

Linguistic borders between French and Arabic in the Family Code in Morocco: loanwords and identity issues

by *Michele Bevilacqua**

Abstract

Several observations have led us to investigate the loanwords used in the variety of French spoken in Morocco, in relation to an institutional document such as the Family Code i.e., the set of laws concerning the legal relations between the members of a Moroccan family. The text has evolved in a manner which is very favourable to linguistic interference, as it also manifests itself in the form of linguistic borrowings from the 'dominant' local languages, namely Standard Arabic and Moroccan dialectal Arabic. The presence of Arabisms constitutes a corpus that reflects these cultural and linguistic contaminations, generated within the framework of the state of bilingualism and the socio-cultural status determined by the use of the different languages spoken there. Therefore, our study will both investigate the lexical choices and the reasons for the presence of numerous Arabisms, concerning certain themes in the francophone text of the family code, and will connect them to the identity link, which unites the inhabitants of Morocco to Arab culture and to Muslim religion.

Keywords: Moroccan French, Family Code, Arabisms, Loanwords, Linguistic contaminations, Lexical choices.

Introduction

Despite the end of the various post-war French colonial experiences, French language remains a privileged means of communication in several African countries, including Morocco, where one of the traces of its past as a protectorate involves the strong presence of French throughout its territory. Despite the lack of a recognized legal status, French serves various elitist and utilitarian functions in the country. In fact, the sociolinguistic situation in Morocco reflects its history, too. The multilingual context that characterizes the Maghreb region emphasizes how much the languages used there inevitably end up influencing each other. In this context, the Moroccan French variety generates lexical choices which help adapt the language to the lexicon of the Arabic matrix, thus shaping its meaning and form. Several observations have led us to investigate the loanwords used in this diatopic variety of French language in relation to an institutional document, such as the Family Code, which involves the set of laws related to the legal relationships, existing between the members of a Moroccan family.

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The text lends itself very favourably to those linguistic interferences that, among other things, appear in the form of loanwords from the “dominant” local languages, namely Standard Arabic and Moroccan Arabic dialect. In fact, the presence of Arabisms constitutes a corpus which reflects both these linguistic and cultural contaminations, generated within a context of bilingualism characterizing French-speaking users in Morocco and by the social-cultural status dictated by the use of the various languages spoken in the area. Therefore, our study will thoroughly analyze the lexical choices and the reasons for the presence of numerous Arabisms regarding certain themes in the francophone text of the family code, and will link them to the identity bond which unites the inhabitants of Morocco to Arab culture and Muslim religion.

I

The sociolinguistic situation in Morocco and contact between languages

Although only two languages are involved, the linguistic policy of Morocco relates to a wide-ranging linguistic landscape. We can see that the languages used are divided into two distinct groups: local languages and “foreign” languages, historically imported. Moha Ennaji writes that this diversity is “marquée par quatre ingrédients importants: le berbère, l’arabe, le français, et l’Islam. Le berbère et l’arabe dialectal traduisent la culture populaire, tandis que l’arabe classique, le français et l’Islam représentent la culture du savoir” (Ennaji, 2010, p. 96).

Two distinct forms of Arabic are used in Morocco: Arabic sometimes called “literary”, or *fusha*, and Moroccan Arabic dialect, commonly known as *darija*. Louis-Jean Calvet (1999, p. 233) summarizes the situation of Arabic as follows:

Nous pourrions dire, en restant cependant simplificateur, qu’il y a un arabe uniquement écrit (l’arabe classique, qui n’est la langue de personne mais que certains apprennent, une langue figée, “morte”), un arabe écrit oralisé (l’arabe médian, qui tend à prendre des formes locales et qui est également appris) et des arabes parlés (les “dialects”), les seuls dont on hérite en famille.

Given that our research focuses on written Moroccan French, which is presumed to be influenced by Arabic, in order to identify its two main varieties: Standard Arabic and Moroccan Arabic dialect, it is advisable to rely on the difference between their coding levels.

This configuration is increasingly used to describe the sociolinguistic landscape of Morocco (Boukous, 2005; Messaoudi, 2013a). Thus, Leila Messaoudi (2013a, p. 7) argues that:

il est important de relever la diglossie séculaire qui caractérise le dédoublement de la langue arabe en, d’un côté, une variété savante, l’arabe standard [...] et d’un autre côté, en une variété “ordinaire”, orale, non codifiée par écrit, utilisée dans les échanges langagiers spontanés que nous désignons par arabe dialectal marocain [...] ou *darija*.

