

Combating Violence against Moroccan Women

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Abstract: Although many efforts have been done to eradicate violence against women, and many positive improvement in policies, practices, and activities to support and protect women all over the world, violence against women in all its various forms is still spreading and posing a threat and danger to women and girls in all countries. All over the world, women victims of violence, particularly Moroccan illiterate women and low-income women, have little access to justice and they experience oppressive and marginalized treatment from the Moroccan state.

However, the general goal of this ethnographic study is to generate a basic understanding and knowledge that can be used as an essential means to improve current policies, practices, and legislation in force in Morocco regarding the protection and promotion of gender equality and women's rights. This ethnographic study narrates the story of eleven women victims of different types of violence including physical, domestic, sexual, and psychological violence, to display the urgent need for the Moroccan state to implement responsive facilities and services for those women who lack knowledge and money, to provide effective and appropriate specific training to the state agents for the victims of sexual assault based on Moroccan law and legislation that protect women's rights instead of acting on personal attitudes and opinions, last but not least to strengthen the monitoring of a framework to record and observe the implementation of the measures and reforms taken by the Moroccan state to combat violence against women.

I. INTRODUCTION

After a long struggle and debates by women's rights organizations, Morocco ratified the new law No 103-13 to combat violence against women. This new law defines violence against women as any action, physical or moral, based on race and causing harm to women, whether physical, moral, sexual, or economic and it encompasses several forms of abuse. The violence that can be practiced against women in different contexts includes home, street, workplace, or elsewhere (Elkhalidi, 2018). However, overall, activists and feminist movements said that this law did not address several issues to ensure that all victims are protected from all forms of violence and to monitor that the police, public prosecutors, and judges do their jobs concerning domestic violence cases and work to fund women's shelters.

Though, the new law includes positive procedures and provisions including: Increasing the penalties imposed on some forms of violence in the criminal law when it was committed within the family, and introducing new crimes such as underage marriage, violence within the family, sexual harassment in public places, and electronic harassment. Moreover, this law constrains public authorities to take preventative measures including programs to raise awareness about violence against women, it also provides support for

specialized units to meet the needs of women and children victims of violence in courts, and for government agencies, security forces and local, regional and national committees to deal with women's and children's issues (Elkhalidi, 2018). However, the new law still contains significant gaps and flaws that leave women at risk of domestic violence.

The new law does not provide a clear definition of domestic violence and it does not explicitly criminalize marital rape, this law also does not contain mechanisms to evaluate and monitor the implementation of national policies and measures that have been taken by the Moroccan government to eradicate violence against women. Even though the law permits protection orders to prohibit an accused person from communicating and approaching the victim, this is only issued during prosecution or after conviction (Elkhalidi, 2018). Moreover, these decisions can be cancelled if the spouses reconcile. Furthermore, there are alternative "preventive measures" that "warn" a person against committing violence or disposing of the joint marital property but the law does not specify the authorities that will address them. The Law further fails to specify concrete duties for police, prosecutors, other law enforcement officials, and judicial officials in domestic violence cases (Elkhalidi, 2018).

As a result, few women will be able to obtain protection from their abusers under this law, because it requires the prosecution and conviction of their abusers, however, the law does little about specifying the authorities' duties to arrest, prosecute, and convict abusers. This law also does not stipulate that courts should consider all forms of evidence in domestic violence cases and that the victim's testimony in front of the court can be sufficient evidence to reach a conviction. Furthermore, this law does not provide financial assistance to survivors, or clearly define the government's role in providing support and services to survivors of domestic violence, including shelter, health services, mental health care, legal advice, and emergency phone lines.

Many associations in Morocco have criticised the new law No. 103/13 related to combating violence against women prepared by the Ministry of Solidarity, Women, Family and Social Development, because they found many legal and objective gaps and ambiguities that emptied this law of its expected content. "INSAT " Association to combat violence against women in Beni Mellal is one of these Associations that rejects and protests against this new law because it is based on the non-involvement of associations in preparing and formulating its provisions. According to INSAT Association, this law contains many defects and flaws, both in terms of excluding the gender approach as a backbone for building the

law, or in terms of forcible connection between women and children and their inclusion in one project.

