

CHAPTER 5

LEGAL CHANGES – THE PERSONAL STATUS CODE IN MOROCCO AND THE BAN ON WEARING “OVERT” RELIGIOUS INSIGNIA IN PUBLIC SCHOOLS IN FRANCE

Young, educated, professional women in Morocco and women of Moroccan origin in France expressed a variety of viewpoints on the legal changes in both countries. While respondents on both sides of the Mediterranean generally welcomed the reform of the Personal Status Code (*moudawana*) in Morocco, they had considerably more difficulty in assessing the ban on wearing “overt¹” religious insignia, which includes the Muslim headscarf (*hijab*), in public schools in France. None of the respondents opposed the *moudawana* reform outright; but the degree of support varied. Some women for example expressed concern that the new law was not entirely based on the Qu’ran and therefore threatened the integrity of Morocco’s national Islamic identity. No comparable degree of unanimity of support or disapproval could be observed with regard to the banning of wearing “overt” religious insignia in French public schools. Respondents in France and in Morocco were troubled by the perceived, underlying message implicit in this law as it was taken as an affront against Muslims in general and Muslim women in particular. Even those inclined to support the ban felt that the French government should have employed a less confrontational approach.

The main concern of women in both samples was how new laws in Morocco and in France freed - or restricted - them to assert control over their private and public lives.

¹ The full text of the law appears in the appendix. “Overt” is the closest rendering I can offer for the French “ostensiblement.” The reason for putting in quotation marks is because there is no precise description in the law as to what is considered “overt.” The wearing of Christian crosses, for example, is not disallowed and therefore the law can be interpreted to be directed at the wearing of the Muslim headscarf.

Though most did not care much about politics in their respective country, they followed with great interest legislation aimed at shaping the role of modern Muslim women in a changing world. This interest extended beyond the borders of their country of residence as respondents in France followed the family law reform in Morocco just as much as their counterparts in Morocco kept informed about the ban on wearing “overt” religious insignia in French public schools. Routinely respondents inquired about the legal situation in the United States with regards to Muslim women.

The following findings are organized in four sections: 1. Responses in Morocco to the Personal Status Code reform, 2. Responses in France to the legal changes in Morocco, 3. Responses in France to the banning of wearing “overt” religious insignia in public schools and 4. Responses in Morocco to the new French law.

The reform of the Personal Status Code, *moudawana*, in Morocco

In Moroccan public discourse, the reform of the *moudawana* is framed within the context of Islam. My research aimed to find out if educated women, who have access to multiple sources of information, subscribe to this discourse or place the reform in a different context. In France, my goal was to assess the degree of familiarity with the debate on the Personal Status Code reform and how these changes were viewed from the vantage point of women in France.

Almost all women in Morocco and France welcomed the reform of the Personal Status Code. They felt that this reform presented “a step in the right direction” or was part of “an evolution.” However, most cautioned that a change of law was only one measure of Morocco’s move toward gender equality. Respondents saw a change of mentality and of culture as equally important. Modifying the law was an act of government that demonstrated a willingness of the ruling elite to set in motion a deeper societal change. A change of mentality among the population at large was seen as a slow process and one that required more of men than of women. This is because the reform has widely been viewed as curtailing men’s rights and restricting their liberties, for example with regards to abolishing unilateral divorce (repudiation) and abolishing the clause that

requires a woman's obedience to her husband. As one respondent in Morocco said: "The question for men is: what is in it for them? And quite frankly, from a man's point of view, not much." Respondents viewed as a formidable task the garnering of widespread support for a reform that was perceived as offering few advantages for men. The reform draws into question centuries-old customs concerning the roles of men and women. Marriage in Morocco has traditionally been understood as an entity presided over by a man, not as a partnership among equals. For a woman, marriage meant exchanging the tutelage of a father or a brother for submission to a husband. The Personal Status Code reform mandates a new understanding of family and the role of women therein, because men and women are now legally considered equal partners. Furthermore, an altered concept of the family forms the basis for a changing understanding of women's private and public roles. With more and more women entering the formal, documented workforce and playing a substantial role as wage earners in the family, a fundamental shift in the division of labor is already taking place. Previously, the public role was the domain of men. Currently, a transformation of women's role is underway, written into law by the Personal Status Code reform. The most meaningful change, according to my respondents, was however not a matter of law, but of mentality and a realization of the difference between culture, customs and religion.

King Mohammed VI presented the reform as in keeping "with our tolerant religion of Islam" and emphasized that reform was based on *ijtihad*, rightful interpretation of the Qu'ran. As discussed in Chapter 1, the commission charged with drawing up the reform included Islamic scholars whose seal of approval was required for every passage of the new law. Critics of the reform, most notably certain Islamist groups, have argued that no one called to participate in a royal commission would dare to oppose the wishes of the monarch as he is the also highest religious authority in the country. Because such great emphasis was given to the Qu'ranic basis for the reform, I asked if women in the sample agreed that the Personal Status Code reform was based on the scriptures.

In the following I will describe the responses of women in Morocco and compare them with responses by women of Moroccan origin in France.

Table 5.1. Personal Status Code reform based on the Qu’ran
 In your opinion, is this reform based on the Qu’ran?

Based on Qu’ran	Yes	No	Other	Total
France	7	8	10	25
Morocco	14	7	9	30

Table 5.1. shows that only about half of the women in the Moroccan sample agreed that the Personal Status Code reform was based on the Qu’ran. This question often led to lengthy explanations of how religion can and has been used to justify a social system that disadvantages women. A fresh look at religious interpretation was a matter of social necessity. Said Farida, a young woman with a Master’s Degree in Business: “The question is not only if the new *moudawana* is based on the Qu’ran, but we should ask ourselves if the old *moudawana* was based on the Qu’ran. The old *moudawana* had also been presented as if it was the word of God.” In her reading of the sacred text, women should not have been placed in a position inferior to that of men in the first place. For Farida, discussion about the religious validity of the reform was a spurious one. The patriarchal structure and with it gender inequality arose from the Moroccan cultural context, not from a genuine religious one, she said.

Latifa, a woman wearing the *hijab* and on a fast track in a government department, echoed the opinion of the majority of respondents: “It is important that we stay true to our own cultural roots and the religion which forms the basis of our identity and of our family law.” Morocco’s roots should be traced to the changes introduced by the prophet and not to customs that had existed in North Africa before the arrival of Islam. She felt that Morocco need not look to the West to come to the conclusion that men and women were created equal. “People should read the Qu’ran more carefully and not just take what suits them,” she said. Latifa emphasized that she wore the *hijab* out of religious conviction and to demonstrate her belief in the veracity of the revelation of the prophet. Like most of her peers in the Moroccan sample, she did not view the

moudawana reform through the lens of religion, but as a change born out of necessity. It marked a milestone for moving into a modern era by discarding rigid patriarchal traditions and customs.