The term “standard” refers to the codified variety, the *variété savante* (Messaoudi, 2013b, p. 7). The same language is recognized on a legislative level and is used, in written form, in various fields, especially the legal and administrative one. Although it is the official language of the country, Standard Arabic is not the language of communication for Moroccans, since it is not spoken spontaneously by anyone. To this regard, Messaoudi (2013a, p. 7) emphasizes that:

L’arabe standard est soutenu par toutes les politiques linguistiques étatiques desdits pays et le Maroc ne fait pas l’exception. Certes, ce n’est pas une langue parlée spontanément par tous les citoyens, mais elle est, à des degrés divers, maniée par eux, à l’écrit et à l’oral (discours politiques, débats parlementaires, etc.) pour les sujets ayant trait à la vie publique et aux secteurs socioculturels et éducatifs.

Classical Arabic was imported in the eighteenth century during the Arab conquests, closely related to the expansion of Islam. Today, it is associated with the Muslim holy book, the Koran. This liturgical language perpetuates religious tradition (Benzakour, Gaadi, Queffélec, 2000), and in fact it is not a vehicular language. As a patrimony of the Arab-Muslim civilization, it ensures an intercomprehension among Arabic speakers. Only religious or political contexts justify the use of this form of Arabic, which has not evolved much on a morphosyntactic level for centuries (Benzakour, Gaadi, Queffélec, 2000).

Close to classical Arabic, regarding morphosyntax and phonology, modern Arabic represents the standard variety which is spoken. It constitutes an intermediate form between classical Arabic and Moroccan dialect. Modern Arabic is the result of the combination of lexical elements from classical and dialectal forms, characterized by a simplification in grammar. However, its use is limited to educated social categories. Modern Arabic is used in the media, especially on television news programs and on the radio.

Nevertheless, in Morocco its function as a vehicular language is relegated to dialectal Arabic, or *darīja*, to the extent that “[...] cette variété sert d’outil de communication effectif dans une situation marquée par la diversité linguistique entre les arabophones et les amazighophones et entre les amazighophones de dialectes différents” (Boukous, 2005, p. 84). Being an unencoded language, *darīja* is spontaneously used as a vehicle of communication by two thirds of the population, as the mother tongue of most Moroccans and therefore, it is the popular language par excellence. Frank Jablonka points out that *darīja* is widely used in daily oral communication and to express the technical knowledge of the speakers, which is proof of both recognized codifications and of a prestigious official status (Jablonka, 2004). Moroccan Arabic dialect is not recognized as an official language, but its areas of use are numerous and mainly involve the private sphere. Although it is not codified in writing, Moroccan Arabic has a well-defined language system. In addition, it is more and more often encountered in writing (Aguadé, 2006). Messaoudi (2013b, p. 7) underlines this aspect by stating that *darīja*:

[...] sert à la communication à l'échelle du pays et qui a une visibilité de plus en plus grande dans le paysage urbain (à travers les planches publicitaires) et médiatique – notamment dans la création artistique chez les jeunes (chants, théâtre...).

Therefore, it is particularly used in advertising or in the media and for materials intended for the general public, such as the highway code (Messaoudi, 2002).

French is the second language used in Morocco, both in administration and as a communication tool. The presence of French language on the territory dates back to the beginning of the colonial era, in 1907, when the French army arrived in Casablanca. The use of French on Moroccan soil goes back in time. It became official with the Treaty of Fez on March 30th, 1912. From then on, the language of the occupants has also become the official language of the country in the educational and administrative fields. French has even had a second life in Morocco, without being officially recognized in official texts (Benzakour, 2007; Messaoudi, 2010).

The linguistic investigation carried out by the *Organisation Internationale de la Francophonie* (OIF) in 2019¹ demonstrated that French is part of the duo of languages spoken and written by Moroccans. In fact, at least 35% of the population speaks and writes French in addition to Arabic. The use of French depends on social and spatial factors, but also on professional and family factors. The presence of this language in the area is undeniable, and it manifests itself in all social classes, both sporadically, through loanwords, and on a daily basis and in daily life. For example, films, TV shows, road signs, and advertisements are all in French. Fouzia Benzakour (2010a, p. 36) explains that:

Une simple promenade en zone urbaine marocaine permet de se rendre compte par soi-même que le français qui s'y pratique ne se réduit pas à la variété académique; bien au contraire, c'est des variétés inégalement maîtrisées, qui parviennent à l'oreille ou au regard du passant, pour peu qu'il soit attentif. Ces variétés, on les rencontre à chaque coin de rue.

