The Political Empowerment of Moroccan Women:

Toward Building a Gender-Inclusive Model

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ABSTRACT

This scientific paper aims to question a set of hypotheses framed within the gender habitus of the problem of political empowerment of Moroccan women. It considers it as a cognitive structure that organizes elements of interaction within social and psychological frameworks, which may contribute to the crystallization of continuous preparations capable of outlining the features of a gender-inclusive political guidance model. It also explores possible avenues to revitalize women's participatory meaning within democratic spaces inspired by legal, rights-based, and cultural challenges.

In this context, we will attempt to trace the trajectories of the Moroccan experience revolving around the integration of women into political life, according to the requirements of empowerment, the principles of equality, and the fight against all forms of discrimination, taking into account the digital imperative and its impacts on the public sphere, and the potential for investment in building an institutional cultural system of technological gendering.

Keywords: Political Empowerment, Gender Habitus, Political Guidance Model, Digital Gender, Public Sphere.

Introduction

The issue of women has undoubtedly formed a common field of multiple intellectual interests, which have collectively sought to unveil the hidden areas surrounding it and examine its issues from various perspectives. The sociological aspect possessed its methodological corner and its thematic pole, due to considerations fundamentally linked to the position of women within the Moroccan social framework. This framework entrenched itself and produced around it a cultural baggage that framed it within a masculine mentality, acting as a barrier to all attempts aimed at integrating women into the system of public life.

This dominant intellectual framework regarding the status of women in the Moroccan context cannot be separated as a whole from the main inputs that formed around it the women's or feminist issue at the global level. Whether in its rights and humanitarian dimensions or in its legal and political twists closely related to the democratic issue in its relation to governance systems and ideological patterns, which essentially formed a real gauge of the existential status of women within the social structures and representative organizations that furnish the structure of the state and society. It largely characterized by a split between the modernity of appearances and a transient masculine culture that overlooks women only from the angle of social discord and repression.

However, the principle of specificity remained present in the historical trajectory of the women's movement, based fundamentally on the identity dimension of each society. Several criticisms were directed at the emerging women's movement in the West, on the pretext that it was a social movement seeking to impose its dominance over cultural specificities under the guise of universality. Hence, Moroccan women also harbored fears, considering the Western women's movement as merely a trade-off of paternalistic tendencies for others, leading to the emergence of a diverse women's movement carrying the attribute of self-identity. Examples include the Islamic women's movement, which continued to search for a sustainable women's thought rooted in civil culture or, in other words, the search for an internal women's discourse produced locally[1], attempting to surpass the Western feminist tendency characterized essentially by self-centeredness.

It is worth noting that the duality of the local and the global inevitably reflected on the structure of the Moroccan constitution through its evolution and paths. This was manifested through the hierarchical relationship between international agreements and national legislation regarding women's rights, most of which remained ambiguous, generating multiple interpretations. However, the 2011 Constitution attempted to overcome this situation, contributing to bridging the gap relatively and outlining an integrated direction towards crystallizing a women's rights system, encompassing both specificity and universality, embodied tangibly in the second chapter of the 2011 Constitution, which forms the cornerstone for the principle of parity as both a means and an end to integrating women into public life based on a vision rooted in equality, combating all forms of discrimination. Moreover, it has become part of a general problematic framework within the scope of a horizontal approach to gender mainstreaming in the formulation of public policies in its economic, social, and cultural dimensions, becoming one of the prominent themes of the development social project, as it provides an appropriate analytical framework capable of guiding the development issue towards integrating individuals in need.

Within this social context where sociological approach emerged to elucidate its cultural patterns, the contours of a rights-based vision aimed at empowering women politically,

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عائشة بركاوي – ليلى بوعسرية: "الحركات النسائية المغربية بين الذاتية والأهلية المتمردة"، المجلة المغربية للإدارة المحلية 1
والتنمية، العدد 122-123، 2015 ص: 218.

economically, and socially were formed, drawing inspiration from the contents of international conventions and treaties, and striving to incorporate them into national legislation, particularly within the constitutional document that constitutes the essence of legal construction and the platform for institutional action. Most Arab and Islamic countries have become part of the international system, thus becoming obliged to ratify and sign international agreements and treaties, according to a vision that integrates local specificities. This led to raising the problem of reconciling between the two systems, international and local, giving rise to several intellectual arguments seeking to find common ground to overcome the conflicts that emerge from time to time, and which sometimes produce gray areas that spark continuous discussions about the fluctuating rights problem, often oscillating between harmony and contradiction depending on cultural references and methodologies.

Alongside this intellectual debate, the first signs of a women's movement emerged aiming to break free from the grip of a male-centric mindset that hinders its existential journey towards social justice, rights equality, and institutional representation. It rejects all forms of male domination within the patriarchal pattern based on dominance and submission, aiming to establish the foundations of a societal structure governed by the dichotomy of the authority figure and the submissive follower. It began with seeking to raise individual awareness of women's rights, then transitioned towards establishing collective awareness capable of disrupting the balance of gender power dynamics to solidify women's rights and overcome all forms of discrimination, supported by a intellectual background that undermines the cultural foundations of patriarchal systems.

Undoubtedly, attention to the women's issue constitutes a focal point for various fields of knowledge and a fundamental concern for various actors aiming to rebuild social relations in a way that ensures active participation of women in the public sphere, which has remained and continues to be governed by a male-centric mindset that is keen to reproduce the same entry points for a symbolic authority that perpetuates the subordination of women. This structural issue, with its patriarchal hue, varies in degrees and manifests differently depending on the level of democratic maturity of societies and the course of the legal action that has become a framework for political, civil, economic, and social aspects.

THE HISTORICAL TRAJECTORY OF FEMINISM:

The historical trajectory of the feminism in Morocco cannot be discussed in isolation from the history and evolution of Moroccan society's struggle against colonization and the quest for freedom on one hand, and the establishment of democracy and modernization in post-independence Morocco on the other[2]. This tangibly indicates the role of Moroccan women throughout various

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[2] زهور حوتي وأمينة مكدود: "الحركة النسائية بالمغرب وتكريس مفهوم المساواة بين الجنسين"، الدليل المغربي للاستراتيجية والعلاقات الدولية، 2012، ص: 1177.

historical stages and their active contribution to building society and the state despite their unfavorable conditions. We will attempt to highlight the most significant events shaping the trajectory of the women's movement throughout history, as well as explore the main distinctive trends of this journey filled with successes and sometimes marked by failures.

HISTORICAL OVERVIEW OF FEMINISM:

The roots of the women's movement trace back to a political and social event indicative of modern times in the late 18th century, namely the French Revolution, which, on a practical level, brought about the defeat of antiquated classes, and intellectually, ushered in the rational project of the Enlightenment[3]. Within the framework of political modernity expressed through a foundational document for human rights activism titled "Declaration of the Rights of Man and of the Citizen," however, the historical trajectory of the women's issue cannot be confined to a singular event but is the result of a social dynamic within which several factors interacted, ranging from ebbs and flows in a spiral-like fashion, excluding a linear understanding of social movements that shaped the forsaken human. Women, particularly, were the focal point of this endeavor, aiming to restore humanity to its essence from various reference points with differing origins and approaches that unified towards a strategic goal, considering women's justice as imperative for democratic construction.

It is worth noting that the feminist issue, through the Moroccan experience, remained governed throughout its historical course by an ideological tug-of-war between two directions, one conservative and the other modernist. Its manifestations unfolded through diverse political, economic, social, and cultural discourses. However, the realistic situation of women remained precarious, framed within a social mentality opposing any forms of change, thereby attempting to maintain a societal structure centered on a central argument that perpetuates the subordination of women.

