



Assessing the Quota Experiment in Morocco: Between Electoral Control and the Creation of Female Elites

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Introduction

The absence of female political elites in Morocco raises a major issue; it goes beyond the mere underrepresentation of women in elected institutions and questions the conditions for producing political elites and the rules governing this production. Despite the legal and constitutional gains women have made over the past two decades, they remain far from positions of real decision-making power within parliament, political parties, and government. This raises questions about the effectiveness of existing laws and institutional regulations in supporting the rise of a genuine, independent, and effective female political class. This paper will analyze the issue by examining the relationship between legal texts, political actors, decision-making dynamics, and actual policy outcomes. This question becomes even more acute when women in a political and institutional context with limited possibilities are expected to perform exceptionally, which is often presented as a condition for the legitimacy of their presence. This imposes on them a burden of proof that is not demanded with the same intensity from their male counterparts and is inconsistent with the real conditions that produce political elites in general.

This analysis presumes that the absence of female elites is due not only to cultural or social factors, as has been emphasized in much of the literature. There are specific political and legal choices that have defined the limits and pace of women's participation and integration – through electoral laws or the internal regulations of the two houses of parliament – that control the distribution of responsibilities and positions of power within the legislative institution. These rules, while seemingly neutral on the surface, contribute to the gender hierarchy within the political sphere, excluding women from decision-making circles and limiting their participation to symbolic or marginal roles. This paper also aims to evaluate the experience of the quota system in Morocco over two decades of implementation, analyzing its legal and political trajectory and monitoring its impact on women's representation and the creation of a female political elite; it concludes with practical proposals for quota system reform that would transition it from a mere mechanism for electoral regulation to an effective tool for women's empowerment.

The Emergence of Quotas and the Path to Parity

Promoting women's political participation can be considered one of the challenges of inclusive development in Morocco. In the early 2000s, lawmakers chose to adopt a quota system as a mechanism for positive discrimination with the aim of addressing the underrepresentation of women in elected institutions and ensuring their access to political decision-making positions.

Human rights literature defines quotas as a temporary legal measure that allocates a percentage of seats within a body or institution to a specific group (such as women or minorities) with the aim of correcting historical imbalances in representation and enabling the target groups to gain experience and participate effectively in decision-making.¹ These measures cease to apply once their objective of achieving equal opportunities and equal treatment has been achieved.² The Kingdom of Morocco first adopted quotas in 2002 on the basis of a political consensus between the parties; they were subsequently enshrined in the 2011 constitution, which elevated the principle of equality to the status of a constitutional objective through Article 19, which states that **“the State shall strive to achieve the principle of equality between men and women and shall establish a body for equality and the fight against all forms of discrimination to this end.”**³

Article 19 of the 2011 constitution is a fundamental reference point and a qualitative leap in granting women the status they deserve, for which they have fought for decades. Morocco has entered a phase of “democratic equality” that governs the behavior and actions of all officials and responsible bodies. This constitutionalization was preceded by the efforts of civil society organizations and women's struggles that accompanied the February 20 Movement. Among the prominent movements at the time was the Movement for Equality, which united many women's organizations and fought for the constitutionalization of women's rights. These movements submitted a memorandum to the Advisory Committee for Constitutional Review, calling for the adoption of the principle of equality and the constitutionalization of positive measures and equality, as well as a range of other women's rights.

To understand the prevailing context, it is important to pause at the constitutionalization of parity. The 2011 constitution came in a distinctive international political context and carried a number of advanced provisions that went beyond the reality at the time, both at the legislative and social levels, and which were therefore difficult to implement. The 2011 constitutional commission wrote Title II of the constitution on fundamental freedoms and rights: it established equality between men and women in the civil, political, constitutional, economic, social, and cultural sphere; and rights and freedoms were enshrined in the constitution, as well as in the international conventions and covenants ratified by Morocco. Article 19 stipulates that the state shall strive to achieve the principle of equality between men and women. It also contains a provision for the establishment of a body for ensuring equality and combating all forms of discrimination, and along with Article 164 defined its powers: provide opinions and recommendations and monitor national legislation and policies to ensure equality.