Still, most respondents commended the King for having recognized that the Qu’ran did not condone treating women as second-class citizens by pronouncing that living in harmony required equality.²

Yet most women I spoke to were not sure just how quickly this reform would lead to a change in attitude, mentality and behavior. With very few exceptions, young, educated professional women expressed the view that the Personal Status Code was at the heart of Moroccan society. Granting women substantial rights meant that that the vision for Morocco’s future had changed. This view confirms the assessment of one of the foremost Islamic scholars in the United States, John L. Esposito, who argues that a change in family law is an “indicator of social change and reform, its methodology and problems” (Esposito, 1982: x).

To some respondents it was however of paramount importance that legal change was framed within the context of Islam because the identity of their country as an Islamic state was at stake. This position was voiced especially by women who felt close to Islamist organizations. They feared that Morocco would “lose its soul” if it implemented changes based on what they perceived as “Western models.” Those respondents feared that though Mohammed VI had emphasized that the reform was based on *ijtihad*, rightful interpretation of sacred texts, his real objective was to narrow the gap between Europe and this North African country. Most vocal in their initial opposition to the reform of the *moudawana* was the largest Islamist³ movement with a mass following in Morocco, and committed to non-violence, *Al Adl wa Ihsahane* (Justice and Charity), founded by Sufi Sheikh Abdesslama Yassine⁴. While this Islamist group in Morocco initially opposed the reform as not being based on the Qu’ran, *Al Adl wa Ihsahane* later expressed concern that

² Discours Royal, my translation, see complete quotation in Literature Review Chapter 1.

³ Willis, Michael. *Moroccan Islamism – Expansion or Decline*. Oxford: Oxford University Press, forthcoming.

⁴ Abdessalam Yassine has advocated the need to “islamiser la modernité et non moderniser l’islam.” He was imprisoned and later put under house arrest by the previous King Hassan II.

the reform did not go far enough in changing all aspects of law, civil and criminal, that discriminate against women. Because Islamist ideas echoed in some respondents' assessments of the family law reform, I decided to seek out a leading member of the movement, whom I shall call Zineb. In a lengthy interview she explained that religion is meant to uphold an ideal whereas politics deals with physical circumstances. Zineb is in her mid-forties, university-educated, highly articulate and married with four children and two grandchildren. She described herself as a "militant neo-Sufi"⁵ as opposed to a feminist. Occasionally, I mentioned to respondents that I was scheduled to visit Zineb in her home in Salé, the old twin city of Rabat. Each time there was an intense response. Some encouraged this visit because they believed she could lay bare the complexities of the new law and explain its advantages and its shortcomings better than anyone else. Others saw it as a waste of my time to talk to an Islamist because they believed Islamists had nothing of substance to offer with regards to Morocco's progress. Some women insisted that I meet with them again after my rendez-vous with Zineb because they thought Moroccan mass media were given to misrepresenting the views of this movement so as to discredit it and they were keen to receive an account from an outsider as to what a leading member had to say.

I had come to know Zineb during the time I lived in Morocco (1999 - 2001) and had been a guest at her house in subsequent annual visits to North Africa. Because of her precarious status as a leading member of an organization that has a history of openly criticizing the King, a crime punishable by imprisonment, *Al Adl wa Ihsane* has officially been shunned. Consequently, contact with Zineb has to be handled discreetly. Her modest apartment is located near the prison of Salé where the founder Sheikh Abdessalam Yassine spent many years. Zineb usually advised me to wait next to the prison gate where she would send someone to meet and guide me to her place through the maze of unnamed streets. The effect of having to ask a taxi driver to take me to the prison was not lost on me. Generally, taxi drivers pretended not to understand my request and more than once, I had to change vehicles because a driver felt uncomfortable taking a foreign woman to such a notorious site.

⁵ Sufism is the mystical branch of Islam which is popular in Morocco.

In her home, when no men are present, Zineb lets down her long, black hair and wears jewelry and make-up, which is in sharp contrast to her stark appearance in public where she covers each strand of black hair under a simple, dark veil, wears no jewelry and, other than the customary black henna around her eyes, no make-up.

During the decade that Sheikh Yassine had been in jail and under house arrest, she had risen to a leading position in his movement. Fluent in French, Zineb is well-equipped to explain the founder's message to a wider world. She resents Western-inspired reforms on the grounds that they impose a foreign agenda on the Moroccan people. She explained to me that the change of the *moudawana* was based on a realistic assessment of a changing reality in Morocco but had "precious little" to do with new insights into the Qu'ran. Her critique of the reform was based on an assessment that it addresses the needs of an elite minority and not of the majority of Moroccans. As an example she cited a new legal provision that makes it easier for women to obtain a passport. "Is this an issue of national concern, given that more than 60 per cent of our women are illiterate and live in the rural areas where they travel on foot or on donkeys from one village to the next?" she asked. "There is no new law that mandates building schools in the rural areas, there are no jobs for our university graduates who do not have powerful connections. There is no proper health care in the rural areas and there are no realistic plans to rectify the glaring social inequalities. We are a poor country, a third world country as you say, yet our king is one of the richest men in the world. How can that be called an Islamic society?" she asked provocatively, raising a recurring theme of the Moroccan Islamists, namely questioning the legitimacy of the monarchy. For the Islamist opposition, the elimination of the rigid class system is a more pressing issue than revision of the Personal Status Code. In terms almost reminiscent of Marxist rhetoric, Zineb decried the immense wealth of the King and that of a miniscule, privileged upper-class which contrasts sharply with an average annual per capita income of 530 US dollars for the majority of the population (United Nations Country Report, 2003).

Zineb also took issue with some more fundamental changes such as the raising of the marriage age and the abolition of polygamy. Again, referring to the majority of Moroccan women, she argued that raising the marriage age from 15 to 18 did not present advantages for the large number of rural, poor, under-educated women. For rural girls,

early marriage offered protection and a safe way to grow into adulthood. Zineb cited the problem of child labor that has widely been recognized as a major social ill, particularly the large numbers of *petites bonnes*, girls as young as seven years, working as domestic servants and prone to exploitation and sexual abuse at the hands of their employers. Early marriage, even as a second wife, offered a better prospect for a young girl in those circumstances. The abolition of polygamy reduced the chances of poor, rural girls to get married and, Zineb feared, as a result some might end up as prostitutes⁶ and even more as *petites bonnes*.

