



International Journal of Interdisciplinary Gender Studies

Vol 2. Issue1. 2021 – Legal Deposit: 2021PE0016

Online ISSN: 2737-8373 – Print ISSN: 2737-8381

Between Gendered Biopolitics and Necropolitics: De Facto Abortion Ban in Turkey and Gaps in Legal Protection Afforded to Single Mothers in Morocco

Lauren GRANT

(Central European University, Hungary)

Özlem HAS

(Copenhagen University, Denmark)

Abstract

Turkey and Morocco have been widely regarded as committed, in comparison with their neighbors in the Middle East and North Africa, to women's rights and gender equality. While this feature for Turkey dates back to the 1930s when women obtained the right to vote for the first time in a country in the Middle East, in Morocco, women's rights were mostly strengthened following the swift constitutional reforms in 2011. Despite these progressive developments, in both countries, ruling elites have perpetuated to distinguish between compliant female citizens and non-compliant ones according to their conservative family-based policies. While the ruling elites in Turkey and Morocco have attempted to include women in both political discourse and the legal sphere through their motherhood roles within the family, non-compliant women have been subjected to marginalization and discrimination in political discourses and legal spheres of the countries. This article investigates the rift between law and practice by analyzing women's reproductive, marital and family rights in both countries. In doing so, we employ biopolitical and necropolitical theoretical tools to explain the implementation of legal abortion right in Turkey and the treatment of single mothers in Morocco. In both cases, the biopolitical aim of the ruling elites is to create compliant and docile female citizens out of non-compliant ones by intimidating and disciplining them with the necropolitical power of death.

Key words: Abortion, Single Mothers, Turkish Law and Politics, Moroccan Law and Politics, Biopolitics, Necropolitics, Reproductive Rights, Sexual Gender-Based Violence, Islam



0. Introduction

Giorgio Agamben, referring to observations of the British biologist Peter Medawar, concludes that *life* and *death* are not entirely scientific concepts. He states that both can be easily politicized by a sovereignty decision.¹ Michel Foucault explains the transformation of sovereign power over lives and deaths in the last two hundred years with two power mechanisms, *discipline* and *biopolitics*. As the nation-state ideal was born and consolidated worldwide during this process, he claims, the authentic right of sovereign power over life and death has evolved from “taking life or letting live” to “making live or letting die.”² According to Foucault, this transformation symbolizes the transition from “sovereign state” to “state that governs.”³ Discipline as the first power mechanism is originally based on the idea of creating a homogeneous society and a uniform citizen model to facilitate social control within national borders with the help of institutions such as schools, hospitals, barracks in physical terms or religion, family and written or unwritten legal norms in broader terms, which serve the disciplinary interests of states. However, upon the realization that all individual bodies could not always be physically touched upon by disciplinary control mechanisms, a new power mechanism, which focuses on optimizing the value of life rather than the optimization of individuals, was introduced by the end of the eighteenth century: *Biopolitics*. With the adoption of the biopolitical power mechanism, the domain of sovereign power has shifted to the entire population from individuals one by one. In this new situation, nation-states have updated themselves as a power that interferes with everything (such as propagation, births, mortality, health, life expectancy, and longevity) that affects the population’s life in line with their sovereignty policies.

The concept of necropolitics, introduced by Achille Mbembe in 2003, brought a new perspective about sovereignty perception over lives and deaths. Mbembe defines necropolitics

¹ Giorgio Agamben, *Homo Sacer: Sovereign Power and Bare Life*. (Stanford: Stanford University Press, 1998), 164.

² Michel Foucault, *Society Must Be Defended: Lectures at the Collège de France, 1975-76*, 1st ed (New York: Picador, 2003), 241.

³ Michel Foucault, ‘Governmentality’, in *The Foucault Effect: Studies in Governmentality with Two Lectures by and An Interview with Michel Foucault*, ed. Graham Burchell, Colin Gordon, and Peter Miller (Chicago: University of Chicago Press, 1991), 95.



as “subjugation of life to the power of death.”⁴ With this new term, he mainly questions the “relationship between politics and death in those systems that can function only in a state of emergency” in light of South African and Palestinian examples.⁵ He claims that disciplinary and biopolitical powers are insufficient to explain the mechanisms of control and subjugation in exceptional spaces; necropolitics is needed to understand the true workings of power in those violent spaces, where the distinction between legal and illegal practices of the state is blurred by the instrumentalization of law to intimidate and discipline the surviving masses. Although Mbembe refers to violent states of exception, spaces where the distinction between the rule of law and rule by law is blurred, recent research makes it possible to trace the necropolitics in many other fields, including also gender studies.⁶

Mbembe was compelled to his theory of *Necropolitics* within ‘states of exception,’⁷ however, Foucault’s *Biopolitics* provokes us to consider spaces of non-exception: spaces of ordinary life. The profound relationship between these two highly critical theories valorizes the performance of gender and gendered ideologies as interests of the sovereign state. Exploring the gendered manifestations of biopolitics and necropolitics provokes consideration of how nation-state powers have come to normalize their employment of necropolitical behavior in a manner much more closely resembling Foucault’s biopolitics, through everyday reproduction of violence, subjugation and control over women’s bodies.

⁴ Achille Mbembe, ‘Necropolitics’, *Public Culture* 15, no. 1 (2003): 39.

⁵ Mbembe, 16.

⁶ C[ilid]han Ahmetbeyzade, ‘Gendering Necropolitics: The Juridical-Political Sociality of Honor Killings in Turkey’, *Journal of Human Rights* 7 (1 July 2008): 187–206, <https://doi.org/10.1080/14754830802286095>; Melissa W. Wright, ‘Necropolitics, Narcopolitics, and Femicide: Gendered Violence on the Mexico-U.S. Border’, *Signs: Journal of Women in Culture and Society* 36, no. 3 (1 March 2011): 707–31, <https://doi.org/10.1086/657496>; Shatema Threadcraft, ‘North American Necropolitics and Gender: On #BlackLivesMatter and Black Femicide’, *South Atlantic Quarterly* 116, no. 3 (1 July 2017): 553–79, <https://doi.org/10.1215/00382876-3961483>; Jaime Alonso Caravaca-Morera and Maria Itayra Padilha, ‘TRANS NECROPOLITICS: DIALOGUES ON DEVICES OF POWER, DEATH AND INVISIBILITY IN THE CONTEMPORARY WORLD’, *Texto Contexto - Enfermagem* 27, no. 2 (21 June 2018), <https://doi.org/10.1590/0104-07072018003770017>; Antar Martínez-Guzmán, ‘Masculine Subjectivities and Necropolitics: Precarization and Violence at the Mexican Margins’, *Subjectivity* 12, no. 4 (1 December 2019): 288–308, <https://doi.org/10.1057/s41286-019-00079-4>.

