocco (*al-Maghreb al-Aqsa*) in 680 CE. The successive dynasties have all opted for the application of Islamic law (*sharia*) to govern, in accordance with the letter and spirit of the law, public and private life in Muslim society. With the emergence of the Maliki rite, as one of the four major Sunni Islam legal schools, and its gradual establishment in the Maghreb and Andalusia around

¹ To cite this article:

AISSAOUI, Karima Nour, The Current Debate on the Moroccan Family Code "Mudawwanat Al-'Ussra", Ijtihad Center for Studies and Training, Belgium, Vol. 1, Issue 1, June 2024, 195-209.

كريمة نور عيساوي، النقاش الدائر حول مدونة الأسرة المغربية، مجلة اجتهاد للدراسات الإسلامية والعربية، مركز اجتهاد للدراسات والتكوين، بلجيكا، مج. 1، ع. 1، يونيو 2024، 195-209.

1048CE, the *Ulamā* (Muslim Scholars) made this rite their exclusive reference in jurisprudence, including the code of personal status.

According to Asmaa Mazouz, “private life in precolonial Morocco was dominated by the Malikite School both in social and legal, and especially family life.”¹ She adds that this field has been dominated not only by the Malikite school but also by its legal doctrine. Its elements were first religious... Nevertheless; the spirit and the philosophy of marriage were inspired by the Coran and the Sunna as they are interpreted by the Prophet Muhammad and his disciples.²

However, it should be noted that all the legal concepts concerning marital life (marriage, repudiation, divorce, etc.) were not yet recorded in a precise and accessible compendium that could be consulted or compiled in a clearly defined canon. Furthermore, this expansive raw thoughts and ideas was, in accordance with long-standing Islamic tradition, scattered throughout several works, namely the *Moudawana* by its author Sahnoun (776–854), and comments on *al-Mukhtaṣar fī al-fiqh (Handbook of Jurisprudence)* by Shaykh Khalīl ibn Iṣḥāq.

According to the current commentators of the Arabic *Handbook of Jurisprudence*, The students in Africa used to memorize it by heart, ...while teachers had in their disposition the commentaries, of which some are very important and have become very famous.³

Not to mention, of course, the *Muwatta* of Imam Malik Ibn Anas, this is a principal reference of prophetic tradition in the Malikite School.

Taking into account this set of circumstances, as well as the sensitivity with which personal status was treated by various societal actors, a well-founded justification for the Sultan’s extreme caution in appointing the body of magistrates can be easily made before 1912. In each decree issued, it expressly proclaims that the judge is bound to follow the Malikite School legal instructions in case of missing the suitable article. Therefore, the Malikite School is the primary reference for judge, both for interpretation and implementation of Family Law.

¹ MAZOUZ AAMAA, La réception du code marocain de la famille de 2004 par le droit international privé français: le mariage et ses effets, thèse dirigée par M NORD NICOLAS, soutenue le 16 Décembre 2014, Université de Strasbourg, at 24 f.

² Ibid, n. 1.

³ Précis de jurisprudence musulmane suivant le rite Malékite par sidi Khalil, The Care of the Asian Society, Paris 1858.

III. ISLAMIC FAMILY LAW IN MODERNITY

Mohamed Chafi states that during the period of the protectorate (1912–1956), Islamic law retained a certain autonomy, as well as exclusive jurisdiction for matters relating particularly to personal status. This concession of legal sovereignty was presented as a consequence of the commitments made by the French authorities in 1912 with regard to the Islamic religion and religious institutions.¹

However, France, as a sign of allegiance to its colonial policy, imposed the standard customary law, commonly known as the Berber *Dahir* (Berber decree), on the Amazigh tribes.

