

# Violence Against Women in Morocco

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One of the most alarming issues in Muslim societies appears to be gender-based violence. The violence directed at women linked to their womanhood is gender-based. It is violence intended to establish or reinforce gender hierarchies and perpetuate inequalities. Violence against women seems to be a cause and a consequence of gender perceptions. Gender-based violence affects men's and women's perceptions of each other.

In a speech made by King Mohammed VI in 2008, Morocco withdrew all its reservations with respect to the Convention on the Elimination of all forms of Discrimination Against Women (CEDAW). The aim of the withdrawal of reservations was to enhance the legal position of women on the basis of the principle of equality of opportunity and the application of international instruments and declarations ratified by Morocco. This decision may be regarded as an important indication that Morocco is committed to gender equality and to combating violence against women.

Morocco has also ratified other international treaties and conventions relating to human rights which protect women from violence, inter alia: the International Covenant on Civil and Political Rights; the International Covenant on Economic, Social and Cultural Rights; the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; the Convention on the Rights of the Child and its two Optional Protocols; the Convention on the Elimination of All Forms of Racial Discrimination; and the Convention on the Protection of the Rights of All Migrant Workers and Members of their Families.

At the regional level, Morocco has been a state party to the African Charter on Human and Peoples' Rights

since 1983. Article 18(3) of the African Charter provides that states must ensure the eradication of all types of discrimination against women as well as the protection of women's rights "as stipulated in international declarations and conventions".

The Constitution of Morocco recognizes the primacy of international laws which supersedes domestic legislation, although such laws and conventions do not have pre-eminence over the Constitution itself without a revision of the latter.

Considerable efforts have been made by the state to improve the situation of women in Morocco in recent years. In 2003, Morocco passed its Family Law, a watershed in guaranteeing women equal rights within the family, especially by ending the custom of male "guardianship." Other signs of progress included the election of a record number of women to political office, making Morocco a reference point for progressive women's movements across the Middle East and North Africa region. The government counts seven women ministers. The adoption of a gender approach in all ministries is a testimony to the commitment of the government to combat discrimination against women and to improve their representation in politics. As a result of the quota system, Morocco has 35 women members of parliament and 3428 women elected in the municipalities.

But discrimination against women still persists, and laws need to be modernized. Two groups that continue to suffer severe exclusion and discrimination are single mothers and girl domestic workers (see Ennaji & Sadiqi, 2011).

Under the new labor code, women can start their own business and sign trade agreements without the

consent of their husbands. The code stipulates that there shall be no discrimination against women in employment and wages, and considers for the first time sexual harassment as a serious crime.

Significant demographic changes have also led to the improvement of women's health, such as a decrease in fertility rates and a rise in the age of women contracting their first marriage (average 26 years).

The *Dahir* (royal decree) of 1958 concerning Nationality and the Penal Code of Morocco have been recently revised. The new penal code allows a wife to directly sue her husband without the authorization of the court, unlike the case in the previous provisions. According to the new Nationality Code passed in 2007, a Moroccan mother can pass on the Moroccan nationality to her children of a non-Moroccan father automatically, unlike in the 1958 law which required residence in Morocco and a formal application for granting the nationality to the child. This new code puts an end to the suffering of thousands of Moroccan women married to non-Moroccans.

The recent legislative reforms will in the long run have a very positive effect on gender relations. Nevertheless, these changes will only become truly significant if they lead to a change in the mentalities of all Moroccans and if they benefit the daily lives of Moroccan women of all ages. This remains a major challenge, for Morocco is a Muslim society where modernity and tradition compete. It is also a country which is transitioning toward democratization, integration into the global economy, and urbanization.

Despite these positive changes, women still face violence in private and public spheres alike, as well as societal discrimination in the many dimensions of their lives. Gender discrimination persists, and inequalities between Morocco's urban and rural populations in terms of access to education, employment, and health care are flagrant (Ennaji & Sadiqi, 2011; Ennaji 2010).

### **Serious Challenges**

Despite remarkable headway made towards gender

equity, there are setbacks and serious challenges like fighting illiteracy and poverty. For instance, illiteracy is very high among women in Morocco despite government and civil society efforts to reduce it. Only 36 percent of adult women know how to read and write, against 62 percent of men. The illiteracy ratio among the young is 41.7 percent for girls and 23.9 percent for boys (percentage of people aged 15-24). Literacy ratios showcase the discrepancy between the educational level for women and men. The general primary schooling rate is 94 percent for both girls and boys, and the net primary schooling rate is 77 percent for boys and 64 percent for girls. According to the United Nations Development Programme, only 40 percent of those registered in the first, second, and third levels of education are girls.