On les voit dans les affichages public et commercial; on les entend, à longueur de journée, dans les radios et les chaînes de télévision nationales et satellitaires. Elles s'étalent dans les revues et journaux; elles se prescrivent dans les notices de médicaments. Elles se réinventent dans les écrits littéraires. Bref, le français est partout présent, même si d'aucuns le confinent dans les sphères de l'élite urbaine, en occultant variétés basses et variétés appropriées.

Messaoudi also talks about the visibility of French language in public spaces and points out that this leads to a recurring visual bilingualism: “au Maroc, une fois franchies les frontières, et allant plus en avant, dans le pays, le visiteur est toujours accompagné de ce bilinguisme à travers différents supports [...]. Ce bilinguisme est devenu tellement familier aux marocains, qu'ils finissent par ne plus y prêter attention!” (Messaoudi, 2010, p. 59).

In general, French has a triple facet in Morocco (Benzakour, Gaadi, Queffélec, 2000). The first is *basilectal* French, which constitutes the unmastered variety. Actually, the unschooled rural masses are much less in touch with French language, though it

is present in their country, and only use it in the form of adapted loans. *Basilectal* French is learned by low-literate people in their workplace. It consists of a limited knowledge of the French lexicon, therefore, people have a very poor ability to express themselves, and a lesser command of syntax. Occasional contacts with French people or francophones can be indicative of the use of this language (Benzakour, 2007, p. 52):

Il est l'idiome de communication d'un personnel non ou peu alphabétisé, au service ou en contact avec une population française ou francophone vivant ou en visite au Maroc; c'est le cas actuellement des employés de maison, des jardiniers, des guides touristiques de fortune, des agents de service des sociétés privées franco-marocaines, etc.

The second variety of French which Benzakour distinguishes is called *mésolocale*, and is the variety used by most Moroccan French speakers. In fact, mesolectal French corresponds to a form of French adapted to the Moroccan social-cultural environment (Benzakour, 2007, p. 54):

Il est une variété largement traversée par les cultures et les langues en présence, qui l'enracinent dans le terroir marocain.

The adaptation of this variety can be easily observed. Words referring to Moroccan reality abound in the speech of those who speak this variety. In fact, *acclimaté* (Ouasmi, 2011) French is the version that bears the imprint of the multilingual environment of which it is an expression, and which is heard/read more in Morocco. This type of French is used by the institutions, the Moroccan media, the press and television. Words are systematically borrowed from Arabic and, thus, they are often used in a fairly ordinary manner.

Finally, the last variety is *élitaire* French, which corresponds to French language as it is spoken in France at all levels: lexical, phonological, and morphosyntactic. This *acrolectal* (Benzakour, Gaadi, Queffélec, 2000) French, practiced exclusively by the urban elite, is a quality language which refuses to admit any kind of Arabism that would show a detachment from the exogenous norm. This variety is, of course, very much a minority and affects those who have been educated in institutions where French is the language of education. Courses taught in French are often very expensive, which explains why only a minority of people speak French as it is spoken in France in Morocco. Benzakour (2007, pp. 52-3) explains that:

la reproduction fidèle d'un modèle exogène montre une volonté, de la part de cette élite, de perpétuer une langue "assimilatrice" qu'elle maîtrise parfaitement, c'est-à-dire qu'elle maintient paradoxalement dans son rôle de pure langue étrangère.

In order to keep this characteristic of French language alive, speakers of the *acrolectal* variety choose *tout français* in newspapers, on satellite TV channels, French radio stations, for relations with France, and so on.

Consequently, French in Morocco is spoken and mastered in different ways, since the social context is a decisive factor. Its presence represents a springboard for knowledge, professional success, and modernity (Messaoudi, 2010).

Given the complex linguistic situation, the languages used in the area are in constant interaction (Maiello, 2009). This Moroccan *marché des langues* (Boukous, 2005, p. 34) implies that interference occurs mainly at a lexical level. Uriel Weinreich (1953) defines this interference as those cases in which languages deviate from their norm by occurring in the speech of bilinguals as a result of their familiarity with one or more other languages (i.e. as a result of linguistic contact). As we have previously argued, bilingualism is widespread in Morocco, where its inhabitants are aware that the language they use is not the only one in the country. Moreover, the same linguistic hierarchy (Boukous, 2005) affects both present languages and bilingual behaviour.