According to “INSAT” Association, the new law is damaged due to pressures from reactionary parties, and therefore it does not meet the aspirations of women's associations that have struggled for years and achieved several gains in favour of women. The new law also does not distinguish between women and children and brings them together in one context, as if women suffer from violence only within the family, while there is much violence outside the family world. Therefore, the Association criticises some articles of this law, such as Article 13, which stipulates the establishment of local committees consisting only of male judges, with the exceptional participation of women and the exclusion of representatives of associations from these committees. As well as Article 15, which provides for the provision of local centres to accommodate female incubators, and Article 10, which only talks about married women and the exclusion of single mothers. Indeed, the Association rejects this law like other women’s organizations, because it did not rely primarily on combating gender-based violence as stated in universally recognized international agreements.¹

This article is an ethnographic study which argues that without such protection and clear procedures, Moroccan women will continue to face different forms of violence. It also aims to understand and discover whether the Moroccan policies and practices relating to the law N 103-13 to combat violence against women especially in Beni Mellal are implemented, how they are implemented and whether women benefit from them or not. From this ethnographic study, effective solutions will be suggested to the Moroccan new law No 103-13 to combat violence against women because protecting women and girls from violence requires not only legal changes but also fundings and political support for enforcement and services. Therefore, this law must be implemented to expand protection.

II. REVIEW OF LITERATURE

Violence against women and girls is a worldwide and complex issue that challenges policymakers, justice systems, service providers, community leaders, activists, families, and individuals concerned with prevention and response to it. Although the Moroccan government has taken an initial positive step by adopting this law N 103-13, Moroccan women still face different forms of violence in their daily bases.

“In 2015 Women reported the highest incidence of violence in public spaces (33 percent), followed by educational and training facilities (24 percent), the workplace (16 percent) and within the family (14 percent). Psychological violence is the primary form of violence experienced by women across

contexts: 10.3 percent intra-family; 25 percent in public space; 13 percent in the workplace; and 16 percent in educational and training facilities.” (Marotta, Daneilla, 2015, p .70).

Indeed, the various forms of violence that Moroccan women and girls suffer from including physical violence, psychological violence, domestic violence, sexual violence, rape, and sexual harassment, are the least visible and least reported and in most cases, such violence may not even be recognized by social norms and legal authorities.

Domestic violence:



Anthony and Miller defined domestic violence as “all actions by the family against one of its members that threaten the life, body, psychological integrity or liberty of the member” (Anthony and Miller as cited in Saravanan, Sheela, 2000). According to this definition domestic violence does not only include inter-spousal violence but also the violence committed by other family members. Domestic violence is an act of threatening and controlling used by those who have power (invariably men) against those without power (mainly women and children).

Domestic violence may include but is not limited to the following:

- sexual harassment
- Maltreatment
- Brutality

¹ “INSAT “ Association to combat violence against women rejects the new law N 103/13 and presents its activities in Beni Mellal. Retrieved from <https://www.maghress.com/alittihad/186993>

- Physical injury
- Wilfully hurt or pain
- Knowingly placing or attempting to place a spouse in a feat of injury
- Compelling the spouse by force or threat to engage in any conduct or act, sexual or otherwise.

Lack of alternatives among women's victims of violence and rigid tradition and culture are the main causes of domestic violence. Both children and women victims of violence may be economically dependent on abusers, and they may also believe in traditional and cultural norms that dominate their societies and isolate them from seeking help.

Physical violence:



Women experience physical violence in a variety of ways; this violence can be either controlled or impulsive. For example, women may be slapped or have something thrown at them which could hurt them, pushed or shoved, or have their hair pulled, hit with a man's fist or something else that could hurt them, kicked, dragged or beaten up, choked or burnt on purpose, threatened with or actually have a gun, knife or other weapons used against them, can all be classified under physical violence. Indeed such violence may lead sometimes to death and physical injuries, and sometimes it can have serious physical and emotional implications As Bollen et al (1999) stated " the result of physical violence are severe , the trauma lifelong " (Bollen, Artz, Vetten, & Louw, 1999).