It seems that the constitutional commission, by stipulating the principle of gradualism in the pursuit of equality, was aware that there would be a societal delay in accepting this

principle. This choice is also based on the notion that equality, in its ultimate form, should be achieved naturally within society, after the necessary cultural, political, and institutional conditions have been created. In this context, legal mechanisms are merely transitional means aimed at facilitating women's representation, empowering women to engage in political life, and acclimating society to female leadership. This would ultimately lead to the consolidation of women's positions within political parties and representative, civil, trade union institutions without the need for constant corrective interventions.

However, despite the constitutional provision for the creation of this authority under Articles 19 and 164, this commission, whose law was ratified and published in the Official Gazette in October 2017, has not yet seen the light of day despite three successive government terms. This obviously hinders its role in promoting women's rights and framing the expected reforms, particularly with regard to the Family Code.⁴ The constitution imposes a duty on the state, its people, and its institutions to strive for gender equality. However, progress in this direction remains weak, given the lack of political will on the part of political parties and the weakness of the Moroccan feminist movement.

Also despite this advanced constitutional framework, the implementation of quotas has remained subject to multiple concerns, most notably electoral control and the reshaping of the party map rather than the empowerment of women. This is confirmed by a number of indicators, including: the weak representation of women outside the reserved lists; the emergence of political migration, whereby some female candidates are drawn away from their natural party paths to make a token appearance; the dominance of family and kinship ties in the selection of quota beneficiaries, which limits its empowering dimension; and geographically and sectorally unbalanced representation.

The Quantitative Development of Women's Representation in the House of Representatives Under the Quota System

Since the adoption of the quota system in Morocco in 2002, women's representation in the House of Representatives has seen remarkable quantitative development, initially linked to political consensus and then reinforced by the constitutionalization of parity in 2011 and amendments to electoral laws. The electoral system prior to 2002 did not include any provisions emphasizing positive discrimination. Therefore, before the adoption of the national list system⁵, women had only been elected to parliament four times, through the single-round, single-member constituency system. The four cases occurred in the House of Representatives, two in 1993 and two in 1997, and broke the male monopoly on parliamentary representation that had lasted since elections began in Morocco in 1963.⁶

The table below reflects the quantitative evolution over the last five electoral cycles, illustrating the relationship between the legal formula adopted and the number of seats women obtained, whether through quotas or outside of them.

Table 1: House of Representative seats won by women since adoption of the quota system

Election year	Legal formula for quotas	Quota seats held by women	Non-quota seats won by women	Total seats held by women	Women’s seats as percentage of all seats ⁷
2002	National list; • 30 seats for women	30	5	35	10.77%
2007	National list; • 30 seats for women	30	4	34	10.46%
2011	National list of 90 seats: •60 seats for women	60	7	67	16.96%
	• 30 seats for young people	-NA-	-NA-		
2016	National list of 90 seats: • 60 seats for women	60	10	81	20.51%
	• 30 seats for young people	11 (women in the youth list)	-NA-		
2021	Regional list: • 90 seats for women	90	6	96	24.30%

Note: Data comes from the Ministry of the Interior on the results of the 2002, 2007, 2011, 2016, and 2021 legislative elections and reports of the Inter-Parliamentary Union on women in parliaments.⁸

The data provided in the table allows for the following observations:

1. Although the quotas in 2002 were the result a political agreement between parties instead of a binding legal provision, they nevertheless resulted in a national list of 30 seats reserved for women.⁹
2. The quota decision represented a qualitative leap toward a new phase of women’s political empowerment and a break with the previous phase wherein women held no more than one or two seats.
3. The political nature of the agreement – lacking any legislative obligation or strategic vision – meant that the early stages of the quota were more of a circumstantial electoral measure responding to international contexts than a structured public policy for the long-term empowerment of women.¹⁰

The table shows that the 2011 constitution marked an important turning point, as the quota shifted from a consensual mechanism to an explicit constitutional commitment in Article 19; this was translated into a legislative amendment raising the quota to 60 seats reserved for women in a national list of 90 seats. The immediate result was an increase in women's representation to 17% in the 2011 elections. However, a reading of this numerical jump in light of the table reveals that it was mainly the result of an expansion of the reserved quota, rather than a real expansion of women's ability to compete in local constituencies. In other words, the increase in numbers was not the result of shifts in political culture or party nomination mechanisms.