⁷ Giorgio Agamben, *Homo Sacer: Sovereign Power and Bare Life*. (Stanford: Stanford University Press, 1998)



Dismantling the way in which “[the] politics of death and the politics of gender go hand in hand,⁸” biopolitics and necropolitics serve as useful theories for conceptualizing gender as an organizing principle to consolidate sovereign power within the hands of states. The theories are useful in conveying the roles and interests of states in instituting discursive and pragmatic control over women and girls’ reproductive capacities and their gendered roles within conceptions of family and motherhood. Exercising control over women and girls’ lives and bodies serves as a means of ensuring the continuance of the nation-state.

In this article, we focus on women’s reproductive rights within two countries in the MENA region, Turkey and Morocco. We center our analysis on the two countries as both stand out with their regional leadership positions, providing legal protections for women’s rights. Despite progressive developments for women’s rights, this article will explore *de jure* provisions of the rights to demonstrate how and why both countries–face serious obstacles towards effective implementation of meaningful legal gains for women. While it is possible to observe the contradiction between law and practice in each domestic context, in this article, we limit ourselves to analyzing reproductive, marital and family rights of women by examining practical impediments for their right to abortion in Turkey and their status as single mothers in Morocco. Employing a feminist, necropolitical and biopolitical methodology, this paper seeks answers to the following questions: *What do the Turkish and Moroccan laws tell us about the priorities of the state? How do the actual treatments towards the women who want to terminate their pregnancy in Turkey and single mothers in Morocco reflect a larger project of coercive control over the lives of women and their bodies? And, in what ways does the state’s behavior actually serve to consolidate political, economic and religious power in the hands of neoconservative AKP rule in secular Turkey and Islamic, constitutional monarchy of Morocco?*

⁸ Referencing the Executive Summary (2006) of a study by UN Women and the UN Secretary-General entitled, ‘Ending Violence Against Women: From Words to Action’; Melissa W. Wright, ‘Necropolitics, Narcopolitics, and Femicide: Gendered Violence on the Mexico-U.S. Border’, *Signs: Journal of Women in Culture and Society* 36, no. 3 (1 March 2011): 707–31, page 710 <https://doi.org/10.1086/657496>



1. **Between Biopolitics and Necropolitics: *De facto* Abortion Prohibition in Turkey**

This section examines how the right to abortion in Turkey operates for women within the biopolitical and necropolitical functioning of the state. Abortion is generally allowed in the Muslim-majority MENA region if the pregnant woman's life is at risk. Tunisia and Turkey are the only two exceptions in the region where abortion is regulated as a legal right at women's free will. However, experiences of women who want to benefit from the abortion law in Turkey show that there is a *de facto* abortion ban in the country; if not *de jure*. The AKP (*Adalet ve Kalkınma Partisi*, Justice and Development Party) government's neoconservative policies which purport traditional motherhood roles for women in the family have been instrumental in the implementation of this ban in practice. Of key concern to us in this article, are the pronatalist policies of the AKP that prevent women from benefitting from their legal abortion right and leave them in a state of "no other choice" but to terminate their pregnancies at the expense of their lives in unsafe environments outside public hospitals.

The right to abortion was legalized in Turkey under the Law on Population enacted in 1983. Article 5 of the Law legalized the sterilization and termination of pregnancies on-demand through the end of the tenth week of pregnancy.⁹ According to research, 1.5 million births and almost 500 thousand miscarriages occurred in Turkey at the beginning of the 1970s. Among them, approximately 25 thousand women lost their lives.¹⁰ According to the Ministry of Health, 350 thousand out of 450 thousand miscarriages in 1981 occurred by choice of women.¹¹ Other research focusing on the change in abortion rates between 1983 and 2013 (**1982-1983: 12.1%; 1987: 23.6%; 1992-1993: 17.9%; 1993-1998: 14.5%; 1998-2004: 11.3%; 2003-2008: 10.0%; 2008-2013: 4.7%**) points out that although there was an increase in the abortion rate after the 1983 law passed, these rates decreased gradually.¹² Among the reasons that may best explain the decrease was the prevalence of contraceptive

⁹ Türkiye Büyük Millet Meclisi, 'Nüfus Planlaması Hakkında Kanun', 2827 § (1983).

¹⁰ Ekmek ve Gül, 'Türkiye'de kürtajın tarihi', *Ekmek ve Gül* (blog), 27 May 2017, <https://ekmekvegul.net/gundem/turkiyede-kurtajin-tarihi>.

¹¹ Ekmek ve Gül.

¹² Tuğba Adalı and Alanur Çavlin, 'Türkiye'de Kürtajın Yaygınlığı ve Kürtaj Kararını Etkileyen Faktörler', *İstanbul Üniversitesi Sosyoloji Dergisi* 39, no. 2 (2019): 365.



methods under family planning policies of the state in those years. Nevertheless, the half-decrease in abortion rates in the last ten-year period (2003-2013) can be extensively explained by the neoconservative discourse and policies of the AKP government, which have gradually limited women's access to their legal abortion right. What follows is an account of the rise of pronatalist policies of the AKP government.

2. Necropolitical reflections of the AKP government's pronatalist policies

Since the AKP came to power in 2002, Turkish citizens have witnessed the implementation of a series of pronatalist policies through which women have become gradually excluded from their legal abortion right. The government took its first outward steps to curtail women's reproductive rights in 2008. In a speech he gave on International Women's Day in 2008, Prime Minister Recep Tayyip Erdoğan underlined the importance of the young population as the driving force of the country's economy, urging women to have at least three children for the continuity of the young population.¹³ By this speech in accordance with the AKP's neoliberal and neoconservative stance, Erdoğan was effectively redefining the women's roles with particular reverence for the female body. The Prime Minister's remarks served to confine women's roles within the society as tied strictly to motherhood; hegemonically placing responsibility on women's lives and bodies for the (re)production of the country's future (workforce).

Erdogan's advisory approach to women's reproductive rights in 2008 became even more intrusive with the introduction of restrictions on the right to abortion in 2013. The most crucial steps towards the removal of abortion right in practice were taken by the Ministry of Health in 2013. First, the Ministry granted doctors conscientious objection rights if they do not want to terminate the pregnancy because of their personal opinions and beliefs. Soon after, doctors were also economically discouraged from performing abortion operations, with the adoption of a performance measurement system in hospitals, notorious for giving low-performance points to doctors who carry out abortions, bringing consequences for their monthly income.¹⁴

¹³ Hürriyet, 'Erdoğan: En az üç çocuk doğurun', Hürriyet, 7 March 2008, <https://www.hurriyet.com.tr/gundem/erdogan-en-az-uc-cocuk-dogurun-8401981>.

¹⁴ Nur Kıpçak, 'Yasal Kürtajdan Yasak Kürtaja: Türkiye'de 2002-2018 Döneminde Kadınlara Yönelik Biyopolitikalar', 5Harfliler, 11 March 2019, <https://www.5harfliler.com/yasal-kurtajdan-yasak-kurtaja/>.



