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INTRODUCTION

GIACOMO MARIA ARRIGO, JACOPO FRANCESCHINI

We are living in a time of turbulent changes and tumultuous transformations. Climate change, AI development, unexpected wars, economic crisis, space exploration, new cybercrimes and the breakout of a pandemic are all unexpected phenomena that seem to come from a sci-fi dystopia, but are actually part of our daily life. All this requires a general rethinking of our existential coordinates. As a global crossroad, the Mediterranean region is heavily affected by these challenges, becoming one of the main stages of world history again. However, the Mediterranean should not only be seen as a mere sea. Indeed, the Mediterranean is a geographical but also a "spiritual" region, animated by a diverse but shared spirit, to such an extent that an occurrence within the range of the Mediterranean has immediate and essential repercussions on the other side of the sea, as if there were a subtle communication network, an electrical tension between its various parts.

This book aims to address this specific issue by tackling matters of utmost global significance. *Revolutionary Times. Mediterranean Perspectives* is the first joint publication of the research team of *theSquare* – Mediterranean Centre for Revolutionary Studies, and it is the result of a collective reflection on the new disruptive phenomena that are transforming the cultural and political coordinates of the Mediterranean.

theSquare is a boutique think-tank established in 2019 and by vocation devoted to the study of revolutions in the Mediterranean region.

theSquare is a multidisciplinary and interdisciplinary center that combines policy-oriented research with an equally significant theoretical approach. Its work focuses on ideologies, practices, causes and consequences of all kinds of revolutions understood as cultural, social and political breaking phenomena.

Building on the expertise of each analyst, this book is a truly interdisciplinary study, offering reports from several contexts thanks to different competences and skills.

In the first chapter, Lorena Stella Martini deals with the evolution of claims related to gender and sexuality in Morocco. By an analysis of the *Collectif 490 – Hors la loi movement*, Martini shows how Morocco can be considered as an interesting laboratory for feminist claims, expressions and sensitivities. After retracing the relevant developments and characteristics of Moroccan secular feminist activism during the past four decades, the chapter presents the results of a fieldwork carried out during the summer of 2020, then updated in 2022, and also consisting in several interviews with Moroccan activists involved in the promotion of human and women's rights.

Moving to the other side of the sea, the second chapter by Giulia Valeria Anderson deals with the never-ending Kurdish question. Since the 1920s, the Kurdish question has been at the center of the geopolitical dynamics of the Middle East. Anderson shows how recent developments within the Kurdish culture are challenging certain cultural and political models of the neighboring Arabs—for instance, the role of women in society and the sense of being a minority in relation to a specific political context. The chapter moves on to focus on how the Kurs influenced, and are still influencing, certain decisions in the region and beyond.

The third chapter moves slightly outside the proper Mediterranean sphere, showing that the dynamics affecting the Mediterranean go beyond its narrow geographical perimeter. Sara Zanotta explores three recent uprisings in Iran: the 2019-2020 protests against rising fuel prices, the 2021 water protests and the 2022 protests against the mandatory *hijab*. By comparing these three waves, remarking commonalities and differences, Zanotta presents some continuities with previous moments of Iranian history but also some crucial discontinuities that mark a meaningful evolution in the country's contentious national politics with respect to the last decades.

The fourth chapter by Irene Lizzola is a more theoretical contribution that aims to analyze how transitional justice processes, which are at work in post-conflict and post-authoritarian regimes, succeed or fail in integrating the political and social pluralism of so-called "transitional" societies. After a detailed study of the topic, the chapter turns to two case studies, Libya and Tunisia. Thus, the theoretical gain of the first part of the chapter is applied to a study of the southern shore of the Mediterranean.

In the fifth chapter, Jacopo Franceschini and Mattia Falduti focus on the growing and threatening digital criminal ecosystem. In particular, they argue that international and national legislation concerning cybercrime is still under development, and countries appear to be a step behind criminals. In this scenario, the chapter presents a qualitative comparative analysis of the legislative and strategical initiative of four key countries in the Mediterranean: Israel, Italy, Spain and Turkey. The aim is to contribute to the discussion concerning the conceptualization of cybercrime and its future institutional response.

The sixth and last chapter by Giacomo Maria Arrigo examines the many joint declarations of the most relevant interfaith meetings that have taken place in these first twenty years of the XXI millennium. The chapter considers the Assisi gathering of 1986, the consequences of the Regensburg lecture (Sept. 12, 2006) by Pope Benedict XVI, the two meetings between Pope Francis and Ahmed el-Tayeb, Grand Imam of al-Azhar (April 2017 and February 2019), and other meetings. The final goal of the chapter is to highlight what are those minimum shared norms of an interreligious morality that are so important for a region like the Mediterranean, animated by the three great monotheistic religions.