IV. THE 1958 CODE OF PERSONAL STATUS

After its independence on 2 March 1956, Morocco abolished Berber customary law, and, like other Arab and Islamic countries such as Jordan, Syria, and Tunisia, found it necessary to classify the rules of Islamic jurisprudence by topic to make them accessible to the judiciary. The idea was that a comprehensive body of work would quickly lead to the promulgation of a code of personal status in 1958 under the reign of the king Mohammed V, who pointed out the following to the committee in 1957 to draw up the code of personal status:

Everyone knows that our legislation and our legal literature are rich, so that we absolutely do not need to borrow from the legislation of other nations. Nevertheless, the genuine richness of the sources has been weakened by sterile interpretations and corrupted by certain rites that have been repeated for centuries, until they become interpreted as being part and parcel of it. This is why our duty consists of going back to the richness that we had in the *shar'ia*, and to work to revitalize it, by incorporating it into a series of precise articles that has the form of a code [royal speech in Arabic].²

¹ CHAFI MOHAMED, *Family Law in Morocco, Traditionalism and Modernity*, Marrakech 2018, p. 5.

² A series of legal texts: The speech of the late King Mohammed V in front of the members of the Personal Status Code Committee on October 19, 1957, No. 21, 2012, p. 3.

It must be noted that the work of this commission was curtailed, from the outset, by the royal directives, which reflected the prevailing common consciousness in the aftermath of decolonisation. Harith Al-Dabbagh rightly points out that:

The family law, in its broad sense, the personal status, will be protected from the movement of modernization. In the majority of Arab states, this domain, separated from the civil code, has proven to be impermeable to foreign legal institutions.¹

Despite the fact that, at first glance, this code appears to have been formed with a modern vision, it has clearly been adapted in accordance with the Malikite School. This signifies that, in reality, a father will always retain control over his offspring, allowing him to marry off his daughter whenever he desires.² According to Nouria Ouali, women were considered to be minors indefinitely; they remained under the authority of a father, a brother, an uncle, or a husband, who were obliged to support them.³ However, a tentative step was taken by the legislature through the legalization of the age of marriage at 15 years for girls and 18 years for boys, as well as the institutionalization of polygamy and repudiation.

Since its entry into force, the Moroccan Personal Status Code elicited immediate reactions from a number of stakeholders. Yet the claims made were, as can be seen, disorganized and not yet supported by political parties; even attempts in 1961, 1968, and 1982 to partially amend a few articles were all doomed to failure. Mohamed Chafi declares that the absence of reforms in family matters at this time in Morocco's history can be explained by the conflict between ongoing influence of historical provisions on public opinion, and the demands of modernity.⁴ This was due to the emergence of two contradictory trends: a traditionalist trend of thought that was considerably attached to the Islamic tradition and its invariable principles; and a modernist tendency, aware that the demands of modern life were imposing demands that Islamic law could not always satisfy.

¹ AL-DABBAGH Harith, *Le droit comparé comme instrument de modernisation: L'exemple des codifications civiles des états arabes du moyen orient*, *Revue de droit de l'université de Sherbrooke*, Vol. 43 (2013), 387–441, at 396.

² MERGUE BERINICE, *La moudawana: Les dessous d'une réforme sans précédent*, *Les Cahiers de l'Orient*, Vol. 102, No. 2 (2011), 15–30, at 17.

³ OUALI Nouria, *Les réformes au Maroc. Enjeux et stratégies du mouvement des femmes*, *Nouvelles questions féministes*, éditions Antipodes, Vol. 27, No. 3 (2008), 28–41, at 31.

⁴ CHAFI Mohamed, *Droit de la famille au Maroc, traditionalisme et modernité*, *op.cit. supra n. 4*, at 10.

