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Women's perspectives on marriage and rights in Morocco: risk factors for forced and early marriage in the Marrakech region

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Despite the introduction of the new Family Law, or *Moudawana,* in Morocco, effectively raising the minimum age for marriage, the number of girls being forced into wedlock is rising. This increase has been a source of concern from a women's rights perspective. The present study explored women's experiences and perspectives in relation to factors that contribute to the occurrence of child and forced marriage in Morocco. Using a participatory approach, focus-group discussions and in-depth interviews were held with women in both urban and rural settings in the greater Marrakech region. Overall, 125 women, between 18 and 69 years of age, participated in the study. Our findings highlight the need for more open dialogue between (grand) parents and children. Overall, the *Moudawana* is perceived as a considerable step forward for women's rights, yet study findings show that current policy provisions are not effective in abolishing forced marriages. Findings point to the need for a redefinition of the role of organisations, women's associations and other groups, with the recommendation that they focus their future efforts on awareness-raising among older generations and refrain from directly intervening in cases of forced marriage. Sensitisation efforts, including the use of popular media, are crucial to reach members of this older population group, where illiteracy remains widespread.

Keywords: violence against women; sexual and reproductive health; child and forced marriage; Morocco

Introduction

The situation of women in Moroccan society is undergoing groundbreaking change. In particular, the reform of the Family Code, or *Moudawana,* in 2004 profoundly transformed the social and legal framework surrounding sexual and reproductive health. On multiple levels – political, legal and social – the circumstances of women are shifting. Women have a greater presence in the public sphere – particularly in the job market – and they are continuing their education in increasing numbers. This social change is reflected in sociodemographic variables, such as access to education and the declining average number of children per woman (Desrues and Moreno Nieto 2009).

For example, in recent years Morocco has achieved substantial improvements in education. Progress has been most prominent among rural girls and women. In the age category 15–21 years, the proportion of young women who had ever attended school has reached 73%. Compared to rural women aged 22–29 years, where only 40% have ever seen the inside of a classroom, this represents a considerable increase. Nevertheless,

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37.9% of urban women and 69% of rural women remain illiterate. Compared to illiteracy levels of 18.4 and 41.6% for urban and rural men, respectively, it can be seen that the discrepancy between women and men remains large (Haut-Commissariat au Plan 2010). At primary school level, the drop-out rate for girls is still a concern. Approximately 59% of rural girls and 20% of urban girls do not complete primary school (Desrues and Moreno Nieto 2009). So, despite improvement, progress remains insufficient. This is especially the case for women in rural areas.

The new *Moudawana* was the primary catalyst for change, and its impact on the dynamics of the situation for women in Morocco cannot be underestimated. For the first time in Moroccan history, the law stipulated that spouses have equal rights and duties within the family. Women were granted the right to divorce, the requirement for women to have the consent of a marital guardian *(wali)* to marry was eliminated and women were granted more rights in the negotiation of marriage contracts (Rude-Antoine 2010; Human Rights Council 2012).[1] Most importantly, the minimum marital age for women was raised from 15 to 18 years, with the aim of tackling child and forced marriages (Bordat and Kouzzi 2009).[2] Several contradictions persist regarding gender equality in the Moudawana – the authorisation of underage marriages, below the legal age of 18, being one of them. In justifiable circumstances, the *Moudawana* presents judges with the power to authorise these unions.[3] Questions are also increasingly being raised by human rights groups concerning the *Moudawana*'s application, especially with regards to the minimum marital age. Rates of child marriage have risen steadily in the years following the introduction of the new *Moudawana*. In 2007, 33,596 underage marriages took place (Elamri 2012). Figures released by the Ministry of Justice for the year 2010 reveal that 41,098 child marriages were authorised. Compared to 2009, this represents a 23.59% increase (Salaheddine 2012). With the judiciary approving over 90% of petitions, the practice of child marriage in Morocco is effectively upheld.[4] Despite the fact that underage marriage should remain an exception, it seems almost to have become the rule. Few of the applicants are male.[5] This loophole is increasingly being used to marry off girls, often as young as 15 years of age.