Emotional violence:

Emotional violence occurs more frequently and chronically and it's more difficult to detect than physical violence, it can take the form of verbal and non-verbal abuse, this kind of violence destroys a person's self-esteem, self-worth, and self-confidence. Women are usually exposed to emotional violence including being insulted, belittled, or humiliated in front of other people, have things done to scare or intimidate them on purpose; for example, by the way, others look at them or by yelling and smashing things, being verbally threatened by their intimate partners that they would hurt them or someone they cared about. Therefore, the effects of emotional

violence are deeper and more painful than physical violence (Browne, Horvert, 1997; Romito, 2008; Sanderson, 2008).

Sexual violence:



Sexual violence occurs when a perpetrator forces a partner or woman to have sexual intercourse when does not want to (Slabbert & Green, 2013, p .240). This kind of violence may take the form of rape; where women are forced to have sexual intercourse when they don't want to, for example, when they are threatened or held down. Coercion is another form of sexual violence; women have sexual intercourse when they do not want to because they are afraid of what their husband/partner might do if they refuse. Sexual violence can also occur when a person is forced to do anything else sexual that they do not want or that they find degrading or humiliating to do. Unfortunately, women rarely reveal or talk about their sexual violence due to shame, fear, and guilt.

Economic abuse:

This type of violence is based on the false perception that women are responsible for housekeeping, child-rearing and have to be the breadwinner, which exposes them to economic abuse (Wiehe, 1998: 6). In developing countries, specifically in patriarchal societies, women are prohibited from getting a job , going to work , trading , earning money, or participating in income-generation projects. However, those women who are employed have their earnings taken from them against their will or their intimate partner may refuse to give them money they needed for household expenses even when they have money they need for other things, such as alcohol, cigarettes, and drugs.

There are multiple and complex causes and reasons behind these types of violence against women. One of them is women's silence, women feel ashamed and worthless to tell their stories or report their cases to social and legal authorizes. However, storytelling or narration is a significant means for women to voice their traumatic experiences and to empower them to turn from victims into active agents. Unequal gender norms and power dynamics between men and women are another core cause of violence, particularly sexual violence. In

most parts of the world, men are considered as the perpetrators and women as the victims of sexual violence. Using violence is something that boys learn from their environment, it's a learned behaviour, from their childhood boys and men are socialized to behave violently.

As a result experiencing violence including physical, psychological, or sexual violence has deep and long-lasting physical and mental health consequences on women 's and girls' health including fatal and non-fatal injuries, sexually transmitted diseases, unwanted pregnancies, somatic complaints, chronic pain, gastrointestinal disorders, headaches, posttraumatic stress disorder, substance abuse, depression, chronic fatigue, sexual dysfunction, anxiety, phobia, sleep and eating disorders, suicide ideology, and attempts and persistent feelings of vulnerability (Burge, Sandra K, 1989; Koss, Mary. Lynette Heslet, 1992).

III. RESEARCH METHODS

This is an ethnographic study of gender-based violence. I conducted fieldwork in the provincial town of Beni Mellal where I participated in the "INSAT" association, a listening center for victims of violence. The association was established in 2002 as an independent and non-governmental association, it adopted the international covenants and national laws, especially anything related to the eliminations of all forms of violence against women, also laws that are related to child protection (*Le panégryrique de L'Association INSAT à Béni mellal*).

The Association works in favour of women who are subjected to various types of violence, whether physical, psychological, legal or economic. The main activities that are carried out by the Association are based on providing legal services for the benefit of single mothers and battered women coming from different cities and villages of the Tadla-Azilal region, by helping them file lawsuits, appointing lawyers and accompanying them to the legal authorities, and administrative services. The Association helps battered women and single mothers to obtain a civil status book for children and evidence of housing and accommodating incubators in Jerusalem Centre in Béni Mellal, which currently accommodates more than 100 single mothers (*Le panégryrique de L'Association INSAT à Béni Mellal*).

Therefore, the association aims to assist women victims of violence and single mothers and to stand by them through:

1. Providing psychological and legal aid to face all forms of moral, linguistic and physical
2. violence
3. Welcoming single mothers and protecting them by providing appropriate solutions in order
4. to reintegrate them into society in a better way
5. Working to change the mentalities and practices that perpetuate violence in all its forms.
6. Working to ratify Morocco on all international conventions on women's rights and combating all

forms of discrimination, and also incorporating its requirements in the Moroccan legislation and its suitability with it and ensure its respect.