The reluctance of the late Mohammed V towards the reform of personal status [in the middle of the twentieth century] reflected the substantial weight carried by the traditionalist current that was firmly embedded in Moroccan society. When the late King Hassan II, renowned for his open-mindedness, acceded to the throne in 1961, he could not overcome the stagnation that gripped the revision of the code of personal status. When he appointed a royal commission in 1981 to revise this code, its efforts, which lasted several years, came to nothing, as the reform project never ended up being published.¹

However, several contemporary factors continued to encourage the reform of the code of personal status in the 1980s-90s. Firstly, the women's movements have not ceased growing in importance and influence due to the formation of various associations: the Democratic Association of Moroccan Women (ADFM) in 1985, the Union of Women's Action (UAF) in 1987, the Moroccan Women's Association (AMDF) in 1992 and the League of Women's Rights (LDDF) in 1993.² Therefore, the civil society has learned to diversify its field of activity and to organise gender equality programmes such as the "Spring of Equality" in 2001, which was addressed in the media, or a petition that garnered one million signatures appealing for gender equality in Morocco. Secondly, Morocco was no longer strategically isolated from an international context, including human rights conventions, and the fight against all forms of discrimination against women.

V. THE REFORM OF THE MOROCCAN FAMILY CODE IN 1993

Faced with the intensity of growing pressure from civil society, primarily from the burgeoning women's movement, the much-anticipated 1993 reform was soon to see the light of day, as it was the year the King Hassan II took the decision to reform the family law. His main objective was to ease tensions that could lead to a crisis in Moroccan society. Shortly afterwards, it became clear that the 1993 reform was too limited and therefore fell far short of meeting expectations that were held by a number of Moroccan society and that were increasingly influential on public opinion. The amendments concerned particularly the

¹ CHAFI, *ibid* n. 4 8, at 11.

² NACIRI Rabea, *Le mouvement des femmes au Maroc, Nouvelles questions féministes, Antipodes*, Vol. 33, No. 2 (2014), 43–64, at 53.

Articles 5, 12, 41, 48, 99, 102, 119, and 148. The legislature failed to categorically abolish repudiation, polygamy, or matrimonial guardianship, which affirmed the persistence of gender inequality in the social milieu. Although this revision was limited in terms of substance, it was crucial from the point of view of the removal of the sense of the inviolable nature of the text of the code as it stood.¹ Needs development!

VI. THE 2004 *MOUDAWANA*

Before we turn to the subject of the new family code (2004), known as the *Moudawana*, it is useful to consider the context in which its well-known reform was undergone, as well as the long-term process of development. There is consensus that, with few exceptions, since the adoption of the limited reform of 1993, a sense of disappointment has been shared by civil society, and particularly by the women's movement. This feeling has continued to grow in proportion to the negative impact this reform has had on women. However, the women's movement was quickly to engage in a long-term struggle to bring about real reform in the area of women's rights. Several factors initially contributed to the success of this fight, including:

- The coming into power of "the government of change (*Hukumat Attanawub*)" in 1998 and the increasing importance granted to the status of women in the governmental programme;
- The launch of a National Plan for the Integration of Women in Development (PANFID) prepared by Saïd Saadi from the Party of Progress and Socialism (PPS), the Secretary of State for Social Protection, Family and Children, in collaboration with women's associations and human rights organizations.² This ambitious plan proposed a number of priorities of judicial measures; namely, the raising of the marital age, the abolition of guardianship, the implementation of judicial divorce, regulation of polygamy, and the division of property acquired during marriage;³

¹ RHIWI Leïla, transversals, science, culture (26 November 2006), <http://grit-transversales.org/auteur-ecba.html?id_auteur=67> (last accessed 10 March 2020).

² CHAFI, *ibid* n. 4 8, at 13.

³ RHIWI Leïla, *Reform of the Family Code, Case of Morocco, Identity Gaps*, Vol. 105 (2004), pps,xx-xy, at 50.

- The desire of King Mohammed VI, following his accession to the throne on 23 July 1999, to reform Moroccan society, repeatedly affirming his support for gender equality as well as his commitment to the process of democratic transition.

However, despite all these factors conducted to emancipate women, the publication of PANFID raised an unprecedented debate, which, in turn, led to the division of Moroccan society into two factions in an unequal position. On the one hand, the conservative faction, led by the Islamist movement, advocated the shielding women from the reforms under the pretext that this plan had a Western undercurrent and thus risked betraying the fundamental principles of Islam. On the other hand, a small minority were straightforward advocates for expanding the rights of women.