Forced marriage is recognised as a human rights abuse, violating a number of international human rights norms, including the rights to freely enter into marriage and to bodily and sexual integrity. As early as 1948, the right to free and full consent to a marriage was stipulated by the Universal Declaration of Human Rights (UDHR),[6] acknowledging that consent cannot be free and full when one of the parties is not sufficiently mature to make an informed decision, as is the case with child marriage (UNICEF 2005). The most widely ratified United Nations Convention on the Rights of the Child (CRC) defines a child as anyone under the age of 18 years.[7] Child marriage is explicitly mentioned in a number of international human rights instruments, most notably in the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), which states that the 'betrothal and the marriage of a child shall have no legal effect'.[8] However, many countries legally allow young people between the ages of 16 and 18 years to marry with parental consent, which raises questions regarding the concepts of childhood and marriage across cultures (Bunting 2005). This brings to light the difficulties in defining forced marriage and child marriage. While child marriage is generally included in the scope of forced marriage (Rude-Antoine 2005; Gangoli, McCarry, and Razak 2009), it should be noted that primary concern lies in incidents of forced child marriage, where explicit or implicit pressure is exerted. Research shows that young people under 18 years of age are at a higher risk of forced marriage (Hester et al. 2007). Most of these marriages are set up by parents, and girls rarely meet or get to know their future husband before the wedding (Nour 2009).

The overall prevalence of forced marriages is difficult to estimate, as victims rarely come forward. The practice is mostly hidden and incidents of forced marriage go under-reported (Samad and Eade 2002). Figures for child marriage are easier to come by, seeing that the spouses' ages at the date of marriage allow for the numbers of child marriages to be quantified. This offers an objective benchmark to assess the evolution of girls' and young women's rights.

Forced and child marriages can have considerable detrimental health and social consequences for girls and young women. These unions hinder educational development and limit opportunities and thereby seriously affect their economic status. Quite often young women in such marriages are exposed to a lifetime of domestic violence and abuse as they lack standing and power within their households, resulting in husbands having control over sexual relations and decision making (Jain and Kurz 2007). Since most brides are encouraged not to question the authority of their husbands, they are often unable to use contraception or to plan their families.

Forced marriages, and child marriages in particular, bring about a wide range of health consequences, of which girls and young women bear the greatest burden. Associations have been found between coerced first sexual intercourse and symptoms of genital tract infections (Koenig et al. 2004). Studies also report significant associations between sexual abuse and sexually transmitted infections, bacterial vaginosis and psychological disorders (Khawaja and Hammoury 2008). Because their bodies are unprepared for childbirth, young mothers experience higher rates of maternal mortality and higher risk of obstructed labour, postpartum haemorrhage and sepsis (Nour 2006; Hampton 2010). Pregnancy-related deaths are among the leading causes of mortality for 15–19-year-old girls worldwide (UNICEF 2011).

Recent figures from a study conducted by the Moroccan High Commission for Planning reveal that women who marry without consent are almost three times as likely to experience partner violence, including sexual violence, in the domestic household. Moreover, younger married women, from 18 to 24 years of age, experience a higher rate of violence than married women between 35 and 39 years (Haut-Commissariat au Plan 2011a). Another study indicates that minor girls are increasingly experiencing gender-based violence, of which sexual violence figures most prominently at 28%, compared to physical violence in 21% of the cases (Menara 2012).

Concerns are rising in Morocco over these rates of violence against women and the swelling numbers of child marriages. Against this background, the goal of the present study was to explore women's experiences and perspectives in relation to factors that contribute to the occurrence of child and forced marriage in Morocco.

Methods

Research design

A qualitative methodology was used, which consisted of both focus-group discussions (FGDs) and individual interviews. Research activities were conducted in the Marrakech region between November 2011 and April 2012. Between 2004 and 2007, the rate of poverty in the Marrakech-Tensift Al Haouz region dropped by 41.8%, which ranks the area amongst those with the sharpest decline in poverty in the country (Haut-Commissariat au Plan 2011b). Unemployment rates in the greater region of Marrakech also fell dramatically between 2010 and 2011: the urban settings in this region represent one of the few urban areas in Morocco where the unemployment rate actually dropped (from 11.4 to 9.7%), and the rural settings in the (larger) Marrakech region demonstrate the strongest decline in

unemployment compared to the national level (from 2.3 to 1.2%) (Haut-Commissariat au Plan 2011b).

Despite this large decrease in the numbers of those in poverty, reports suggest that child marriage in this region is on the increase. Figures point to significantly higher levels (18.94%) of child marriages in Marrakech, compared to other regions (LDDF 2006; Belhaj 2008; Khalloufi 2013). Women in the larger Marrakech region also, in general, continue to demonstrate the lowest age at first marriage (under 25 years) in the country (Haut-Commissariat au Plan 2011b). Together with our partner organisation in Marrakech – *Association El Amane pour le Développement de la Femme* – we identified locations in urban and rural settings to carry out the research. Extending the research to both rural and urban areas allowed the role of context to be explored in greater depth. In each setting, a local women's association was approached and involved in the research activity. The participation of local associations facilitated the recruitment process and ensured that participants had access to a support network if the need presented.