At one time or another of its existence, every language is destined to experience and accept the phenomenon of borrowing. Linguistic contact, which is unavoidable even for languages which are the most geographically isolated, can lead to transfers. A complex sociolinguistic context can also produce lexical transfers and linguistic mixing (Boukous, 1995). Therefore, a loanword can be seen as the linguistic consequence of a multilingual situation. To this regard, the *Dictionnaire de linguistique et des sciences du langage* (2003, p. 177) states that:

il y a emprunt linguistique quand un parler A utilise et finit par intégrer une unité ou un trait linguistique qui existait précédemment dans un parler B (dit langue source) et que A ne possédait pas; l'unité ou le trait emprunté sont eux-mêmes qualifiés d'emprunts.

From this definition, we can infer that linguistic borrowing implies the presence of two languages: one is the source language, the language which generates the loanwords (called language A), the other is the target language, or the receiving language (language B). In language A, the term in question existed before the language contact while, in language B, a new form is imported. The source language becomes the original language of the word, and the receiving language is then its host language, characterized by a linguistic system different from that of the original language of the word. The lexicon transfer is unidirectional, from the source/donor language to the target/recipient language.

Einar Haugen (1950, p. 212) believes that the context of use of a loanword is crucial. Before stating his definition of loanword, he highlights some generalizations about linguistic behaviour:

(1) We shall assume it as axiomatic that every speaker attempts to reproduce previously learned linguistic patterns in an effort to cope with new linguistic situations. (2) Among the new patterns which he may learn are those of a language different from his own, and these too he may attempt to reproduce. (3) If he reproduces the new linguistic patterns, not in the context

of the language in which he learned them, but in the context of another, he may be said to have ‘borrowed’ them from one language into another.

Therefore, when faced with a need, the enunciator will draw on the lexical resources they know, including words that are foreign to the language in which they are expressing themselves. Haugen explains that the context in which the foreign lexicon is used is decisive: only when the subject uses a language other than the one in which the foreign word originates can we speak of “loanwords”.

Thus far, the intention has been to present the sociolinguistic situation in Morocco starting from the hypothesis that the languages used throughout its territory exert reciprocal influences. At this point, we believe that what constitutes a loanword should be determined by delimiting this notion to the consideration of loanwords as elements formally linked to another language other than French. This concept of borrowing is strongly inspired by that of Alexander Onysko (2007), to the extent that our research objectives are comparable. In fact, according to Onysko’s theory, when a lexical necessity arises in language A (for example, in the legal field), this language imports words from language B, with the form and semantic traits of the word participating in the import. Therefore, there is a close relationship between form and meaning in the context of lexical transfer. This argument justifies the exclusion of semantic influences in the present study. Our idea of borrowing also leads us to exclude calques since, like semantic influences, they are elements that do not have the formal features of a loanword.

2

The Family Code: an instrument of Moroccan identity and culture

In this study, we have chosen to investigate loanwords from Arabic in the text of the Moroccan Family Code, considering family law as a symbolic trait of every society (Monjid, 2013).

The *Mudawana*, or Moroccan Personal Status Code, is the Moroccan law regarding family law, reformed in October 2003 and approved in February 2004 by the Moroccan Parliament, promulgated by King Mohammed VI.

In countries with an Islamic legal culture, the specificity of family law is clearly accentuated by the close links it has with religious law. Its legal structure is built based on a civilization and a culture in which Islam is the determining foundation. Family law is, therefore, part of both religions, as an important and permanent reference, and of morality.

Islam is not just a religion, it is also a set of principles and values which form a civilization and a cultural heritage, as well as a means of identification. On the eve of the independence of Morocco, Muslim law and, in particular, the Malikite rite², managed family relationships (Ltaief, 2008). This legal model corresponded to

the traditional Muslim family. The country's access to independence triggered the codification movement of family law, which Bruno Oppetit (1998, p. 18) explains as follows: "elle est souvent consécutive à une crise de société à l'issue de laquelle il a pu paraître nécessaire de fixer les nouvelles règles du jeu social et de stabiliser la société sur la base d'un nouveau pacte social".