In the 2011 legislative elections, a national list of 60 seats was reserved for women, while a national list for men was reserved for those "under the age of 40 on the date of the election", as if women under that age were incapable of entering parliament.¹¹ This provision was amended in the 2016 elections, and women won 11 of the 30 seats reserved for young people.

The results of the 2016 legislative elections, in which the same legal formula was maintained, reveal that there was no qualitative improvement, as the number of seats won by women outside the national list remained virtually unchanged. The figures in the table show that, despite its effectiveness in increasing the overall number, the quota has not succeeded in creating a sustainable dynamic for women's entry through local constituencies. This reflects the limited structural impact of legal reforms when they are not accompanied by internal party policies or fieldwork to train local women leaders.

Despite the numerical leap recorded in the 2021 elections thanks to the allocation of 90 seats to women through regional lists, the data reveals a decline in the number of seats won in local constituencies, with the percentage of wins outside the quota falling compared to previous elections.¹² This decline reflects the continuing fragility of women's presence in free electoral competition and confirmed that women's representation is still mainly linked to reserved mechanisms, raising questions about the ability of these formulas to create a real breakthrough in local electoral structures and the dominance of the male party mentality.

Experience also shows that the legal structure, despite its success in increasing the numerical presence of women, has not succeeded in producing a female political elite capable of sustaining and establishing itself in the parliamentary scene. For example, only one female deputy from the tenth legislative term was able to return to the House of Representatives in the 2021 elections, and to do so she had to change her party affiliation.¹³ This highlights the difficulty of women being renominated or reelected outside the quota, which in turn limits their ability to accumulate parliamentary experience and weakens the process of creating female elites.

In addition to the above, Article 4 of the Organic Law of the House of Representatives stipulates that women who previously benefited from the quota to enter parliament are prohibited from running again on quota lists.¹⁴ This provision appears fair in theory – it aims to prevent the monopolization of the quota by a limited number of party elites – but its practical effect has been to close the door to the reelection of women with parliamentary experience. It removes the possibility of creating a female political class through the

advancement of women with experience who can become more qualified to take on leadership and institutional roles.

The creation of a female political elite is not limited to simply empowering women to occupy decision-making positions; it also extends to the political education process that precedes it. The natural path to producing effective political leaders requires that women gradually rise through the ranks within a party; it starts with involvement in grassroots structures and participation in formulating its positions and programs, moves on to assuming midlevel organizational responsibilities, and finally sees people campaigning for representative positions. This cumulative experience gives women – and politicians in general – a wealth of political competence and qualifies them to take on responsibility with an awareness and understanding of the nature and requirements of political work.

However, the phenomena produced by the quota system – namely the direct entry of some women into decision-making positions without going through the party hierarchy – has in some cases weakened the chances of producing a female political elite rooted in party and community practice. Starting at the top may provide immediate numerical presence, but it may also limit the new elite's ability to persevere and exert influence, given their lack of prior experience in the day-to-day political arena.¹⁵

Some researchers believe that this representation was not in fact a mechanism for promoting women's representation, but rather is a tool for controlling the electoral scene and redistributing the balance of power between parties.¹⁶ According to this argument, the allocation of 90 seats to women on a regional basis essentially helped smaller parties to secure a stable parliamentary presence by obtaining reserved seats that they could not have won in competitive local constituencies.

Reform Proposals to Develop the Quota System

Morocco's experience has shown that the quota system is unable to create a sustainable dynamic for producing female political elites rooted in party and community work. It provides a means for enhancing women's representation but is not isolated from the general context in which it operates. Its effectiveness remains linked to democratic development, electoral integrity, and the transparency of the political process as a whole. It is difficult for quotas alone to produce a brilliant female elite capable of influencing an environment dominated by electoral corruption, a lack of internal democracy within parties, and weak accountability. The political process is an integrated whole, and if the political system does not produce strong elites in general, it is unrealistic to expect quotas to do so in isolation from broader reforms. Although this fact is often used by opponents of quotas to undermine their legitimacy, it is in fact more unfair to women who are expected to perform far beyond the possibilities offered them by the political reality. Their success depends on proving themselves twice over: once in comparison to men and then against an idealistic ceiling that is not accessible to everyone.