It was only in the year 2000 that elementary school education became compulsory. While the ratio of schooling at the primary education level (children 6 to 11 years of age) increased from 68.6 percent in 1997 to 90 percent in 2007, significant progress has been made in girls' education in rural areas. An estimated 22 percent of rural girls do not benefit from any formal education.

According to the government, only 26 percent of girls aged 14 to 16 years in rural areas were attending school in 2007 (CRC/C/28/Add.1, para. 60, 2007). Sexual stereotyping of women and girls in officially assigned textbooks is common place. Despite the National Charter of Education and Training that imposed reforms in the educational system since 2000 and stipulated equal opportunities in education for both girls and boys, women and girls are depicted as housewives, maids, cooks, cleaners, secretaries, and as minors in many Arabic textbooks at the primary level of education (Belarbi, 1987).

Significant measures have been taken by the state to promote gender equality in the educational system through the National Program for Promoting Human Rights Culture in schools. The government, however, has not taken any actions against parents who do not send their daughters to school. Moroccan human rights non-governmental organizations (NGOs)

endeavor to reduce gender inequalities in education through projects enhancing girls' education in rural areas and through surveys and reports on discrimination, violence, and sexual harassment in schools.

Due to the literacy campaign launched by the government since 2002 and government commitment, girls' enrolment in primary schools increased within one year by more than 10 percent. The secondary school enrolment ratio is 44 percent for boys compared to 34 percent for girls. It should be noted that there exist great disparities in school enrolment between rural and urban areas. NGOs make considerable effort to teach literacy to girls and women and to rehabilitate schools and other public infrastructures.

About one fifth of the population suffers from poverty, which is more prevalent in the countryside. Several factors make women more vulnerable to poverty than men. Widows and divorcees are more exposed to poverty. Women-headed households are likely to be large and poor. Women in rural areas are affected by other difficulties linked to poverty, such as widespread illiteracy; poor access to education; poor health care; lack of amenities like running water, hygiene, and electricity; poor access to land, information, training, and bank loans.

Women's NGOs and human rights organisations have multiplied actions to improve the situation of women and the conditions of the most vulnerable populations. These NGOs have initiated extremely important projects for women in the areas of literacy, microfinancing, and microcredit. Moroccan NGOs have also established many centres where women can obtain training, information, and legal aid.

Nevertheless, government efforts to protect and upgrade women's economic rights remain inadequate. The government's annual development budget is rather incomplete and fails to reduce women's hardships especially in rural areas (Naciri, 2003).

Since the promulgation of the new family law, violence against women has been largely mediatized

and brought on the Moroccan social and political agendas, mainly due to the work of women's NGOs (Sadiqi, 2009). Headed by a woman, the Ministry of Social Development, Family, and Solidarity, has adopted a new strategy to combat violence against women, guaranteeing gender equality. In 2007, a unit for women victims of violence was established in a few hospitals and police stations across the country.

Nevertheless, domestic and sexual violence continue to be considered as a private matter which does not represent a human rights violation or a crime that needs serious investigation and analysis. Violence against women continues to be surrounded by silence. As a consequence, violence against women is under-documented. The following section examines the condition of domestic workers in Morocco.

### **Violence against Housemaids: Facts and Reactions**

Section 4 of the 2003 labor law specifies the recruitment and employment conditions regarding domestic workers. Despite these changes, the status of domestic workers is still not well defined, because the labor code applies only to salaried men and women.

According to ADFM, one of four wage earning women in urban areas are employed as helpers who are often under the age of twelve. These young girls work under appalling conditions, are deprived of their basic rights, and are over-exploited, as they work between 10 and 14 hours a day (cf. Schneider, 1999). The government has recently taken measures to reduce the exploitation of maids, but the new law has not been enacted yet.

According to the 2001 survey conducted by the Moroccan League for the Protection of Children and UNICEF, 45 percent of domestic workers under the age of 18 were between the ages of 10 and 12, and 26 percent were under the age of 10. In 2002, the legal age for work was raised from 12 to 15. Underprivileged parents oblige their daughters to work as maids so that they can benefit from their earned wages. These young girls are sent by their families from rural areas to work as domestic workers in urban homes. Over 80 percent of the child

domestic workers are illiterate and over 75 percent are from rural areas.