This realistic context generated intellectual concerns with various perspectives, and became a daily concern shaping the aspirations of the Moroccan women's movement, which underwent three fundamental stages of development, as summarized by researcher Zakia Daoud[4]:

    1. **The first stage**, spanning from 1900 to 1965, characterized by contrasting evolution resulting mainly from political instability.

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[3] محمد سلام شكري: "الأخلاق والمجتمع المدني"، منشورات اتحاد كتاب المغرب، الطبعة الأولى، الرباط.، 2013،ص: 65.

[4] العربي ايعيش:" اللوبي النسائي المغربي و معركة الثلث في افق المناصفة"، منشورات دفاتر وجهة نظر، مطبعة النجاح الجديدة، الدار البيضاء، 2012،ص:65.

2. **The second stage**, extending from 1965 to 1985, labeled by the researcher as the "long winter" due to the presence of the women's movement within opposition party organizations, leading to a conflicted situation.

3. **The third stage**, from 1985 to 1992, termed as the "explosion of potentialities," where women's associations began to break away from political parties.

This historical compilation of feminism[5] is based on the curve of interest in women's issues in relation to themselves as a social movement on one hand and their connection to various actors on the other. However, it is not easy to trace the early beginnings of the women's movement in Morocco, for two main reasons[6]:

1. The scarcity of references addressing the women's movement in Morocco during the protectorate era and until the early 1960s, except for a few scant references or oral narratives.

2. The writings on this subject were predominantly male-made, intentionally or unintentionally aiming to obscure the role of women in the political, economic, and social dynamics that Morocco has experienced from colonialism to the present day. This resulted in the omission of notable female figures such as Fatima Al-Fihriya and Aisha Al-Qudsiyya, among many others, from the history books studied in schools.

Despite the obstacles hindering the historical process of the women's issue, which do not differ substantially from the overall historical framework of Morocco, most studies have agreed that the beginning of the women's movement dates back to the 1940s within the context of the colonial period. This tangibly confirms the presence of women in the public sphere and at the heart of the events witnessed by Moroccan society alongside men, especially during difficult and tense periods. However, the question remains about the underlying reasons behind the lack of development in the women's movement compared to other Moroccan social and political movements.

To answer this question, we must consider a set of objective and subjective factors that have made the women's movement the weakest link in the social action chain. This weakness has prevented the advancement of the women's issue towards achieving its demands and responding

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[5] It is worth noting that the historical trajectory of feminism is characterized by two main stages, which are sequentially related to the pre-independence period. During this period, the foundational beginnings of the women's movement were formed, through the establishment of several associations and organizations, such as the Sisters of Safa, whose goals revolved around improving women's conditions and participating in work towards societal reform. Then came the post-independence stage, during which the women's movement experienced a setback, with its roles being reduced to aspects of a social nature, and the women's issue being overlooked by political actors.

[6] زهور حوتي وأمينة مكدود: "الحركة النسائية بالمغرب وتكريس مفهوم المساواة بين الجنسين"، الدليل المغربي للاستراتيجية والعلاقات الدولية، 2012، ص: 1178.

to its political, economic, social, and cultural challenges, consequently leading to its political underrepresentation. These factors can be summarized as follows[7]:

1. Socio-cultural factors: The policy of systematic exclusion against women stems from conservative values deeply rooted in Moroccan society, where women are still primarily viewed as mothers, wives, and homemakers despite their educational and professional achievements.
2. Economic factors: Women suffer more than men from poverty, vulnerability, illiteracy, and social exclusion.
3. Political factors: Political parties play a significant role in marginalizing and excluding women from the political scene. Parties are essentially male-dominated institutions that prioritize serving men, evidenced by the internal conflicts over top positions in the original lists where parties refuse to grant women their rightful positions.
4. Other factors hindering women's role in the political scene include various forms of violence against them at multiple levels, as well as physical and psychological exhaustion, compounded by illiteracy and lack of legal awareness.

It becomes evident from the above that the Moroccan women's movement, throughout its historical trajectory, has remained subject to a male-dominated social status quo that obscures its considerable contributions and denies its rightful access to the public sphere as genuine partners. Despite its tangible contributions to anti-colonial resistance and nation-building, women's autonomy has been hindered by societal constraints, relegating their cause to the margins and postponing it by the male-dominated agenda controlling the decision-making process. This situation has hindered women's organizational independence, despite their self-awareness of the need to change their social conditions from within their own organizations, aiming to find suitable solutions to lift them from the legacy of a backward cultural heritage that has inevitably affected the developmental trajectory of Moroccan society.

THE MAIN ORIENTATIONS OF MOROCCAN WOMEN'S MOVEMENT.

The concept of women's equity emerged from a central thesis aimed at dismantling the patriarchal system[8] where the tribal leader stands as the owner of male dominance and paternal

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[7] زهور حوتي وأمينة مكدود: "الحركة النسائية بالمغرب وتكريس مفهوم المساواة بين الجنسين"، الدليل المغربي للاستراتيجية والعلاقات الدولية، 2012، ص: 1187.

[8] The authoritarian patriarchal society corrupts relationships between people, turning them into relationships where the higher-ups control the lower, and the lower control those even further below them. In the Arab society, being an authoritarian patriarchal society, it empties social relationships of their human content, turning them into relationships between the strong and the weak. Even the weak become strong in relation to those weaker than them. Thus, everyone becomes a victim of the strong and the weak because they have lost the ability to interact horizontally or humanely, which is based on recognizing the other based on freedom and equality. Source: Mohammed Abbas Nour al-Din, "Camouflage in the Arab Authoritarian Society: A Social Psychological Reading of the Relationship with Self and Other," Arab Cultural Center for Publishing, First Edition, Casablanca, 2000, p. 9.

authority that extends over the community and governs its policies[9] by transforming women from biological beings into a social type where social and cultural elements converge to shape their existential essence. However, the implementation of this thesis within the women's movement has resulted in two main trends:

1. A women's movement that considers the change in women's status contingent upon social transformation tied to class conflict through the mechanism of equality and combating all forms of discrimination. Perhaps the first thinker to recognize the importance of equality in reshaping modern societies was the democratic theorist, Alexis de Tocqueville[10], who, from the very first pages of his famous work "Democracy in America," used the phrase "equality of conditions" as the difference between the emerging democratic society and the transient aristocratic society[11].

2. An extremist women's movement advocating for the feminization of society and working towards the dominance of female values and behaviors. In their belief, male values have produced forms of exploitation, disparities, and wars[12], which have been referred to in sociological literature as "feminism."

These social tendencies of the women's movement, aspiring in their inclusivity to confront all forms of marginalization and indifference towards women's status, have produced diverse expressive patterns. These patterns have deep-rooted foundations, forming a cognitive discourse about the women's issue, embodying a culture that challenges and opposes symbolic violence that has long perpetuated the subjugation of women. This discourse seeks to shake up a set of entrenched beliefs in minds and souls across time and history and to crystallize discursive formulations that speak to the separation from male domination and the great emancipation from inequality and marginalization[13].

Furthermore, this socially aspirational trend towards liberating women from the captivity of male mentality has led to the emergence of cognitive production regarding the women's issue within various frameworks. These frameworks reflect the degree of influence and impact of the women's movement on political and civil organizations. Researchers have divided these frameworks into three main currents[14]:

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[9] العربي وافي:" مقاربة النوع و التنمية"، منشورات رمسيس، الرباط. 1998،ص: 16

[10] Alexis de Tocqueville (1805 - 1859 AD) was a French historian and political thinker who focused on politics in its historical dimension. His most famous works include "Democracy in America" (1835 - 1840 AD) and "The Old Regime and the Revolution" (1856 AD).