On the issue of the *wali*, guardian, Zineb explained the Islamist position as follows: Without a profound change of mentality, Moroccan women who are not under the protection of a *wali*, are susceptible to abuse. Men could easily prey on women if they did not have to fear retribution from a male guardian. The system of a *wali* was needed as long as the majority of Moroccan women remained illiterate, poor and without adequate access to the legal system. For Zineb, the *moudawna* reform was not only pandering to a minority urban elite, but also “putting sand in the eyes of the West” by appearing to “modernize” the country in accordance with Western standards while ignoring the most pressing issues affecting the country. More urgent than a reform of the family law was an improvement of education and employment opportunities. Her movement maintains that Islamic countries such as Morocco can reform from within and need not follow the lead of the Western world to address social ills within their borders. The West, Zineb said, was not responsible for the large-scale corruption that hindered genuine development in Morocco. This was not idle rhetoric given that this Islamist movement maintains grassroots programs which provide health care in the rural areas and offers literacy classes.

As we chatted in Zineb’s living room, sipping strong mint tea and eating homemade Moroccan marzipan cookies, women “of the movement” came in, sat with us for a while and offered their own comments. All were veiled, articulate, well-educated, professional women who dedicated their spare time - and part of their income - to some of the Islamists social causes. Some were involved in campus outreach programs, where

⁶ In Morocco, the term prostitute is also used to describe women who have sexual relations outside of marriage.

the activist stance of the Islamists has attracted a large following among students. Of the women I interviewed on different university campus throughout Morocco, those who wore the *hijab* were in some way connected or at least sympathetic to *Al Adl wa Ihsane*. Even among uncovered women, the Islamist movement enjoyed clandestine support because it put its finger on one of the main problems facing Morocco, namely widespread, high-level corruption.

With regard to the *moudawna* reform, Zineb eloquently pointed to the difficulties with the implementation caused by poorly trained judges, ill-equipped administrators and an illiterate populace who was un- or misinformed about the reform. She had been to court herself to observe some of the proceedings required by petitioners for obtaining a special dispensation to marry under the new legal age of 18. “The girls have to appear in front of a male judge and his assistants. They are asked in the presence of their parents if they are still virgins and if they were willing to have their private parts checked by a medical examiner to confirm the veracity of their statements.” To Zineb these were tactics designed to discourage applications for early marriage. Training of female judges and grassroots campaigns were needed to explain the new laws instead of relying on the “typical Moroccan system of intimidation and fear.”

Our conversation turned from the *moudawana* reform to other issues of interest. Zineb had only recently been granted a passport and for the first time in her life had the opportunity to travel abroad. She recalled how surprised she was to find that most Americans she met, were people of faith and that her Muslim headscarf had been of no obvious concern or interest to anyone she had come across in the United States. As I was accompanied by one of my teenage daughters, Zineb inquired about her preferences in music, movies, books and fashion. She asked my daughter if she dated boys and if she had been exposed to drugs. Again, she was surprised that a taste for rap music, R-rated movies and - by Islamist standards - immodest clothing⁷, did not correlate with loose morals or a lack of values. She admitted that her perception of the Western world had been profoundly changed as a result of her recent travels to the United States. As much as the West is misunderstood by Islamists, so are Islamists by the West, she concluded.

⁷ In this case immodest clothing refers to a sleeveless t-shirt and the absence of a headscarf.

Throughout the interview Zineb emphasized that her movement was committed to non-violence and had nothing in common with terrorists who claim to act in the name of Islam.

Zineb articulated the position of respondents in the sample who expressed reservations about the *moudawana* reform but also spoke about important issues raised by those who supported the legal changes, most importantly corruption, unequal application of the law and an entrenched rigid patriarchal system.

The majority of respondents agreed that law depended on implementation by the courts and judges. “If the mentality of the judges does not change, the new law is meaningless,” said Lamiae, a manager in an international firm in Casablanca. “Anyone can buy a verdict here and consequently, well-connected, wealthy men can obtain a ruling no matter what the new law says. Less fortunate men and women are at the mercy of old-fashioned judges, whose decisions they would not know how to appeal.”

In my interviews with women in Morocco, it was striking how often “the Moroccan woman” was invoked. In the West, with its emphasis on individualism, differentiation and recent adversity to stereotyping, one would not speak of “the French woman”, “the American woman,” etc. But in this North African country, most of my respondents frequently spoke of the advantages of the reform for “the Moroccan woman”. The reform, so respondents insisted, will allow “the Moroccan woman” to find her place in the modern world.

When probing deeper into who “the Moroccan woman” was, it became evident that respondents were keenly aware of ethnic and especially class differences in their country and of the gulf that separates urban from rural women. There was some disagreement over who would benefit most from the new laws. Some argued that urban women were the primary beneficiaries because they had access to information and could claim their new rights, whereas rural, illiterate women remained at the mercy of those interpreting the changes for them. Others said that lower class women stood to gain most because they did not enjoy the freedom and opportunities that come with being a member of the upper class, regardless of what the law says. Women in my sample eventually agreed that the term “the Moroccan woman” did not capture the diversity of women in

this country and that it presumed a sense of solidarity and shared experience which did in fact not exist.

Some respondents saw the *moudawana* reform as a means of bringing Morocco more in line with its European neighbors to the north, while others pointed out that the model of reform of the Personal Status Code was to be found two countries over to the east, in Tunisia. “For us, the status of Tunisian women is the role model,” said Nadia, an official in one of Morocco’s Ministries. “It has taken us more than 40 years to catch up to our neighbor in the Maghreb,” she said.

Indeed, with regards to the status of women, Tunisia has long been far ahead of most Arab or Islamic countries. Shortly after independence from France, Tunisia’s Personal Status Code was single-handedly changed by its first president Habib Bourguiba, a French-educated lawyer, in 1958. Not only was polygamy abolished but Bourguiba also advocated discarding of the veil for Tunisian women and promoted mandatory education for girls. Pointing toward Tunisia as a model for the reform was not uncommon among educated, professional women though they added that in this day and age it was important that laws were internationally compatible, that is in relation to regions beyond the Maghreb and the Arab world.

The fact that it took Morocco close to sixty years after independence from France to craft a new Personal Status Code is in line with anthropologist Hammoudi’s assertion that the Moroccan elite is inherently averse to fast and dramatic change, especially changes that threaten its own, immensely privileged status (Hammoudi, 1997).