The redefinition of women's societal roles within family in the government's biopolitical practices have inevitably produced distinctions between women who comply with the governmental policies, and those who oppose these policies. Through these distinctions, non-compliant women's reproductive and sexual rights are subjected to exclusion from the biopolitical sphere. In his speech marking the opening of the new building of Turkey's Women's and Democracy Association in 2016, Erdoğan made clear this distinction between the compliant and non-compliant women: "Rejecting motherhood means giving up on humanity. [...] Women who reject motherhood, who refrain from being around the house, however successful in her working life are deficient, are incomplete."¹⁵ By defining childless women as incomplete, Erdoğan effectively made non-compliant women's existence unvalued in the face of those with children, namely complete ones.

At the intersection of biopolitics and necropolitics, Italian philosopher Giorgio Agamben distinguishes between worthy and unworthy lives by proposing a conceptual distinction between "zoē," "bios," and "bare life." By zoē, Agamben refers to simple life functions specific to the state of animality. Bios covers the sphere where political and social life are established.¹⁶ On the other hand, bare life represents the "nucleus of sovereign power" remaining between zoē and bios.¹⁷ The main goal of political power, Agamben claims, is to incorporate zoē into the bios in line with the desires of the political power for sovereignty. It is, thus, possible to think of bare life as the site where sovereign, disciplinary, and biopolitical forms of power play mutual roles. So far as disciplinary and biopolitical powers are effective over people in the site of bare life, they are included in the legal and social order of the bios. Otherwise, non-compliant individuals are exposed, in extreme durations, to necropolitical power because they have rejected the bios and thereby the sovereignty project of the political power.

Given the relationship between bare life and biopolitical power, women in Turkey have been excluded from the legal and social order as they do not comply with the bios that the AKP

¹⁵ Al Jazeera, 'Erdoğan: Childless Women Are "Incomplete"', Al Jazeera, 6 June 2016, <https://www.aljazeera.com/news/2016/6/6/turkeys-erdogan-says-childless-women-are-incomplete>.

¹⁶ Agamben, *Homo Sacer: Sovereign Power and Bare Life.*, 1.

¹⁷ Agamben, 6.



government wishes to establish in line with its neoliberal and neoconservative policies. They have been excluded from the legal order because they cannot benefit from their legal right to abortion on-demand in public hospitals due to the preventive policies (e.g., conscientious objection right and performance measurement system for doctors) in the health system. They have been excluded from social order as they are defined as deficient by President Erdoğan because they refuse motherhood.

Hence, women's lives are rendered expendable in the biopolitical field of the state since they are excluded from the legal and social order of the bios. Yet, their mortality risks are still functional in the state's necropolitical field since they still serve the government's bios with their deaths' intimidation power against other women with similar intentions to refuse motherhood. Indeed, endangering women's lives by depriving them of the use of the legal abortion right has a threatening power in the necropolitical agenda of the state with an explicit intention of "subjugation of life to the power of death," as Mbembe argues.

3. Gaps in Legal Protection Afforded to Single Mother in Morocco

The case of women and girls' experiences in seeking abortion in Turkey exemplifies merely one element in the fight of states in the MENA region to maintain control over women's bodies, lives and relationship to motherhood and family. Another group that can be witnessed as left to the detriment of the gendered necropolitical and biopolitical interests of states across the region are single mothers.

In the state where single motherhood is considered shameful, where mothers experience high rates of violence and discrimination for their social and gendered status, and where sexual activities outside of marriage, abortion and child abandonment are criminalized, we must ask challenging questions about where these laws 'leave' single mothers. Denied legal recognition and adequate social and supportive services, single mothers are too often 'casted off' into the margins.

This section will explore the role of the family in shaping women and girls' conceptions of their own sexualities, their relationship to motherhood, marriage and sexual relations. We will begin firstly by looking at the impact of these familial structures which inform the conservatism of female sexuality faced by women and girls, and we will then take a look at the broader



implications of these discourses for single mothers who find themselves with children outside of wedlock. Exemplifying the utilization of Family and Criminal Law as a means to concretize the conglomerate patriarchal interests of the public, as well as the interests of the state, the article will continue to explore the socio-cultural and Islamic-principled reciprocity which prevails between the state and the family unit concerning women's bodies, sexual reproductive rights. The article will conclude by analyzing, through a necropolitical and biopolitical lens, the role that the Moroccan state plays in subordinating women's bodies, sexualities, and reproductive capacities to decisive discourses which purport narratives around the gendered dynamics of family.

4. Islam, the state and the role of women and girls in the family

In Morocco, a “hybrid regime,”¹⁸ where the state's structure reflects Islamic religious and secular elements, the relationship between the state and the family unit is paramountly complex. “Religion has an important role to play in constructing and negotiating gender roles, attitudes, interactions and expectations.”¹⁹ This has meant that discourses and practices around women's rights, single mothers, sexuality and reproductive health are heavily shaped by Islamic conceptions of the family. These ideals are advanced in state politics and have had pragmatic implications for women's lives, bodies and gender relations. For example, since the seventh century, “sexual intercourse has been sanctioned by the institution of marriage.”²⁰ Under the Moroccan Penal Code of 1962, the criminalization of sexual relations outside of marriage remains in place. This practice has long served to determine the value prescribed to a woman's life according to religious, cultural, political and gendered normative ideologies, by evidencing the consequences should she fall into the category of a non-compliant woman. As such, single motherhood and women who veer away from the traditional and prescribed gendered role of motherhood, daring to liberate themselves from a subordinated experience of sexuality, are deemed shameful. This shame is reproduced significantly at the state-political,

¹⁸ Desrues, Thierry. "Mobilizations in a hybrid regime: The 20th February Movement and the Moroccan regime." *Current Sociology* 61, no. 4 (2013): 409-423

¹⁹ Chafai, 9-10

²⁰ Chafai, 10



religious and cultural levels, with the role of family as instrumental to placing value over and controlling women's lives, bodies and relationship to sexuality and to motherhood.

5. Containing girls' sexualities: a family affair

“Women's sexuality is at the epicentre of the definition of family honour and traditional values.”²¹ This centrality is evidenced to the extent that “girls' virginity until marriage and appropriate sexual conduct are not solely personal concerns, but instead they are the concerns of the whole family.”²² This traditional family structure is informed by socio-cultural and religious ideologies which have inherently served to shape the way in which women and girls' sexualities are perceived, as well as ideas of marriage, sex, pregnancy, and motherhood in the larger social context. Islamic doctrines, informing the evolution and maintenance of norms around these topics have most commonly been upheld in the name of tradition, grippingly manifesting in the family setting. These familial structures have reproduced the subordination of women and girls' sexuality and sexual autonomy while cementing the domination of men over women and girls, whereby men's interests are seen as fundamental to “religion, economic and political life.”²³ Resultantly, we see that religious laws and moral standards set by men are tied deeply to family honour when imposed upon women.²⁴ Thus, women are perpetually restrained in the decisions they are able to make for themselves in the name of dishonoring the men in their families and the gendered norms they impose.