[11] محمد الصغير جنجار:" الحداثة كتربية وافق للحركة النسوية"، مجلة النهضة، 2013، ص:61

[12] محمد سلام شكري:" الأخلاق والمجتمع المدني" ، 2013،ص: 67. 68

[13] محمد نور الدين أفاية:" الهوية و الاختلاف، في المرأة، الكتابة والهامش"، منشورات افريقيا الشرق ، الدار البيضاء،،1988ص:32.

[14] العربي ايعيش:" اللوبي النسائي المغربي و معركة الثلث في افق المناصفة" ،2012،ص:9.10.

- The first current addresses the women's movement either as a component of civil society or by studying its partial contribution alongside other actors to amend some laws, with a concise delineation of its influence mechanisms.
- The second current delves into the women's movement through the lens of the political presentation offered by political parties, which has led to the separation of feminism from politics (parties) due to the inadequacy of the answers provided by the latter to women, especially at the political level.
- The third current tackles the women's movement as a challenge for political actors.

In this context, can the density of discourse on the women's issue at various political and cultural levels be considered a procedural cornerstone for crystallizing a vision that carries the seeds of changing women's status towards empowering them to exercise their full rights? Or is the issue merely a superficial feminization of political and cultural discourse that lacks true answers to the women's issue in terms of conception and approach?

APPROACHING GENDER: AN ANALYTICAL FRAMEWORK FOR THE WOMEN'S ISSUE

The issue of women has been subject to several approaches and methodologies in analysis, depending on cognitive backgrounds and areas of scientific work. However, this methodological plurality in addressing the issue of women has not been able to fully encompass the complexities of the problem or weave the coherent threads to examine its hypotheses, due to its reliance on the singularity feature in analysis. This methodological constraint inevitably produced a new approach that seeks to overcome the shortcomings, termed the Gender Approach (the first requirement). This analytical framework outlines a strategic horizon within which a plethora of mechanisms and procedures converge to crystallize a conception about women's empowerment (the second requirement).

THE FIRST REQUIREMENT: THE GENDER APPROACH, CONCEPTION, AND DIMENSIONS

It has been previously mentioned that the topic of women has formed a fertile ground that enriched discourse on the women's issue quantitatively, with language declaring its estrangement from the essence of human life between men and women as lives shaped by biological and cultural differences[15]. This discourse, partly characterized by a conservative tendency that seeks to maintain a social structure centered around male identity, rejects recognizing the humanity of women. In another part, it carries a feminist cry carrying a utopian discourse of a "society without men," reflecting the psychology of the oppressed human, subdued and subjected to dominance by

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[15] محمد سلام شكري: "الأخلاق والمجتمع المدني"، 2013،ص: 68

the authoritarian (male) forcefully[16]. Sometimes even denying the femininity that is deprived of rights, a new wave in feminist discourse emerged reflecting a rejection of femininity itself, or in other words, femininity against femininity, as expressed by George Tarabishi in his critical study of the literary works of Nawal El Saadawi.

This perspective was reaffirmed by Fatima Mernissi in one of her dialogues, saying, "I was never a woman, I was always a human. It is others who want me to be a woman, but I am not divisible. I look at the world as a human with my femininity, my intelligence, my desire for happiness and creativity. The problem is that society wants to see me as parts to be torn apart, to reduce me to what society calls a woman, meaning breasts and buttocks, not the mind.[17]" In another formulation, this is affirmed by John Rawls[18] in his approach to the concept of justice, considering gender equality deeply connected to how the family institution is dealt with, as he sees it as one of the bad reputations in terms of gender hierarchy, denying equal opportunities, and practicing violence and humiliation against the other gender (women)[19]. These orientations are characterized by realistic and intellectual honesty, forming a cognitive starting point and a bridging link between a cultural dimension and approaches embodied through rights-based, participatory, developmental, and legal pathways, all integrated into a convergence point termed "Gender Approach."

The use of the concept of gender began in the seventies by the researcher "Ann Oakley"[20] to describe the socially constructed characteristics of men and women as opposed to those biologically determined. The use of this concept increased, especially after the conferences held by the United Nations on women's rights worldwide, combating discrimination against them, and integrating them as active partners in development[21]. This concept became a fundamental determinant for analyzing the relationships between men and women within social structures[22]. It was also considered within the sociological framework as a practical application of Simone de

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[16] مصطفى حجازي: "الإنسان المهدور ، دراسة تحليلية نفسية اجتماعية"، المركز الثقافي العربي، الطبعة الثانية.2006،ص: 15

[17]From 44 .43 :مصطفى شراك:" الخطاب النسائي في المغرب نموذج فاطمة المرنيسي"، منشورات إفريقيا الشرق، الدار البيضاء، 1990،ص

[18] John Rawls is an American philosopher born on February 21, 1921 in Baltimore and died on November 24, 2002 in Lexington. Rawls is one of the most studied political philosophers of the twentieth century. A professor at Princeton, Oxford, Cornell, and Harvard universities until 1995, he became famous for his major work, on which he had been working since the 1960s and which was published under the title "A Theory of Justice" in 1971. Rawls developed his theory during a period marked by the Vietnam War and the struggle for civil rights, where the United States was experiencing profound cultural and social movements. Focused on the notions of ethics and justice, his work reconnects with a neglected contractualist tradition and extends liberal thought by seeking to rationally articulate individual freedom and social solidarity. His ideas are widely discussed and critiqued in the Anglo-Saxon world.

[19] Freeman Samuel. 2010 "A New Theory of Justice (Review of Sen's The Idea of Justice)." *New York Review of Books*, LVII, October 14 (): 58-60.

[20] Oakley, Ann. *Sex, Gender, and Society*. Harper & Row, 1972.

[21] الزهرة الخمليشي: "حقوق النساء في المغرب بين النص القانوني وإكراهات التطبيق"، مجلة إضافات، العددان 29-30، 2015،ص: 153

[22] Aicha Fardadiss : "l'approche genre, exemple de la femme", faculté des sciences juridiques économiques et sociales Fès, année 2014-2015,p : 4.

Beauvoir's statement[23] "One is not born, but rather becomes, a woman," indicating that women as a gender are not a product of biology or nature but rather the result of social and cultural upbringing. However, rebuilding society away from its male-centric culture that has overlooked women's capabilities and potential as the creators of society by excluding them from economic, political, and social production resources and assets by neglecting them from its strategies and programs, began earnestly since the first World Conference on Women held by the United Nations in Mexico in 1975, followed by Copenhagen in 1980, Nairobi in 1985, and Beijing in 1995.

This was through the recommendations of the latest conference, urging participating countries to institutionalize a culture or approach of gender in their programs and strategies in compliance with the international agreements ratified by these countries. This involves submitting reports every four years to assess progress made in the integration or consolidation of the culture of this approach, making women participants and beneficiaries of political, economic, social, and administrative decision-making to achieve development in their countries[24]. This description distinguishes between two central concepts in approaching women's status within the social framework: the first being sex, which reinforces the inevitability of women's subordination based on biological differences between men and women, and the second being gender[25], which stems from a fundamental assumption that women's status is the result of economic, social, and cultural factors interacting with the issue of democracy. This surpasses the stereotypical gender perspective to talk about multiple conditions of women, from a standpoint that focuses on the cultural behavior distinctive to each society.

Thus, the concept of gender became linked to a fundamental problem aiming to liberate minds and understandings from the preconceptions and stereotypes surrounding genders, transcending the physiological differences determined by nature. It elevates the relationships between men and women to a civilized level of rationality that removes those boundaries that have been silently accepted within fixed frameworks and specific behaviors for who is male and who is female[26]. The

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[23] Simone de Beauvoir (1908 – 1986) was a French writer, philosopher, and existentialist thinker, who had a significant influence on the feminist movement. She wrote numerous novels, articles, and research papers on social issues, including "The Second Sex," "The Intellectuals," and "The Other Sex." This latter work provided a detailed analysis of women's oppression and served as a foundational text for contemporary feminism. [Source: Wikipedia]

[24] نعيمة الظرفات: "المرأة ومركز اتخاذ القرار"، المجلة المغربية للإدارة المحلية والتنمية، العدد 101 – 2011، ص: 222.