Another aspect that came to the fore in discussions about the Personal Status Code reform was the distinctions between religion and culture or traditions. Most said that though Morocco was an Islamic country, some of the traditions had their roots in the Berber and Arab culture and not in the religion of Islam. Some had come by this assessment through their individual study of the Qu’ran; others had done so through international travel where they had encountered Muslims from other regions of the world. A particular case in point was a young science professor who upon completion of her doctoral degree had accepted a teaching position in Saudi Arabia. Though she described herself as a devout Muslim and wore a headscarf, she was shocked to see how the

country of the birth of Mohammed “had perverted what the prophet stood for.” Breaking her contract, she left Saudi Arabia after only one year, chiefly because she considered the way women were treated in that country in contradiction to what she believed to be an acceptable interpretation of the Qu’ran. Her experience in Saudi Arabia also led her to take a closer look at the customs and traditions in her own country which previously she had taken as being based on the Qu’ran. After returning to Morocco she became active in social causes in the hope of contributing to the development of an Islamic society the way she now understood it.

Women who had not left Morocco but had immersed themselves in the study of the Qu’ran and the history of Islam insisted that Islam is a religion that does permit new interpretation according to changing social circumstances. They argued that it was reasonable to present the reform as being based on *ijtihad*, rightful interpretation of the Qu’ran. Said Sadia who works for an international organization in Rabat: “Slavery for example is a practice condoned by the Qu’ran. The Qu’ran contains several passages that admonish believers to treat slaves properly and justly, however without stating that the practice itself is an abomination. Still, slavery has long been outlawed in Morocco - as it should be.” Abolishing slavery, according to Sadia, should not be interpreted as a sign of abandoning the tenets of Islam, but of the need for constant re-examination of the sacred text. Another example was child marriage (i.e. under the age of 15), again a practice mentioned in the Qu’ran but long outlawed in Morocco. Women in the sample argued that the *moudawana* reform should not be taken to mean that the country was adopting a more relaxed attitude toward religion or as a move towards a more secular position.

This point was important to respondents in Morocco as they understood that the reform was commonly hailed in the West as an effort to modernize the country based on European models.

Among respondents in France the question of the Personal Status Code reform was based on the Qu’ran was not one they had thought about deeply. Having grown up in a *laïc* state, women in the French sample said though they had followed the debate concerning the reform in Morocco, they were not familiar with the details. Whether or not they felt the reform was based on the Qu’ran made little difference in their overall

assessment, namely that this was a long overdue step in the right direction. They understood that the reform all but abolished polygamy, made it possible for women to obtain a divorce and no longer required women to submit to their husbands. They said they were happy and relieved about the reform because they believed in time it would make life easier for women in Morocco. Like their counterparts in Morocco, women in the French sample cited a change in mentality and everyday behavior as even more important than the legal reform. Some recounted how the separation of their parents had left their mother in dire financial straits. Even though this separation had occurred in France, the mother was not familiar with French law and therefore accepted repudiation by her husband because she knew this to be in accordance with Moroccan customs. Said one woman: “When you are left in such a desperate situation, you don’t much care if this is justified by the scripture.”

A more detailed assessment of the reform was offered by respondents who professed to be Islamists. They said the new law had to be examined “point by point.” One, a graduate student in Paris said: “Polygamy is permitted by Islam, so I am against abolishing it. On the other side, divorce is also allowed by the Qu’ran, so to make it easier for women to obtain a divorce is an acceptable change. It is also a good thing to raise the marriage age from 15 to 18 because the Qu’ran does not give a specific age at which girls should get married.” When I asked her if she could envision herself in a polygamous marriage, she hesitated and eventually would say no more than “it depends.” For this sociology student, the most important question was: “What is the vision behind this law? What vision does the King have for his country? Is this an occidental vision? One should ask these questions. In Islam, we are taught to be open, to ask questions, to be critical.” Other women wearing the headscarf also said they did not trust the King’s motives, believing he would do anything to enhance his standing in the West. Nevertheless they welcomed the Personal Status Code reform: “This is just politics. But if the outcome is good for the people, I am content. Islam is an easy religion. It does not want to make life difficult for people.”

Several respondents knew of family members who had been at the mercy of the old *moudawana* and in their recollection, this had never been a good experience for the

women affected. A more structured examination of experience with the *moudawana* was explored in the following question.

Table 5.2. Number of Respondents with Experience of Personal Status Code

To your knowledge, has any woman in your family had an experience with the *moudawana* in the past?

Country	Yes	No	Other	Total
France	11	11	3	25
Morocco	10	18	2	30

Table 5.2. shows that comparatively more women in the French sample spoke of someone with personal experience with the old *moudawana* than those in Morocco. This can be explained in part by the fact that the majority of immigrants come from the poorer, rural regions of Morocco where customs and traditions are rooted deeply. As described in Chapter 1, Charrad (2001) writes that the policy of post-independence family law relied on the support of kinship-based tribal societies by institutionalizing a Personal Status Code that incorporated ancient customs and traditions. Openness about bad experiences with the Personal Status Code may also be an indication that people who have been physically removed from their country of origin for an extended period of time, talk more readily about things they see as being wrong with their country. Despite their difficulties in France, immigrant parents had to assure themselves that they had made the right move by coming to a European country. Telling their children of some of the problems they had left behind could be interpreted as a text-book example of cognitive consonance. Without exception, when respondents said they knew of a case in their family where someone had an experience with the *moudawana*, it was a bad one.

By contrast, more than half of the respondents in Morocco claimed they knew of no one who had had an experience with the *moudawana*. Only a third of respondents recounted incidents where a family member or a friend of the family's had had an experience with the Personal Status Code. They told remarkably similar stories: A relative had been repudiated by her husband who proceeded to marry another woman

without paying alimony or child support; a relative had wished to divorce her husband because of his repeated infidelity but could not obtain a divorce; a divorce left a woman impoverished because assets which had accrued during the marriage were not shared after the separation; and there were stories about women who had been coerced by their guardians or families to marry someone they did not want to share their lives with.

The interview schedule also contained open-ended questions that allowed respondents to speculate on possible long-term outcomes of the Personal Status Code reform. Most women in the French and in the Moroccan samples said they expected only good things to come of the reform. However, they offered only cautious optimism. “Things move so slowly here,” said one young woman in Morocco, “it will take time before everyone in the country understands that things have changed.” As an example of slow or half-hearted implementation, some referred to urban women’s groups who had contributed to the drawing up of the reform and who had heralded it, but were now widely accused of not doing enough to propagate the reform in small towns and rural areas, confirming the Islamists’ assertion that the reform catered to an urban elite. In the summer of 2005, a year and half after the reform had been officially announced, most respondents agreed that implementation of the reform had been rocky. A young professor in Rabat offered this assessment: “There has been some disappointment. The reform did not yet lead to wide-spread empowerment for women as some might have hoped.” In fact, a conference had been organized to address some of the problems with the new law. The title of the government-sponsored conference indicated a willingness on the part of the authorities to critically assess the reform: “One year after: What went wrong?”

