



ICWAR 2014

Human Rights, Religion, and Violence: Strategies of Moroccan Activists Fighting Violence Against Women

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Abstract

The study looks at different forms of female activism to fight gender-based violence in Morocco. Based on ethnographic research in a Moroccan women's rights nongovernmental organization (NGO) and on interviews with activists in different regions of the country, I analyze the experiences and strategies of women working in NGOs to support victims of violence and to fight violence against women. The goal is to explore the strategies used by Moroccan female activists against gender-based violence and to show how notions of violence and rights are conceived and mobilized by these women. I begin discussing how a human rights-based approach is implemented in the work of a specific NGO. Secondly, I point to some differences between rights-based and faith-based women's NGOs in dealing with violence and I put forth that an opposition between "secular" and "Islamic" practices does not make sense in terms of understanding the strategies used by these activist women. Showing how the work of a particular rights-based NGO is influenced by both local and transnational factors - including religious language and human rights discourses - the paper reflects on how transnational human rights discourses are articulated in local contexts.

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Peer-review under responsibility of the Organizing Committee of ICWAR 2014.

Keywords: Morocco, violence, human rights, women's associations

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1. Introduction

Discussions of rights and violence have been increasingly present in the Moroccan public sphere. The Arab Spring and the growing involvement of Moroccan women in social movements (Belhorma, 2011) have contributed to the significant mobilization around the issues of women's rights and violence against women. But it is important to note that Moroccan feminists have been actively organizing around these questions since at least the 1980s. The main focus of the Moroccan feminist movement has been on promoting legal change, and especially on reforming the Family Code, known as the *Moudawana*, which "constitutes the locus of the legal and civil discrimination against women" (Sadiqi, 2008: 329). The Family Code regulates all matters related to the family, including marriage, divorce and the custody of children. It came into being upon Moroccan independence from France in 1953, with the first reforms being made only in 1993. Another reform in 2004 brought more significant changes, raising the minimum age of marriage from 15 to 18, setting limits on polygamy and facilitating divorce for women. Although the 2004 Family Code guaranteed equality between women and men in the management of the household, it did not touch on the issue of domestic violence. In November 2013, the Moroccan government presented its proposal for a law that criminalizes violence against women. But women's rights activists are not satisfied, alleging that their demands were not included in the proposal (Tahiri, 2014). Women's groups continue to lobby the government for legal reforms to the Family Code, to the Civil and Penal codes, and for a comprehensive law against violence.

2. Research Discussion

As part of my ethnographic research, I visited and interviewed activists in 14 women's NGOs that work with survivors of domestic violence and spent three months (from May to July 2013) observing the daily activities in one of these NGOs. Most of these NGOs, referred to locally as associations, are guided by a human rights-based approach, but a few of the NGOs contemplated in this study work mainly from a faith-based (Islamic) perspective.

Like most human rights-based NGOs, the *Association Amal pour la femme et le développement* (Amal Association for Women and Development), where I spent three months in, focuses on the legal protection of women. Thus, they offer legal accompaniment to women victims of violence, as well as legal and human rights education. The Amal Association is located in El Hajeb, a city of approximately 30 million inhabitants that is about 40 kilometers from Meknes in the center-north region of Morocco. Being the oldest women's NGO in the city, Amal Association receives women from El Hajeb and from the surrounding rural areas. Most of these women cater from low socioeconomic and educational backgrounds. The vast majority are married and suffer from domestic violence at the hands of their husbands. The association recognizes 5 different forms of violence: legal, physical, economic, psychological and sexual. The most prevalent is what the activists call "legal violence". Legal violence refers to discrimination from government authorities, as well as the refusal to provide women with certain documents and to respond to legal complaints.

One of the main activities of Amal Association is advising and accompanying women throughout legal proceedings. The association received many cases of women whose marriages were not registered officially. These are customary marriages which are common in rural areas. The activists consider these a form of legal violence; as one of them stated: "marriage without a contract and the conception of children [without the marriage contract] are forms of violence that a woman suffers in society." Because sexual relations outside of marriage are illegal in the country, without a registered marriage contract the woman and her children do not have the right to receive pension payments from the husband/father and the children have no right to the father's last name or to his inheritance. In addition to legal discrimination, women and children from these unions are targets of much social stigma. Furthermore, legal procedures tend to be long and bureaucratic, requiring much documentation, and most women lack the knowledge and social capital to effectively negotiate with legal institutions. The activists of Amal Association maintain close contacts with the court in El Hajeb and with local government authorities. These authorities know the work of the association and facilitate the process so that people can register their marriages and then register the children from these unions. According to Bordat (2010: 2), "NGOs play a critical intermediary role between women and local authorities, both in facilitating various processes for unwed mothers as well as serving as a watchdog over these authorities". Thus, activists help women navigate the huge bureaucracy and overcome obstacles in the access to justice, obstacles that are considered a form of violence (legal violence).

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