At the time of my fieldwork, the organization was ran only by a few women with Madam Habiba as their head. One day, in a meeting with them, I asked about their source of funding. They laughed at my innocence when I asked them this question, Madam Habiba replied that following a visit to the Association by King Mohammed VI in 2012, he was satisfied with its goals and objectives, and decided to support by providing funding.

To collect data for this study I used a narrative approach instead of an interview based on participant observation, formal and informal conversation. More attention was given to the experiences of those women within administration and police station, how these later responded to their cases, and their attitudes toward them as women first (gender) and non-literate and low-income citizens. The eleven stories chosen for this study are representative of 30 cases that I observed during my fieldwork in this Association. Some of these stories have a happy ending while others remain unresolved or ongoing.

Fatima's story:

Starting with the story of Fatima, at the time of my fieldwork in Béni Mella in 2018, Fatima was 25 years old, she was married to a man who was 10 years older than her, Fatima had three daughters in secondary school, she was an illiterate, and did not know anything about law or public institutions. She and her husband did not have stable jobs as she was a seamstress and the husband was engaged temporarily in agriculture. Her husband was a drug addict who beat her up each time he returned home from work, and sometimes stole her money to buy drugs. Asking him for household needs such as foods also attracted beatings. Fatima therefore came to the Association for assistance, and was told to seek help from the police. She went with a complaint to the police, but nothing came of it. Fatima's case reveals that the Association was not up to the task. It should have led her to the police and other appropriate places for redress.

Zineb 's story:

Zineb was a 20 – year- old single mother when I met her at the Association. During my interaction with her, she said she had been abandoned by the father of her first child when he discovered that she was pregnant with a second one . They were not legally married. Her family also rejected her for giving birth out of wedlock. She lived in a rented single room with her daughter, and worked as a cleaner in a restaurant with daily wage of 50 MAD. Like Fatima, she could not also be saved by the Association. Madam Habiba turned down her plea for assistance to get her 3-years old daughter registered in the civil status book under the name of her biological father with her as an unwed mother. She said the law does not permit such since only father may acknowledge paternity. Madam Habiba however agreed to help her register under a fictional

biological father's name , when Zineb was obliged the situation to opt for it.

Khadija's story:

The case of 17-year-old Khadija is that of rape by her employer. Having had several experiences of various forms of harassment, while working as a house girl, she finally fell victim to rape in one of such instances. The Association could not help seek for justice as its intervention in the matter was considered late by the legal authorities concerned, and further compounded by the lack of evidence on the part of Khadija.

Haassna's story:

Hassna's case is a story of another 17-year-old, but unlike Khadija, she was fortunate to be in school. She encountered an attack on the street by an unknown assailant who absconded, following an alarm raised by Hassna to attract neighbours to her rescue. However, by means of a closed-circuit television camera (CCTV) installed by a neighbour, the culprit was apprehended and

Prosecuted with the help of the Association. *Najat's story:*

The case of 16-year-old Najat's is that of a raped girl by her uncle. Being raped is one of the most horrifying experiences that Najat has felt particularly by someone who trusted a lot.

Najat was an abandoned girl; she lived with her uncle after the death of her parents. Najat was exposed to different kinds of violence and indirect harassment from her uncle, consequently her uncle has attacked her sexually. Unlike Khadija, Najat came to the Association immediately after this horrifying event, and they helped her to convict the criminal.

Sanae's story:

Sanae's case is a story of an employed woman who was exposed to sexual assault by her male director in the office. Sanae's director often intimidated her and exercised various forms of verbal and psychological abuse, she was often called (slut, whore), or obscene expressions, filled with orders and with brutality such as the expression (I fuck you) or (I burst, I pierce the the religion of your mother, referring to rape). Sanae was unable to leave her work or to make a complaint to the police because if she did, it would be difficult for her to find another one. Sanae decided to stay in her work despite these hurtful insults and derogatory comments that she received from her director daily. Providentially, Sanae learned about the Association and she came to seek help, in return the Association saved her and recalled her case to the legal authorities who are specialized in this kind of sexual abuse in the workplace. Sanae remained in her work and her director was apprehended and accused by the legal authorities who punished him to six months of imprisonment and a penalty ranging to 10,000 MAD.