In Morocco, respondents between the ages of 18 and 22 feared some very personal repercussions of the reform: the difficulty of finding a husband. “If a man is not allowed to discipline his wife, he may not want to marry at all,” said Amal, a university student in her second year. “Of course, I don’t want to be beaten, but I’d rather have that than not getting married at all.” Though questions about domestic violence, or fear of one’s spouse, were not part of the interview schedule, fear was a theme that recurred frequently. Some said one of the reasons why they wanted their parents to take a leading

role in finding a husband for them was that they believed this would offer them a certain sense of protection in case difficulties arose in the marriage. “Difficulties,” they specified, meant infidelity and physical violence. In conversations with mature, married women it often appeared that fear had given way to a sense of fatalism.

The new law stipulates that assets accrued during the marriage will have to be divided evenly upon divorce. This too, some of younger respondents worried, would lead men to be apprehensive about getting married. Divorce henceforth will result in substantial pecuniary disadvantages for men that previously did not exist. “Morocco is in a state of uncertainty after the reform,” said Aziza, another university student, reiterating that a change in mentality would have to follow the legal changes. “Young men are afraid of getting married now. They don’t know what to expect any more now that the law is no longer on their side.”

When I asked women in the French sample what long-term changes they expected as a result of the Personal Status Code reform, the issue of fear resurfaced again. Fear was understood as an integral element of marriage and family life and one which carried over into other areas. Respondents in France felt that the new law eventually would lead to a situation where women no longer needed to live in fear. An altered concept of family was expected to endow women with more confidence and also result in more freedom to pursue a professional career. However, most respondents said they only had a cursory understanding of specifics of the new *moudawana* and that their assessment was based on a comparison with what they observed from having grown up in France. “I have lived in France all my life, so I know women have more rights here than in Morocco. The reform there was long overdue, but I am doubtful it will bring about real, substantial change - at least not right away” said one interviewee.

The issue of fear had not been anticipated based on the interview schedule. However, repeatedly I was told that the life of Moroccan women was marked by fear; fear of their fathers, fear of their husbands, fear of what their neighbors might say, fear to express themselves openly. As with stories about experiences with the old *moudawana*, it is possible that because respondents in France could evaluate goings-on in Morocco from a distance, they cast a more critical eye on their parent’s home country. A different

perspective will be offered later in this section. When asked how they had come by this assessment of fear, they said that on their visits to Morocco they had witnessed it among their Moroccan relations and experienced some of it first-hand. They recalled how they had been constantly admonished to dress or behave a certain way, told what and what not to say in public, they had felt their every move was under observation and scrutiny.

“Women are just not free, they think that living in fear is some kind of religious duty - or maybe just a fact of life,” observed Fatma, director of a social service center in Seine Saint-Denis. “This new law will free them from this pervasive sense of fear and guilt. So often women in Morocco think that it is their fault when things don’t work out, that it is *mektoub* (destiny) if bad things happen to them. In time the changes that will come as a result of the *moudawana* reform will allow women to shake off that sense of fatalism and step out and take charge of their lives.” The old family law obligated the husband to provide food, clothing and shelter for his wife, while she was expected to defer to him and obey (*moudawana* articles 1-31).

Women in the French sample also insisted on a change of mentality. Yet unlike their counterparts in Morocco, they said that men and women needed to change their attitudes. “Women have lived with this system for so long, that is what they know, what they are used to. They may not know how to deal with their new rights and freedom and this can cause some confusion and conflict,” said Maria, an airport security manager.

Others said that an organizational structure needed to be put into place to allow women to understand the new laws and their implications. “Women will need a lot of help, I think that is why so many new women’s organizations sprout up all over Morocco,” said Mouna, a lawyer in Paris. “This is a good time for women of Moroccan origin who have grown up abroad or studied in Europe to go to Morocco and help so that these reforms can take root in the society at large.”

Women in the French sample also pointed to the example of Tunisia, where the family law had been changed in 1958. “Tunisian women have almost the same, in some instances even more rights than women in France,” said Fatima, a high school teacher in Paris. “And they are an Islamic country as well, so we should not make such a strong connection between Islam and what is going on in a given country” she added. Because their families had experienced some of the worst aspects of Moroccan society, the

relation between religion and social reality had not been felt as strongly as among the better situated upper class. Their parents had experienced inequality before the law, inequality of educational and professional opportunities, absence of social mobility and a sense of being ignored by the government. Thus, they could not speak with pride of an “Islamic state” as some of my respondents in Morocco had done. The women I spoke to identified themselves as Muslim - to varying degrees - but considered Morocco a country held back by ancient customs and traditions, not by religion per se. To most women in the French sample, it was of little consequence if the new law was in keeping with the Qu’ran. Nevertheless, they understood that the King had to present it that way to garner the support of the population. “The new King is young and progressive, he has a lot of good ideas and he wants to position Morocco to join the European Union. He is watching closely what is happening in Turkey and the changes Turkey is required to make to be admitted to the European Union. This reform shows that he is serious about modernizing his country and moving it closer to Europe while at the same time keeping its Islamic identity intact,” said Fouzia, who works for a government-supported legal aid organization in the heart of Paris.

Respondents expressed relief that the new law raised the marriage age, abolished polygamy and adjusted divorce proceedings. Many said that their mothers had been married before the age of 16 to their fathers through arranged marriage. “I don’t know if my mother was ever in love. She serves my father, she obeys him, she followed him to France, she had five children and she raised us. The new law will free women in Morocco to make their own decisions about marriage. This will allow them a whole new understanding of marriage, and that is an incredible change in Morocco,” said Kheira, a woman in her late twenties, who left home and had not been in contact with her family because they disapproved of her choosing a career over early marriage and her insistence on finding her own spouse.

As respondents in France speculated on the changes that might come as a result of the family law reform, some contrasts between the French and the Moroccan samples became evident. A young Moroccan diplomat charged with advising embassy and consulate personnel on how to apply the Personal Status Code reform in their dealings with Moroccan expatriates illustrates this difference: “These people are really funny.