Saturation of qualitative themes is usually reached after at least two FGDs with each group of interest (Guest, Bunce, and Johnson 2006). In total, seven FGDs were held: three in the urban setting of the town of Marrakech and its suburbs and four in rural communities in the region, allowing for a cross-section of participants from a wide range of backgrounds. Two of these rural FGDs took place in communities located approximately 35 km from Marrakech (Loudaya and Tamazozt) and two in communities between 50 and 70 km from Marrakech (Sidi Ezwin and Imlil), incorporating a range of different rural contexts. In addition to the FGDs, interviews were conducted with two or three women in each setting, totalling 19 interviews. These interviewed women did not participate in the FGDs. This allowed for a crosscheck and validation of the data from the FGDs. Interviews lasted for about one hour and focus groups for approximately 90 minutes.

In three of the focus groups, the Intergenerational Dialogue approach was used (GTZ 2005). This particular method was developed to promote constructive and consensual change of harmful practices, such as female genital mutilation and forced marriages. Through local organisations, community-based dialogue is held in which young and old discuss controversial themes such as gender roles, sexuality, traditional values and practices, with mutual respect.[9]

The inclusion criteria for the study were being female, Moroccan and 18 years of age and older. These criteria were laid down in order to capture women's experiences across all age groups and to be able to initiate the Intergenerational Dialogue method. Participants were divided into the following age categories: 18–29 years (young women) and 30–69 years (older women). The Intergenerational Dialogue approach was used in focus groups where both age categories were approximately evenly matched. The remaining focus groups consisted of predominantly older or younger women. In the results section, the setting and predominant age category of the focus groups is indicated, as well as the age of the participants when referring to a specific quote. Only one person per household participated in the research activities, following WHO recommendations on researching violence against women (Ellsberg and Heise 2005). Characteristics of all participants are summarised in Table 1. An overall total of 125 women was included in the study (106 FGDs and 19 interviews).

Prior to data collection, a team comprising four female community workers received training in facilitation and interviewing skills, confidentiality protection and the focus-group and interview guides. A script for the FGDs and a semi-structured questionnaire for interviews were developed to explore perceptions of marriage, partner choice, factors leading to forced marriage and child marriage, preventive aspects (obstacles in preventing child and forced marriage) and decision-making power in relationships. Statements based

Table 1. Profile of participants (from focus-group discussions and interviews).

Overall total (n = 125)	Rural (n = 77, 61.6% of total)			Urban (n = 48, 38.4% of total)		
Age group	18–29 years (n = 36)	30–69 years (n = 41)	%	18–29 years (n = 22)	30–69 years (n = 26)	%
	n (%)	n (%)		n (%)	n (%)	
Illiterate	9 (25.00)	31 (75.61)	51.95	2 (9.09)	16 (61.54)	37.50
Primary school	17 (47.22)	5 (12.20)	28.57	11 (50.00)	3 (11.54)	29.17
Secondary school	8 (22.22)	5 (12.20)	16.88	4 (18.18)	6 (23.08)	20.83
University	2 (5.56)	–	2.60	5 (22.73)	1 (3.85)	12.5
Married	10 (27.78)	35 (85.37)	58.44	8 (36.36)	16 (61.54)	50.00
Unmarried/single	25 (69.44)	5 (12.20)	38.96	14 (63.64)	6 (23.08)	41.67
Divorced	1 (2.78)	1 (2.44)	2.60	–	4 (15.38)	8.33

on the Sexual Relationship Power Scale tool (Pulerwitz, Gortmaker, and DeJong 2000) were included in the semi-structured questionnaire, to which participants expressed their personal level of agreement or disagreement. Ideas and themes expressed in earlier FGDs and interviews were discussed in subsequent interviews.

The FGDs and interviews were held in Arabic or Berber. Audio recordings were transcribed and transcripts of Arabic or Berber FGDs and interviews were translated into Dutch.

The purpose of the study and the terms regarding recording of the group discussion or interview and anonymity were explained at the beginning of every FGD and interview prior to obtaining the participants' consent. This study received ethics approval from the Ethics Board of the Faculty of Medicine & Health Sciences of Ghent University and was exempted from ethical approval by the Comité d'Ethique pour la Recherche Biomédicale of the Faculty of Medicine and Pharmacy of Université Mohammed V in Rabat, Morocco, on the grounds that it is not concerned with biomedical research and does not involve (experimental) interventions on human subjects.

Data analysis

The theoretical model developed by Hooghiemstra (2001) was used to explain marriage dynamics and patterns in the choice of a partner. Besides structural macro-level factors in the wider societal and demographic context, this model also encompasses the role of social networks and family (meso-level) in the more immediate environment and micro-level facets such as personal characteristics (including beliefs) and preferences.