[25] The terms "gender" and "sex" differ in meaning, with "sex" specifically referring to biological differences that include anatomy, organ functions, and hormones. The two categories, male or (man) and female or (woman), are based on sex and do not inherently imply anything about cognitive, emotional, or personality traits. However, most cultures have assigned meanings to the two genders (male) and (female). On the other hand, the term "gender" refers to the way meaning and evaluations are linked to sex by individuals of a particular culture. In other words, the terms masculinity and femininity carry many characteristics associated with them according to culture, and the degree to which males and females are expected to behave differently or be treated or evaluated differently is very slightly related to sex but is fully related to gender.

[26] العربي واڤي: "مقاربة النوع والتنمية"، 1998،ص:12

possibility of reviewing women's status became the subject of a cognitive debate distributed among various references that formed cultural gateways for approaching gender.

THE LEGAL REFERENCE, CONCEPT, AND TRAJECTORIES

It is needless to say that the trajectories of the women's movement have embodied, since its inception, an interaction of two main currents characterized by integration and contradiction simultaneously. There is a bourgeois current rejecting the position of women within the family and society economically, socially, legally, politically, and sexually, and a popular current that relies on various methods to defend women's rights in multiple fields. It even adopts a common approach between the living conditions of workers and the suppression of women in various aspects of daily life[27], which formed a founding gateway to integrate the women's issue into the legal system that saw its inception with the Universal Declaration of Human Rights in 1948.

It includes thirty articles divided into three parts: the first part includes Articles 1 to 5, concerning natural rights inherent in human beings, the second part includes Articles 4 to 21 addressing civil and political rights, and the third part includes Articles 22 to 28 encompassing economic, social, and cultural rights[28]. Following this declaration, two international covenants on human rights were issued in 1966, one concerning civil and political rights, and the other concerning economic, social, and cultural rights. Several optional protocols and international agreements followed, all aiming to solidify the universal dimension of human rights, penetrate all forms of discrimination and violence, and all practices undermining dignity. Member states are committed to including them in their national laws. A specific convention on women's rights was issued in 1952, and the Convention on the Elimination of All Forms of Discrimination against Women followed.

The legal system has crystallized through its historical course through three generations of international legislative production, summarized as follows:

- The first generation: Concerns civil and political rights, termed "blue rights."
- The second generation: Relates to economic, social, and cultural rights.
- The third generation: Includes rights of participation, communication, development, a healthy environment, and others. This generation is still in the process of formation from a legal and managerial perspective and reflects the highest goals and noblest needs that humanity, especially women, aspire to according to sociological and

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[27] MICHEL GARBEZ :" la question féminine dans le discours du parti communiste français", PP 302-303

[28] يوسف البحيري : "حقوق الإنسان المعايير الدولية وآليات الرقابة"، منشورات المطبعة الوطنية الداوديات، مراكش،2010،ص: 44.

psychological studies. In this context, the theory of needs by the American psychologist Abraham Maslow can be referenced, summarized in a hierarchical order as follows:
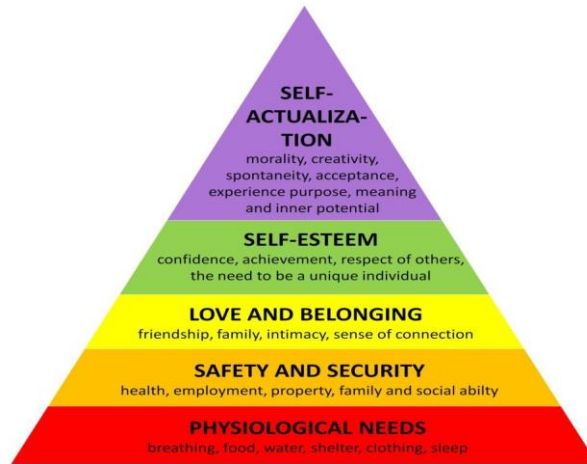

Figure 1Maslow's pyramid of needs

Meeting Maslow's concept of needs satisfaction occurs gradually through a hierarchical scale, starting from primary needs (physiological needs, safety needs, and belongingness needs), to higher-order needs (esteem needs and self-actualization needs). The higher needs have formed a determinant factor in women's status, depending on social contexts and cultural specificities, even becoming a pivotal element in societies' view of the developmental process, focusing on participation/exclusion and empowerment/marginalization dichotomies.

THE SECOND PHASE: THE INTEGRATED FRAMEWORK FOR EQUALITY, PARTICIPATORY DIMENSION, AND EMPOWERMENT HORIZON:

The integrated approach to equality aims to empower both genders within public and private spheres to exercise independence, responsibility, and participation[29]. These foundational elements of integration require adopting basic approaches based on a downstream conception, as a necessity for the legal dimension that views issues from a therapeutic perspective. These approaches can be summarized in three basic dimensions:

- The Values Dimension: Primarily based on crystallizing a cultural structure grounded in values that contribute to framing the internal dynamics of society to establish principles of diversity, difference, communication, and positive interaction between genders. These intellectual mechanisms enable societal mindset to overcome the dictates

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[29] conseil de l'Europe(2004) :" l'approche intégrée de l'égalité entre les femmes et les hommes", p :8

of male domination, recognize the uniqueness of femininity, and break free from social constructions stemming from biological differences, inseparable from a physical masculinity justified for symbolic violence, as Pierre Bourdieu expressed in his book on male domination.

- The Educational Dimension: Altering the stereotypical image of women within the collective imagination inherently requires a counter-educational socialization that adopts educational approaches and bridges opposing views that undermine their dignity and humanity. It aims to instill human values that restore their dignity and human essence, considering them symbols of fertility, life, and a source of renewing human life on Earth[30]. These educational approaches serve as the basic framework for social upbringing, built on universal values that safeguard women's rights as stipulated in international charters and conventions. Therefore, social upbringing institutions represented mainly by schools, families, and others become a real challenge to solidify a qualitative view of the feminist issue by incorporating a gender approach into educational curricula, textbooks, and implementing bolder equality discourse at the level of classroom practices and interactions between male and female learners[31].

- The Developmental Dimension: The participatory approach to development constitutes a genuine gateway to review women's social roles in public life, based on a qualitative perspective focusing on competency determinants embodied in knowledge, skills, and attitudes. These require cognitive attention to empower women and make them active elements in society, capable of participating in its construction, possessing communicative elements that enable them to market their efforts in the developmental field based on their own capacities. It reflects the integration of civil educational values within the gender approach framework in interaction with development, commonly known as "Gender and Development (GED)," abandoning the idea of accomplishing developmental activities exclusively for women, or what is referred to as "Women's Integration into Development (IFD)."

From the aforementioned, empowerment remains the cornerstone for cultural transformations rescuing women from self-perception and placing them in a context where they possess capabilities, skills, and self-confidence to resist male domination. This aligns with Emma Goldman's statement that the oppressed class can only liberate themselves through their own efforts. It's crucial for women to embody this lesson and realize that their freedom will be proportional to the energy they invest in achieving it. This won't be achieved without strengthening the supportive channels for their political empowerment by monitoring their presence within political decision-making centers, especially party organizations, and their participation in managing public affairs at national and local levels.