Furthermore, the decline in political participation is not only linked to political factors, but also to Morocco's failure to improve indicators related to women's economic empowerment, even though this is an important gateway to gender equality and a key to economic growth.¹⁷ The gender gap index ranks Morocco 144th globally.¹⁸ The percentage

of women participating in economic activity has declined from 23.4% in 2010 to less than 20% in 2021.¹⁹ Meanwhile, data released by the Prime Minister indicates that only six out of ten girls reach primary education, two out of ten women enter the labor market, and only one in ten women receive wages for their work.²⁰

In general, the failure of quotas to achieve parity is not unique to Morocco; this has been the experience of several countries that had adopted them only to later reconsider their philosophy and mechanisms. However, advanced international experiences have managed to transform quotas from a circumstantial mechanism for increasing numbers to a strategic tool for creating effective and influential female leaders by combining legal quotas, incentive-based party policies, and continuous training programs. This has been demonstrated by the following practices, which have contributed to increasing women's political representation.

Imposing clear legal quotas with binding implementing provisions and application dates

The legal approach remains the foundation of the experiment, as clear laws create a mandatory framework for parties and electoral bodies and accelerate change. This is achieved by including a legal provision that sets a minimum percentage (e.g., 30% incrementally or 50% immediately to achieve parity) with implementing provisions specifying how female candidates are to be included in electoral lists. This is what Morocco has adopted through quotas, but with low percentages ranging from 9% to 22%, which is less than a third of the seats in the House of Representatives.

Among the countries that have benefited from this system is Argentina, which adopted the first law guaranteeing quotas for women in 1991. This law set a minimum percentage of female candidates at 30% on candidate lists. In 2017, a law was passed requiring alternating male and female candidates on a list, otherwise the list would be rejected.²¹ This resulted in a significant increase in women's representation in the Argentine parliament, reaching between 40% and 44% over the last decade. In 2022, female representation reached its highest level at 44.75%. Currently, statistics indicate that women occupy about 42.4% of the seats in the Chamber of Deputies.²²

Alternating party lists between men and women

As mentioned above, the rotation system in electoral lists or rosters is used in some countries that adopt the list system as a voting pattern or a mixed pattern, where party lists alternate between men and women to ensure direct female representation. This system has been adopted in a number of countries, most notably Sweden, and has led to effective gender parity in parliament, with women accounting for up to 47% of seats. Women currently make up 45% of the Swedish parliament.²³

Linking public funding for parties to parity requirements and financial penalties

France has adopted parity rules by deducting funding or imposing penalties on parties that do not comply with parity standards. Since 2000, the law has required political parties to ensure gender balance in their electoral candidate lists, otherwise the list will be subject to financial penalties, including a deduction from the public funding allocated to it.²⁴ The law

stipulates that if the proportion of women on a party's list of candidates is less than 50%, funding will be reduced in direct proportion to the violation.

Linking funding to women's representation means that parties that do not comply lose part of the finances vital to their election campaigns. This has prompted parties to restructure their electoral lists and ensure gender balance. The proportion of women in the French parliament rose from around 10% in the 1990s to around 39% in the parliament formed in 2012, when these laws were implemented. This growth continued significantly after the law was implemented, reaching near parity in some local and regional councils. The latest statistics show that women now hold more than a third of the seats in the French National Assembly, accounting for 36.2% of the total number of members.²⁵

After reviewing some successful international experiences in promoting women's participation in politics, it is clear that the legislative and regulatory mechanisms currently in place in Morocco are insufficient. We propose a comprehensive framework that combines the design of fair electoral regulations, the balanced distribution of opportunities to run for office, and the linking of compliance to clear financial incentives and penalties. To ensure increased participation of women in the upcoming 2026 legislative elections for the House of Representatives, the following recommendations, which are based on international best practices and take into account the specificities of the Moroccan electoral system, could be adopted.

