



Moroccan Activists Demand Decriminalization of Extramarital Relations

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A panel of eight people, including politicians, doctors, and lawyers, have asked the Moroccan government to decriminalize extramarital relations by publishing a document on fundamental freedoms, wherein they seek to reform a series of articles in the Constitution, the **Penal Code, and the Family Code**.

The current Penal Code punishes persons involved in sexual relations outside of marriage, including adultery, with sentences of up to one year in prison and a fine of up to MAD 1,200 (€107), according to Articles 490 and 491 of the Moroccan Constitution.

In their 85-page document published in Arabic and French, the panel **stresses** that intimate consensual relations “cannot be prohibited, in accordance with the principles of universal individual liberties that give each citizen the right to freely dispose of their body.”

In trying to adapt their proposals to Moroccan Muslim society, the panel also suggests imposing financial fines instead of jail terms, and giving betrayed spouses the right to dissolve the marriage in case of adultery.

In the same vein, the panel asked to require fathers to recognize children born out of **wedlock**, a case not currently covered by law despite the existence of DNA testing.

In addition, they have proposed the abolishing of the death penalty, decriminalizing abortion and replacing jail sentences for blasphemy against God or the prophets with monetary fines.

The reform also asks for the implementation of gender equality, although it acknowledges the difficulty of opening a debate on the issue as the Quran stipulates that men inherit twice as much as women.

"Orienting towards total equality is defended by some ulama. But it seems that for the moment this objective requires a great debate and also needs a longer time to reach a global consensus," reads the document.

The proposal also suggests amending Article 3 of the constitution to introduce the right of conscience or the possibility for a Moroccan Muslim to change their religion.

The government is preparing a new bill that would entail a global review of the country's Penal Code. In previous statements to the press, Minister of Justice Abdelatif Ouahbi indicated that the new text will be ready by the end of this month.

According to a report co-published by the Canadian Fraser Institute and the Cato Institute for American Research, Morocco ranked 134th worldwide in the 2021 Human Freedom Index (HFI) in terms of individual liberties, such as freedom of expression, religion, and assembly.

Many have criticized the planned reforms, including the Justice and Development Party (PJD).

There were reports recently of an **exchange** between PJD's Secretary General Abdelilah Benkirane and Minister of Justice Abdellatif Ouahbi.

The conversation between the political leaders took place on April 1 in front of the Mohammed V mausoleum in Rabat, where Benkirane told Ouahbi: "You have noticed only the sexual consent under such circumstances. What exactly are you looking for?"

In a report about the incident, the news website Le360 quoted Ouahbi as responding: “I’d prefer to (decriminalize) sexual consent rather than (encourage sex) on the beach.”

Prior to that, PJD had taken issue with the potential code reforms, condemning Ouhabi’s “attempts to stir sedition” by adopting “trends” that the party said are against Morocco’s religious and traditional values.