The confrontation between these two factions was crystallized through the organization of two major demonstrations on 12 March 2000: one in Casablanca in opposition of the plan, led by Islamic movements and associations, and the other in Rabat, in support of the plan, composed mainly of left-wing parties and civil society actors.¹ What is apparently obvious in this historical moment is the undeniable power of Islamist ideology. The immediate result of this new set of circumstances would be the blocking of the plan. In order to overcome this impasse, the former Prime Minister Driss Jettou had to resort to royal arbitration, which is described by Mohamed Chafi claims as a political game in Morocco that is allowed for the circumvention of the constraints imposed by constitutional legality.² We must not forget that the right to amend the *Moudawana* constitutes a royal prerogative. In his speech dated from 20 August 1992, which corresponds to the promulgation of the new constitution, King Hassan II recalled the following:

This matter falls under my responsibilities. This responsibility rests with me, because as the King of Morocco, it is my duty as the Commander of the Faithful (*Amir El mu`minin*) who has the competence to interpret religion and to implement it.³

Abdullah Al-Kouzi, "Summer Panorama: Meaningful Numbers," Al-Sabah newspaper, July 29, 2011 issue, ¹
<https://assabah.ma/18920.html> (accessed April 2, 2020).

² Chafi, *ibid* n. 4 8, at 14 f.

³ OUALI, *ibid* n. 7, at 33.

The intervention by the King Mohammed VI in April 2001 led to the formation of a Royal Consultative Commission (*Al-Lajna Al-Istichariyya*), chaired by the jurist Driss Dahak and included, in addition to *ulamā*, female and male academics whose sole mission was the development of a new family code. However, it seems that the Royal Commission to which the king had entrusted this very delicate mission was unable to find the necessary consensus for a draft, despite more than two years of efforts under the leadership of two chairpersons. In his speech delivered at the opening of the autumn session of parliament on Friday 10 October 2003, the King Mohammed VI revived the project of reforming the *Mudawwana* by announcing his determination to carry out a thorough reform of the family code. According to Abderrahim Lamchichi, he outlined:

The major orientations of a new project that should improve in a substantial way the status of Moroccan women and their place in the society, by giving them new rights: a strong restriction of the practices of repudiation and of polygamy, the implementation of mutual consent for marriage, the affirmation of new prerogatives for women in case of divorce, the standardization of the marriage age for men and women, and even the dissolution of male guardianship.¹

However, it should be understood that the king's firm will to reform the family code cannot go so far as to authorize what God has forbidden, nor prohibit what He has authorized.² One could say that the *Mudawwana* as a whole tends to create a compromise between Islamic law in its Maliki incarnation, and certain modernist values extolled by Europe.

[I]t is necessary to take inspiration from the light of a tolerant Islam that honors human beings and brings justice, equality, and harmonious cohabitation, and to rest on the homogeneity of the Malikite school as well as on *ijtihad*, to make Islam a religion that can be adaptable to all places and in any era, and to elaborate a modern family code with a perfect compliance with the spirit of our tolerant religion.³

The promulgation of the *Mudawwana* took place on 3 February 2004. In addition to the fact that this transition from the code of personal status (its former appointment) to the family code

¹LAMCHICHI Abderrahim, Promesse royale en faveur d'une réforme audacieuse du statut de la femme, *Confluences Méditerranée*, Vol. 48 (hiver, 2003–2004), 175–185, at 177.

² Discours de S. M. le roi Mohammed VI lors de l'ouverture de la 2^{ème} année législative de la 7^{ème} législature.