Thematic qualitative analysis was conducted, in which patterns or themes within the data were reported and analysed using framework grids (Ritchie and Lewis 2003). Grids consist of raw data extracted from the interviews and group discussions. This form of data reduction allows for an easily accessible and transparent tool for analysis. Raw data was sorted by theme and placed in the relevant part of the theoretical model through which a conceptual framework of themes and sub-themes was developed, allowing significant factors to emerge. Thematic concepts expressed by a majority of participants were defined as comprising essential domains.

Two authors independently scrutinised transcriptions, field notes and documents and identified common themes among the data. These two authors compared notes, reconciled any divergence and independently reviewed the transcripts. Findings were consecutively discussed between all first-hand data collectors.

As participants' verbatim comments are used in what follows, they have been anonymised to protect participants' identities. Participants' quotes are presented with the research ID assigned to the group or individual during the study (for example, FGD 1, 2, etc. or Participant 1, 2, etc. for interviews) and reference is made to their age (for example, 22 years).

Results

Results are presented according to the themes highlighted in relation to the analytical framework. Six major themes in total arose from the data.

Financial dependence

One of the most quoted factors leading to a forced marriage was financial dependence on the father, or the household in general, which plays a more significant role in poor families. Despite rates of poverty dropping in the region (Haut-Commissariat au Plan 2011b), lack of resources remains a key motive for urging a child to marry before the legal age (Sourgo 2013):

> Girls and young women are forced to marry to alleviate the financial burden on the family, so the expenses for the daughter can be cut out of the family budget, which benefits the other children. (FGD 4 – older women and rural setting: 40 years)

Participants repeatedly highlighted the effects of not being able to work or study – two subjects that were often mentioned together:

> The father provides for the whole family, so he looks for ways to lessen the financial burden by marrying off his daughter. But the girl should be able to finish her education and work so she can marry on her own accord. (Participant 6: 29 years)

> Some fathers believe that investing further in their daughter's education is a waste of money. Even if she does study and get a job, she'll marry and her husband will benefit from her income. So the father thinks it's advantageous for him to marry her off earlier so he doesn't have to pay for her education and the husband has to maintain her from then onwards. (FGD 4 – older women and rural setting: 45 years)

Not only were the effects of being financially dependent on the father made clear, some participants elaborated on its potential detrimental consequences in a subsequent marriage:

> If the woman is not working, she has no bargaining power with her husband and dares not argue for fear that he'll divorce her and she'll have to return to her parental home with her children, and fears … that she'll be marked as a divorced woman. However, when a woman works, she's stronger and can defend herself. (FGD 3 – intergenerational and rural setting: 23 years)

Customs and social norms

In the spirit of safeguarding the honour of the girl or young woman, and, through her, the honour of the family, forced marriages often occur. Parents 'fear that their daughter will create problems and bring shame on the family' if she remains unmarried for too long (FGD 4 – older women and rural setting: 35 years).

> Fathers are vigilant to respect cultural norms whereby a girl may not exceed a certain age for marriage. (FGD 3 – intergenerational and rural setting: 37 years)

> Fathers still have this backward notion that if the daughter doesn't marry early on, nobody will ask for her hand in marriage and she'll stay home a spinster, and will not be accepted by

> anyone. Even if someone would want to marry her later on, others would not allow him to go ahead with the marriage because of his age, because he should marry a 20-year-old or younger. (Participant 2: 24 years)

> They only think about marrying off their daughter and 'covering her up' so she doesn't become a source of shame, or to avoid problems, such as the parents finding out that she has a relationship with someone, or out of fear that she won't end up married. (Participant 13: 40 years)

According to participants, parents also want to protect daughters from 'social diseases, such as rape or abduction', which occur more in rural areas. (Participant 3: 22 years).

Insufficient legal protection

Among participants, there was an overall acknowledgement that the existing legal framework does not suffice or is not enforced properly:

> There are no laws protecting girls against their parents and against being forced to marry, sometimes as early as 13 or 14 years. (FGD 3 – intergenerational and rural setting: 18 years)

> The woman has no right whatsoever because our legal provisions aren't strict enough. (FGD 7 – older women and urban setting: 35 years)

Not only was it deemed necessary for existing legislation to be enforced more often (FGD 6 –intergenerational and urban setting), numerous participants also called for the introduction of a law that formally forbids forced marriages (Participant 1: 27 years; Participant 2: 24 years; Participant 5: 26 years). The plea for a specific criminal law against forced marriage is, for the most part, motivated by the accompanying prison sentence and its deterrent effects on forced marriage rates:

> If stricter legislation would actually penalise it [forced marriage] with a prison sentence and a monetary penalty, then it is still possible to prevent it. However, at the moment there are [general] laws, but the overwhelming majority of them are not enforced. People do what they want and shove the law aside. (Participant 13: 40 years)