They live in a time warp. Their understanding of society is based on the Morocco of 30-40 years ago. Their mentality does not really exist anymore, at least not among young, educated people in the cities.” She grew more and more animated as she compared herself and her peers with the second generation in France: “In many respects we are more modern than them. For example, we believe women’s rights come out of Islam, we believe we need more female judges, ambassadors, business executives. Young people of Moroccan origin in France don’t have such high ambition; they are so concerned with adjusting to French society. They feel they have to become more ‘French’ before they can rise in society. They think the Personal Status Code reform takes us out of the Stone Age, but they don’t see all the other changes taking place in Morocco.”

Indeed, adjusting to French society was a serious concern of the second generation as is illustrated by the issue of the “veil ban,” to which I shall now turn.

The Ban on wearing “overt” religious insignia in public schools in France

Ambivalence best describes the assessment of respondents in France and in Morocco concerning the ban on wearing “overt” religious insignia in French public schools. Though respondent in France said they understood and, more importantly, supported the concept of *laïcité* and most in Morocco also claimed to be familiar with this principle of governance, they did not see how the new law was to advance the cause of national cohesion. Overall, the reasons for this legislation were not entirely clear to women in my samples. Their skepticism about the government’s insistence on upholding the principle of *laïcité* was based on the observation that important public holidays in France were religiously based, such as Christmas, Easter, Pentecost, etc. They also referred to the lowering of the French flag throughout the country upon the death of Pope John Paul II in April, 2005. To my respondents this was a clear sign of state-sanctioned bias towards Catholicism. Respondents in France emphasized their loyalty to France, but insisted that one could be French and Muslim at the same time just as much as one could be Catholic and French without any inherent contraction. The ban on “overt” religious insignia in public schools was perceived to be directed first and foremost against

Muslims though officially the ban includes for example the Jewish yarmulke, the turban of Sikhs and “large” Christian crosses.

Even though several respondents had expressed reservations about the King’s motives in introducing the Personal Status Code reform in Morocco, the positive results were felt to outweigh such doubts. By contrast, respondents tended to doubt that there would be a positive outcome to the ban on religious insignia in French public schools.

Because the Muslim headscarf is such a visible expression of religious and/or cultural affiliation, I first wanted to establish the extent of this practice among my respondents and compare it to their mothers. It is important to note here that the reasons for wearing the *hijab* vary not only from generation to generation but also among women in the samples. For most women over the age of approximately 40, wearing the headscarf is as much a regional custom as it is an expression of religious observance. It may also be useful to remind ourselves that in most of Europe, wearing a headscarf for women over a certain age was a common practice only two generations ago. This was the case as much in Nordic, protestant Finland as in southern, catholic Spain and Italy and all the way over to the east in Russia. It is therefore a comparatively recent phenomenon to associate the headscarf with Islam.

Table 5.3. Number of Respondents whose Mother wears *hijab*

Does your mother wear the *hijab*?

Veil/Mother	Yes	No	Other	Total
France	14	11	0	25
Morocco	19	11	0	30

Table 5.4. Number of Respondents who wear *hijab*

Do you wear the *hijab*?

Veil/self	Yes	No	Other	Total
France	7	17	1 ⁸	25
Morocco	9	21	0	30

If yes, since when do you wear the *hijab*?

In Morocco: average answer: since age of 19 to 24 years

In France: average answer: since age of 17 to 24 years

Table 5.3. shows that the percentage of mothers who wear the headscarf was the same in Morocco as in France. Also more mothers than daughters put on the headscarf. The number of mothers who did not wear the headscarf was the same for Morocco and for France, suggesting the conclusion that this is a voluntary custom that some women adhere to, others do not. Because traditions can be observed more accurately among older than younger people, we can see that the headscarf is by no means a rigidly adhered to practice in Morocco.

Table 5.4. shows that the percentage of women who wore the headscarf is about the same in both samples. In Morocco, wearing the headscarf was not a criterion for selection for this research. Often I did not know in advance if a woman I was to meet for an interview would wear one or not. As most of my interviews in France were conducted after the ones in Morocco, I intentionally sought out a significant number of women who wore the headscarf so as to provide for a more valid comparison. However, in France veiled women were often more reticent about participating in this research.

In France women started slightly earlier (at age 17) to put on the *hijab* whereas women in Morocco did not start it putting on until they were at least 19. This slim age difference is nonetheless of interest because respondents in Morocco often expressed the

⁸ This woman said she had put on the veil when she was 21 years old, but discarded it after about a year.

view that putting on the veil was a decision to be made by mature women and not by school girls who were subjected to intense peer pressure.

Because the headscarf is such a contentious issue in France (see Hargreaves in Chapter 1), I phrased questions concerning this new law very cautiously.

Table 5.5. Number of Respondents in Favor of Ban on “Overt” Religious Insignia

Do you think the law banning the wearing of “overt” religious insignia from public schools in France could have advantages?

Advantages	Yes	No	Other	Total
France	7	15	3	25
Morocco	7	20	3	30

Table 5.5. shows that the majority of women in France and in Morocco felt that the banning of religious insignia did not have advantages. Most respondents in France followed their expression of skepticism vis-à-vis the new law with a statement such as this one by Aicha, an aspiring journalist in Paris: “When Moroccans move here, they know they are not coming to a Muslim country. They were not forced to immigrate to this place. Actually, many left because they felt France was a better place for them than their own country. Once they are here, they know they have to obey the laws of this country. The French government is within its rights to pass any law it deems necessary. We know that we do not have a dictatorship here.” Though Aicha disagreed with the ban, she had not participated in demonstrations or other public expressions of opposition because she did not want to put her professional opportunities in jeopardy. Aicha said she had thought about wearing the headscarf herself, but had decided against it because she felt this would make it even more difficult to enter the mainstream job market. “It is not a big issue for me, but I can understand that school girls and university students are willing to go all out to protest against this law.”

Many of the women in the French sample felt “the media hype” focused on an inconsequential issue while ignoring the main problems affecting Muslims of immigrant backgrounds in France, namely unemployment and discrimination. Also largely absent in the public discussion on the “foulard” was a look at the reasons why girls wear the headscarf. French researchers have identified three main reasons: 1. pressure from family or friends 2. Conscious personal choice 3. to escape violence in the *banlieues*.