³ Discours, *supra* n. 17.

was not meaningless, this same code, unlike the previous amendments of the personal status code, followed an ordinary legislative path and was voted in unanimously by parliament. According to Leïla Rhiwi, by submitting the family code to parliament, the law has been definitively “humanized”. This is an institutional step forward: this code became a law like any other law and can no longer escape the classical system.¹

VII. NEW PROVISIONS AND ADVANCES

It is undeniable that through the adoption of this code, Morocco has taken a decisive step towards not only improving the status of women but also enshrining equality between spouses in the shared responsibility of the family. Article 4 defines marriage as:

Marriage is a legal contract by which a man and a woman mutually consent to unite in a common and enduring conjugal life. Its purpose is fidelity, virtue and the creation of a stable family, under the supervision of both spouses according to the provisions of this *Mudawwana*.²

In short, the family is no longer a matter for the husband, but is rather the responsibility of both spouses, according to *Moudawana*, particularly with the abolition of parental guardianship (*wilāya*) in the arrangement of marriage for women of full legal capacity (*Al-Ahliyya*), and the submission of repudiation or divorce, exercised by both husband and wife in the family tribunal.

Turning to the protection of the rights of the child, the new family code includes provisions that go in line with the international agreements on the rights of the child. Moreover, it lists a number of measures that contribute greatly to the protection of the child, such as granting the wife the right to retain custody of the child, under certain conditions, even after getting remarried or moving to a neighbourhood or a city far from that of her husband. The focus on the child has been well discussed in the Preamble of the family code that says:

Children are an essential part of the family. This Code has given them special interest as it has provided them with a special article on the rights which parents have to fulfill with respect to them, inspired by the provisions of the Shari’a, the national law, and the regional and

¹RHIWI Leïla, Réforme du code de la famille, cas du Maroc, supra n. 13, at 52.

² Article 4, 2004 the Moroccan Family law, translated by Human Rights Education Associates (HREA)

international conventions. The text of the code specifically determines these rights, including the right to religious orientation, the recording civil registration, the right to education, and the right to refrain from harmful violence. In case of spouses' separation, all these responsibilities and obligations will be shared among them, as reflected in the provisions on custody of children. In the case of the death of one or both spouses, such responsibilities and obligations shall be transferred to the guardian and legal guardian. For the disabled child, the Family Code provides him/her, in addition to the rights mentioned above, the right to have special care such as having regard to the specific nature of his disability, in particular as regards education and qualification adapted for social inclusion. It is important to note that this article places the responsibility on the State to take all necessary measures to protect and support children.¹

However, after 20 years of implementation, the family code has become subject to numerous evaluations. Zhou Lhor, a lawyer and former member of the Royal Commission that worked on the family code amendments, pointed out in a meeting in parliament the complexity of applying some of the legal requirements, as well as confusion concerning the legislation itself in terms of comprehension and interpretation. She also brought attention to the following elements:

- The controversy surrounding the second paragraph of Article 16, as it has been used contrary to its purpose by encouraging underage marriage and polygamy;
- The debate around Article 20, which grants the judge the authority to provide marriage permission for boys and girls before marital age;
- The discussion concerning Article 49 on the distribution of property between spouses after getting divorced;
- The countless problems that concern alimony, parental filiation, and the protection of children.

However, the demands made by civil society are much more radical; one such example is the memorandum drawn up in 2011 by the Federation of the Democratic League for Women's Rights (FLDDF), in which the Federation specifically called for the reformulation of texts and

¹ BEN HOUNET YAZID/ CHEIKH MERIAM/BENCHAHA LAÏLA/RUPERT NOURI, *Le droit de la famille au Maroc et son application au sein de la section des affaires familiales du tribunal de première instance de Rabat, Centre Jacques-Berque 2017*, at 26.

the deletion of articles that undermine women's dignity. This latter campaign was aimed at adapting the code to go in line with international conventions and to lift reservations from international agreements, which is ratified by Morocco such as the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), particularly Article 16 on marriage and family life, and to the 2011 Constitution. Other demands concern the prohibition and criminalization of the marriage of minors under 18 years of age; the definitive prohibition of polygamy; the protection of the rights of natural children; the criminalization of the expulsion of a wife from the marital home; the consolidation of a wife's right to custody in post-divorce; and the shared duty of alimony when both spouses have the necessary resources.