The personal status code was one of the first documents signed in independent Morocco, which opted for continuity with classical Muslim law, namely, the Malikiite law. The promulgation of a personal status code that is entirely based on the Islamic *Shari'a* further authenticates the religious foundation upon which the entire Moroccan political system is based. The Moroccan codification has been useful in reassessing the model of the Muslim family described by Malikiite jurists. Family law in Morocco, as in Algeria, is a tool which has allowed these countries to recover their religious and cultural identity, which had been influenced by the colonial invasion. It was the means to reintegrate one's values into family relationships as a private domain par excellence (Mellakh, 2007).

In Morocco, several reform projects were drafted in the 1960s, but they turned out to be a failure. In 2001, the revision of the family code was relaunched. At the request of the prime minister at that time, a "commission consultative chargée de la révision de la *Moudawana*" (Murgue, 2011) was nominated by King Mohamed VI. The reform project was presented by the king as being modern, but without breaking with the Islamic legal tradition. However, the Moroccan family code only applies to Muslim Moroccans, since their country's personal status system depends on religious affiliation and not on nationality.

3

Analysis of Arabisms

Several observations regarding the Moroccan family code have led us to study the Arabisms present in the francophone text. The corpus has evolved in a very favourable manner regarding linguistic interferences (Chachou, 2018), which manifest themselves in the form of loanwords from the different varieties of Arabic spoken throughout the territory. The presence of Arabisms reflects the continuous linguistic and cultural contamination generated by the use of the various languages spoken there.

In order to find out the Arabisms used most, we have employed the *Wordlist* function in the Sketch Engine software, which has allowed us to obtain a list of the words which appear more frequently in the corpus, made up of a total of 30,291 words in the latest consolidated version published by the Ministère de la Justice et des Libertés of Morocco in 2016³:

TAB. I

Wordlist of first 15 Arabisms in the corpus in Sketch Engine

	Word	Equivalent and/or meaning in French found in the corpus or in the Benzakour <i>et al.</i> (2000) list	Frequency
1.	<i>fardb</i>	Héritiers réservataires	38
2.	<i>khob</i>	Consentement mutuel/moyennant compensation	19
3.	<i>Tanzil</i>	Substitution d'héritier	17
4.	<i>idda</i>	Période de viduité	10
5.	<i>taâsib</i>	Hérédité de l'ensemble de la succession ou de ce qui reste	8
6.	<i>rabii</i>	<i>Mois de l'Hégire</i>	6
7.	<i>wali</i>	Tuteur matrimonial	6
8.	<i>âsib</i>	Héritier	5
9.	<i>ijtihad</i>	Effort jurisprudentiel	5
10.	<i>adoul</i>	<i>Auxiliaire de la justice islamique chargé de la procédure</i>	5
11.	<i>hajib</i>	Éviction	4
12.	<i>chiqqa</i>	Procédure de discorde	3
13.	<i>choubba</i>	Rapport sexuel par erreur	3
14.	<i>Jihaz</i>	Trousseau de mariage et ameublement	3
15.	<i>firach</i>	Rapports conjugaux	3

Table I shows both Arabisms and the French equivalent of the loanword which, in most cases, is contained in the text of the code in the following order:

– Arabism in italics + relevant equivalent in French in brackets

ex.: *Jihaz* (trousseau de mariage et ameublement)

– term or phrase in French + equivalent Arabism in brackets

ex.: tuteur matrimonial (*Wali*)

However, there are some examples where the French equivalent is not contained in the corpus. Therefore, in these cases, we have found the meaning in the list of lexical peculiarities of the diatopic variety of French spoken in Morocco from the volume by Fouzia Benzakour, Driss Gaadi, and Ambroise Queffélec from 2000, which are italicized in Table I.

From the type of lexicon contained in the corpus, we can surmise that the text of the Moroccan family law code was written in the *mésoclectal* French variety. In fact, this

is a variety of linguistic contact to which the speakers have given the cultural imprint of their territory. Characterized by a rhetoric that is closer to Arab culture rather than to French and/or European one, it presents a significant lexical gap compared to French language as it is used in France. Enriched with all sorts of neologisms, this allows to name the juridical and social-cultural aspects of the country of adoption and to “name” the society in which it was rooted. In fact, as Benzakour (2010b) claims:

L'emprunt à l'arabe (langue locale de proximité la plus marquée), le calque et les lexèmes hybrides composent l'essentiel du lexique du français tel qu'il se vit et se pratique dans la société marocaine. Cet écart lexical répond au besoin des usagers de dénommer des univers référentiels naturels et socioculturels locaux différents de ceux du français de référence.