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[30] سعاد الناصر: "السرد النسائي العربي بين قلق السؤال و غواية الحكي"، مكتبة سلمى الثقافية، تطوان، (2014)،ص:9.

[31] أمين ركلمة: "اشكالية ادماج قيم مقاربة النوع في الكتاب المدرسي"، مطبعة النجاح الجديدة، الدار البيضاء، (2012)، ص: 162

POLITICAL EMPOWERMENT AND THE CHALLENGES OF WOMEN'S ISSUE:

Addressing the relationship between political empowerment and advancing the women's issue is not an easy matter. The difficulty lies in finding effective approaches to enhance women's political capacity, enabling their entry into the political decision-making sphere. Additionally, there are differences in references and principles regarding the approaches used by various stakeholders to address women's status within the political field from the perspective of empowerment and capacity-building.

WOMEN AND POLITICAL REPRESENTATION:

Studying the topic of women and political representation in Morocco reflects a global phenomenon characterized by women's distance from centers of power within the state. Despite their importance and weight in civil society, they are often isolated from political society, ultimately appearing as citizens without effective authority[32]. Despite gaining the right to vote, their actual participation in political life remains low. This situation has raised numerous questions with varied answers, sometimes adopting purely legal approaches, while at other times combining legal and developmental aspects.

In the legal framework, the issue of women has been a significant focus in Moroccan constitutional reforms since the first constitution in 1962, which committed Morocco to international treaties. This journey culminated in six constitutions, with the latest being the 2011[33] constitution. It emphasized women's equality with men in rights and duties according to international treaties and conventions, while considering Moroccan specificities. It also adopted the principle of parity, which would be implemented through the establishment of a parity authority to combat all forms of discrimination[34]. These constitutional provisions are the result of struggles and demands from various stakeholders, especially women's movements, which contributed to enriching the new constitutional document by submitting a memorandum to the technical committee responsible for drafting the constitution. This memorandum included their vision of the appropriate status to restore women's dignity within the framework of a society based on democratic values, freedom, modernity, equality, and justice.

It's worth noting that women's political empowerment[35] has not only been a constitutional concern but has also led to the formulation of several laws primarily based on the mechanism of

[32] رقية المصدق: "المرأة و السياسة: التمثيل السياسي في المغرب"، دار توبقال للنشر، الدار البيضاء، (1990)، ص:13

[33] أمين ركلمة: "تأصيل مقاربة النوع في دستور 2011"، مطبعة النجاح الجديدة، الدار البيضاء، (2013)،ص 34.

[34] The new constitution of the Kingdom of Morocco, issued by Royal Decree No. 119.11.1 issued on 27 Sha'ban 1432 corresponding to July 29, 2011, in accordance with the provisions of the constitution published in Official Gazette No. 5964 repeated on July 30, 2011. Article 19 thereof.

[35] The concept of empowerment linguistically means strengthening or enhancing, while functionally or procedurally, empowerment has multiple definitions depending on the context in which it is used. However, regardless of the field in which "empowerment" is employed, it refers to elements of power utilized by individuals or organizations. Here, power means the ability to perform a specific task with a high degree of efficiency and effectiveness. In another expression, women's empowerment, according to the definition provided by the Economic and Social Commission for Western Asia (ESCWA), is the process through which women become individually and collectively aware of how power

positive discrimination through quotas[36] to enhance women's representation in legislative and territorial councils. Consequently, this enables their involvement in national and local public policy management and empowers them to influence the internal structure of parties, believing in their ability to exercise leadership within them, rather than just being seen as electoral voices subject to male-dominated political practices. These practices fall within the realm of symbolic violence[37] by consolidating conditions for dominance and emphasizing the objectivity of social structures and reproductive activities based on gendered divisions of labor[38].

The quota system has sparked significant political debate between supporters and opponents, depending on their perspectives[39]. Supporters view this system as a temporary measure to enhance women's political participation and as a fundamental approach to instill a new culture within political and social organizations. They argue that it allows women to demonstrate their capabilities in practical management, citing several international experiences where it was included in constitutions, electoral laws, or party laws. Conversely, opponents argue that adopting quotas contradicts the principle of equality between men and women and conflicts with the principle of equal opportunities. They see it as undemocratic, granting women rights based on gender rather than competence[40], and diminishing women's competence demonstrated in economic and social fields.

Through the foregoing, can the legal approach based on the positive discrimination thesis be considered an effective means to empower women to achieve true equality in the political field, or is it merely a furnishing of elected councils with female figures lacking political significance?

This issue, related to exploring possible ways to support women's participation in the political field, has seen varied perspectives on its treatment. Political views and analyses of approaches have differed, ranging from defenders of the legal approach, as previously mentioned, to developmental approaches in their various dimensions. What about their essence?

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dynamics affect their lives. They gain self-confidence and strength to address inequality between them and men. In its general sense, empowerment involves removing all systematic processes, trends, and behaviors in society and institutions that marginalize vulnerable groups, placing them in lower positions. It is a gradual, peaceful process to shift the power dynamic from the top to the bottom, from elites and officials to ordinary people, and from certain social classes to everyone. Empowerment is the opposite of weakening in the sense of preventing the weak from accessing the sources of power that enable them to contribute to and benefit from development. Thus, the starting point in the empowerment process is to change the value system of the oppressors to change their thoughts and orientations. Reference: Hayat Bourgdida, "Political Participation and Political Empowerment of Arab Women: The Case of Algeria," Arab Journal of Political Science, Issue 36 - 2014, p. 137.

[36] For further details, you can refer to the Election Blog according to the latest amendments of the year 2009 and Law No. 04.36 regarding political parties, especially Article 22 thereof.

[37] Pierre Bourdieu spoke about symbolic violence, which is a form of non-material violence primarily carried out through education, knowledge, and ideology. It is an imperceptible and invisible form of violence for the victims themselves. Bourdieu criticizes Marxist thought for not giving much attention to the various forms of symbolic violence, focusing instead on physical and economic violence. Bourdieu also pointed out that symbolic violence extends its influence even into the economic field itself, being effective and achieving results beyond what physical violence can accomplish.

[38] Bourdieu, Pierre. *La domination masculine*. Paris, France: Éditions du Seuil, 1998.

[39] إدريس لكريني "الكوطا و دورها في تمكين المرأة"، (2013)،ص51

[40] Ibid

POLITICAL EMPOWERMENT AND DEVELOPMENTAL APPROACH:

It is undeniable that the legal approach has significantly contributed to enhancing women's presence in political life and accessing decision-making positions. This situation has positioned Morocco as a leading country in dealing with the women's issue internationally and regionally. The legislative milestones in September 2002 represented a qualitative advancement in terms of female representation, reaching 10.8% compared to just 0.6% in the previous legislative term. This rise came after women were represented in the House of Representatives by only two deputies in 1963. Consequently, Morocco topped Arab countries with the participation of 35 Moroccan women, ranking 71st globally in terms of women's representation in parliament[41]. However, the representation rate in elected institutions still falls short of expectations and does not reflect the size of the female voting bloc, which exceeds 50% of the general voting bloc. This discrepancy indicates the nature of a societal structure centered around a male-oriented mentality that has undermined women's confidence. This necessitates an integrated approach that adopts the concept of development as a fundamental lever for women's economic, social, and cultural empowerment.

From this perspective, the women's issue cannot be considered merely formal legal equality but is linked to society's awareness of women's humanity and their recognition as active participants in the development process. This necessarily raises the need to reshape the image of women in the Moroccan mindset, which is still governed by a social pattern based on conflict, violence, and exclusion, despite formal changes in organizations. These changes have not yet evolved to engage in a framing practice towards building a modern society that makes the women's issue a broad headline of its main concerns.