These domestic workers are particularly vulnerable to exploitation. They are usually lonely, with hardly any opportunity to see their relatives or meet new people and consequently have no one to turn to for assistance. These young girls are often beaten up by their employers. Many of these cases have been tried in court and covered by the media. In 2009, a judge and his wife battered their maid, Zineb, aged 12. The wife was sentenced to three years in jail, and her husband suspended from his job (see the Moroccan Arabic daily *AlMassae* of 30 October, 2009).

In a 60-page report entitled *Inside the Home, Outside the Law, Abuses of Child Domestic Workers in Morocco*, New York-based Human Rights Watch cited the cases of girls as young as 5 working 100 hours per week with no rest break or day off for 6.5 Moroccan Dirhams (\$0.71) per day.

There are thousands of cases of under-age girls from the countryside given away by their parents to work in homes in big cities. Here are a few examples. Six years ago Fatima's mother sent her 9-year old daughter to work as a housemaid in the city, where her first employer beat her. "In the city my daughter will dress well and eat well," said Khadija of her decision. She is paid 500 Moroccan Dirhams (\$60.56) monthly for Fatima's work. "My husband and I cannot look after her and the other 4 children". Fatima is one of tens of thousands of girls working as live-in maids in Morocco who, according to a 2006 Human Rights Watch report, face physical and psychological abuse as well as economic exploitation (Abdennebi, 2007).

No official numbers exist, but one non-governmental organization called Bayti has counted 23,000 girl domestic workers in Casablanca alone. Amina Lmalih, Bayti's director, says the vast majority come from the countryside, where people have little income and a lot of kids. If they send a girl away, not only it is one less mouth to feed, she can also send money home. "And the parents," she says, "think they're doing something good for their daughter, that they're saving her from the tough conditions in the countryside where there

is no electricity and so on. The parents think that at least their daughter will be fed in the city." (A radio story broadcast by PRI's *The World*, 2009).

The government, the Ministry of Social and Family Affairs in specific, has passed laws to limit the exploitation and the violence against child maids by regulating the work of housemaids so that no girl under the age of 15 can be employed as a domestic servant. The Minister set a target date for eradicating the problem of young maids by 2010. However, this depends on all partners working together.

This law was especially important considering that eight out of ten cases of violence against maids who come to the centres are perpetrated by their employers. Although there are no estimates as to how many children are employed in domestic service due to the hidden nature of the work, United Nations agencies and most NGOs underline the prevalent abuse of young girls working as household maids, which is one of the major issues confronting Moroccan children.

Since 2002, the Ministry of Women's Affairs worked with government departments and Moroccan women's NGOs to fight against violence in general, and violence against domestic workers in particular. While reforms of criminal laws have provided some protection for women against violence, violent practices against women in the public and private spheres continue to occur, including sexual harassment and violence against domestic workers. Moroccan women's NGOs have endeavored to break the silence surrounding violence and other mistreatments undergone by women using radio and television campaigns on violence against women. Several Moroccan and international NGOs advocate for the prevention of violence against women and for the protection of women victims. Centers like Solidarité Féminine, Initiatives, Bayti, Annajda, Chourouk, Annakhil, and many others provide support services, shelter, legal aid, and information.

## Conclusion

Girl domestic workers are the most frequent victims of violence in Morocco. However, these housemaids

rarely approach the Moroccan police for assistance because they believe that the police are often biased against women.

In light of the new reforms enacted since the implementation of the new family code, the Moroccan police are engaged in activities to try and encourage women to report more to the police, but such measures may take a significant amount of time before they lead to results at the local level. Whilst Moroccan police has shown a reforming zeal in announcing its intention to appoint thousands of new female police officers, it will take time to recruit, train, and integrate them.

The state has yet to develop a comprehensive policy and legislative response to the problem of domestic violence. This legislation should be drafted in such a way as to cover both physical and psychological violence and provide for protective mechanisms

including restraining orders. There is also the necessity of training law enforcement officials and members of the judiciary regarding the investigation, prosecution, and punishment of cases of family-based violence.

Economic development and better public education are key tools to discourage the use of child maids. Tougher laws are also badly needed to reduce the intensity of this phenomenon. The government and charities must consider strict legislation if they are to change the mindsets of Moroccans, who still do not see the employment of girls under fifteen years of age as a crime against humanity, despite the numerous public awareness campaigns. What's needed is for those who employ young girls to realize that their actions are a crime punishable by law.

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