Moroccan citizens take a stand against laws criminalising abortion and pre-marital sex

490 courageous Moroccans sign a manifesto publicly declaring that they are outlaws.

By Brianna Hertford, Human Rights Without Frontiers

HRWF (07.10.2019) – On the 30th of September 2019, Hajar Raissouni was sentenced to one year imprisonment in Morocco under articles 454 and 490 of the penal code. These articles criminalise abortions and premarital sex. Her fiancée, Prof Rifaat al-Amin, was also sentenced to one year for complicity in these acts and her physician, Dr Mohammed Jamal Belkeziz, was sentenced to two years for allegedly performing abortions.

Since Raissouni is a journalist for the Moroccan daily paper Akhbar Al-Yaoum, it has been argued that this case is a stark example of how the Moroccan government silences opposition, especially within the press.

Many, such as Amnesty International, Reporters Without Borders and Human Rights Watch, have called for the immediate reversal of this sentencing. Additionally, the MENA Rights group has advocated for Raissouni’s release at the UN level.
Although the use of these laws by the Moroccan government to serve political aims is alarming in of itself and must be addressed, Moroccan citizens have taken it one step further. They have united in an attempt to abolish these antiquated laws.

A grassroots social movement has responded to this case with a moving manifesto titled “Nous, citoyennes et citoyens marocains, déclarons que nous sommes hors-la-loi / We, Moroccan citizens, declare that we are outlaws.” It currently has 490 signatories and bears much resemblance to the Manifesto of the 343 published in France in 1971 that advocated for French citizens’ reproductive rights.

On the 23rd of September 2019, this manifesto was published denouncing the obsolete and oppressive nature of the Moroccan criminal code. It was co-written by author Leïla Slimani and filmmaker Sonia Terrab. Their bold words articulate the pain and frustration of all Moroccan citizens and demand change.

HRWF has translated this powerful manifesto from French into English (see below) to magnify the voices of these courageous Moroccan citizens.

The gender-specific nature of these articles of the penal code has been critiqued by many, especially considering that “according to official figures, Moroccan courts last year tried more than 14,500 people for ‘debauchery’, 3,048 for adultery, 170 for homosexuality, and 73 for having abortions.” These figures demonstrate that these laws are still very much
in use and have a significant impact on many Moroccan citizens’ lives despite no longer reflecting modern Moroccan society.

In fact, it has been estimated that anywhere between 600 and 800 women have clandestine abortions in Morocco every day. The current penal code is out of touch with the reality of its citizens and does not appear to act in their best interests.

Instead, it demonstrates an ongoing attack on individual freedoms and women’s rights by the government.

HRWF urges the international community to stand in solidarity with Raissouni and all who have had their liberty compromised due to these unjust laws, as well as the brave activists currently pushing for change in Morocco.

Click here for the original version of this manifesto in French and to view the 490 signatories.

We, Moroccan citizens, declare that we are outlaws

We, both female and male citizens of Morocco, declare that we are outlaws.

We violate unfair, obsolete laws that should not exist
anymore.

We have had sexual relations out of wedlock.

We have had abortions or been accomplices to another’s abortion.

We have learned how to pretend and act as if we have not.

For how much longer?

Every day, every hour, in secret, women like me, men like you, conservative or progressive, public or anonymous persons, from all walks of life and all regions, dare to accept themselves as they are, dare to enjoy and exist freely, and break their chains and these laws.

Every day I am guilty of loving and being loved.

Every time a woman is arrested, I feel the shared guilt.

I think: it could have been me…

Then I keep silent, I go on with life as if nothing happened and try to forget…
But I cannot do it anymore.

I cannot stand it anymore.

Because my body belongs to me – it does not belong to my father, my husband, any of my relatives or to the gaze of men on the street and even less to the State.

Today, I don’t want to be ashamed anymore.
I who loves, aborts, has sexual relations outside of marriage.

I who hides.

I who risks dishonour, infamy, prison.

This culture of lies and social hypocrisy generates violence, arbitrariness, intolerance.

These laws, that are oppressive and inapplicable, have become weapons of political or personal vengeance.

It is a Sword of Damocles which threatens us and reminds us that our lives do not belong to us.
How do we accept this?
Why should we accept this?

Again and again...

In 2018, in Morocco, 14503 people were prosecuted on the basis of article 490 of the criminal code, which criminalises sexual relations out of wedlock.

3048 people were sent to prison for adultery.

Every day, in our country, between 600 and 800 clandestine abortions are carried out.

Must all these people be sent to prison?

Their “accomplices” (physicians, human rights activists) as well?

We believe that Moroccan society is ready for change – ready for the respect of private life and the right for everyone to make decisions about their own body.

Our society and our country deserves that.
We call upon our political leaders, our decision makers, our law makers, to be courageous and to make one more step forward by opening a national debate on individual freedoms.

It is not a luxury, it is not a favour, it is a necessity.

How to encourage the full growth of our youth, how to enable the fair involvement of women in society, how to push our country towards true progress and human development, if our individual freedoms are not respected, if our dignity is trampled, if we – all of us, men and women – are outlaws?

All of us, men and women, are outlaws until these laws change.

*English translation by HRWF.*