

# Domestic Violence in Morocco: Challenges Faced by Victims and the Role of Women's Associations

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Author Note: The following is a condensed version of a longer research paper. All names of the individuals interviewed have been changed, and the names of the organizations worked with have been omitted to maintain their safety and confidentiality. The majority of the interviews were conducted directly between the researcher and the participant in Darija, the Moroccan dialect of Arabic; however, due to the presence of a non-fluent Darija speaker on the research team, two interviews were conducted indirectly, with a Darija speaking teammate serving as a translator. While both men and women can be victims of domestic violence, this research focuses only on female victims, as women represent the majority of domestic violence victims worldwide. The conclusions drawn from this study are based solely on the data gathered in the organizations studied and should not be interpreted to speak for the circumstances of Morocco as a whole.

Domestic violence, also known as intimate partner violence or spousal abuse, is violence or abuse from one person toward another that takes place in a domestic setting and/or an intimate relationship. It not only manifests itself physically, but also sexually, psychologically, economically, and legally. Domestic violence is a global phenomenon that disproportionately affects women, in rates of victimization and levels of severity, and research has consistently revealed a strong, direct correlation between a country's domestic violence rates and their level of gender equality (McOuigg, 2011, p. 13; Esquivel-Santoveña, Lambert, & Hamel, 2013, p. 7). The discussion surrounding women's rights in Morocco has steadily grown over the past two decades; however, many women's organizations, both domestic and international, agree that Morocco still has a long way to go in many areas of women's rights. While there are many elements that play into the manifestation and treatment of domestic violence in Morocco, the following research focuses on domestic violence in Morocco by examining the challenges faced by victims when seeking aid and how Moroccan women's non-governmental organizations (NGOs) meet these challenges.

## Literature Review

In Arab and Islamic countries, the issue of domestic violence remains widely ignored and unreported due to a number of cultural and legal barriers (Douki, Nacef, Belhadj, Bouasker, & Ghachem, 2003, p. 168). In Arab cultures, there is a common tendency to view domestic violence as a private and personal matter that should be dealt with inside the family, as the intervention of social and legal agents will only further disrupt the family and damage their reputation; furthermore, the attitude often maintained toward domestic violence is one that views it as a justifiable response on the part of the husband toward his wife's misbehavior (Douki et al., 2013, p. 165-166). Hence, women are reluctant to speak out against their abuser in fear of social backlash from their community and nonfeasance on the part of the criminal justice system (Douki et al., 2013, p. 168). In Morocco, a woman seeking legal recourse against her husband is going against two key social norms: family privacy and male primacy (Cochran, 2009, p. 5). Moreover, the dichotomy in treatment and recognition between extra-familial violence and domestic violence is palpable, particularly in Arab societies, as the former is widely recognized and condemned, while the latter remains unrecognized and dismissed as a private matter (Douki et al., 2013, p. 166).

The Moroccan Family Code, more commonly known as the *Moudawana*, is the legal framework that dictates matters related to the family, such as marriage, divorce, child custody, and inheritance (Hanafi, 2011, p. 517). It was most recently revised in 2004 after many years of

Moroccan women's activism, and the new revisions appeared to be a very progressive, positive step forward for women's rights (Hanafi, 2011, p. 515). For example, the 2004 revisions gave women the right to divorce and to child custody, raised the legal marriage age from fifteen to eighteen, dismissed the legal requirement of a wife's obedience to her husband, and recognized the husband and wife as equal heads of household (Hanafi, 2011, p. 519). Nevertheless, despite the sweeping changes to women's rights enacted in 2004, research has indicated that, in practice, the *Moudawana* has fallen short of expectations due to a lack of universal implementation (Eisenberg, 2011, p. 708).

Women's organizations are a relatively new phenomenon in Morocco, as many of them have only come into existence in the past two decades (Cochran, 2009, p. 5). In other words, in a time where neither the law nor governmental institutions have effectively tackled the issue of domestic violence in Morocco, helping not only domestic violence survivors but also women in general has become the job of organizations and associations established by the women of Morocco.