These socio-cultural, religious and familial patriarchal dominations contend that the virginity of women and girls is a prerequisite to marriage and that ensuring women and girls are well ‘prepared’ for marriage is in the interest of the entire family. In this way, for males within the family context, “controlling women's sexuality becomes a site of showing traditions are not lost.”²⁵ The responsibility placed on the family in ensuring that a girl is prepared for marriage

²¹ Yamani, Ahmed Kadiri Hassani. "Cooperation and Conflict: Mothers and Daughters' Negotiation over Sexual Conduct in Morocco." In *7th MEDITERRANEAN INTERDISCIPLINARY FORUM ON SOCIAL SCIENCES AND HUMANITIES, MIFS 2019, 16-17 May 2019, Barcelona, Spain,*

²² Yamani, 200

²³ Chafai, 14

²⁴ Chafai, 14

²⁵ Yamani, 200



has purported that “girls require more control than boys prevail among Moroccan parents,” and thus, they face “stricter rules... due to the fact that parents are afraid of ‘losing their daughters.’”²⁶

Amidst efforts to maintain the restriction of women and girls’ sexualities, sexual education and any perceived expressed interest in the important topic is silenced; rendered taboo, which characterizes the entire Moroccan society, where “talking about sexuality remains among the illegitimates that no one could discuss,”²⁷ both within the family, at school or in most other settings. Next to the silence, dating and other opportunities for women and girls to develop their relationship to their own sexualities is often mightily restricted by the family. In fact, dating is often perceived as an irrelevant tool for healthy marriage.²⁸ (Emergency) contraception also remains implicated in societal and familial taboos around women and girls’ sexualities. While contraception remains available over-the-counter, “divorced and never-married women face stigma and other obstacles to accessing these medications because purchasing contraception is generally considered to be synonymous with admitting to sexual activity.”²⁹

The combination of these restricting and dominating attitudes towards women and girls’ sexualities within the family context and social spaces, has cemented discourses around shame and disgrace which serve to further subordinate women and girls to subscribe to these oppressive norms. The consequential severity of this can be witnessed by the way in which stories of rape and sexual violence are perceived and addressed in Morocco. According to (2019) study on single mothers, it was commonly reported that for a woman who has experience rape in the Moroccan context, “the strongest challenge that perpetuated fear and intimidation of [her] being is moral condemnation rather than the violation of [her] body,” highlighting the fact that “social conventions of shame and bringing disgrace to the family are

²⁶ Yamani, 200

²⁷ Majbar, El Batoul. “‘Single Mothers’ Between Law and Civil Society in Morocco.” (2013)

²⁸ Yamani, 206

²⁹ Newman, Jess Marie. “‘There Is a Big Question Mark’: Managing Ambiguity in a Moroccan Maternity Ward.” *Medical anthropology quarterly* 33, no. 3 (2019): 386-402



associated more with women than men.”³⁰ The burden that women and girls who experience sexual violence carry, serves as a powerful testimony to the extremity with which ideals of traditional gender roles as shaped by the religiously-informed and patriarchal values of the family work to marginalize and subordinate women and girls “by normalizing inequality, indifference or invisibility that hinders social development.”³¹ In contrast, the embodiment of shame and family dishonor that women and girls experience, serves to reproduce and validate power within the hands of males and patriarchal family structures. In fact, stories of rape are often “incorporated into the educational process for girls as an example for those who dare to transgress the limits, whereas boys are not educated to condemn such crimes.”³²

The fine line between silence and suppression of female sexuality; the veiling of women’s heads with *hijab*, so as to uphold ideas of modesty and a-sexuality, is incredibly complex when we consider the ways in which “girls and women are socialized to hide from [sex, sexual relations and conceptions of their own sexualities] - before, during and after marriage,” while at the same time, they are “urged to seduce and conquer [men] sexually” upon marriage.³³ Women and girls in the Moroccan familial context straddle many fine lines as their bodies and their sexualities are marked by gendered hegemonic relations. “Their refuge in silence and shame are the result of a submissive attitude towards social norms, namely the education of obedience, inferiority and passivity that girls and women are subjected to within the family on the one hand, and the culture of seduction for which women are held responsible on the other.”³⁴

6. Containing girls’ sexualities: the role of mothers

While the larger family plays a substantial role in the shaping of women and girls’ sexualities and their conceptions of themselves, their bodies and their gendered roles, it is undeniable that

³⁰ Rezzouk, Ghita. "Narratives of Single Motherhood between Stigmatization and the Role of Non-Governmental Organizations." *Dynamics of Inclusion and Exclusion in the MENA Region: Minorities, Subalternity, and Resistance* (2019)

³¹ Rezzouk, 215

³² Chafai, 13

³³ Chafai, 10

³⁴ Chafai, 10



mothers are (perhaps the most) instrumental to this process. Mothers hold a specific responsibility within the family context in Morocco, and in accordance with Islam they hold stringent obligations towards ensuring that their daughters are raised in line with religiously prescribed ideas of gender, marriage, sexuality and sexual relations. The sense of responsibility held by many mothers in Morocco, as indicated in a recent study, is a result of the Islamic belief that “every individual, regardless of gender, relates to God as a person and is independently responsible for his/her own deeds.”³⁵ As such, the mothers interviewed in the study, “perceived that bringing up and educating a daughter with Islamic principles dwelled in the realm of fulfilling responsibility towards God,” thus, these mothers felt that they must make sure that their daughters “adhered to Islamic precepts of behaviour.”³⁶ In this way, ensuring that their daughters, for example, remain virgins prior to and as a prerequisite of marriage, has proven a prominent interest of mothers. Several of the mothers interviewed in the study went so far as to claim that in the chance their daughter turned out to not be a virgin upon marriage and was thus ‘returned’ back to her family, they would rather see that their daughter dies before this occurs.³⁷

“The symbiotic relationship of mothers and daughters is a good illustration of how girls’ sexual conduct is negotiated intergenerationally within families... As girls bear the brunt of bringing to life a new generation that is expected to perpetuate traditional heritage, a struggle to maintain and transmit family values becomes particularly salient in this relationship.”³⁸ In this way, it is clear that mothers play a critical role in reproducing gendered roles within the family context in Morocco, as well as in formulating conceptions of motherhood, sexual relations and women and girls’ sexualities. In upholding political, economic and legal inequalities by preserving family structures in line with Islam and, as we will see, in line with the interests of the Moroccan state, we see that mothers act as “collaborators of the patriarchal system,” and as the

³⁵ Yamani, 203

³⁶ Yamani, 203

³⁷ Yamani, 205

³⁸ Yamani, 200



“educators of future generations and the ones in charge of (re)producing the same values and beliefs that they received from their own mothers.”³⁹