Rahma's story:

Rahma was a 19-year-old girl, she was a university student, she was the victim of street harassment. Rahma was a subject

of daily harassment in the street, on her way to the university, she was always depreciated and attacked by insulting and obscene language, about her body and her clothes, Rahma stated " I always perceive attitudes such as disgust, deletion, or even depersonalization concerning my body when I was out", she added " I cannot get out without a companion", the Association explained that today all women prefer to be out accompanied by their husbands, their mother, their girlfriend or their children, especially if there is no specific reason for going out. They like to have a company to feel good in the public space, and most importantly to avoid street harassment. The Association helped and encouraged Rahma to overcome her fears and provided her with strategies on how to face harassment in the street, because such violence stays beyond the state control.

Nadia's story:

The case of 17-year-old Nadia is that of rape by 5 boys. One night Nadia was coming back from her Grandmother house, and on her way home, she encountered some youths who were sitting near the river and drinking Alcohol, Nadia tried no to make a noise so that they cannot observe her, but unfortunately, they did. The drunk youths noticed Nadia and they came around her, and they attacked her violently, Nadia tried to escape but without vain, Moreover, the rapists hit and burnt Nadia in a different places in her body, which putted her in a coma for three months. When the Association heard the dreadful news, they helped her and appointed a lawyer to handle her case and a psychiatrist to treat her. As a result, the rapists were arrested and prosecuted.

Hiba's story:

The story of Hiba is the case of a harassed girl by a school teacher. Hiba was 15-year-old schoolgirl. During her school day, Hiba was always encountering her History teacher who looked at her in a disagreeable way, and sexually touched her when they were no one surrounded them, Hiba always tried to hide and not attend his classes, and each time she tried to recall what she lived to other teachers, her colleagues or school administration, her History teacher threatened and intimidated her. However, Hiba felt that she was not obliged to bear this Psychological pressure alone and she decided to go to the Association to seek help. The Association advised and encouraged Hiba to admit everything that was happening to her to the director of her school to take the necessary measures and to punish the teacher. Unfortunately, the director did not trust her because she had no evidence that proves her words. Hiba's case remains unresolved, because the teacher denied everything she has said.

Rania's story:

Rania was a victim of family violence, Rania was a 7-year-old girl, she was always beaten and thrashed by her parents mainly her father. Rania stated " when I was 7 years old, I discovered that I became diabetic person, my parents were shocked, I still remember my mother's eyes were shrunken

and filled with tears “, she added “ *my father was setting in his room telling my mother that I would no longer live because this sickness would kill me and would destroy my life, I would no longer be able to get pregnant or work*” Rania explained “ *my parents lose confidence and hopes in me, they started considering me as a handicapped*

person without a future, even I tried to show them the opposite, they rejected me and they kept treating me badly, they beat me every day even I did not commit something wrong. “ However, Rania indicated “ I tried to resist this bad treatment by focusing on my education and fighting to have a better future” , I asked Rania “ why you did not go to the police, she simply answered “ they would not do nothing, because they are my parents and they have a right and responsibility towards me” , I stated “ even they are your parents , they have no right to beat you especially, you are sick and you need their support”, Rania stated” I tried to go to

the police many times but I receded, because if they knew that I made a complaint against them, they would surely kill me.” To help Rania, the Association appointed a lawyer who accompanied Rania to her parent’s house to warn them that if they hit or beat her, they would file a lawsuit against them in court.

Siham’s story:

The case of 23-year-old Siham is that of housemaid girl who was subjected to terrible physical violence by her employers. She was an orphan girl, she grew up in an orphanage. At the age of 8-year-old, she was adopted by a family who did not allow her to complete her education; instead they obliged her to work as housemaid. The adopted family practiced all kinds of violence on Siham without a mercy. As a result of such terrible physical violence, Siham was in a coma for a year. The news spread in all social media, and all Moroccans sympathized with her, they went out every day to make demonstrations in the street to curb the phenomenon of child labour, and to put pressure on the authorities to arrest the family that tortured Siham in a horrific way. The case of Siham aroused the public opinions and human rights associations, including INSAT Association who was charged by its case, and appointed a lawyer to follow up all the necessary legal procedures to punish the family that enslaved her.