To illustrate the lack of enforcement, participants testified to the presence of corruption with regards to the legal minimum age for marriage:

> Some families give money to conclude the marriage more swiftly and before the girl reaches the minimum age. (FGD 3 – intergenerational and rural setting: 39 years)

> There are ways to circumvent the law .... Institutions that conduct the wedding ceremony are bribed in order for marriage to take place at a younger age. (FGD 4 – older women and rural setting: 38 years)

> Transgressions occur regarding the legally established minimum age through bribery to speed up the marriage. (FGD 5 – young women and urban setting: 25 years)

At the official signing of the marriage licence, it is 'apparent that the fathers speak more than the couple [those getting married]' (Participant 8: 26 years). For that reason, participants suggest making a rule that allows only the future husband and wife to attend the official ceremony, thereby limiting outside interference and encouraging the partners to freely express their opinion in front of the judge or official (FGD 4 and 5; Participant 8: 26 years; Participant 9: 47 years; Participant 12: 32 years).

Role of organisations

In order to prevent forced marriage, participants recognised the importance of women's associations and non-governmental organisations in raising awareness, while also

providing support to victims. However, according to participants, in the acute phase, when a girl or young woman is being forced into marriage, the initial involvement of organisations should be avoided in favour of other relatives or close family friends who might mediate on her behalf:

> If you are a relative or friend, you can argue with her father and convince him not to go ahead with the forced marriage. Whereas, if someone other than a close relative or family friend intervenes, the father or parents will not agree or listen because they'll think that person wants their daughter to remain unmarried, and, consequently, bring shame on the family. (Participant 6: 29 years)

> I only help if I know the people, by advising the parents and making them aware of the consequences of forced marriage. Otherwise, if you don't know the family personally, they'll break off all contact and not speak to you again. (Participant 7: 32 years)

The influence of family and friends in preventing forced marriages at the critical phase is paramount, and has more chance of succeeding, as the following respondent testifies:

> Someone asked for my niece's hand that she did not like. My sister-in-law and myself formed an obstacle against the decisions of her brothers because she did not want to marry him. Her whole family was committed to her marrying him. We continued to support her until her family finally rejected him. (Participant 9: 47 years)

According to participants, in order to prevent ensuing problems in the relationship between father and daughter, organisations should not seek to threaten the father's authority. If the father's authority remains intact, it can appear as if he made the decision to let his daughter choose whether she wanted to go ahead with the marriage or not. Such a view was expressed as follows: Strangers should not intervene, so the father still has the freedom of choice (Participant 13: 40 years).

The importance of not creating problems for the girl or young woman is strongly emphasised, because 'if she would run into trouble with her parents, she would end up suffering more and so it is therefore better only to intervene if it would help the situation' (Participant 13: 40 years). Participants recognised how crucial it is to maintain a dialogue between parents and their daughter in a respectful atmosphere.

Women's associations, human rights organisations, non-governmental organisations and so on are called upon to take on awareness-raising events and to organise a platform for the exchange of information and, more importantly, for learning from each other. When asked about prevention of forced marriage, participants perceived the need to 'increase the role of organisations by holding information sessions or gatherings to share experiences and to design a better protection mechanism so people can avoid the dangers' of a forced marriage (FGD 4 – older women and rural setting). Peer-to-peer education and sensitisation, by 'getting people to come forward with their problems for others to benefit from them', was recognised as a powerful way to raise awareness and offer practical solutions (FGD 5 – young women and urban setting). Participants highlighted that organisations play a vital role in rendering the topic acceptable for conversation, including through the use of mass media (FGD 2 – intergenerational and rural setting; FGD 6 – intergenerational and urban setting).

The generation gap

Among members of the older generation, a certain submissiveness or acquiescence was noted. They strongly advocated girls and young women accepting their fate and somehow making the forced marriage work. Almost all of these women were illiterate, but came from both rural and urban settings:

> In a forced marriage there used to be mutual respect regardless of the presence of minor problems. But in the face of problems, they would try to make the marriage work. This is in stark contrast to forced marriages today. (FGD 3 – intergenerational and urban setting: 40 years)[10]

Older women were vocal about listening to the counsel of the fathers and actually following their advice, calling for a girl or young woman to 'reason with her head more than her heart because fathers have more experience' (Participant 11: 34 years). The stance of these women essentially suggests that potential victims of a forced marriage should let themselves be convinced by their fathers or older relatives to go ahead with the unwelcome marriage and, above all, convince themselves that they actually want to marry the proposed partner. Preventing problems in the relationship with the father is an important reasoning behind this, in order to avoid what they perceive as 'greater harm', claiming that 'It is better for the girl to cooperate and go ahead with the forced marriage' (Participant 14: 60 years).