The hope is that this book will contribute to the understanding of a region such as the Mediterranean one. Indeed, we believe there is a need to revive a strategic vision for this geographical area, and that doing so requires a profound understanding of its ongoing changes. This is what we try to do with our work in *theSquare*, both on our website (www.thesquarecentre.org) and with this publication.

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INDIVIDUAL RIGHTS, SEXUALITY AND BODILY AUTONOMY NEW FRONTIERS OF THE ADVOCACY FOR WOMEN'S RIGHTS IN MOROCCO. THE CASE OF THE *COLLECTIF 490 – HORS LA LOI*

LORENA STELLA MARTINI

Introduction

Morocco represents an interesting point of observation for feminist movements and claims in the Middle East and North Africa (MENA), from a historical and contemporary point of view. Indeed, throughout the past decades, Moroccan feminism has evolved along with the country's history, taking new shapes according to developments at a national and international level. At the same time, and drawing on this legacy, Morocco can today be considered an interesting laboratory for "new" feminist claims, expressions, and sensitivities. On the one hand, these have similarities with the trajectories of feminist movements elsewhere, from Western to other MENA countries; on the other, however, a contextualization in the Moroccan political environment proves necessary to fully understand the evolution and specificities of the advocacy for women's rights in this North African country.

In light of these considerations, this chapter aims to retrace the relevant developments and characteristics of Moroccan secular feminist activism during the past four decades, laying the ground for an analysis of the *Collectif 490 - Hors la loi* movement (*Kharija 'ala al-Qanun/ Moroccan Outlaws*). Created in 2019, this movement is contributing to an evolution of the advocacy for individual rights and freedoms related to the sphere of sexuality and bodily autonomy in Morocco.

To this end, in the first part of the chapter we will briefly recap the evolution of feminism in Morocco, with a particular focus on the period between the Nineties and the new century, while in the second section we will delve into the legacy of the protests of 2011 and of the experience of the 20 February Movement on Moroccan feminist activism. This will allow us to contextualize our study case in the Moroccan contentious panorama at large, and more in-depth within the Moroccan feminist galaxy.

The analysis of the evolution and activities of the *Collectif 490*, outlined in the third section of this chapter, is the result of research work carried out during the summer of 2020, and consisting in several interviews with Moroccan activists, either involved in the *Collectif* or members of other movements and associations for the promotion of human and women's rights, and in the monitoring of the movement's online and offline activities and interactions. This research work was then updated in 2022, at the time of writing the present chapter.

1. The pathway of feminism in Morocco: from the dawn to the beginning of the XXI century

The advocacy for women's rights and visibility in Morocco predates the Kingdom's independence, as demonstrated by the creation in 1947 of what is deemed to be Moroccan first women rights' organization, *Akhawat al-Safa'* (Sisters of purity), which linked the fight for women's rights to the anti-colonialist struggle.[1] During the Sixties and Seventies, women's political participation started to emerge in the framework of parties and unions. Yet, claims for gender equality were not considered a priority and were left aside to focus on other political issues and forms of inequality.[2] A tangible shift occurred in the middle of the Eighties, when Moroccan feminist activism abandoned its most episodic and

(1) D. Youssef, "Sisters of Purity, the first women's association in Morocco", *Yabiladi*, October 21, 2020,
https://en.yabiladi.com/articles/details/100593/sisters-purity-first-women-s-association.html; R. Pepicelli, "Genere e generazioni in transizione: il movimento delle donne in Marocco dall' indipendenza al post-rivolte arabe", *Afriche e Orienti*, 17/1, 2016, p. 15.

(2) R. Pepicelli, "Genere e generazioni in transizione", p.16.

fragmented nature to give birth to more organized realities, formally independent from – yet still linked to – existing parties and unions.[3] This period, characterized by the creation of the first Moroccan secular feminist associations, such as the *Association Démocratique des Femmes du Maroc* (ADFM) or the *Union de l'Action Féminine* (UAF),[4] symbolically marks the birth of Moroccan feminism as a social movement prioritizing women's emancipation as its first goal after several years of relativization and dependence.[5]