7. Shaped by the family: shameful discourses towards single mothers in Morocco

Noting the emphasis on virginity as a prerequisite of marriage and the investment of the entire family structure towards ensuring this, as well as the suppression of women and girls’ sexualities and sexual activities more broadly, it should come as no surprise that single mothers in Morocco are generally “considered as a source of trouble, shame and dishonor; therefore, they are totally rejected by society.”⁴⁰ The harmful, as in often discriminatory and violent, discourses which are impressed upon single mothers in Moroccan society serve to uphold the gendered hierarchical structures of the family unit and of the larger society. By having children outside of marriage, single mothers come to represent a type of defiance towards traditional, Islamic and family-informed ideas of motherhood and, “indeed, social stigmatization and legal discrimination marginalize these women and their children, and impact their ability to live a normal life.”⁴¹ Moroccan women who find themselves in the position of single motherhood not only evidence the way in which the family and the larger society place ideas of blame and dishonor on women over men in an effort to reproduce gender hierarchies, but they also demonstrate the extent to which individuals, families, society more broadly, and the state, as we will see in the coming pages, will go in order to maintain traditional gendered roles concerning motherhood and the suppression of female sexuality. The normative discourses which render single mothers as bearers of “‘illegible bodies’ or ‘bodies that don’t fit into prevailing representations of gendered victimhood and responsible motherhood,’”⁴² thus, reinforce the hegemonic, gendered subordination of women and girls, while simultaneously leaving single mothers in Morocco in “‘a position without identity’ or ‘access to lines of social mobility.’”⁴³ While so far, this article has focused on the suppression of women and girls’

³⁹ Chafai, 14

⁴⁰ Majbar, 471

⁴¹ Majbar, 471

⁴² Newman (2018), 56

⁴³ Salime, Zakia. "Arab Revolutions: Legible, Illegible Bodies." *Comparative Studies of South Asia, Africa and the Middle East* 35, no. 3 (2015): 525-538



sexualities surrounding single motherhood in the family and societal contexts, we will now turn to the role of the state, namely the utilization of Family and Criminal Law. We will conclude by examining the overarching interests that the Moroccan state holds in ensuring the reproduction of the family unit, whereby sexual relations remain within the context of marriage, as well as the continued subordination and marginalization of single mothers.

8. Controlling women and girls' sexualities: single mothers under Moroccan law

Laws, legal structures and the absence of laws in Morocco play a decisive role in ensuring that women and girls behave in line with traditional gendered and commonly Islamic-informed family roles. For example, under Moroccan law, the term “‘Single Mother’ refers to women who have children outside the framework of legal marriage,” considers these women and their children as illegitimate and hence, leaves them “unprotected by law.”⁴⁴ While the absence of legal protections for single mothers often means that they face high rates of violence and discrimination met with impunity, and that “there are no official government statistics for single motherhood or children born to unmarried parents in Morocco, nor any state inquiries into the numbers of abortions that occur annually,”⁴⁵ often means that single mothers are often left without the sufficient guarantee of resources which would ensure their socio-economic rights more broadly. Next to these concerns, one of the most commonly cited areas of discussion pertaining to the inadequate legal protection afforded to single mothers in Morocco, has to do with the citizenship rights and legal protections afforded to her child, namely in such situations where the father is not present and/or is not married to the mother.

One such example is provided by the inadequacies of the 2004 reformed Family Code. Despite the perceived developments to women’s rights in the wake of the reform, gender equality activists in the country have argued that the new code actually serves to *create* single mothers.⁴⁶ This critique cites the issue of *Mariage bil fatiha* or ‘Al Fatiha Marriages,’ which are marital ceremonies, notably where neither the bride or groom are required to be present, the bride’s consent is not required, and through which marriage is effectuated upon the reciting of the

⁴⁴ Majbar, 471

⁴⁵ Newman (2019), 389

⁴⁶ Newman (2019), 391



opening chapter of the Quar'an, the *Surat al-Fatiha*.⁴⁷ Under article sixteen of the 2004 reform, Al Fatiha Marriages are deemed illegitimate, but despite this, they remain widespread, particularly in rural areas of Morocco. As the new family code has forbidden this type of marriage from occurring, secrecy around the wide-spread practice has substantially increased, rendering particularly young women and girls especially vulnerable to these marital practices. Al Fatiha Marriages have a particular importance for women who find themselves in positions of single motherhood, whereby because these marriages are “neither reported to the state nor regulated by an official body... women married through marriage bil fatiha are legally categorized as single mothers, leaving them vulnerable to abuse and abandonment.”⁴⁸ With respect to the recognition of parental rights, as well as the citizenship rights of the child, one of the results seen most importantly granted to single mothers in the wake of reform is that women married in Al Fatiha marriages were, for the first time, afforded the right to pass their family names to their children.⁴⁹ Despite this advancement, Al Fatiha Marriages, continue to have major consequence for single mothers, whereby in these types of marriages, fathers/husbands commonly abandon their families, “leaving behind unidentified children,” while simultaneously posing “a threat to the legitimacy of children as well as the status of the wife as a married women,” which ultimately serves to deprive children “of their identity as future individuals of society while mothers can be considered single mothers,”⁵⁰ facing their own experiences of marginalization and discrimination.

While the hidden practice of Al Fatiha Marriages, on-going and hushed as a result of the criminalization of the practice, women are left especially vulnerable to single motherhood and the violence and discrimination that typically accompanies this social position due to other, overlapping aspects of Moroccan Family and Criminal Law. Perhaps most notably, single mothers are marginalized and left without adequate legal protection as a complex web of criminalizations takes shape in the Moroccan legal landscape. This web includes the

⁴⁷ Newman (2019), 391

⁴⁸ Newman (2019), 391

⁴⁹ Newman (2018), 52

⁵⁰ Rezzouk, 214



criminalization of sex outside of marriage, abortion, child abandonment and “the possibilities for surrendering and adopting children.”⁵¹ We can see these criminalizations cited under the 1962 Moroccan Penal Code, whereby extra-marital sex (*zina*) is considered a ‘crime against morality’ and is punishable by one month in prison;⁵² abortion is considered legal only in instances where is necessary ‘to save the health of the mother,’ it requires the consent of her spouse, and a woman may be fined and imprisoned for seeking an abortion;⁵³ and, lastly, adoption is not legally recognized, cited as holding ‘no legal value.’⁵⁴ Next to these criminalizations, persons who attempt to assist women in the processes of seeking an abortion or intending to surrender her child are also liable for punishment under Moroccan criminal law. In addition to banning sexual relations outside of marriage, “preventing single women from abandoning their children,” whether through abortion, attempts towards adoption or other methods of ‘abandonment,’ in the Moroccan society is “integral to imagining a maternalism not enshrined in heteropatriarchal laws.”⁵⁵ As this web of intersecting criminalizations determine the legal protection (or lack of) to be afforded to women who find themselves pregnant outside of marriage, and thus, as single mothers, we find ourselves tasked with addressing the key questions of: what do the Moroccan laws *tell us about the priorities of the state? How do the widespread discrimination, mistreatment and absence of legal protections afforded to towards single mothers reflect a larger project of coercive control over the lives of women and their bodies? And, lastly, in what ways does the state’s behavior actually serve to consolidate political, economic and religious power in the hands of the Islamic, constitutional monarchy?*