Therefore, social development institutions remain a fundamental challenge for changing the stereotypical image of women as confined to reproduction and household work, surpassing the contents of differences between women and men, which have long been adopted by educational curricula and the educational system in most Arab countries. This entails establishing partnership in family affairs between spouses, linking women's rights with human rights in curricula, and enhancing the principle of partnership in roles and responsibilities according to gender equality standards[42].

In parallel, and in line with the constitutional provisions related to participatory democracy, the establishment of a managerial framework allowing civil society a pivotal role in building a new relationship between the state and society based on values such as democracy, equality, participation, and transparency, can present the women's issue in a new format in light of the new

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[41] محمد زين الدين: "الحقوق السياسية للمرأة بين التمثلات المجتمعية و الترسانة القانونية"، مجلة مسالك في الفكر والسياسة والاقتصاد، عدد مزدوج23 /24، مطبعة النجاح الجديدة، الدار البيضاء. 2013ص 27.

[42] صابر بلول: "التمكين السياسي للمرأة العربية بين القرارات و التوجهات الدولية والواقع"،(2009، ص:678)

constitutional spirit. It can make civil society, concerned with women's issues, a real bridge for transitioning from formal legal equality to true democratic equality.

In general, it can be affirmed that positive representation of women is the decisive factor between a social status characterized by inferiority and a social status guaranteeing their full rights. Self-awareness is the essence of empowerment, through which gender equality is pursued, leading to justice based on elements of competence, excellence, and realistic social legitimacy that restrain the establishment of male dominance.

In light of the above, the following conclusions can be presented:

- The principle of parity is fundamentally linked to the most significant transformations witnessed by the international legal rights system and its positive repercussions on the constitutional dynamics of various countries and regions.
- The Moroccan experience in the field of parity derives its roots from the most significant transformations in the women's movement throughout its historical trajectory, alongside the contributions of other actors whose goals varied according to their internal structures and the general political context, distributed overall between external influences linked to the colonial period and the post-independence phase, which continued to focus on strengthening human capital.
- The achieved results regarding the advancement of the general conditions of Moroccan women do not deeply reflect the extended trajectory of the women's movement during its various periods. This is due to several reasons, both internal and objective, largely related to the political actors' indifference to the women's issue and their failure to give it adequate attention within their programs and main concerns.
- The direction of the women's movement towards seeking independence in its organizations and decision-making has been a crucial turning point in redefining the fundamental questions about women's issues in their political, economic, social, and cultural dimensions. This enabled the rooted self-awareness of the importance of women's empowerment for accessing the realm of decision-making.

Political Determinants and Dimensions of the Principle of Parity:

Assessing political gains fundamentally relates to the boldness of the legal content in reality and contributes to crystallizing a culture that ensures its sustainability. This equation necessarily requires a careful reading of the inputs regulating the principle of parity and dismantling them to access its qualitative depth, which surpasses its quantitative determinations. It also tests the extent of patriarchal[43] practices within the general social framework, revolving around a discourse

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[43] Patriarchy in the family is the foundation of other paternal circles in politics, the state, and society, where it seems that Arab society is burdened by the consequences of male-oriented mentality. This mentality has worked under the prevailing paternal system to strengthen tribal and clan ties at the expense of national political relationships. The result of all this was the consolidation of a set of reasons that contributed to

marked by male superiority and seeking established justifications for women's inferiority[44]. It also contributes to producing a hierarchical vision based on a top-down hierarchy, thereby embodying a societal structure based on power, authority, and despotism rather than knowledge built on managing differences through dialogue and consolidating the principle of competence-based leadership in the framework of democracy.

From this perspective, discussing the political dimensions of the principle of parity cannot be reduced to achieving a quantitative equation but is considered a fundamental challenge to produce democratic practices within social organizations and institutional structures. This is aimed at solidifying gender equality, which has remained almost absent within social construction, for a simple reason related to the inability to break down social relations between genders, historically based on women's inferiority and contempt[45]. Through this social premise, parity seeks to empower women to intensify their presence in the public sphere, take control of their affairs beyond the confines of the patriarchal social norm, and contribute to building a social consciousness embodying democracy that respects gender differences and the fairness of women, who constitute a significant numerical force in society, allowing them to share power equitably[46].

This methodological foundation will inevitably contribute to understanding the position of women in relation to the principle of parity in a way that transcends the conflict-based relationship between men and women, as well as the male mentality embodied in women's inferiority. It also goes beyond the radical feminist view characterized by extremism and advocating for numerical equality between genders in all fields without considering their specificities. Indeed, parity, at its core, is the equal presence of women, similar to men, in the public sphere and decision-making positions within a comprehensive framework, with quantitative differences between genders varying according to sectors[47].

Based on the above, it can be said that combating discrimination as stated in the constitutional text is the real approach to defining the principle of parity as a practical measure to achieve the values of justice and gender equality. This is clearly evident through careful reading of international charters and documents related to human rights in both their general and specific aspects. Equality has been a prominent concept in the international legal rights system, with various interpretations, sometimes referring to equality before the law, sometimes to gender

هشام شرابي: النظام الأبوي وإشكالية تخلف المجتمع العربي، مركز دراسات الوحدة العربية، بيروت، لبنان، 1992، weakening the political role of women in various Arab countries. ص: 71.

[44] The backwardness we confront is of another kind; it lies deep within the patriarchal civilization, permeating every aspect of societal and individual structure, transferring from one generation to another like a chronic illness. It is also a disease not revealed by examinations and statistics, an ever-present force in our social lives. We accept it unconsciously, living with it as we accept death, an inevitable end we reject and attempt to forget simultaneously. Ibid

[45] Malika Benradi : Genre et Droit, les enjeux de la democratie, ouvrage collectif, imprimerie najah el jadida Casablanca 2001,p : 24/

[46] أسماء بنعدادة:" المرأة والسياسة، دراسة سوسيولوجية للقطاعات النسائية الحزبية"، منشورات المعهد الجامعي للبحث العلمي، الرباط 2007، ص: 19.

[47] جميلة المصلي: "الحركة النسائية في المغرب المعاصر، اتجاهات وقضايا"، مركز الجزيرة للدراسات، ص:229.

equality in public domains, and sometimes to equality in roles and functions. These multiple meanings of the concept of equality constitute the essence of parity as a manifestation of non-discrimination between genders, defining the construction of a balanced society at the input level and achieving fair organizational structure between men and women at the output level. From this perspective, can parity be considered a political mechanism to achieve justice by establishing a culture formed by its initial foundations within the quota system, or does it represent a contradictory goal to the values of equality and social justice according to John Rawls' conception?

Addressing this issue definitely requires shedding light on the feminist issue in relation to the reforms witnessed by the legal and legislative system, in connection with the challenges of democracy, cultural development, and investment in human capital, giving attention to the less fortunate groups. It also entails exploring possible ways to measure the degree of influence and impact among the mentioned trio (legislation/democracy/development), through monitoring the Moroccan experience in this field.

CONSTITUTIONAL INSTITUTIONS AND MECHANISMS:

The distinctive feature of the 2011 constitutional document primarily lies in bringing about a pivotal transformation in the constitutional structure adopted during previous stages, by incorporating governance components within its legal framework. This is achieved by stipulating the establishment of consultative bodies to provide opinions and consultations to decision-makers in formulating strategies regulating public policies. Additionally, it integrates within its administrative perspective a set of mechanisms capable of contributing to implementing legal requirements within the institutional framework.

THE AUTHORITY FOR PARITY AND THE FIGHT AGAINST ALL FORMS OF DISCRIMINATION

Discussing parity within the Moroccan legislative system and its political implications cannot be accurately understood without linking it to the democratic transition phase that characterizes the current period of Moroccan political history. This phase oscillates between political and social practices with a tendency towards dominance, sometimes leading to making democracy a living reality framed within the relationships between authorities, actors, and individuals within institutional structures and social organizations. This is based on a repertoire of inputs that blend preparatory mechanisms to consolidate democratic practices with institutions capable of decision-making participatively to ensure the rights of all categories.