This is a composite variety with a strong presence of migrant words, mainly from Arabic. *Mésolèctal* French is the most widespread, the liveliest, and most typical of the varieties used in Morocco and in other Maghreb countries (Benzakour, 2007). It is rich in loanwords, mixed creations, and neologisms deriving from a vast exploitation of the morphosyntactic potential offered by French language. This variety is constantly traversed by the cultures and languages in use which, day by day, integrate it into Moroccan civilization.

Among the fifteen most used Arabisms in the Code of the Moroccan family, eight belong to the terminology of Islamic law (*khol*, *idda*, *wali*, *ijtihad*, *adoul*, *hajib*, *chiqaaq*, *fnrach*), four refer to the lexical field of inheritance (*fardh*, *Tanzil*, *taâsib*, *âsib*), one deals with the cultural aspects of Arab culture (*rabii*), one belongs to the field of sexual intercourse (*choubha*), and one involves wedding objects (*Jihaz*).

The list of Arabisms in the corpus clearly shows a large majority of nouns, compared to the total number of Arabic loanwords found in the text (forty-seven).

The majority have the characteristics of fully adapted loanwords. This indicates that most of the Arabisms present in our study corpus are forms imported into French language, which keep the semantic load observed in the original language. However, fully adapted Arabisms are not characterized by a preservation of their original spelling, which has been adapted to the French spelling.

Among the loanwords found, there is the case of *Jihaz* Arabism. Its meaning is identified in the text with another form, namely, *Chouar*:

Tout ce que l'épouse apporte au foyer au titre du *Jihaz* ou de *Chouar* (trousseau de mariage et ameublement) lui appartient⁴.

Therefore, both terms refer to the wedding trousseau and furnishings, but through two different denominations deriving from Arabic.

The case of the term *hajib* (eviction) is interesting. It is thoroughly analyzed in the text through several cases⁵:

TAB. 2

Special cases of *hajib* (eviction)

Le cas <i>Mouâdda</i>	Lorsqu'il y a, avec les frères et sœurs germains, des frères et sœurs consanguins, les premiers font entrer l'aïeul en ligne de compte avec les seconds pour éviter que l'aïeul ne reçoive une trop forte part de la succession. Ensuite, si, dans le groupe des frères et sœurs germains, figurent plus d'une sœur, ces héritiers prennent la part des frères et sœurs consanguins. S'il ne s'y trouve qu'une sœur germaine, elle reçoit l'intégralité de sa part de <i>Fardh</i> , et le reste de la succession est partagé entre les frères et sœurs consanguins, l'héritier recueille le double de la part de l'héritière.
Le cas <i>El-akdariya</i> et <i>El-gharra</i>	En concours avec l'aïeul, la sœur n'hérite pas en qualité d'héritier à <i>Fardh</i> , si ce n'est dans le cas <i>el-akdariya</i> . Ce cas suppose la présence simultanée de l'époux, de la sœur germaine ou consanguine, d'un aïeul et de la mère. La part de l'aïeul est réunie au <i>Fardh</i> de la sœur, puis le partage s'effectue selon la règle attribuant à l'hériter une part double de celle de l'héritière.
Le cas <i>El-malikiya</i>	Lorsque sont en présence : l'aïeul, l'époux, la mère ou l'aïeule, un frère consanguin ou plus et deux frères et sœurs utérins ou plus, l'époux reçoit la moitié, la mère le sixième et l'aïeul le reste de la succession. Les frères et sœurs utérins n'ont droit à rien, car l'aïeul les évince; de même, le frère consanguin ne reçoit rien.
Le cas <i>Chibou-el-malikiya</i>	Lorsque l'aïeul vient à la succession avec l'époux, la mère ou l'aïeule, un frère germain et deux frères et sœurs utérins ou plus, l'aïeul prend ce qui reste après prélèvement des parts de <i>Fardh</i> , à l'exception des frères et sœurs du fait de leur éviction par l'aïeul.
Le cas <i>El-kharqû</i>	Lorsque sont en présence : la mère, l'aïeul et une sœur germaine ou consanguine, la mère reçoit le tiers, et le reste est partagé entre l'aïeul et la sœur, selon la règle qui attribue à l'héritier le double de la part de l'héritière.
Le cas <i>El-mouchtaraka</i>	Le frère reçoit la même part que celle de la sœur, dans le cas <i>el-mouchtaraka</i> . Celui-ci suppose la présence de l'époux, de la mère ou de l'aïeule, de deux frères et sœurs utérins ou plus et d'un frère germain ou plus, les frères et sœurs utérins et les frères et sœurs germains se partagent le tiers sur une base égalitaire, par tête, parce qu'ils sont tous issus de la même mère.