⁵¹ Newman (2018), 51

⁵² Under article 90, *Morocco: Code Pénal* [Morocco], 26 November 1962, available at: <https://www.refworld.org/docid/54294d164.html> [accessed 6 January 2021]

⁵³ Under articles 453-458, *Morocco: Code Pénal* [Morocco], 26 November 1962, available at: <https://www.refworld.org/docid/54294d164.html> [accessed 6 January 2021]

⁵⁴ Under article 149, *Morocco: Code Pénal* [Morocco], 26 November 1962, available at: <https://www.refworld.org/docid/54294d164.html> [accessed 6 January 2021]

⁵⁵ Newman (2018), 51-52



9. Tying it all together: ‘The Divinity of the State,’ single mothers and Necropolitical agendas in Morocco

In order to begin to answer these questions, here we will borrow two theories. The first is Lavie’s (2014) explanation of the ‘Divinity of the State.’ We can employ this idea to account for the “fraught imbrication of religion, sovereignty, and national identity,”⁵⁶ within the Moroccan context with respect to the discourses, which, in turn, shape the social position of single mothers. Considering that this article has placed great emphasis on the role of the family in subordinating women and girls’ sexualities and sexual relations, we would also argue that the concept of family plays a substantial role in reproducing these gendered discourses and, thus, it ought to be added to Lavie’s list, alongside the roles of religion, sovereignty and national identity. The harsh denunciation of single mothers in the Moroccan context, which can be sited through these various elements, as well as directly under state interests as exhibited by the law, evidences the ways in which “maternalism becomes a powerful organizing principle when it articulates with the maintenance and circumscription of ethnoreligious national belonging.”⁵⁷ The treatment towards single mothers and the large-scale attempts to ensure that women and girls do not become single mothers, as stringently facilitated through the role of the family, in compliance with ethno-religious ideologies can be marked as in line with the interests of the Moroccan state, whereby “Moroccan legislation provides for the prosecution of single mothers, motherhood in general is highly valorized and [these efforts are] aligned with state pronatalist interests.”⁵⁸ In this way, state systems and legislation regarding single mothers in the Moroccan context, serve to “institutionalize the discriminatory characteristics and gender inequalities of major religious traditions by giving them formal recognition and state-sanctioned backing.”⁵⁹ Additionally, women’s rights groups and gender equality activists work to denounce the sustained perpetuation of gender inequality, the subordination of single motherhood, and women and girls’ sexualities more broadly, by contesting the “scriptural

⁵⁶ Lavie, Smadar. *Wrapped in the flag of Israel: Mizrahi single mothers and bureaucratic torture*. U of Nebraska Press, 2018.

⁵⁷ Newman (2018), 53

⁵⁸ Newman (2018), 52

⁵⁹ Raghavan, C., & Levine, J. P. (2012). *Self-determination and women’s rights in Muslim societies*. Brandeis University Press



monopoly of state-sanction religious institutions,” by daring to “reinterpret religious laws, and reinvent religious tradition by vernacularizing international women’s and human rights discourses.”⁶⁰ Despite these efforts, it would seem that through the responses of the Moroccan state, commonly taking the form of legal reforms which attempt to respond to these interests, including constitution, penal and family code reforms, have “served the monarchy’s interests rather than meeting special groups’ policy goals.”⁶¹

The second theory that we can use to understand the Moroccan state’s treatment towards single mothers reflects the nexus between Foucault’s biopower and Mbembe’s necropolitics. As we have seen throughout this article, these theories, taken together reflect the way in which the “*population*,” according to Foucault, “is the target of the art of governmentality through biopolitics, where the management of life of one is inevitably connected to the death of another.”⁶² We can employ this theory to encapsulate the *disposability* by which single mothers, as subjects who defy the traditional ethno-religious, familial and state-sanctioned discourses of female sexuality, are ‘cast off,’ into a space of pervasive violence, discrimination and the absence of legal protection in the Moroccan context. Utilizing this theory, we can come to understand the way in which women and girls who comply with both *de facto* and *de jure* regulations impressed upon them, their bodies, their sexualities and their gendered roles and identities serve to measure up to women who do not, such as single mothers. In this way, we can mark how “the management of life of one population,” namely those who comply with these gendered norms and championed ideologies, “relies on the discipline, control, and ultimately, death and diminishment of the other who stands outside and threatens the interests of the population whose life is worth saving.”⁶³ Ultimately, by the way in which single mothers in Morocco are abandoned by the law, namely in the face of alarming rates of socio-economic marginalization, the absence of adequate support from the state due to this lack of legal recognition, as well as wide-spread violence and discrimination against them, the state

⁶⁰ Raghavan, 245

⁶¹ Gagliardi, Silvia. "Violence against women: the stark reality behind Morocco's human rights progress." *The Journal of North African Studies* 23, no. 4 (2018): 569-590

⁶² Shaksari, Sima. "Killing me softly with your rights." *Queer necropolitics* 93 (2014)

⁶³ Shaksari, 103



evidence's not only its lack of intent to liberate such women from these harmful experiences, but also its power to determine whose life has value; whose life is worthy of protection and worth saving and supporting, and whose is not. What we witness, then, with the treatment towards single mothers in the Moroccan context, is the way in which law and “politics [are] constituted through an original exclusion of certain people who are abandoned by power, in the sense that power has no interest in them.”⁶⁴

10. Conclusion

In this article, we have explored the treatment of women's reproductive rights in the biopolitical and necropolitical orders of two countries in the MENA region: Turkey and Morocco. Our findings through legal documents, discursive analyses, and traditional approaches have revealed the way in which the state at the macro-level and the family at the micro-level consolidate their power upon the coercive control of women's bodies, sexualities, reproductive capacities, and thus, their lives. It is evident in both countries that legal regulations on women's rights over their own bodies were not made with a gender-sensitive perspective; rather, both countries made these regulations in line with their international and domestic policy calculations. As a result, while progressive women's rights are present in global showcases of both countries compared to any country in the MENA region, these rights are subject to crucial limitations in practice through a collaboration of the coercive control mechanisms (i.e., state, family, religion) within the society.

We have demonstrated the biopolitical and necropolitical functioning of the state's coercive power by analyzing the implementation of the abortion right in Turkey. As discussed in this article, the pronatalist policies of the AKP has played major roles in the gradual removal of the abortion right under anti-abortion health system regulations in Turkey. These policies have redefined the societal roles of women around motherhood in the family and ultimately created an inclusion and exclusion relationship between the compliant and non-compliant women in the biopolitical field of the state.