The FGDs in which the Intergenerational Dialogue method was applied demonstrated that members of the younger generation was already more outspoken and aware of their rights, but those at risk do not dare go against the wishes of their parents and older relatives. Unless an older relative or close family friend with some degree of authority or influence supported them, they were often forced into the marriage, effectively allowing this practice to continue.

Effects of forced marriage on the decision-making power in a relationship

The individual interviews, which included some statements from the Sexual Relationship Power Scale tool (Pulerwitz, Gortmaker, and DeJong 2000), demonstrated a strong correlation between a forced marriage and having no decision-making power. Participants were presented with the following statements:

- Most of the time, we do what my partner wants to do.
- My partner has more say than I do about important decisions that affect us.
- My partner tells me who I can spend time with.
- My partner won't let me wear certain things.
- I have sex if my partner wants me to, even if I don't want to.

Compared to women who freely chose their spouse, those who declared that they had been forced into their marriage systematically answered 'yes' to just about all of the statements. Out of the 19 interviewees, 8 declared that they had been forced to marry. These women end up having barely any say in the relationship. According to them, this is 'because he's the man' (Participant 14: 60 years).

When prompted to clarify the reasons why these women have so little power in their marriages, participants affirm an ingrained belief that 'the wife must do what the husband wants and she may not disobey, so there won't be any problems between them' (Participant 6: 29 years). Moreover, 'it is important that he controls you so you become like a machine that he operates as he sees fit … I don't have the right to decide [about sexual relations]. He decides everything' (Participant 17: 42 years).

These partner dynamics are a consequence of the overall dependence of women, especially financial dependence, on the male figures of the household, beginning with their father. This helplessness continues after they are married off. In a way, dependency is perpetuated throughout the role transition from daughter to wife: If I would not consent to sexual relations, he could leave me without money (Participant 9: 47 years).

Even some women who declared they were married 'in a traditional manner', which was not forced, agreed to a fair amount of statements – for example, claiming that 'I don't dress the way I'd like, and sometimes my husband forbids me to go to certain places' (Participant 12: 32 years).

Discussion

The importance of specifically directing efforts towards the older generation of parents and grandparents emerged as a priority from this study. As a result of the use of the Intergenerational Dialogue method, participants repeatedly emphasised the need for more opportunities to have an open dialogue between parents and children. With young women and girls being pressured by their elders, they frequently do not dare to effectively claim their right to freely enter into marriage.

A literacy rate of 25.7% of the population from the age of 54 years onwards demonstrates that illiteracy remains widespread among the older generations (Haut-Commissariat au Plan 2010). This is mirrored in the participants' profiles. Over 75% of rural women and 61% of urban women older than 30 years are illiterate. This is in stark contrast to younger women, among whom only 25 and 9% are illiterate, respectively (see Table 1). The need for increased awareness of the detrimental consequences of forced marriages is crucial among the older population group. Research results illustrate that older relatives and close family friends can play a fundamental role in preventing a forced marriage in the acute phase. An initial involvement of women's associations or organisations was, however, considered to undermine the father's authority and could be detrimental to the victim. Therefore, participants plead in favour of relatives, other than the parents, and close family friends mediating on behalf of the girl or woman at risk. This allows the relationship between the potential victim and her family to remain intact. On the other hand, women who openly oppose the will of their fathers are subject to intimidation and ostracism from their families, rendering them cut-off and alone in a male-dominated public space (Sadiqi and Ennaji 2006). Instead of directly intervening in cases of forced marriage, participants call for organisations to gear their sensitisation efforts towards the older generations. The use of mainstream media for this aim, such as television and radio, was highly recommended.

Study results illustrate that family size and composition indirectly give rise to forced marriage. This holds true for rural areas in particular. Compared to urban settings, fertility rates in rural households continue to be higher (Desrues and Moreno Nieto 2009; Haut-Commissariat au Plan 2010). Resources must be spread over a larger number of family members, diminishing opportunities to pay for children's schooling and, as a result, prompting the head of the household (mostly the father) to marry off any daughters at a young age. Additionally, several generations often live together in rural areas, a phenomenon that is more rapidly decreasing in urban settings (Desrues and Moreno Nieto 2009; Haut-Commissariat au Plan 2010). Consequently, grandparents and older relatives have greater influence on household decisions in rural settings. This increases the likelihood of older generations passing on their upbringing to the children in the household. If they, themselves, were forced to marry by their parents, the likelihood of applying this same treatment to the girls and women in the family increases (Sabbe et al. 2013). This underscores the need for awareness and education, primarily among older generations, in order to make them conscious about perpetuating underlying patterns and beliefs.