These stories reflect the fact that Moroccan legal law and reforms are not always implemented by the legal authorities, because of women’s ignorance and because of the attitudes and the beliefs of those who have power and privilege toward those who are subordinate based on their gender (women), class (low income), and education (illiteracy). Therefore, based on these stories, we suggest the following

III. RECOMMENDATIONS

- Implementing responsive facilities and services for those who lack knowledge and money.

- Providing an effective and appropriate specific training to the state agents for the victims of sexual assault based on Moroccan law and legislation that protect women’s rights instead of acting on personal attitudes and opinions.
- Reinforcing the procedures so that the state agents can respond expeditiously to the needs and grievances of citizens.
- Establishing a national action plan for combating violence against women that address
- all areas of violence against women including domestic violence. This action plan highlights the policies and the procedures that should be implemented against violence and it also specifies and funds the agencies that have the abilities and possibilities to take these procedures and a monitoring mechanism to evaluate the implementation of these policies and actions.
- Penalisation of specific forms of violence particular all forms of physical violence to spouses, regular or occasional partners and cohabitants, psychological violence within the family and sexual harassment at work, schools, or in the street.
- Police should be legally required to record all forms of violence within the family by making complaints, accusations and consistent recording in order to raise the awareness on the extent of the problem.
- The new law should made provisions to ensure that the public prosecution can initiate criminal proceedings in cases of violence within the family and sexual violence.
- The new law should provide criminal penalties to punish persons who engage children under the legal age and practice all forms of violence against them, and to instruct the specialised authorities to monitor workplaces and homes that may be suspicious or reported that they witnessed such crimes.
- The new law should take into consideration that the judicial protection orders should be issued before the persecution and convection.
- Monitoring the judicial protection orders, this later means any orders issued by the court for the protection of the victim from further violence.
- Providing financial assistance and enough shelters to protect women and their children against various form of violence on an immediate practical level and to ensure that services are available to all women without discrimination.
- Providing specific services with specifically trained staff for women who are the victims of sexual assault, including 24 hours rape crisis centre that ensure immediate medical care, and documentation.
- Establishing specifically designed intervention programmes, agencies and activities conducted by professionals, offered to men perpetrators of violence, abuse and domination of women, these

programmes should be directed to men who use violence against women with an ultimate goal of changing their behaviours.

- Developing various mechanisms to monitor, review and regulate the operation of media such mechanisms we have media watch which is a body or an organization that works to eliminate the stereotypical portrayal of women as well as the depiction of violence against women in media.
- Integrating programs or activities to educate children in the public schools about violence against women to make them aware that no man has the right to use violence and to empower to denounce it or find assistance.
- Providing academic professionals with necessary training and knowledge on violence against women during academic course of study or during the vocational education, specifically on methods of prevention and intervention
- Applying the monitoring framework which is a useful means to record and observe steps towards implementation of Moroccan law and policies to combat violence against women.
- Encouraging more ethnographic research to expose how legal policies are implemented in relationship between those in position of power and their disenfranchised counterparts.
- Encouraging more statistical data on the number of cases of violence that come to the attention of the police and the attention of medical practitioners to raise awareness in health care systems or to monitor the effectiveness of the care given.

IV. CONCLUSION

Illiterate and poor Moroccan women victims of violence have no access to protection measures. Those women are marginalized within their patriarchal society that is dominated by social, economic and regional inequalities. We can see that the four stories of women victim of violence reflect the attitudes demonstrated by Moroccan legal authorities towards illiterate and low income women, these attitudes are based on power relation, gender, class, or education. However, this article calls for more ethnographic research based on narratives approaches, to give women a chance to voice their suffering, experiences, and their methods of dealing with different types of violence. In doing so abused women could realise that they are not alone in facing their challenges. Indeed, this ethnographic research considers as an important means to break the cycle of violence and to gain a greater insight into how to deal with violence in all its forms including domestic, physical, psychological and sexual

violence, and also how to deal with aspects such as legal matters.

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DEDICATION

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