1. Raise the quota to one-third, with dual adoption between regional and national lists.

- Allocate **90 seats to the regional list** and **40 seats to the national list** for women under 40 years of age.
- Allowing female representatives who have previously benefited from the quota to run, but not at the top of the list (possibly running in second place), and adopting the principle of rotation between new and former women in the order of candidates.

2. Implement a rotation system in party lists

- Require party lists to alternate between men and women to ensure direct female representation.
- Require parties to nominate **50% of their national list leaders from among women.**
- To implement this system, it would be preferable to abandon the quota system and move toward strengthening women's representation at the local level.

3. Link public funding to women's representation

- Allocate part of public funding to parties based on the proportion of women on electoral lists.

- Impose financial penalties on parties or refuse to register lists that do not meet the specified criteria.

Conclusion

Despite contributing to an increase in the numerical representation of women in parliament, Morocco's experience of quotas has shown their limitations in bringing about a structural transformation in the political elite and in electoral party culture. Women's presence has remained dependent on reserved lists. Competition in local constituencies has remained hampered by structural obstacles related to the weakness of internal democracy within parties, the prevalence of a male-dominated mentality, and the absence of training and capacity-building programs for women leaders.

Therefore, the transition toward the effective empowerment of women requires a redesign of the electoral system to ensure effective parity, as well as the integration of legal quotas with incentive-based policies for political parties and financial and training support mechanisms, with the aim of qualifying women to play influential and sustainable leadership roles. Achieving parity requires a long process that calls for comprehensive reforms at the legislative and political levels, so that women's leadership becomes a natural and established part of the Moroccan democratic landscape.

¹ See: UN Women, *Temporary Special Measures to Promote Gender Equality*, 2004, available at <https://www.unwomen.org/en/digital-library/publications/2004/1/temporary-special-measures>; Inter-Parliamentary Union, *Women in Parliament in 2020: The Year in Review*, Geneva, March 2021, available at <https://www.ipu.org/resources/publications/reports/2021-03/women-in-parliament-2020>; Julie Ballington and Marie-José Portais, *Women in Parliament: Beyond Numbers*, revised edition, International Institute for Democracy and Electoral Assistance, Stockholm, 2002, available at <https://www.idea.int/publications/catalogue/women-parliament-beyond-numbers>

² Ra'ad Abdul Jalil Mustafa Khalil and Husam al-Din Ali Majid, *Feminist Political Theory: Intellectual Structures and Contemporary Trends*, World of Knowledge Publications, Kuwait, April 2022, p. 253.

³ 2011 Constitution, promulgated by Royal Decree No. 1.11.91 issued on 27 Sha'ban 1432 (29 July 2011), Official Gazette, No. 5,964 bis, 28 Sha'ban 1432 (30 July 2011), p. 3,600.

⁴ Law No. 79.14 on the Authority for Equality and the Fight Against All Forms of Discrimination, Official Gazette, No. 6,612, 12 October 2017.

⁵ Prior to 2002, there was no mechanism for positive discrimination in favor of women in the Moroccan electoral system, relying exclusively on the system of local electoral districts. This resulted in very limited representation of women in Parliament. Starting in 2002, thirty seats were reserved for women and distributed among political parties according to the number of votes they obtained at the national level (the national list system). Following the adoption of the 2011 Constitution, this mechanism was expanded. The number of seats reserved for women was increased to 60, and a national list for 30 youth seats was created, with the intention to encourage young people to enter the legislative institution. In the 2021 elections, the national youth list mechanism was abolished, and its seats were reallocated to women, bringing the total number of seats reserved for women to 90. However, regional lists were adopted instead of the national list, distributed across Morocco's twelve regions according to a demographic criterion. This reform aimed to strengthen women's territorial representation and address criticisms related to the centralization of candidacies, though the abolition of the youth list led to a numerical decline in youth representation in Parliament.