### **Methodology**

The data amassed during this research was collected using non-participant observation, participant observation, formal semi-structured interviews, and informal interviews. Researchers conducted observations in a small women's development association and a domestic violence shelter in the Fes-Meknés region of Morocco. The observation at the women's association consisted of a tour of the association, non-participant observation of the daily activities taking place, and participant observation of intake sessions of women for domestic violence cases. Only non-participant observations were conducted at the domestic violence shelter. Observations consisted of a tour of the shelter, which also included shelters for children, the elderly, and the homeless, and non-participant observation of the shelter's daily activities. Researchers also conducted formal, semi-structured interviews with employees at these organizations and informal interviews with a variety of individuals throughout the course of the research on topics such as personal stories of abuse, stories of friends who had been abused, or anecdotes on their opinions about the difference in the treatment of men and women in Morocco. Overall, gaining the trust of the interviewees and the organizations and ensuring their confidentiality was of utmost importance in this research in order to ensure that the observations made by the researchers and statements given by the participants would not put the women at risk of a damaged legal case or of possible retaliation by abusers.

### **Main Findings**

These associations categorize five types of domestic violence: physical, sexual, psychological, legal, and economic. The shelter further breaks these down into conjugal violence perpetrated by husbands, non-conjugal violence perpetrated by male family members, and violence against single mothers. According to Nadia, the founder and president of the women's association, economic violence is the most frequent type of violence that pushes women to seek help ("Nadia", personal communication, 2019). Economic violence occurs when the husband stops giving *nafaqa*, the Islamic legal term for the financial support a husband is required to provide for his wife during marriage and for a time following divorce. Legal violence takes place when governmental authorities discriminate against women in ways such as failing to respond to a woman's legal complaints or failing to provide her with the necessary legal documentation (de Faria Slenes, 2014, p. 248). This type of violence affects not only the woman, but also the children of these unions. Unregistered marriages are illegal, but common in the rural areas of Morocco, especially ones involving women under the legal marriage age of eighteen. These

marriages are a form of legal violence as the woman and her children do not have the right to collect any *nafaqa* payments from the father/husband, and the children do not have the right to their father's last name or inheritance. Halima, the coordinator of the Support and Economic Integration of Women Unit of the shelter, explained that violence against single mothers was of particular concern to the shelter as single mothers sometimes resort to abandoning their baby due to the many constraints that she and the child might face especially if the baby is born into an illegal relationship ("Halima", personal communication, 2019). Additionally, the association experienced a large increase in clients in 2014 due to the enactment of a new marriage law that required all marriages to be registered. Even before this law was enacted, the association viewed unregistered marriages as a form of legal violence; however, the creation of the law meant these women had a legal basis to come forward, and many of those women sought assistance from the association. According to Halima, this legal violence is often reflected by what she calls "the length of the ruler," which consists of the way authorities and legal facilities send the woman back and forth between places like the police station and the courthouse when the woman is in need of immediate protection ("Halima", personal communication, 2019). Both organizations explained that, generally, most instances of physical, sexual, and psychological violence were not usually revealed at first, but would be, later on.

Based on the data collected, researchers identified three main challenges faced by victims of domestic violence when seeking aid from an NGO. First, women face challenges due to societal stigmas stemming from the patriarchal mindset of Moroccan society. Social challenges stem from the expectation that the interests of the children and the family's reputation take precedence over the woman's safety and welfare (Douki et al., 2003, p. 168). As Fatima, the operations director of the women's association, explained, this social stigma stems from both the "family's opinion", "society's opinion", and the "masculine mentality" of both men and women in Morocco ("Fatima", personal communication, 2019). The fact that most women visited the women's association on Mondays, the city's *souk day*, illustrates this stigma. Women are able to leave their homes on the premise of visiting the *souk*, providing them with the opportunity to also visit the association on the way without their husbands finding out. Ikram, the head of the Elderly Shelter, further illustrated this social stigma by explaining that women at the women's shelter were afraid to see the residents in the elderly shelter out of fear of recognition ("Ikram", personal communication, 2019). An informal interview with a male administrative employee at the shelter highlighted this patriarchal mindset. He shared his opinion that both parties were at fault for domestic violence. He explained using a Moroccan proverb in order to say that when a woman continues to dig a hole in the soil, she will be bitten by the snake (the man).