IIX. CONCLUSION

There is little doubt that the process of reforming the family code in Morocco is a lengthy one. The 2004 reform did not meet the expectations of civil society, and there continues to exist an enormous gap between the improvements of women's living reality and their legal status, which remain far from any change in some cases. It is ultimately the Commander of the Faithful's (*Amir Al-Mu'minīn*) full right to establish equality through the adoption of the values of universal human rights without excessive impact on the principles of Islamic law.

In some cases, the text of family code may seem effective and sufficient for protecting the rights of women and children, but the implementation of this code is a challenge due to the conservative mentality of judicial authority overseeing the family issues. If women get married under the custom of *Fatiha*, which is a Chapter of the Quran recited in the wedding ceremony, their rights and children are difficult to prove in front of the judge in the family tribunal, but thanks to the forensic medicine, which is used to prove filiation. Although the family code stipulated clearly that the age of marriage is 18 for girls, there are many cases of minors marriage because the judge has a legal discretion to give permission for minors to get married under certain conditions.

What is very critical is the increase number of divorce comparing the number of marriages, which is considered as a threat to the Moroccan family. This statement indicated some

observations: first, the current family code fails to provide social security for the family. Secondly, it is obvious that the consequence of divorce is the social disintegration of abandoned children. All these reasons are enough to amend the family code.

IIIX. REFERENCES

- Asmaa MAZOUZ, La réception du code marocain de la famille de 2004 par le droit international privé français: le mariage et ses effets, thèse dirigée par M NORD NICOLAS, soutenue le 16 Décembre 2014, Université de Strasbourg.
- Précis de jurisprudence musulmane suivant le rite Malékite par sidi Khalil, The Care of the Asian Society, Paris 1858.
- Mohamed CHAFI, Family Law in Morocco, Traditionalism and Modernity, Marrakech 2018.
- A series of legal texts: The speech of the late King Mohammed V in front of the members of the Personal Status Code Committee on October 19, 1957, No. 21, 2012.
- Harith AL-DABBAGH, Le droit comparé comme instrument de modernisation: L'exemple des codifications civiles des états arabes du moyen orient, Revue de droit de l'université de Sherbrooke, Vol. 43 (2013), 387–441.
- Berinice MERGUE, ,La moudawana: Les dessous d'une réforme sans précédent, Les Cahiers de l'Orient, Vol. 102, No. 2 (2011), 15–30.
- Nouria OUALI, Les réformes au Maroc. Enjeux et stratégies du mouvement des femmes, Nouvelles questions féministes, éditions Antipodes, Vol. 27, No. 3 (2008), 28–41.
- Rabea NACIRI, Le mouvement des femmes au Maroc, Nouvelles questions féministes, Antipodes, Vol. 33, No. 2 (2014), 43–64.
- Leïla RHIWI, transversals, science, culture (26 November 2006), <http://grit-transversales.org/auteurecba.html?id_auteur=67> (last accessed 10 March 2020).
- Leïla RHIWI, Reform of the Family Code, Case of Morocco, Identity Gaps, Vol. 105 (2004), pps,xx–xy.
- Abdullah Al-Kouzi, “Summer Panorama: Meaningful Numbers,” Al-Sabah newspaper, July 29, 2011 issue, <https://assabah.ma/18920.html> (accessed April 2, 2020).
- Abderrahim LAMCHICHI, Promesse royale en faveur d'une réforme audacieuse du statut de la femme, Confluences Méditerranée, Vol. 48 (hiver, 2003–2004), 175–185.

- Discours de S. M. le roi Mohammed VI lors de l'ouverture de la 2^{ème} année législative de la 7^{ème} législature.
- the Moroccan Family law, translated by Human Rights Education Associates (HREA), Article 4, 2004.
- BEN HOUNET YAZID/ CHEIKH MERIAM/BENCHAHDA LAÏLA/RUPERT NOURI, Le droit de la famille au Maroc et son application au sein de la section des affaires familiales du tribunal de première instance de Rabat, Centre Jacques-Berque 2017.