The drive to carry out independent feminist claims through dedicated organizational entities, which strongly emerged in the Nineties, namely in the framework of the reform of the Moroccan Family or Personal Status Code (*Moudawana*), needs to be contextualized at a national and international level to be properly understood. From a Moroccan point of view, it is necessary to mention what was defined as a period of "pluralization of modes of government"[6]: far from referring to a democratization process, such an expression hints at a partial reformulation, a "relaxation of Moroccan authoritarianism"[7] which occurred between the XX and the XXI centuries, started by King Hassan II and consolidated with the reign of its son Mohammed VI. Indeed, in a climate of transition at an international level and at a time of social tensions at home – all the more so after a decade of economic austerity under the aegis of the Structural Adjustment Program negotiated with the International Monetary Fund and the World Bank and launched in 1983 – the approaching royal succession underlined the need – internationally legitimized and encouraged – to go towards a partial and conditional opening and liberalization of political processes.[8]

(3) R. Naciri, "Le mouvement des femmes au Maroc", *Nouvelles Questions Féministes*, 33/2, 2014, p. 44.

(4) Founded in 1985, ADFM is still one of the most active and well-known associations on the Moroccan feminist scene, along with the *Union de l'Action Féminine* (UAF), issued from the 8 March Movement in 1983, and registered as an association in 1987.

(5) R. Naciri, "Le mouvement des femmes au Maroc", p. 51.

(6) Cfr. B. Hibou, M. Tozy, "La lutte contre la corruption au Maroc: vers une pluralisation des modes de gouvernement ?", *Droit et société*, 2/72, 2009, pp. 339-357.

(7) T. Desrues, "Mobilizations in a hybrid regime: The 20th February Movement and the Moroccan regime", *Current Sociology*, 61/4, 2013, p. 414.

(8) K. Boujrada, "Le Maroc à la lumière de l'enjeu démocratique", Dissertation (Université de Québec à Montréal, 2008), pp. 19 ss.

This endeavor was symbolized by the so-called "alternance cabinet" (*le gouvernement de l'alternance*), which for the first time marked the coming to power of the opposition with a socialist government led by Abderrahman El-Youssoufi. In such framework, this phase was characterized by a series of reforms aiming at aligning the country to international standards on human rights, women's rights, liberal economy, good governance and political participation. As such, after decades of abuses and repression perpetrated by the State during the so-called "Years of Lead",(9) the human rights' cause started to gain increasing space in the country, thus quickly turning into a category for state intervention, in line with the rhetoric and priorities of international investors.(10)

As paradoxical as it might seem, the same internationalist repertories on human rights which for decades had been brandished by militants subjected to repression and ostracization(11) were now seized and mobilized by the State itself in the wake of its search for funds and legitimacy at a national and namely international level.(12) Against this backdrop, the development of civil society and its cooperation and involvement with national institutions became crucial, namely for what concerns the associative field. Among the main dossiers of cooperation, the improvement of women's rights and conditions was increasingly considered by international financial and humanitarian institutions as a *conditio sine qua non* for so-called developing countries to achieve growth and development.(13)

Thus, while the UN was shaping its brand-new global agenda on gender equality in Beijing in 1995,(14) Moroccan feminist associations

(9) The term "Years of Lead" refers to the decades of Hassan II's reign between the 1960s and the early 1990s, when the regime engaged into a systematic repression and violation of human rights of all possible opponents. In this regard, secret prisons such as Bagne de Tazmamart have become notorious.

(10) J. Hivert, D. Marchetti, "Numériquement marginaux mais politiquement importants ", *Journal Des Anthropologues* 3/4, n.142-143, 2015, p. 236.

(11) Cfr. M. Catusse, "Le charme discret de la société civile. Ressorts politiques de la formation d'un groupe dans le Maroc 'ajusté'", *Revue internationale de politique comparée*, 2, 2002, pp. 297-318.

(12) P. Cormier, "De nouveaux horizons dans l'analyse des mouvements sociaux. À propos de mobilisations au Mali, au Maroc et en Turquie", *Politix*, 4/112, p. 2015, p. 194.

(13) R. Pepicelli, "Genere e generazioni in transizione", p. 19.