Le cas <i>El-gharâwyn</i>	Lorsque sont en présence: l'épouse et les père et mère du de cujus, l'épouse a droit au quart, la mère au tiers de ce qui reste de la succession, c'est-à-dire au quart, et le père reçoit le reste. Lorsque l'époux est en présence du père et de la mère de la défunte, il reçoit la moitié et la mère le tiers du reste, c'est-à-dire le sixième et le reste revient au père.
Le cas <i>El-moubâhala</i>	Lorsque sont en présence: l'époux, la mère et une sœur germaine ou consanguine, l'époux reçoit la moitié, la sœur la moitié et la mère le tiers. Le dénominateur est de six et porté à huit : l'époux reçoit 3/8, la sœur 3/8 et la mère 2/8.
Le cas <i>El-minbariya</i>	Lorsque sont en présence: l'épouse, deux filles, le père et la mère, le dénominateur de leurs parts de <i>Fardh</i> est de vingt-quatre, il est porté à vingt-sept. Les deux filles reçoivent les deux-tiers, soit 16/27, le père et la mère le tiers, soit 8/27, et l'épouse le huitième, soit 3/27, si bien que sa part de <i>Fardh</i> du huitième passe au neuvième.

As we can observe, most of the special cases contain compound names (*El-akdariya* and *El-gharra*, *El-malikiya*, *Chibou-el-malikiya*, etc.) and are included in the corpus in a special section divided into single articles ranging from 360 to 368, with a relevant explanation of the case.

It should be noted that 32 Arabisms, out of a total of 47 found there, appear less than three times in the corpus:

The nine aforementioned special cases of *eviction*, which were also used only once in the text, must be added to the Arabisms present in Table 3.

Among these loanwords, the same lexical fields can be found in 15 of the most frequent previously analyzed, plus the Arabic denomination of the family code, *Moudawana*.

The conceptual field of Muslim religion – state creed in Morocco according to the Constitution⁶ – materializes in conversation through the use of “unités lexicales dont le sens est envisagé par rapport à un domaine de spécialité” (L’homme, 2004, p. 31), namely, that of religion. To this regard, we believe that the lexical units referring to Islam, used in our juridical corpus, can constitute specialized terms.

From what has been observed in the corpus, we can affirm that the practice of glossing loanwords, as well as the manifestation of code-switching, could involve a translation of the foreign element inserted in the conversation. The translation gloss is a reformulation phase in which the enunciator is aware of the allogenic aspect of the word or textual segment and proposes a translation so that their statement is clearer. Maria-Laure Pflanz (2012, p. 214) emphasizes the importance of the phenomenon of

“linéarisation” when using this linguistic procedure, by distinguishing two possible configurations when a translation Y is given to a loanword X:

Sur le plan énonciatif, deux linéarisations sont possibles : soit on commence par Y, puis on “amène” X, soit on parle de X que l’on traduit ensuite par Y.

Pflanz considers the configuration “Y then X” as a translation reformulation. According to her, the configuration that is present in the statement corresponds to “Y followed by X”, being it a case of reformulation that classifies in the category “X translated”.