Though my research confirmed these findings, I also found additional reasons why women put on the headscarf. In Morocco, the *hijab* had become a fashion item with colorful scarves matching the overall outfit. Some of my respondents in Morocco made it a sport to point out the women passing by in the streets who they believed wore the *hijab* for religious reasons and those for whom this piece of fabric was a fashion statement. With some practice, I could detect the difference too. Due to the controversial nature of the Muslim headscarf in France, considerably more thought went into putting on the scarf for women there. Nevertheless, in France too, wearing the scarf was in some cases a fashion comparable to the way some young people in the West put on a T-shirt displaying an image of Che Guevara. The wearer signals a kind of rebellion against the establishment and asserts an identity without in the least supporting a communist uprising. Most of the women I interviewed in France said they had put on the headscarf against their parents’ wishes, even in cases where their own mother wore the *hijab*. There are aspects of the headscarf that are unique to France. Kepel, for example, describes the return to religious roots as the phenomenon of “re-islamization” which occurred chiefly as a result of social circumstances in the often violent suburbs, marked by unemployment and deprivation (Kepel, 1987). Being left out of the French mainstream, a renewed identification with the religion of Islam is seen as one way of asserting difference from the dominant culture.

Respondents expressed concern that the banning of the Muslim headscarf would lead to further self-segregation of Muslim communities, possibly leading to the creation of Islamic schools. As the Muslim community in France is not an affluent one, funding for those schools would have to come from outside of France as is currently the case with mosques. However, at the time I conducted my interviews, about a year after the headscarf ban came into effect, most reported that as far as they knew, schools had found

some sort of compromise to accommodate girls who wore a headscarf. In some instances, girls had been asked to wear a bandana instead of the scarf, in others they were asked to sit in the back of the class room and others had come to an arrangement where the girl would take off her scarf on school premises but put it back on as soon as she left there. In the majority of the cases though, girls did indeed take off the headscarf. Fatima explained: “For most of our families, public education is greatly valued and they would not want to diminish their daughter’s chances of getting a decent education.”

Among young women who had just passed the *baccalaureat* exams at the time of our interview, the ruling evoked a visceral reaction. Hayat who had completed high school near Etampes, a small town south of Paris, said she never wore the headscarf but she had classmates who did. She always felt awkward being pitted against her co-religionists by her French peers who felt closer to her because of her unveiled appearance. “But I am a Muslim just like the covered girls. Sometimes they chided me for not wearing the *hijab*, telling me I was not a proper Muslim. The French girls on the other hand thought I was more like them than the veiled girls. I wish there had not been this conflict and tension all the time. If none of us had been allowed to wear the headscarf, we would have looked alike and there would not have been all that bickering over who is a proper Muslim and who could be friends with whom. I think, Muslims should be allowed to wear the headscarf if they feel it is their religious duty, but quite frankly I think we would have had a lot less conflict at school if no one wore the headscarf.”

On the north side of Paris is the département of Seine-Saint Denis which includes many *quartiers sensibles*, areas containing dense concentrations of immigrant minorities where grey, identical towers of the HLM public housing projects stand side by side with little space in between the buildings. Here a bi-weekly *souk* (outdoor market where all sorts of goods are for sale and prices are negotiable) brings this dreary-looking, artificial neighborhood to life. Languages other than French dominate the market scene and on every stall lively bargaining prolongs the purchasing process. Shopping here is a cross-cultural, personal experience contrasting sharply with a quick trip to the anonymous supermarket in adjacent neighborhoods. Moving between the stalls, brushing against

women in colorful robes with babies strapped to their backs can make visitors forget that they are only a short subway ride away from the Eiffel Tower or the Champs Elysées.

Hidden in one of those drab public housing towers is a center for “filles en difficultés.” I spent several afternoons at the center, observing the goings on and talking to staff and visitors. Guests are offered mint tea in small, gold-rimmed glasses. Fatma, who runs the center, is a master of multi-tasking, talking on the phone while comforting a sobbing young woman in a chair across from her worn desk and telling an old woman in a *djellaba*⁹, also in obvious distress, to sit down and be patient. She switched back and forth between French and Arabic and in between all this flurry of activity; she leaned over to answer my questions.

By all accounts, Fatma is a liberal woman. Twice divorced, childless, living alone, fully supportive of French republican values, she once moved to Casablanca, the place her parents had left decades earlier, to work in a center for abused women. She returned to France within months, saying even a modern city like Casablanca was “too backward in mentality” for her to tolerate. But she adamantly disagreed with her liberal peers, intellectuals and feminists, who oppose the banning of the veil because they see this ruling as a violation of basic human rights. “I am sorry that I have to disagree with the people I would normally feel closest to. I know they are angry at me for supporting the ban on the headscarf. But I work here in the projects, I see every day what goes on at the schools, how the girls are getting increasingly pressured to put on the *hijab*, and mind you, not by their fathers or mothers, it is now their brothers and their peers who insist that they cover their heads. We see girls here at the center all the time who say they have been threatened if they don’t wear the *hijab*. The state has an obligation to protect these girls, they should not be bullied into putting on a headscarf. The *hijab* should be an expression of faith, but out here it is not.” Though not a practicing Muslim herself, Fatma decided to read the Qu’ran to see what it says on the issue of the headscarf or veil¹⁰ and came away believing that the Qu’ran did not require women to put on this particular piece of clothing. However, she felt that the French state handled the issue the wrong way. She

⁹ a *djellaba* is the traditional North African floor-length hooded gown which is the same for men and women.

¹⁰ *Hijab* or headscarf covers all hair and the top of the head, veil generally refers to the covering of the entire upper body and sometimes includes covering of the face.

explained that most families who came to France from North Africa a few decades ago had no idea how the French public schools system worked. Coming from a country where there is no separation of the religious from the secular, immigrants did not understand how the concept of *laïcité* functions in everyday life. Also, they came from highly authoritarian places and were used to doing as they were told. But in France no one told them what to do with regards to their children's public school education. Fatma felt rather than coming down with a heavy-handed law, the government could have used its resources to have social workers visit immigrant families and explain the French public school system to them. She went on: "Most parents are grateful that their daughters receive decent education in France and they could have been convinced without much difficulty that the headscarf is not appropriate in public schools here. Instead, it had to come to all these conflicts and now it seems the French state is on a collision course with its Muslim population."

For Fatma and those who think like her but were not equally as eloquent in expressing their position, unemployment is the real problem among the second generation. "Unemployed young men hang around in the neighborhoods and cause trouble. They need to gain some respect somewhere so they dominate or terrorize their sisters forcing them to wear the headscarf and behave in certain ways," the experienced social worker explained. "It is not the religion of Islam or the headscarf that are the main problems - it is unemployment and social exclusion." Even though Fatma's liberal outlook appeared in sharp contrast to the Islamist positions as explained by Zineb in Morocco, their analysis of the root problems of social tension is remarkably similar and their quest for social justice is fueled by a similar understanding of a state's responsibility to protect and provide equal opportunity for all its citizens.