(14) World Conferences on Women, UN Women, https://www.unwomen.org/en/how-we-work/intergovernmental-support/world-conferences-on-women

increasingly became the recipient of funds which progressively allowed them to professionalize their staff, multiply their activities and turn into something similar to "service providers", thus undergoing a so-called process of "NGOization".[15] As a consequence, feminist associations started to abandon conflictual relations with the regime to advance their claims in a framework of "consultation and negotiation".[16]

In this phase, Moroccan feminists, mostly united in the above-mentioned associations, developed an interesting and peculiar repertoire of collective action: on one hand, they started to mobilize more and more often to provide visibility to their claims either through forms of peaceful occupation of the public space such as marches or sit-ins or through partnerships with the media. On the other, they aimed to maintain constant pressure on the government and political parties[17] by engaging in petitions, sending letters to political and institutional representatives and requesting meetings with decision-makers, policy-makers and parliamentarians.[18] At the same time, some of the feminist representatives also started to collaborate directly with the government and the institutions as experts or advisors, thus managing to shed light on the need to pursue legal reforms about women's condition, and increasing their advocacy power through a process of institutionalization.[19] In this context, many among the feminist leaders whom in previous phases had played the role of "agents of dissent" – some were even jailed in the Seventies and Eighties due to their militance – seemed to have turned into "knowledge producers packaging expertise on gender for foreign donors and state institutions at the turn of the century".[20]

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(15) S. Borrillo, "Femminismi in Marocco tra politiche di genere e movimenti sociali. Alcune evoluzioni recenti", *Genesis*, 12/1, 2013, p. 131.

(16) R. Pepicelli, "Being Young and Post-Feminist in Morocco: The Emergence of a New Women's Activism", in Anna M. Di Tolla, E. Francesca (eds.), *Emerging actors in post-revolutionary North Africa. Gender mobility and social activism* (Napoli: Studi Magrebini, 2016), p. 437.

(17) N. Ouali, "Les réformes au Maroc : Enjeux et stratégies du mouvement des femmes", *Nouvelles Questions Féministes*, 27/3, 2008, p. 38.

(18) R. Naciri, "Le mouvement des femmes au Maroc", p. 59.

(19) S. Tarrow, *Power in Movement- Social Movements and Contentious Politics* (New York: Cornell University, 1998), pp. 127 ss.

(20) Z. Salime, "A new feminism? Gender dynamics in Morocco's February 20th movement", *Journal of International Women's Studies*, 13/5, 2013, p. 108.

To sum up, in the above-explained context of limited and conditional opening set by the monarchy and encouraged by international institutions, secular feminist associations, together with other civil society groups, were allowed to carve their space in the panorama of collective action. This evolution enabled them to advocate for their claims, influence the public opinion, and occasionally penetrate the institutional agenda, thus really bringing forward some change in the domain of women's rights. Needless to say, this was not priceless: while on one hand the monarchy did embrace some of the feminists' claims, on the other it monopolized the ensuing initiatives of reform and their results to appear as an enlightened actor to the eyes of the donors and the international community.(21)

As mentioned above, such a process entailed a fundamental depoliticization of feminist claims, implying that feminist associations left behind the phase of so-called "militant feminism"(22) to focus on sectorial objectives linked to their specific mission,(23) and rephrased from framing their struggle within a broader criticism of the regime.(24) In other words, to seize "the *opportunities* that a transforming authoritarian regime can offer"(25), many civil society actors in general and several feminists in particular adopted an approach of moderation and self-limitation, driven by a sound awareness of the political structure and its power of repression.(26) In this framework, "self-limitation is not simply about being aware of the red lines or self-censure. (…) In a sense, self-limitation sets the tone for the Moroccan repertoire of collective action".(27) What is important to underline here is the character

(21) Th. Desrues, "Mobilizations in a hybrid regime", pp. 413-414.

(22) Cfr. Z. Daoud, *Féminisme et Politique au Maghreb. Soixante ans de lutte (1930-1992)* (Casablanca: Eddif, 1993).

(23) E. Dalmasso, "Apolitical Civil Society and the Constitutional Debate in Morocco", in L. Anceschi, G. Gervasio, A. Teti (eds.), *Informal Power in the Greater Middle East: Hidden Geographies* (London: Routledge, 2014), p. 151.

(24) E. Dalmasso, "Surfing the democratic tsunami in Morocco: Apolitical Society and the Reconfiguration of a Sustainable Authoritarian Regime", *Mediterranean Politics*, 17/2, 2012, p. 218.

(25) Ivi, p. 220 (original emphasis).

(26) Cfr. D. McAdam, S. Tarrow, Ch. Tilly, *Dynamics of contention* (Cambridge: Cambridge University Press, 2001).

(27) F. Vairel, "How self-limiting mobilization works in Morocco", *Mediterranean Politics*, 2020, p. 4.

of "co-construction" of this whole process: while the *Palais* undoubtedly had the upper hand, civil society actors involved did acquiesce to meet halfway to achieve their goals, no matter how downsized these could be.