Critically dismantling the popular narrative that women's rights are championed in Morocco, we have taken a look at the role of legal mechanisms, both harmful laws and gaps in adequate

⁶⁴ Douzinas, Costas. *Human rights and empire: the political philosophy of cosmopolitanism*. Routledge, 2007



International Journal of Interdisciplinary Gender Studies

Vol 2. Issue1. 2021 – Legal Deposit: 2021PE0016

Online ISSN: 2737-8373 – Print ISSN: 2737-8381

protection under Criminal and Family law, as agents increasing the vulnerability and marginalization of single mothers in Morocco. We have explored the socio-legal, cultural and religious relations between the conservative laws and politics of the state, the family unit, and Moroccan public opinion, in order to showcase the way in which law can serve as a necropolitical and biopolitical tool of states to control women, their bodies, their lives, sexualities and their normalized gendered roles.

In both contexts, we witness how women who reject maternal roles have not only been marginalized within the political discourse but have been betrayed by the states' laws and policies. We conclude that both the regulations in Turkey, preventing the legal abortion right on-demand from being accessible within the safe and sterilized environment of public hospitals, as well as the illegality of abortion and adoption and the criminalization of extra-marital sex in Morocco, endanger non-compliant women's lives, casting them into a necropolitical space of *disposability* under the intimidating power of the states. We highlight these manifestations with grave concern and conclude that a critical and feminist systemic addressal of the necropolitical and biopolitical interests of the Turkish and Moroccan states is in order for emancipatory gender politics and an honest championing of women's rights. We believe that any further research with new theoretical lenses promises much to enlighten the everlasting struggles of women over their sexualities and bodies not only in the margins of life but also in the margins of death.

References

Adalı, Tuğba, and Alanur Çavlin. 'Türkiye'de Kürtajın Yaygınlığı ve Kürtaj Kararını Etkileyen Faktörler'. *İstanbul Üniversitesi Sosyoloji Dergisi* 39, no. 2 (2019): 359–78.

Agamben, Giorgio. *Homo Sacer: Sovereign Power and Bare Life*. Stanford: Stanford University Press, 1998.

Ahmetbeyzade, C[ı]han. 'Gendering Necropolitics: The Juridical-Political Sociality of Honor Killings in Turkey'. *Journal of Human Rights* 7 (1 July 2008): 187–206. <https://doi.org/10.1080/14754830802286095>.



International Journal of Interdisciplinary Gender Studies

Vol 2. Issue1. 2021 – Legal Deposit: 2021PE0016

Online ISSN: 2737-8373 – Print ISSN: 2737-8381

Al Jazeera. ‘Erdogan: Childless Women Are “Incomplete”’. Al Jazeera, 6 June 2016. <https://www.aljazeera.com/news/2016/6/6/turkeys-erdogan-says-childless-women-are-incomplete>.

Altuntaş, Nezahat, and Yahya Demirkanoğlu. ‘Adalet ve Kalkınma Partisi’nin Kadına İlişkin Söylem ve Politikalarına Bakış: Muhafazakâr Demokratlıktan Muhafazakârlığa Doğru Evrilişin İzdüşümleri’. *Akademik Yaklaşımlar Dergisi* 8, no. 1 (2017): 65–96.

Başyurt, Hasan Ulaş. ‘Merdiven Altı Kürtaj Yapan Yerler’. *OP.DR.HUB* (blog), 27 August 2020. <https://opdrhasanulasbasyurt.com/blog/merdiven-alti-kurtaj-yapan-yerler/>.

Bordat, Stephanie Willman, Susan Schaefer Davis, and Saida Kouzzi. "Women as agents of grassroots change: Illustrating micro-empowerment in Morocco." *Journal of Middle East Women's Studies* 7, no. 1 (2011): 90-119.

Caravaca-Morera, Jaime Alonso, and Maria Itayra Padilha. ‘TRANS NECROPOLITICS: DIALOGUES ON DEVICES OF POWER, DEATH AND INVISIBILITY IN THE CONTEMPORARY WORLD’. *Texto Contexto - Enfermagem* 27, no. 2 (21 June 2018). <https://doi.org/10.1590/0104-07072018003770017>.

Chafai, Habiba. "Contextualising street sexual harassment in Morocco: a discriminatory sociocultural representation of women." *The Journal of North African Studies* 22, no. 5 (2017): 821-840

Darhour, H. (2019). The impact of CEDAW’s global norms on GBV legislation in Morocco. *Journal of Applied Language and Culture Studies*, 2, 79- 101

Dayı, Ayşe. ‘Neoliberal Health Restructuring, Neoconservatism and the Limits of Law: Erosion of Reproductive Rights in Turkey’. *Health and Human Rights Journal* (blog), 9 December 2019. <https://www.hhrjournal.org/2019/12/neoliberal-health-restructuring-neoconservatism-and-the-limits-of-law-erosion-of-reproductive-rights-in-turkey/>.

Demirci, Tuba, and Selçuk Akşin Somel. ‘Women’s Bodies, Demography, and Public Health: Abortion Policy and Perspectives in the Ottoman Empire of the Nineteenth Century’. *Journal of the History of Sexuality* 17, no. 3 (2008): 377–420.



International Journal of Interdisciplinary Gender Studies

Vol 2. Issue1. 2021 – Legal Deposit: 2021PE0016

Online ISSN: 2737-8373 – Print ISSN: 2737-8381

Desrues, Thierry. "Mobilizations in a hybrid regime: The 20th February Movement and the Moroccan regime." *Current Sociology* 61, no. 4 (2013): 409-423.

Douzinas, Costas. *Human rights and empire: the political philosophy of cosmopolitanism*. Routledge, 2007

Ekmek ve Gül. 'Türkiye'de kürtajın tarihi'. *Ekmek ve Gül* (blog), 27 May 2017. <https://ekmekvegul.net/gundem/turkiyede-kurtajin-tarihi>.

Erkaya Balsoy, Gülhan. *Kahraman Doktor İhtiyar Acuzeye Karşı: Geç Osmanlı Doğum Politikaları*. Istanbul: Can Yayınları, 2015.

Ertem, Ece Cihan. 'Anti-Abortion Policies in Late Ottoman Empire and Early Republican Turkey: Intervention of State on Women's Body and Reproductivity'. *Fe Dergi* 3, no. 1 (2011): 10.

Foucault, Michel. 'Governmentality'. In *The Foucault Effect: Studies in Governmentality with Two Lectures by and An Interview with Michel Foucault*, edited by Graham Burchell, Colin Gordon, and Peter Miller. Chicago: University of Chicago Press, 1991.

———. *Society Must Be Defended: Lectures at the Collège de France, 1975-76*. 1st ed. New York: Picador, 2003.