TAB. 3
Arabisms appearing less than 3 times in the corpus

Arabism	French equivalent
<i>Moudawana</i>	Code du statut personnel
Wilaya	Tutelle matrimoniale
Sadaq	Dot
Ijab et Quaboul	Consentement mutuel
Chouar	Trousseau de mariage et ameublement
Istibrâ	Période de continence
Mout’â	Don de consolation
Bounouwwa	Filiation parentale
Nasab	Filiation paternelle
Attabani	Adoption
Jaza	Adoption dite de gratification
Wassiya	Testament
Iqrar	Aveu du père
Liâane	Serment d’anathème
Istilhak	Reconnaissance de paternité
Idda	Période de viduité
Âsaba	Proches parents
Tafadol	Règle qui accorde à l’héritier une part double de celle de l’héritière
Monazzal	Héritier
Diya	Droit au prix du sang
Wassiya wajiba	Legs obligatoire
Joumada I	Cinquième mois de l’Hégire
Rejeb	Septième mois de l’Hégire

However, in our study, we disagree with this position insofar as, when reformulation occurs in the text, it is not an act of translation but a double denomination. This can

happen for educational purposes or to add some ‘colour’ from the local culture. To this regard, we agree with Sarah Leroy (2006, p. 71), who explains that: “dans cet ordre, plus inattendu que l’ordre inverse, la glose n’intervient pas pour aider la compréhension, mais pour donner un équivalent ‘local.’”

Final considerations

This study is based on the idea that the French language used in Morocco has been subjected to the influences of local languages. Using the text of the French-speaking Moroccan family code as a corpus, we have been able to identify the presence of different Arabisms. These are evident traces of the dynamics of linguistic interactions, characterizing the type of sociolinguistic situation in which our corpus of analysis was elaborated, and reflect the general trend of borrowing from Arabic. We have combined the methods of corpus linguistics and sociolinguistics to form a suitable methodological framework for this research.

By studying the influence of Arabic on Moroccan legal French, we have highlighted the preponderance of nominal Arabisms in our corpus and the relevant morphosyntactic integration of loanwords.

The alternation with loanwords from Moroccan Arabic or from Standard Arabic demonstrates the insertion of this language into the French-speaking juridical-institutional discourse of Morocco.

Some Arabisms are used to designate realities that are specific to Muslim religion and to the social-cultural context of the country. Borrowing from Arabic seems to be indispensable in some cases, since it fills a lexical void in the local French language. Boukous (2005: 88) observes that:

[...] la sélection que fait un locuteur plurilingue d’une langue déterminée dans son répertoire langagier est soumise à des conditions sociales; il s’agit d’un choix qui n’est à vrai dire ni libre ni accidentel car la dynamique qui anime le marché linguistique au Maroc est régie par des lois qui imposent l’emploi de telle ou telle langue dans telle ou telle situation de communication, selon la valeur de cette langue et selon la langue que requiert le champ concerné.

The analysis of the functions of the presence of Arabic in the French-speaking code has demonstrated that the enunciator sometimes chooses to insert Arabic because they believe it is a language better suited to their discursive context. In fact, the study has revealed that the variety of French used on Moroccan soil often requires the use of Arabisms to emphasize the identifying aspect of the inhabitants of Morocco.

The *Mésolectal* French used there has become an intercultural communication tool. It is ever more a language of the plural identity of Moroccan speakers, due to its continuous reception of lexemes from the languages and cultures present throughout their territory. Francophone speakers, who are ever less hesitant in accepting a linguistic and cultural mix in their discursive practice are, each day, increasingly appropriating a language expressing their daily life under different cultural nuances.

The publication of the list of lexical peculiarities of French language in Morocco in 2000 (Benzakour, Gaadi, Queffélec, 2000), besides it being a slow and progressive awareness on the part of French-speaking Moroccan speakers, has also contributed to giving visibility and identity to a language which has been used for a long time, though no one has ever acknowledged it.

Notes

1. Cf. https://www.francophonie.o25rg/sites/default/files/2020-02/Edition%202019%20La%20langue%20francaise%20dans%20le%20monde_VF%202020%20.pdf (Accessed 2023-07-25)
2. The Malikite school, very popular in the Maghreb region, is mainly based on the Sunna and on the emphasis given to the intentions on which every single action rests (Messaoudi, 1995).
3. Cf. <https://adala.justice.gov.ma/production/legislation/fr/Nouveautes/Code%20de%20la%20Famille.pdf> (Accessed 2023-07-25).
4. Cf. <https://adala.justice.gov.ma/production/legislation/fr/Nouveautes/Code%20de%20la%20Famille.pdf>, p. 20 (Accessed 2023-07-25).
5. Cf. <https://adala.justice.gov.ma/production/legislation/fr/Nouveautes/Code%20de%20la%20Famille.pdf>, pp. 102-104.
6. Cf. http://www.sgg.gov.ma/Portals/o/constitution/constitution_2011_Fr.pdf (Accessed 2023-07-25).

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