⁶ Ben Younes Marzouki, *Women Parliamentarians: History, Achievements and Prospects*, Sesame Association Publications – Citizen Participation, Rabat, April 2021, p. 19 (Marzouki, *Women Parliamentarians*).

⁷ During the seventh and eighth terms, the House of Representatives had 325 seats; following the 2011 constitution, the number of seats increased to 395.

⁸ Ministry of the Interior legislative election results for 2002, 2007, 2011, 2016, and 2021, available at <http://www.elections.ma/index.aspx>; the Inter-Parliamentary Union provides data on various parliamentary experiences on its website, available at <https://data.ipu.org/parliament/MA/MA-LC01/>

⁹ By signing a code of honor, political parties were compelled to allocate these seats to women without the regulatory law explicitly stipulating this. See: Marzouki, *Women Parliamentarians*, p. 22; Bouthaina Karouri, “Between the Normative Framework of Parity and Electoral Control Concerns: A Reading of Moroccan Constitutional Court Decisions”, in *The Constitution and Political Practice*, Faculty of Legal, Economic, and Social Sciences, Agdal, 2024, p. 197. (Karouri, “Between the Normative Framework”).

¹⁰ Since the 1990s, UN reports have adopted women’s political participation as a new indicator of human development. To measure this participation, certain elements have been established, including the number of seats held by women in parliament. See: Salah Jad, “Towards Highlighting Arab Women’s Political Participation”, in: *Arab Women and Political Participation*, collective work, Sindbad Publishing House, Amman, 2000, p. 29.

¹¹ Marzouki, *Women Parliamentarians*, p. 37.

¹² Organic Law No. 04.21 amending and supplementing Organic Law No. 27.11 on the House of Representatives, Official Gazette, No. 6,987, 05 Shawwal 1442 (17 May 2021) (Organic Law No. 04.21).

¹³ This concerns Ms. Mariam Wahsha, who was elected to the House of Representatives in the tenth legislative term on behalf of the Authenticity and Modernity Party in the 2016 legislative elections, and was elected to the House of Representatives in the eleventh legislative term on behalf of the Progress and Socialism Party in the 2021 legislative elections.

¹⁴ Organic Law No. 04.21.

¹⁵ The absence of party progression may in principle affect the ability of any political actor to remain active and influential, but its impact is more acute in the case of women given the unequal structural context in which they operate in the political sphere. Men often have multiple opportunities for repositioning and continuity within the party field; the presence of women benefiting from the quota remains fragile and linked to an exceptional and temporary mechanism rather than to a deep-rooted party trajectory. This is confirmed by the low rates of renewal of women’s parliamentary mandates, which highlights the limitations of the quota system in its current form in producing a sustainable female political elite.

¹⁶ Karouri, “Between the Normative Framework”.

¹⁷ Ikram Adnani, “The Principle of Political Parity Remains Stagnant in Morocco”, Policy Analysis Paper, Moroccan Institute for Policy Analysis, 5 January 2025, available at <https://mipa.institute/?p=11519&lang=en>

¹⁸ جواب السيد رئيس الحكومة على السيدات والسادة النواب المتعلقة بالسؤال المحوري: تمكين المرأة المغربية ورهان التنمية، الرباط، تاريخ الجلسة: 17 يوليوز 2023، متاح على <https://www.cg.gov.ma/ar/node/11333>

¹⁹ جواب السيد رئيس الحكومة، 2023.

²⁰ جواب السيد رئيس الحكومة، 2023.

²¹ Argentina, *Gender Parity in Political Representation Law* (Law No. 27.412), enacted November 2017.

²² Inter-Parliamentary Union, data on women’s political participation in the Argentine Chamber of Deputies, available at <https://data.ipu.org/parliament/AR/AR-LC01/data-on-women>

²³ Inter-Parliamentary Union, data on women’s political participation in the Swedish Parliament, available at <https://data.ipu.org/parliament/SE/SE-LC01>

²⁴ Law No. 2000-493 of 6 June 2000, promoting equal access for women and men to electoral mandates and elected office.

²⁵ Inter-Parliamentary Union, data on women’s political participation in the French National Assembly, available at <https://data.ipu.org/parliament/FR/FR-LC01>