In this context, tackling the principle of parity in relation to the mechanisms and institutions responsible for its implementation and practice requires drawing on a model experience or, in other words, an ideal model that may assist in outlining a roadmap to mitigate gender disparities. However, most studies addressing the problem of anti-women discrimination have confirmed the

absence of such a model that aligns with the legal standard framework and the social context of the women's issue in Morocco. Thus, its ability to respond to the organizational structure elements that include[48]:

- Availability of an independent and self-managed status supported by a legal/standard framework.
- Attention to and promotion of equality/parity and protection against all forms of discrimination alongside semi-judicial functions.
- Reliance on commendable and committed leadership principles, good governance bases, and close engagement with citizens.
- Availability of high-level human resources and expertise, with a budget that considers and responds to the nature of its tasks.
- Openness to effective and fruitful strategic partnerships.

Through this conclusion reached by the National Council for Human Rights memorandum on establishing the parity authority and combating all forms of discrimination[49], it is evident that Morocco is among the leading countries in this field. It has sought, through enshrining this principle, to establish a parity authority, which essentially constitutes a real challenge that requires, at the same time, safeguarding its independence[50] and making it an open organizational framework to various stakeholders in the women's rights system. This includes the ability to provide consultation to make the most appropriate decision for promoting the women's issue. In this context, the main axes contained in the draft law regulating the parity authority and combating all forms of discrimination can be presented in terms of its structure, mandates, which can be summarized as follows:

- The authority consists, in addition to the president appointed by royal decree, of sixteen (16) members whose appointment considers integrity, experience, and competence.
- The authority comprises the following entities:
  - The Council of the authority;
  - The President of the authority;
  - The permanent committees of the authority.

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[48] "Memo of the National Council for Human Rights on the Establishment of the Equity and Anti-Discrimination Commission, 2015, p. 17."

[49] Several civil initiatives have contributed indirectly to shaping a set of concepts regarding equity and combating all forms of discrimination, impacting the jurisdiction of the Equity Commission included in the draft law. Among these initiatives, we can mention, for example, "The Movement for One-Third of Elected Seats in the Horizon of Equity," "The Movement for Democracy," "Spring of Equality for Democracy," and "Women for Women." These organizations aim to create pressure for the actual representation of women in the horizon of equity in all decision-making processes and advocate for the integration of a gender approach and the inclusion of quota system mechanisms within electoral laws to ensure balanced representation of women.

[50] كريم لحرش: "الدستور الجديد للمملكة المغربية، شرح وتحليل"، سلسلة العمل التشريعي والاجتهاد القضائي، العدد 3، 2012، ص: 225.

- The authority exercises, while considering the competencies entrusted to public authorities, bodies, and other institutions under the legislative and regulatory texts in force, the following powers[51]:

  o Expressing opinions upon its initiative or at the request of the government or one of the parliamentary councils, as appropriate, regarding draft laws and regulatory proposals;

  o Making any suggestion or recommendation to the government or to one of the parliamentary councils aimed at promoting the values of equality, parity, non-discrimination, and cementing and disseminating them;

  o Receiving complaints about cases of discrimination raised by anyone who considers themselves a victim of such cases, reviewing them, issuing recommendations on them to the relevant authorities, and following up on their outcomes in coordination with the mentioned entities;

  o Encouraging the application of the principles of equality, parity, and non-discrimination in various aspects of public life, monitoring any breaches thereof, and proposing all measures deemed appropriate to ensure their respect;

  o Promoting the integration of the culture of equality, parity, and non-discrimination into educational, media, and cultural programs, in coordination with the relevant authorities and bodies;

  o Contributing to formulating standard and legislative texts, and preparing regulatory laws projects to implement the constitutional provisions related to parity and the prevention of all forms of discrimination.

In addition to the above, the legislature has entrusted the mentioned authority with a set of competencies primarily related to framing, training, and developing the capacities of stakeholders, promoting best practices in combating all forms of discrimination, conducting studies and research, evaluating public policies in the field of parity, equality, and non-discrimination, and establishing cooperation and partnership relations with bodies and organizations with similar objectives. This aims to enhance its representation in decision-making centers and contribute effectively to shaping a new vision for Moroccan women, surpassing the stereotypical image that has been fading due to the new roles they have undertaken[52].

In this context, it is necessary to mention that the authority has a special mandate in the field of protecting women's rights and promoting them, a competence that cannot under any circumstances extend to what falls within the jurisdiction of the National Council for Human Rights, which the constitution has granted general authority in this field. This has been explicitly

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[51] Bill No. 14-79 concerning the Equity and Anti-Discrimination Commission, Kingdom of Morocco, General Secretariat of the Government, Official Printing Office of the Kingdom, Rabat, 2015, Articles 2-3-4.

[52] أمينة لمريني الوهابي وربيعة الناصري:" في أفق إحداث الهيئة المكلفة بالمناصفة ومكافحة جميع اشكال التمييز"، منشورات المجلس الوطني لحقوق الانسان، سلسلة الدراسات، نونبر 2011 ، ص: 37.

specified in the constitutional document, affirming that the authority responsible for parity and combating all forms of discrimination, established under Article 19 of this constitution, is particularly responsible for respecting the rights and freedoms stipulated in the mentioned article, taking into account the competencies assigned to the National Council for Human Rights. In other words, this authority is tasked with ensuring respect for the basic rights and freedoms of citizens according to the constitutional document, leaving the details to the legal text to specify its duties more accurately, define its scope of intervention, and its relationship with other institutional mechanisms concerned with human rights, especially the National Council for Human Rights[53].

Despite the importance of this legislative initiative aimed at supporting advisory bodies in the field of women's human rights, there are several constraints that may affect the functional performance of the authority responsible for parity and combating all forms of discrimination. These constraints, according to some reports and studies conducted in this field, can be summarized as follows[54]:

- The powers entrusted to the authority are somewhat vague; are they specifically related to women or to all individuals who are victims of sex-based discrimination?

- The absence of real powers for the authority responsible for parity and combating all forms of discrimination in terms of access to information, conducting investigations, prosecution, and the right to impose sanctions;
- Limited representation of civil society organizations, which has been confined to three members out of sixteen. This does not align with the constitutional challenge to the role of national advisory institutions in supporting the openness of public policies to new spaces for participatory democracy and public dialogue, given the potential of the laws regulating these independent institutions and their authority to achieve greater openness to civil society and ensure direct citizen participation through petition techniques. This integrative approach should be maximized so that these institutions are not constrained by present voices in reporting spaces[55].

The Concept of Positive Discrimination

The concept of positive discrimination[56] is linked to its endeavor to create societal incentives to establish a social environment that upholds the principles of equality and equal opportunities amid a reality marked by diversity. This concept is primarily based on the principle of preference

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[53] كريم لحرش: "الدستور الجديد للمملكة المغربية، شرح وتحليل"، سلسلة العمل التشريعي والاجتهاد القضائي، العدد 3، 2012، ص: 225.

[54] Draft of the memorandum regarding the Equity Commission and the prevention of all forms of discrimination as stipulated in Articles 19 and 164 of the Constitution. [Link to website: http://www.alittihad.press.ma/def.asp]

[55] حسن طارق: "دستورانية ما بعد انفجارات 2011 ، قراءة في تجارب المغرب وتونس ومصر"، المركز العربي للأبحاث ودراسة السياسات، الطبعة الأولى 2016، ص: 30.