Second, victims of domestic violence face challenges due to the low socioeconomic status and level of education seen in a majority of the women they help, coupled with the low level of availability of women's organizations in the region. The high rates of poverty and low levels of education seen in a majority of the organization's clients are consistent with the previous findings of other academic studies in the area (de Faria Slenes, 2014, p. 248). Fatima mentioned the high rates of female illiteracy that bar females from the same knowledge about legal and human rights that their male counterparts have access to ("Fatima", personal communication, 2019). As previous research has indicated, an estimated 80% or more of women living in the rural areas of Morocco are illiterate, thus, they have no knowledge of their legal rights (Hanafi, 2011, p. 525). Furthermore, the employees of the shelter mentioned that some women do not have the money to take the bus to come to their facility. This fact is particularly critical as there is only one women's shelter in the Fes-Meknés region, and it is located on the

outskirts of the city. Zineb, the receptionist at the women's development association, noted that the women they help come from the city and also from the peripheral areas of the region ("Zineb", personal communication, 2019).

Third, victims face the biggest challenge due to the legal system of Morocco. As other academic research has found, these legal challenges are due to the high bureaucratization of the Moroccan justice system, the patriarchal mindset discussed above, and the poor implementation of the Moudawana (de Faria Slenes, 2014, p. 248; Eisenberg, 2011, p. 696). Fatima elucidated on this concept by explaining that "even if she does speak, there are so many complications" ("Fatima", personal communication, 2019). The main problems faced by women in the judicial system are due to the fact that the legal process is a long and arduous one with many steps that require a lot of dedication and persistence on the woman's part. In the end, it is up to the woman if she can stay in the process and for how long. To illustrate, Nadia used the *tubut* or evidence law. This law requires that a victim of domestic violence has to prove said violence with witness or medical documents to be able to file a report against her husband, but these documents are only valid for twenty-one days after the incident ("Nadia", personal communication, 2019). In addition, the legal facilities that women come in contact with when seeking help present major challenges. The association described that police stations have no designated spaces for victims to wait when they are going through the process of filing their report, so they are mixed with and treated at the same level of delinquents and criminals ("Nadia, personal communication, 2019). Furthermore, an appropriate advocate is not always provided to the victim. For example, they explained that Imazighen women, the indigenous peoples of North Africa who speak Tamazight, are spoken to in Darija, the Moroccan dialect of Arabic, and not provided an advocate or a translator.

In order to mitigate the consequences of these challenges, these organizations organize awareness events in areas of high female traffic, like the *souks*, along with classes given to women in the surrounding areas about their legal and human rights. To address the socioeconomic status and levels of education of the women, the association offers general education classes and more specialized classes in areas such as sewing or embroidery in order to help the women gain economic independence. To help ease the navigation of the legal system, the organizations accompany and assist the women through every step of the process. In fact, the association maintains a working relationship with a practicing lawyer, who visits twice a month to meet individually with the women and offer them legal counsel ("Nadia", personal communication, 2019). The shelter is unique in its ability to offer immediate protection allowing the women to navigate the legal and social challenges without having to worry about their living situation and personal safety.

### Conclusion

Based on the information gathered throughout the process of this study, it appears that Morocco has detached itself from much of its responsibility regarding women's rights, passing it off to NGOs like the ones observed. Despite the current situation facing female victims of domestic violence and women in general in Morocco, the employees of these organizations still expressed hope that change will come. For example, Nadia wishes to see a successful execution of gender equality and a change in the articles and laws in Morocco ("Nadia", personal communication, 2019). Fatima indicated that she hopes Morocco will become a country that not only recognizes women's rights, but also delivers justice in the name of those rights. Fatima upheld the idea that Morocco should be a "country of right and law" when it comes to women ("Fatima", personal communication, 2019). As for Halima, she dreams of a Moroccan society

empty of violence, but full of Moroccan men that know the value of women and of a media that glorifies and empowers women (“Halima, personal communication, 2019). She hopes that in the future women can achieve positions of power and that shelters center spread and multiply around Morocco (“Halima”, personal communication, 2019). In conclusion, based on the information and data gathered over the course of this research, the work of NGOs and activists such as Nadia, Fatima, Halima, Zineb, and Ikram is crucial to victims of domestic violence, especially in countries like Morocco, where domestic violence is systematically ignored and justified.

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