Gagliardi, Silvia. "Violence against women: the stark reality behind Morocco's human rights progress." *The Journal of North African Studies* 23, no. 4 (2018): 569-590

Haplarlakürtaj. 'Türkiye'de Kürtaj Fiyatları'. *Haplarlakurtaj* (blog), 20 July 2020. <https://haplarlakurtaj.org/turkiyede-kurtaj-fiyatlari/>.

Hürriyet. 'Erdoğan: En az üç çocuk doğurun'. *Hürriyet*, 7 March 2008. <https://www.hurriyet.com.tr/gundem/erdogan-en-az-uc-cocuk-dogurun-8401981>.

———. 'Kürtajı Bir Cinayet Olarak Görüyorum', 25 May 2012. <https://www.hurriyet.com.tr/gundem/kurtaji-bir-cinayet-olarak-goruyorum-20630000>.

Igde, Fusun Artiran, Rukiye Gul, Mahir Igde, and Murat Yalcin. 'Abortion in Turkey: Women in Rural Areas and the Law'. *The British Journal of General Practice* 58, no. 550 (1 May 2008): 370–73. <https://doi.org/10.3399/bjgp08X280353>.



International Journal of Interdisciplinary Gender Studies

Vol 2. Issue1. 2021 – Legal Deposit: 2021PE0016

Online ISSN: 2737-8373 – Print ISSN: 2737-8381

Kıpçak, Nur. ‘Yasal Kürtajdan Yasak Kürtaja: Türkiye’de 2002-2018 Döneminde Kadınlara Yönelik Biyopolitikalar’. 5Harfliler, 11 March 2019. <https://www.5harfliler.com/yasal-kurtajdan-yasak-kurtaja/>.

Kocamaner, Hikmet. ‘The Politics of Family Values in Erdogan’s New Turkey’. MERIP, 15 December 2018. <https://merip.org/2018/12/the-politics-of-family-values-in-erdogans-new-turkey/>.

Lavie, Smadar. *Wrapped in the flag of Israel: Mizrahi single mothers and bureaucratic torture*. U of Nebraska Press, 2018.

Majbar, El Batoul. “‘Single Mothers’ Between Law and Civil Society in Morocco.” (2013)

Martínez-Guzmán, Antar. ‘Masculine Subjectivities and Necropolitics: Precarization and Violence at the Mexican Margins’. *Subjectivity* 12, no. 4 (1 December 2019): 288–308. <https://doi.org/10.1057/s41286-019-00079-4>.

Mbembe, Achille. ‘Necropolitics’. *Public Culture* 15, no. 1 (2003): 11–40.

Millet Meclisi, and Cumhuriyet Senatosu. Nüfus plânlaması hakkında Kanun, 557 § (1965). https://www.tbmm.gov.tr/tutanaklar/KANUNLAR_KARARLAR/kanuntbmmc048/kanuntbmmc048/kanuntbmmc04800557.pdf.

Milliyet. ‘Bakanlığın yeni isminde “aile” vurgusu yapıldı’. Milliyet, 5 August 2018. <https://www.milliyet.com.tr/siyaset/bakanligin-yeni-isminde-aile-vurgusu-yapildi-2719161>.

Morocco: Code Pénal [Morocco], 26 November 1962, available at: <https://www.refworld.org/docid/54294d164.html> [accessed 6 January 2021]

“Morocco: Letter on Bill 103-13 Combatting Violence Against Women.” *Human Rights Watch*, 28 Oct. 2016, www.hrw.org/news/2016/10/28/morocco-letter-bill-103-13-combatting-violence-against-women.

“Morocco: Morocco Withdraws Reservations to CEDAW.” *Morocco: Morocco Withdraws Reservations to CEDAW | Women Reclaiming and Redefining Cultures*, 18 Dec. 2008, www.wluml.org/node/4941.



International Journal of Interdisciplinary Gender Studies

Vol 2. Issue1. 2021 – Legal Deposit: 2021PE0016

Online ISSN: 2737-8373 – Print ISSN: 2737-8381

Newman, Jessica Marie. "Aspirational Maternalism and the “Reconstitution” of Single Mothers in Morocco." *Journal of Middle East Women's Studies* 14, no. 1 (2018): 45-67

Newman, Jess Marie. "There Is a Big Question Mark”: Managing Ambiguity in a Moroccan Maternity Ward." *Medical anthropology quarterly* 33, no. 3 (2019): 386-402

O’Neil, Mary Lou. ‘The Availability of Abortion at State Hospitals in Turkey: A National Study’. *Contraception* 95, no. 2 (1 February 2017): 148–53.
<https://doi.org/10.1016/j.contraception.2016.09.009>.

Raghavan, C., & Levine, J. P. (2012). *Self-determination and women’s rights in Muslim societies*. Brandeis University Press

Rezzouk, Ghita. "Narratives of Single Motherhood between Stigmatization and the Role of Non-Governmental Organizations." *Dynamics of Inclusion and Exclusion in the MENA Region: Minorities, Subalternity, and Resistance* (2019)

Rohlinger, Deana A., Alexandra Olsen, and Lyndi Hewitt. "Dualing discourse: Democracy, gender equity and discursive politics in rural Morocco." In *Women's Studies International Forum*, vol. 81, p. 102373. Pergamon, 2020

Salime, Zakia. "Arab Revolutions: Legible, Illegible Bodies." *Comparative Studies of South Asia, Africa and the Middle East* 35, no. 3 (2015): 525-538

Shakhsari, Sima. "Killing me softly with your rights." *Queer necropolitics* 93 (2014)

Threadcraft, Shatema. ‘North American Necropolitics and Gender: On #BlackLivesMatter and Black Femicide’. *South Atlantic Quarterly* 116, no. 3 (1 July 2017): 553–79.
<https://doi.org/10.1215/00382876-3961483>.

Türkiye Büyük Millet Meclisi. Nüfus Planlaması Hakkında Kanun, 2827 § (1983).

———. Türk Ceza Kanunu, 5237 § (2004).



International Journal of Interdisciplinary Gender Studies

Vol 2. Issue1. 2021 – Legal Deposit: 2021PE0016

Online ISSN: 2737-8373 – Print ISSN: 2737-8381

Wright, Melissa W. 'Necropolitics, Narcopolitics, and Femicide: Gendered Violence on the Mexico-U.S. Border'. *Signs: Journal of Women in Culture and Society* 36, no. 3 (1 March 2011): 707–31. <https://doi.org/10.1086/657496>.

Yamani, Ahmed Kadiri Hassani. "Cooperation and Conflict: Mothers and Daughters' Negotiation over Sexual Conduct in Morocco." In *7th MEDITERRANEAN INTERDISCIPLINARY FORUM ON SOCIAL SCIENCES AND HUMANITIES, MIFS 2019, 16-17 May 2019, Barcelona, Spain*