Closely linked to the above is the significance of family honour, safeguarded through the status and actions of the girl and young woman. In order to prevent shame on the family, the results demonstrate that women are married off at a young age to avoid problems later on, such as pre-marital relationships and rape or abduction. Rates of sexual violence against minor girls are increasing (Menara 2012), therefore parents and older generations are prompted to push their daughters into wedlock, by force if necessary. Furthermore, the fact that sexual relations outside of marriage are illegal and abortion is criminalised as a public morality offence, compels judges to give their approval in order to legalise the situation for pregnant girls (Zoglin 2009; Siham 2011).[11] This could, in part, explain the increase in child marriages in recent years.

Taking Morocco's wider contextual policy framework into account, the implementation of the new Family Code has been a major catalyst in the advancement of women's rights in the sphere of marriage (Sadiqi 2008; Eisenberg 2011). Yet participants emphasised that the existing legal framework does not suffice or is not properly enforced. The suicide, in March 2012, of Amina, referred to by a number of participants, offers an irrefutable example of how the legal system falls short in protecting women from forced marriage and sexual violence. Sixteen-year-old Amina had been raped and, subsequently, married off to her rapist. Unable to bear the betrayal and violence in the marriage, Amina decided to take her own life.[12] Article 475 of the Moroccan Penal Code endorsed this forced marriage, effectively allowing the perpetrator to escape punishment and a prison sentence by marrying his underage rape victim. In a society that criminalises sexual relations outside of marriage, the practice was encouraged to avoid family shame. After mass protests to abolish this rule, the Ministry of Justice announced a reform to the highly criticised legal provision in January 2013. However, human rights organisations point out that the Penal Code still contains many provisions that discriminate and do not protect women against violence, such as conjugal rape (Amnesty International 2013; Associated Press Morocco 2013; Le Monde 2013).

Results from the Sexual Relationship Power Scale tool in this study demonstrate that participants who were forced into marriage have little say regarding sexual relations. In effect, it appears that they suffer ongoing conjugal rape in their marriage, for which the law offers no protection due to the fact that conjugal rape is not penalised in the current criminal code. In contrast, pre-marital and extra-marital consensual sexual relations are prohibited and punishable with prison sentences up to one and two years, respectively.[13]

Conversely, participants drew attention to the fact that forced marriage, in itself, is not specifically criminalised as an offence in the Moroccan Penal Code. Moreover, the levels of corruption quoted by participants to circumvent the minimum age for marriage, underscore the sentiment that the law does not offer sufficient protection. To counter this, participants put forward the recommendation of adding a provision to the *Moudawana*, stipulating that only the future husband and wife are allowed to be present at the official signing of the marriage licence in front of a judge or civil servant. Such a measure would effectively limit outside interference, curbing familial pressure at the decisive moment.

Too much emphasis on the macro-level policy framework, however, draws attention away from the vital necessity to target the older population groups and from the need for dialogue between generations. Organisations and associations are faced with the challenge of creating a platform for dialogue and exchange for grandparents, parents and children, while simultaneously increasing the visibility of the topic through the media at large.

Conclusion

Despite the introduction of the new Family Law, or *Moudawana,* in Morocco, effectively raising the minimum age for marriage, the number of girls being forced into wedlock is on the rise. This increase has been a source of concern from a women's rights perspective. This study aims to explore women's experiences and perspectives in relation to factors that contribute to the occurrence of child and forced marriage in Morocco.

The need for more open dialogue between (grand)parents and children was strongly emphasised. Pressure from older generations was reported to be the main determinant of child and forced marriage, even in situations where the victim was well aware of her rights. Sensitisation efforts using television and radio are crucial to reaching this older population group, in which illiteracy remains widespread. The results redefine the role of women's associations, social workers and so on, with the recommendation to focus their efforts on awareness raising among older generations and refraining from directly intervening in (risk) cases of forced marriage. Influential relatives, other than the parents, and close family friends have a greater chance of preventing a forced marriage.

In addition to poverty, the notion of family honour is an important factor for (grand) parents in subjecting their (grand)children to a forced marriage and, moreover, this concept is upheld by the law. Participants pointed to the ineffectiveness of the current legal framework in Morocco, which punishes consensual sexual relations outside of marriage, yet does not criminalise forced marriage or conjugal rape. Participants recommend adding a provision to the *Moudawana* stipulating that only the future husband and wife are allowed to be present at the official signing of the marriage licence, effectively reducing family pressure and interference at the decisive moment.