[56] The term "positive discrimination" appeared in the French political dictionary about twenty years ago, with its first use in the media dating back to 1987. However, it became widespread at the beginning of the current century.

for vulnerable groups through policies aimed at discriminating in favor of marginalized groups in employment and education to rectify past discrimination against them. The nature of positive discrimination policies varies from one country to another. For example, India, among others, utilizes a reservation system, allocating a certain percentage of government jobs, political positions, and educational seats for the benefit of marginalized groups in society. In contrast, some countries that do not employ reservation systems grant preference to minority members or provide special privileges during the selection process to achieve justice and fairness.

In this context, Morocco has adopted the concept of positive discrimination to encourage women's access to political decision-making positions, considering the challenges of the existing situation that historically hindered this achievement. This transitional measure has notably facilitated significant progress in this regard. However, a critical examination of the reality leads to the clear conclusion that the progress achieved in the political representation of women in some institutions as a result of the adopted quota system is not accompanied by the adoption of mechanisms that can contribute to changing the productive consciousness of exclusion and marginalization.

Furthermore, positive discrimination is not limited solely to supporting the status of women but encompasses all categories within the framework of gender equality. Among these categories are youth and people with disabilities[57]. Article 33 mandates public authorities to take appropriate measures to achieve the following:

- Expand and generalize youth participation in social, economic, cultural, and political development.
- Assist youth in integrating into active and community life and provide assistance to those facing difficulty in adapting to school, social, or professional life.
- Facilitate youth access to culture, science, technology, arts, sports, and recreational activities, while providing favorable conditions for unleashing their creative and innovative potential in all these areas.

Article 34 states that public authorities are tasked with developing and implementing policies aimed at individuals and groups with disabilities. To this end, they are particularly responsible for:

- Addressing the vulnerable situations of women, mothers, children, and elderly people and preventing them.

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57 حسن طارق: "دستورانية ما بعد انفجارات 2011 ، قراءة في تجارب المغرب وتونس ومصر"، المركز العربي للأبحاث ودراسة السياسات، الطبعة الأولى 2016، ص: 38 – 39.

- Rehabilitating individuals with physical, sensory, or mental disabilities and integrating them into social and civic life, facilitating their enjoyment of recognized rights and freedoms for all.

In conclusion, the concept of positive discrimination is linked in its genesis to the approach of gender equality, serving as a fundamental mechanism to create balance among societal categories. It has proven its effectiveness and efficiency through monitoring a range of international experiences. However, it cannot be considered an end goal in itself, as some stakeholders, particularly those belonging to women's movements, perceive it. Rather, it serves as a temporary means primarily aimed at ingraining a societal awareness that believes in the efficiency of women and their ability to participate in public life.

However, the concept of positive discrimination remains merely a motivational mechanism[58] aimed at not only implementing parity but also gradually engaging women in political and electoral life by taking temporary legislative measures to regain their lost confidence within society, in accordance with the basic principles upon which the Moroccan political and constitutional system is built.

Conclusion:

Through the approach of the principle of parity at its legal and political levels, it has been shown that it intersects multiple dimensions in determining its pillars, blending within them political, social, economic, and cultural aspects. Several factors have contributed to its construction, all of which are related to the human rights system in its international and national manifestations. The issue of women has constituted one of its fundamental axes, whether at the level of international treaties and instruments of a general nature or through directly relevant agreements related to women's issues. However, local specificities and the experiences of countries in this regard have been characterized by diversity and multiplicity due to their connection to the level of democracy, the nature of actors, as well as the social and cultural structure of each society.

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[58] The Constitutional Council considered that these positive discriminatory provisions are transitional and will be subject, in the logic of the evolution of democratic life in the country, to disappearance in favor of the principle of equality. In one of its justifications related to its decision No. 817/2011 concerning the constitutional review of the organizational law related to the House of Representatives, it stated: "Whereas if the provisions of Article 23 mentioned above were intended to achieve objectives stipulated in the Constitution, it is also necessary to invoke the basic principles upon which the Constitution relies in the exercise of political rights, especially citizenship, freedom of election, and candidacy through a general election based on the same rules, conditions, equality, equal opportunities, and prohibition and combating all forms of discrimination as stipulated in the Constitution in its enactment and in its chapters 2, 6, 19, and 30. These principles do not allow the attribution of permanence to exceptional legal measures dictated by transitional reasons, which aim primarily at enhancing the representation of a specific category and enabling it to engage successfully in the general electoral system."

In this context, it can be said that the issue of women within the Moroccan context has experienced a series of turning points depending on the internal political environment, historical contexts, as well as individual and collective mentalities and mindsets, which blend within them customs, traditions, and societal values, as well as the requirements of international conventions and norms. These have significantly contributed to supporting the women's rights system and have become a key indicator of the democratic development of societies.

Moreover, there are objective reasons, primarily manifested in widespread illiteracy and the precarious situations of women in the production process, as well as their lack of social and economic independence, which limits their abilities to participate in public life and makes them receptive to the calls of conservative currents to return home and resist change. Additionally, the women's movement suffers from internal weaknesses similar to other civil society organizations and other demand-based associations, mainly manifested in its organizational paternalism, weak democratic practices, competition among its leadership, and the personalization of its successes and failures. The women's movement in its new civil form has remained a victim of organizational and ideological ties to political currents, depriving it of the strength to pressure decision-makers to adopt a societal project serving its issues.

It is also worth mentioning that the legal arsenal regulating the relationship between genders is not qualified to achieve parity based on the international human rights system. Perhaps the most prominent area where the relationship between genders appears unequal and clear is the political field, due to the traditional division of roles assigned to each gender, considering the political arena as primarily belonging to men. However, the essence of democracy necessitates the presence of women in the political scene, yet the political participation of women in Morocco still requires support. We note that there is a link between the cultural level and political participation. We can also note that the quotas allocated to women within political parties remain very weak compared to men. Additionally, the distribution of tasks and roles within parties is at the expense of women, where men hold the reins of leadership, while the role of women remains limited to membership and involvement. This can be categorized as one of the challenges faced by women's participation within parties.

To overcome this situation, it is possible to rely on social development institutions as a fundamental mechanism capable of undermining prevailing stereotypical representations in society about women. This can be achieved by imparting positive cultural elements dedicated to the values of fair interaction for all social components and working to change the status of oppression and the loss of dignity, and overcoming the imbalances experienced by women. This requires not only changing laws but also addressing all obstacles that hinder positive integration of women into society, including customs, traditions, and social norms that prevent the provision of suitable conditions to achieve equal opportunities and gender equality.

In light of the above, it can be said that establishing a balanced relationship between men and women based on the principles of parity as a constitutional challenge to combat all forms of discrimination against women necessarily requires adopting a comprehensive approach with multiple inputs blending legal, political, and cultural aspects to activate the legal component derived from international conventions and instruments. It also requires removing all accumulated obstacles from traditional social, cultural, and political systems and creating a societal environment that enables women to become real actors in the democratic process, not just tools.

Overall, it can be emphasized that the constitutional provision related to parity constitutes a fundamental platform for any legislative action aimed at combating all forms of gender-based discrimination. Furthermore, activating the provisions of Article 19 concerning equality between men and women in all fields cannot be achieved solely through adopting the principle of parity but requires transitioning from constitutional recognition of rights to enhancing their actual implementation and boldness in reality through seeking supportive mechanisms for legal foundations. However, the issue of women remains a highly complex problem that requires deep cultural scrutiny and awareness framed within the social system in all its components. In this regard, relying on the principle of parity can elevate its importance, but achieving this is conditional on several factors related to democracy and developmental issues. Hence, it raises questions about the availability of supportive inputs for this principle to achieve responsive outcomes to the aspirations of women's movements.

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