To provide a concrete example of all these dynamics at play, the first reform of the *Moudawana*, dating 1993 and enacted by royal decree, was brought to the Moroccan institutional agenda[28] thanks to a successful signature campaign launched the year before by the UAF and the ADFM. Although the amendments made to the Code were minor – among them, the introduction of the explicit consent of the woman as a condition for marriage – this was a relatively positive sign of the potential of civil society to penetrate the agenda with its own claims.[29] What is even more relevant, this happened in a domain, the Personal Status Code, whose discriminatory nature had been denounced by women's rights groups since its very promulgation in 1958.[30]

An even more relevant example is represented by the following reform of the *Moudawana,* dating 2004, which was the result of a long and complex negotiation between political parties, secular feminist associations, Islamist actors and the Monarchy. In this process, the latter played the role of mediator among extremely heterogeneous players,[31] thus emerging as a neutral actor among quarrelling parties.[32] In this instance, the national debate around women's condition and the reform of the Personal Status Code was initiated by the *Plan pour l'Intégration des Femmes dans le Développement (PANIFD)*, drafted by El-Youssoufi's government, by some leftist parties and the secular feminist associations in collaboration with the World Bank.[33] In the wake of

(28) Cfr. A.C. Niedhardt Capella, "Agenda-setting policy: strategies and agenda denial mechanisms", *Organizações & Sociedade*, 23/79, 2016, pp. 675-691; R.W. Cobb, Ch.D. Elder, "The Politics of Agenda-Building: An Alternative Perspective for Modern Democratic Theory", *The Journal of Politics*, 33/4, 1971, pp. 892-915.

(29) R. Pepicelli, "Genere e generazioni in transizione", p. 18.

(30) S. Borrillo, "Femminismi in Marocco tra politiche di genere e movimenti sociali", p. 123.

(31) Z. Salime, "A new feminism?", p. 107.

(32) S. Errazzouki, "Working-class women revolt: gendered political economy in Morocco", *The Journal of North African Studies*, 19/2, 2014, p. 265.

(33) M. Catusse, "Le charme discret de la société civile", p. 11; F. Sadiqi, *Moroccan Feminist Discourses* (New York: Palgrave Macmillan, 2014), pp. 134 ss.

a standoff between this front and a conjunctural patchwork composed of Islamist forces, conservatives and exponents of the State administration, the PANIFD was put aside and replaced by an *ad-hoc* Royal Commission dedicated to the revision of the Code.

In other words, following the above-explained mechanisms, the monarchy embraced the reformist push and put the royal label on it. According to some observers, the promulgation of this reform was also useful to the monarchy to assert its international role as a moderate and progressive actor despite the harsh restrictions to political activities and freedom of expression enforced in the country after the 2003 Casablanca terrorist attacks perpetrated by Al-Qaeda.(34)

Anyhow, the secular feminist movement was quick to adapt to the new reform framework dictated by the monarchy and to reorient its strategy "to take advantage of the opportunities the non-democratic institution could offer",(35) by creating a staunch ADFM-led coalition called *Printemps de l'Égalité* and engaging into lobbying and advocacy activities. Through these initiatives, secular feminists succeeded in progressively liberalizing the public discourse on issues initially considered averse to the public sphere, and in putting pressure on and cooperating with the institutions – including the aforementioned Royal Commission – to advance their demands. To achieve at least partially their goals on the bumpy road to gender equality, feminists also accepted compromises such as the need to keep in mind the Islamic referential alongside the essential principle of the universality of rights.(36) Indeed, to appease all actors involved in this major reform process, the new *Moudawana* finally included provisions inspired by the need to promote gender equality within the institution of marriage beside others aiming at limiting and moderating, yet not abolishing, Islamic norms and customs such as polygyny.(37)

(34) Cfr. Z. Salime, *Between Feminism and Islam: Human Rights and Sharia Law in Morocco* (Minneapolis: University of Minnesota Press, 2011).

(35) E. Dalmasso, "Surfing the democratic tsunami in Morocco", p. 225.

(36) R. Pepicelli, "Genere e generazioni in transizione", pp. 20-21.

(37) To delve into the content of the 2004 reform of the Moudawana, please refer to: F. Vairel, "Révision du code du statut personnel et réforme politique", in B. Dupret *et al.* (eds.), *Le Maroc au présent. D'une époque à l'autre, une société en mutation* (Rabat: Centre Jacques Berque, 2015), p. 460; A. Pericoli, L. Stella Martini, "Il diritto di Famiglia marocchino : tra