Overall, despite the fact that the legal framework, and specifically the *Moudawana*, have received much attention as a step forward for women's rights, the reality is that forced and child marriages remain common, at least in this research setting. Targeting the older population groups is a vital necessity. Organisations and associations are faced with the challenge of creating a platform for dialogue and exchange for grandparents, parents and children, while simultaneously increasing the visibility of the issue through the media at large.

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Notes

1. The *Moudawana* came into force on February 5, 2004.
2. Article 19 *Moudawana* (Global Rights 2005). For boys, the age limit to enter into marriage was always set at 18 years.
3. Article 20 *Moudawana* (Global Rights 2005).
4. In 2010, the approval rate was 92.2% (Elamri 2012).
5. Requests for underage boys to marry comprise only a tiny fraction of the total. In 2007, this category represented 0.98% of all official requests (Portail Juridique du Ministère de la Justice).

6. Article 16(2) UDHR.
7. Article 1 CRC (1989). Morocco ratified CRC in 1993.
8. Article 16(2) CEDAW (1979). Morocco ratified CEDAW in 1993.
9. Evaluations of this method show that the quality and quantity of communication between the generations improved significantly (GTZ 2005). This study did not include an evaluation of the Intergenerational Dialogue approach. However, research data from the focus groups provide a basis for comparison between focus groups where the method was applied and those comprising only one age category.
10. All older women in this group were illiterate.
11. Articles 490–491 Code Pénal 1962 and articles 449–458 Code Pénal.
12. The following resources provide more information about this incident: http://www.bbc.com/news/world-africa-17379721; http://america.aljazeera.com/articles/2013/11/22/moroccan-teen-marriedtoherrapistcommitssuicide.html
13. Articles 490–491 Code Pénal 1962.

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Résumé

Malgré l'introduction de la nouvelle loi sur la famille, ou *Moudawana*, au Maroc, qui relève l'âge légal du mariage, le nombre de filles forcées à se marier est en augmentation. Du point de vue des droits des femmes, cette augmentation est préoccupante. La présente étude explore les expériences et les perspectives des femmes, relativement aux facteurs qui contribuent à la prévalence des mariages d'enfants et des mariages forcés au Maroc. Basés sur une approche participative, des groupes de discussion thématique ont été conduits avec des femmes dans des environnements urbains et ruraux de l'agglomération de Marrakech. Au total, 125 femmes âgées de 18 à 69 ans ont participé à l'étude. Nos résultats mettent l'accent sur la nécessité d'un dialogue plus ouvert entre (grands)parents et enfants. Globalement, la *Moudawana* est perçue comme un progrès considérable pour les droits des femmes, pourtant, les résultats de l'étude montrent que les dispositions actuelles de la loi ne sont pas efficaces en ce qui concerne l'abolition du mariage forcé. Ils soulignent la nécessité de redéfinir le rôle des organisations, des associations de femmes et d'autres groupes, avec pour recommandation que celles-ci se concentrent sur leurs futures campagnes de sensibilisation parmi les générations les plus âgées et se retiennent d'intervenir diréectement dans les cas de mariage forcé. Les campagnes de sensibilisation qui incluent le recours aux médias populaires sont essentielles pour atteindre les personnes dans ce groupe de population plus âgé dans lequel l'analphabétisme reste répandu.

Resumen

Pese a la introducción de la nueva Ley Familiar o *Moudawana* en Marruecos, que ha elevado la edad mínima para casarse, sigue aumentando el número de chicas obligadas a contraer matrimonio. Desde la perspectiva de los derechos de la mujer, este aumento ha sido motivo de preocupación. En este trabajo analizamos las experiencias y perspectivas de las mujeres con relación a los factores que contribuyen al matrimonio forzado infantil en Marruecos. A partir de un enfoque participativo, se organizaron charlas en grupo y entrevistas exhaustivas con mujeres tanto en entornos urbanos como rurales en la región de Marrakech. En total participaron 125 mujeres entre 18 y 69 años en este estudio. Nuestros resultados ponen de relieve que es necesario un diálogo más abierto entre los padres, los abuelos y los hijos. En general, el *Moudawana* se considera un importante paso adelante para los derechos de las mujeres, sin embargo, los resultados del estudio indican que las actuales disposiciones políticas no son eficaces a la hora de abolir los matrimonios forzados. Nuestros hallazgos señalan que es necesaria una redefinición del papel que desempeñan las organizaciones, las asociaciones de mujeres y otros grupos, y recomendamos que en el futuro enfoquen sus esfuerzos en acciones de concienciación para generaciones mayores y no intervengan directamente en los casos de matrimonios forzados. Las campañas de sensibilización, que podrían incluir el uso de medios populares, son fundamentales para llegar a los miembros de este grupo de población más mayor donde el analfabetismo está muy extendido.