Comments of women in the Moroccan sample on the French ban on the wearing of "overt" religious insignia focused on the complexity underlying the new law. Most opposed the law on the grounds that the headscarf as a religious expression was a matter of personal choice and the state had no business interfering with a person's religious observance. However they added that France had its laws just like Morocco has hers and therefore people needed to abide by the laws of the country they reside in, regardless of

whether they agree with them or not. There was some misunderstanding about the ban as most respondents believed that the French state was asserting her power to ban the expression of a religion that they disagreed with. When hearing that the ban affected only girls in public schools, several women responded with surprise, asking “why would young girls put on a headscarf?” Latifa, herself covered, explained that in her understanding of the Qu’ran, covering one’s head was a conscious decision made by an adult woman. “Because once you put it on, you should not take it off again. It is not a decision made lightly by a teenage girl. Here, school girls don’t wear the *hijab*.” She continued: “If you have children in an environment that you are not at home in, you need to understand this new environment without being made to feel that you are victims. In France, you do not find religion in the streets, they do not teach religion in schools as they do here. Religious education is left to the families and maybe there they encourage their children more vigorously to put on the *hijab* as a means of being true to their religious identity. Here, we know everyone is a Muslim, there is no need for overt profession of your faith. Of course France has the right to ban the headscarf but they should remember that they initially welcomed all these immigrants to do the jobs the French did not want to do. The government should have considered the fact that immigrants from North Africa are Muslims and should have thought earlier how they wanted to integrate them. To punish the second generation now is a sign that France never really thought about the religion and culture of this new population when it first arrived.”

Respondents in Morocco were concerned that the French government and the majority population evidently found it difficult to live harmoniously with its Muslim population. They saw the headscarf ban as a form of discrimination which would eventually lead to more severe problems. In the present climate of “war against terrorism” which often was perceived as a war of the West against Islam, this new law confirmed that the West was not prepared to tolerate Islam as a viable religion. Respondents saw a fundamental contradiction between the West’s posture of upholding human rights while banning the religious expression of a minority. “This confirms our suspicion that the West is the enemy of Islam and that ultimately they want to convert everyone to Christianity,” said Touria, a civil servant in Rabat. “This ruling will lend

more and more credibility to the Islamists, they are going to grow now in France and they will become more powerful, I have no doubt,” she added. Samira, a French-trained psychologist in the capital city of Rabat, said: “Muslims in France are already marginalized, this law is too brutal. Young people are given to revolt against the established system anyway, this will fuel their anger and bring them together in a way that is detrimental. This law is a trap.” She pointed to Great Britain where there has been no comparable ban. Instead, Muslim police women for instance were offered a choice of uniforms that conformed to their religious requirements and issued matching headscarves.

Questions about legal changes required respondents to comment on actual events in both countries. To gain insights to deeper held beliefs and ideas about the role of law, I also asked a hypothetical question.

Table 5.6. Number of Respondents in Favor of Standardized Family Law

Do you think France and Morocco should have the same type of family law?

Same Law	Yes	No	Other	Total
France	12	10	3	25
Morocco	3	21	6	30

Table 5.6. shows that in France half of the respondents favored a more standardized international family law while in Morocco more respondents said laws in the two countries should not be similar or even the same. However, in the Moroccan sample the question about “same family law” was unanimously understood as meaning “French” law as no one considered it possible that France would adopt aspects of Moroccan law. This demonstrated that questions, even hypothetical ones, cannot be understood outside a historic context which in this case meant that standardization is understood as re-imposing French or European dominance.

Respondents in France as in Morocco saw a strong connection between culture, identity and the law. Those in Morocco who opposed having the same law across the Mediterranean insisted that Morocco was an Islamic country with its distinct culture and tradition which needed to be reflected in the law. They emphasized that their cultural identity would be threatened if laws were the same in Europe as in North Africa. The idea of adopting similar laws in both countries brought out deep-seated fears that this would represent a new form of colonialism. The West, respondents in the sample feared, would not ever recognize contributions coming from a former colony and an Islamic one at that. Therefore any attempt for international standardization of family law was seen as a euphemism for Westernizing. Fouzia, a French-educated accountant for an international organization in Rabat, said: “We have two societies, two ways of being. We need to begin by acknowledging differences. The laws need to take cultural factors into consideration, but we should not think that Islamic law cannot adequately protect women and give them more rights. As we move forward and adjust our laws, there will be more compatibility - but it has to come from us, from within our culture.”

French respondents had a more nuanced approach to this question. The majority of women in the sample expressed the view that French laws had served them well and therefore Morocco stood to gain by adopting the type of laws that had served women in Europe to exert control over their lives. They felt the secular nature of laws did not infringe on their religious identity as Muslims. Approaching this issue from a practical perspective, Khadija, a legal assistant in Paris whose firm works with immigrants and refugees, argued that uniformity of law was ultimately a necessity. She said there was an inherent problematic caused by difference in laws. “Especially with regards to family matters, it would be much better to have a uniform law. This would help stem the tide of refugees. Our firm assists women who have fled their country because of some unbearable family situation and the failure of the laws in their home countries to adequately protect them.”

Conclusion

This comparative study showed that educated, professional women in Morocco and women of Moroccan origin in France are reasonably well-informed about important events in both countries. Women in both samples took an interest in developments that affect women on both sides of the Mediterranean. They approach interpretation and assessments of legal changes within contexts that make sense to them rather than subscribing to official discourse. Certainly, their views are shaped and influenced by their environment. They are critical of the motives for legal changes in their own place of residence as well as of the government across the shore. In Morocco, law and culture was seen as closely linked which confirms Rosen's assessment that like religion, "law is a kind of metasystem which creates order in a universe that is often experienced in a more disorderly way." Rosen argues that cultural beliefs and understanding are revealed most vividly in Islamic family law. A change of law, therefore, marks a cultural shift as well (Rosen, 1989: 17). In France, respondents perceived a clear difference between the public and the private. Public French culture with its emphasis on *laïcité* and shaped by its Catholic heritage, is not understood as a threat to private Islamic identities but clashes may occur in the public sphere. The Personal Status Code reform in Morocco was welcomed by the majority of respondents in both France and Morocco whereas the ban on wearing "overt" religious insignia in public schools in France was viewed as a controversial, complex issue on which opinions varied significantly. Beyond legal changes, respondents in both countries emphasized the need for a change of mentality and behavior.